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Report

Solidarity and Soup

Kitchens: A Review

of Principles and

Practice for Food

Distribution in Conflict

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A joint project by NutritionWorks and the Overseas Development Institute with Nicholas Leader

HPG Report 7

August 2000

Notes on the author:

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NutritionWorks is an international public nutrition resource group. It is a partnership of four independent nutritionists with extensive public nutrition experience in Sub-Saharan Africa, Asia, Eastern Europe and the Middle East. NutritionWorks aims to promote a broad, problem-solving approach to nutrition, which takes account of the social, economic and political causes of malnutrition. Its main activities are training, action-oriented research, strategic planning and evaluations, and the development of a recruitment register for nutritionists. NutritionWorks' first activity was to produce WFP's Food and Nutrition Handbook which will be published this year.

Acknowledgements:

Many people helped with this project. Nick Leader, of ODI, wrote the initial proposal for the project, secured the funding and provided significant input. He has written extensively on humanitarian principles – see HPG Reports 2, 3 and 4. Fiona Watson (NutritionWorks) provided additional information on the Balkans, and Arabella Duffield (ACC/SCN) gathered additional information on South Sudan.

Fieldwork for the study was done in Somalia with CARE and WFP. We would like to thank the WFP Policy Division in Rome for facilitating the work in Somalia. The WFP and CARE Somalia teams offered much assistance in carrying out the fieldwork, which would not have been possible without them. In particular, we would like to thank Simon Narbeth and Edward Kallon of WFP, and Mustaque Ahmed, John Miskell and Abdulhamid Saleh of CARE for their support. We would also like to thank WFP's Somali food monitors and CARE's partner NGOs for the assistance and information they provided. In particular, we would like to thank Ali Abdi Ibrahim of Soma Action for his insights. Roger Carter (UNICEF), Erminio Sacco (FSAU), Raymond Desarzens (ICRC), Bernard Harborne (UNCU), John Hayes (WFP), Eddie Boyle (EU) and Larry Meserve (USAID) also provided valuable information on Somalia.

Interviews were done in Nairobi on WFP and WVI programmes in South Sudan. Zlatan Milisic, Jason Matus and Anne Witteveen, spent much time with the author updating her on recent changes in WFP programming in South Sudan. We also thank Bernard Vicary of WVI for finding time to talk to the author, despite the upheavals that week caused by WVI's evacuation from South Sudan. Josephine Ippe (Oxfam) and Hamish Young (UNICEF) also provided valuable information.

The author's past experience in Somalia (MSF-H 1987–8; UNHCR 1993–4), with Rwandan refugees (UNHCR Tanzania, 1994 and CARE Zaire/DRC, 1997), South Sudan (WFP 1998) and the Balkans (CARE Albania and UNHCR Macedonia, 1999) is also used.

Interviews were done in Europe and Nairobi with ICRC, UNHCR, SCF-UK, Oxfam, WFP, CARE, WVI, CRS, Justice Africa and DSA (Congo). We would like to thank in particular: Alain Mourey, Scott Gardiner, Gilles Carbonnier, Jean-Luc Blondel, (ICRC), Serge Male (UNHCR), Lola Gostelow and John Seaman (SCF-UK), James Darcy (Oxfam), Dan Maxwell (CARE-US), Bernard Vicary and Abikok Riak (WVI), Anne-Marie Reilly (CRS), Alex de Waal (Justice Africa) and James Fennell (DSA-Congo) for their input.

We are very grateful for the comments received on the first draft of this report by: Simon Narbeth and the WFP Somalia team, Dan Maxwell, Mustaque Ahmed, Jean-Luc Blondel and the ICRC legal department, Howard Standen (CARE-UK), Sarah Longford (WFP), Saskia van der Kam (MSF-H), Alex de Waal and David Keen (London School of Economics). We have tried to take all their comments and suggestions on board.

Errors of fact and interpretation are the responsibility of the author.

ODI gratefully acknowledge financial support from DFID for this study.

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ISBN:0-85003-492-2

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Acronyms

| | |
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| ACF | Action Contre la Faim |
| ACC/SCN | UN Administrative Committee on Coordination/Sub-Committee on Nutrition |
| ADFL | Alliance of Democratic Forces for the Liberation of Congo-Zaire |
| BEG | Bahr El Ghazal |
| BMI | Body Mass Index |
| CARE | Committee for American Relief Everywhere |
| CRS | Catholic Relief Services |
| CSB | Corn/Soy Blend |
| DFID | Department for International Development |
| DRC | Democratic Republic of Congo |
| DSA | Digil Salvation Army |
| ECHO | European Community Humanitarian Office |
| EDP | Extended Delivery Point |
| EU | European Union |
| FSAU | Food Security Assessment Unit |
| FFW | Food for Work |
| GOS | Government of Sudan |
| HPG | Humanitarian Policy Group |
| ICRC | International Committee of the Red Cross |
| IDP | Internally Displaced Person |
| IFRC | International Federation of the Red Cross |
| IHL | International Humanitarian Law |
| KLA | Kosovo Liberation Army |
| MCH | Maternal and Child Health |
| MOU | Memorandum of Understanding |
| MSF | Medecins Sans Frontières |
| MTS | Mother Theresa Society |
| NATO | North Atlantic Treaty Organisation |
| NGO | Non-Governmental Organisation |
| ODI | Overseas Development Institute |
| OLS | Operation Lifeline Sudan |
| PDM | Post-Distribution Monitoring |
| RNIS | The Refugee Nutrition Information System |
| RPF | Rwandan Patriotic Front |
| RRA | Rahanwein Resistance Army |
| SACB | Somali Aid Coordination Body |
| SCF | Save the Children Fund |
| SCN | Sub-Committee on Nutrition |
| SNF | Somali National Front |
| SRC | Somali Red Crescent |
| SPLA | Sudan People's Liberation Army |
| SPLM | Sudan People's Liberation Movement |
| SRRA | Sudan Relief and Rehabilitation Association |
| SSIA | South Sudan Independence Army |
| UNCU | UN Coordination Unit |
| UNHCR | United Nations High Commissioner for Refugees |
| UNICEF | United Nations Children's Fund |
| UNOSOM | UN Operation in Somalia |
| USAID | United States Agency for International Development |
| USC | United Somali Congress |
| WFP | World Food Programme |
| WVI | World Vision International |

Key points for developing a principled food distribution

Introduction

This report is a review of current principles and practice for food distribution in conflict. The objective is to assist humanitarian agencies develop a more principled approach to food distribution. Below is a summary of the key recommendations which are detailed further in Chapter 7.

Key points

Fears of ‘fuelling conflict’ and ‘feeding killers’ have led to a focus on ‘doing no harm’ by many agencies and their donors. Food distribution will, however, always benefit the warring parties to some extent. The most agencies can do is to try and minimise this. This study shows that the main challenge for humanitarian agencies is how to ‘do good’ by finding ways of reaching the most vulnerable in a political context where this directly opposes the aims of the powerful. Thus a principled approach requires active measures by relief agencies, in terms of assessment, analysis and action.

A principled food distribution aims to maximise receipt of food aid by the most vulnerable populations, and to minimise abuse such as diversion, taxation and manipulation. This is in part the purpose of the principles of humanitarian action such as humanity, neutrality, impartiality, accountability and transparency. Explicit use of these principles, and what they mean for food distribution, can assist agencies in ethical decision-making (Chapter 6). The following steps are recommended for planning a principled distribution.

A. Situation analysis

Analyse the following:

- Risks to lives and livelihoods; to determine the need to intervene and why.
- War strategies and the war economy; to determine the degree of exploitation of certain groups and how food aid can become part of this (Chapter 4.1). Also the risk of diversion.
- Political contracts; to determine the risk of taxation, theft and diversion of food aid, and who is likely to be excluded. Also to determine how to work with local institutions (Chapter 4.2).

B. Agreement with authorities and coordination between agencies

Based on an analysis of accountability of local authorities, develop an agreement outlining the principles of humanitarian action and the respective responsibilities of each actor. Develop mechanisms for coordination between agencies and consistency in approach.

C. Identifying appropriate distribution methods

Determine which distribution mechanism is most likely to succeed in reaching the intended beneficiaries, and whether this is feasible. Different distribution methods have different benefits and risks associated with them (Table 7.1). Essential questions to be considered are: can beneficiary representatives or local institutions be relied on to distribute to the most vulnerable? If the answer to the first question is no, then the agency needs to consider whether a registration is possible for direct distribution. Cooked food distribution may be considered in situations where the risk of theft of food aid from beneficiaries is high.

D. Identifying risks of abuse at each stage of the distribution process and developing strategies to minimise them

Assess the risks at every stage of the distribution process and try to find ways of overcoming them. Stages include: needs assessment, engaging with local authorities, registration or identification of vulnerable households, food transport and storage, targeting and distribution, and post-distribution monitoring (Table 7.2).

Strategies can be divided into those that maximise food receipt by intended beneficiaries, and those that increase the possibility they can hold on to their rations. Examples include: registration, direct distribution, monitoring, and information campaigns to inform all key actors of the distribution process. Also consider: delivery and distribution of small quantities of food on a regular basis, decentralisation, distribution of less desirable foods, distribution to the smallest social unit, to the malnourished, etc. If the crisis is severe, and food is likely to be stolen from beneficiaries after receipt, the only possibility may be to distribute cooked food.

Chapter 1

Introduction

In financial terms, food assistance represents the most important response of the international community to emergencies. Food distribution has also been shown to be the intervention that is most subject to diversion and abuse (Leader, 2000). Agencies distributing food aid have been accused of ‘fuelling conflict’ and ‘feeding killers’. At the same time, in some recent emergencies the most vulnerable population groups were excluded from food distribution.

The aim of the study is to develop a principled approach to food distribution in conflict. The target audience is food aid practitioners and food aid programme managers. In other words, those who design and implement food distribution programmes. This study includes information and case-studies, from the main food distribution agencies: WFP, ICRC, CRS, WVI and CARE. The study draws on the practical experience of agency field staff, as well as that of their headquarters staff. All these agencies were in the process of improving methods of distributing food effectively to populations affected by conflict while minimising harmful consequences. This study aims to facilitate that on-going process. Academic work on the nature of war economies and its impact on the provision of aid was also examined.

The study examines a number of principles applicable to emergency food distribution programmes. The ‘fundamental principles’¹ of the Red Cross and Red Crescent remain influential, but in recent years, other humanitarian actors have developed and adopted a range of other principles and standards to guide their actions. Some of these were drawn from the Red Cross, others from development and human rights work.

The core principles of humanitarian action remain those of humanity and impartiality. The alleviation of suffering wherever it is found, and the relief of suffering solely on the basis of need are fundamental to being a humanitarian. The principle of neutrality is more complex as this is interpreted in different ways by different agencies. Essentially, it means not taking sides in hostilities. Food distribution principles such as accountability and transparency are also widely accepted among the humanitarian community. Recently, minimum standards for disaster response (the Sphere project) have also been developed.

Some agencies attempt to apply a number of approaches in their humanitarian actions. These include capacity building, local participation and disaster prevention. There is considerable controversy over these approaches, which is discussed later in this report.

A principled approach to food distribution essentially involves maximising the receipt of food aid, in the right quantities, by the most vulnerable or neediest

populations and minimising any harmful effects. Broadly speaking, this is another way of saying that food distribution should be neutral, impartial, accountable and transparent. In itself, there is nothing new about this. This is what humanitarians have been trying to do for decades.

It is the argument of this report that explicit use of the principles of humanitarian action in food distribution can help agencies make difficult decisions about programming in conflict situations. In conflict, agencies are faced with a number of moral dilemmas and compromises inevitably have to be made. Working in conflict requires a constant balancing of one risk against another, and making difficult ethical choices. Taking an explicitly principled approach can guide agencies in this ethical decision-making. This study examines different principles and considers what they mean for emergency food distribution. Furthermore, the different risks and constraints at every stage of food distribution are examined and, more importantly, how they can be practically addressed.

A key component of a principled approach is a political analysis. An analysis of the political economy of war is extremely useful in explaining the impact of the war environment on aid provision, and vice versa. Recent analysis has shown that the control of food resources is important in most contemporary conflicts. Food is used as a weapon of war. Keen and Duffield have highlighted the economic functions of violence and the development of economies based on violent asset stripping of the politically weak, to explain the protracted and disaster-producing nature of many contemporary conflicts (Keen, 1998; Duffield, 1994). Asset transfer in civil wars is part of a wider economy with winners as well as losers.

However, much analysis of the political economy of war is very critical about aid programming and its impact. In an asset-transfer economy the control of food aid is of strategic importance. For example, in the Horn of Africa, the diversion of food aid to feed troops and militia, while at the same time denying relief to contested areas has been widespread (Duffield, 1994). Aid can provide an incentive for attacks on civilians and allow armies or militia to rebuild their strength (Keen, 1998). The groups and institutions responsible for violence and oppression are often the same ones that are involved in the distribution of relief. Mechanisms for aid delivery may therefore reinforce existing inequalities in power relations (Macrae and Zwi, 1994). Aid may also contribute to counter-insurgency tactics by helping control and monitor civilians that have been forcibly displaced (Keen, 1998). The overall analysis is that aid often provides more support for the strong than for the weak. Some have also argued that humanitarian

assistance undermines the development of anti-famine political contracts between an authority and the people (de Waal, 1997). In some contemporary conflicts, donor governments have used the provision of aid as an excuse for a lack of political action (Keen, 1998).

Most analysts conclude that to address conflict-related crises it is necessary to address the structural causes of vulnerability such as mal-development and human rights abuse (Macrae and Zwi, 1994). There are no technical solutions for essentially political crises (Duffield, 1994). Anti-famine political contracts can only come from governments and people affected by famine (de Waal, 1997).

This analysis does not necessarily help aid workers decide what they should do at field level. While the critique of humanitarian assistance is valid, it is unrealistic to think that political change will happen tomorrow and it would be unethical not to act where people's lives are at risk in conflict-related crises. This study takes a positive approach and examines the practical implications for fieldworkers of analyses of the political economy of internal war. It considers how agencies can incorporate such analyses to determine what to do.

The report starts with five case-studies: ICRC Somalia in 1992 and 2000, CARE and WFP Somalia in 1999/

2000, CARE in the Rwandan refugee camps in Zaire 1994–7, WFP and WVI in South Sudan 1998–2000; and the humanitarian response to the Kosovo crisis in 1999/2000 (Chapter 2). These case-studies describe the effects of conflict as they impact on food distributions, and the actions agencies have taken in response. Each of the case-studies is concluded with a Box giving the key points arising from the case-study. Those familiar with the case-studies may therefore want to go straight to the boxes.

This is followed by a section summarising the types of problems faced in food distributions in conflict situations, drawing on the case-studies and information from other conflicts (Chapter 3). Chapter 4 analyses in more detail the nature of these (and other) conflicts, and why particular problems in food distribution occur. The analysis focuses on the nature of the war economy and political contracts.

The remainder of the report is concerned with the development of a principled approach to food distribution. Chapter 5 describes agency policy and practice in recent conflict situations, and Chapter 6 considers principles of humanitarian action. Finally, Chapter 7 pulls together information from previous sections and provides recommendations on 'what to do' to develop and implement a principled approach.

Chapter 2

Case-studies of agency practices

2.1 Somalia: ICRC 1992 and 1999/2000²

Operations in 1992

The riverine populations of the Juba and the Shebelle rivers (Bantu and Gabawein) and the Rahanwein of Bay and Bakool regions were the worst hit by the famine of 1992. These regions are the most fertile in the country. None of the clans living in these areas was well represented politically during previous governments. Famine came first to the riverine populations. After the fall of president Siad Barre, people fled from Mogadishu to the Shebelle valley, where food supplies quickly ran short. Retreating soldiers and some pastoral clans looted the villages. This was followed by looting by United Somali Congress (USC) 'liberators' and reprisals for 'collaboration'. Following the capture of Kismayo by the USC, they moved up the Juba valley. The Bantu farmers welcomed them, but when the USC withdrew in June, they experienced brutal reprisals from Darod (allied with Siad Barre) forces.

Food prices shot up from the middle of 1991, and food almost disappeared from markets by November. Famine in Bay Region started from late 1991. Siad Barre established himself in Burdubo on the upper Juba, from where his forces moved towards Mogadishu. Baidoa was captured. Siad Barre's forces fed themselves by systematic looting of the population in Bay Region and stole livestock. Rahanwein, seen as USC allies, experienced severe retribution, including the destruction of their villages. Most of the Rahanwein from Baidoa fled. By the middle of 1992, there were an estimated one-half million displaced in Somalia, and a similar number of refugees in Kenya.

In 1991, ICRC reported prevalences of 70-90% malnutrition in some areas, of which 50% was severe (as measured by the QUAC stick, which assesses malnutrition according to arm circumference for height). In 1992, this had risen to 97% malnutrition, 76% of which was severe. Food prices were still increasing in 1992, despite ICRC's intervention.

ICRC started a general (dry) food distribution in March 1991, together with the Somali Red Crescent (SRC). Soup kitchens were started in March 1992. ICRC brought in 79,000MT of food during the first seven months of 1992. By the middle of 1992, (dry) general rations were provided for one million people, and cooked food for 600,000.

The dry distribution was mostly carried out by local committees composed of clan elders, but political, logistical and personnel constraints led to variations in

distribution levels (from 2kg/person every two months to 10kg/person/month). The kitchen programmes were started because it became clear that certain population groups had no access to the dry distribution and were unable to keep their food rations even if they received them. These were displaced people, Bantus, Somalis of the 'wrong' clan affiliation and Ethiopian refugees.

ICRC initially faced political problems with the kitchen programmes. Local authorities were critical because they had no control over the kitchens. Also, when the kitchen programme was started, food was diverted from the dry distribution. In 1992, ICRC nutritionists recommended that an equal amount of food aid be provided in dry and cooked form, to prevent political tensions, as well as flooding of the kitchens. Initially, only 10% of food aid was intended to be distributed through the kitchens, but this quickly rose to 40%. (The division of food aid in 1992 was as follows: 40% dry, 40% wet, 10% FFW and 10% security.)

Wet feeding was the only certain way to bring food to certain categories of beneficiaries. However, food was insufficient to provide malnourished people with a ration that would allow for catch-up growth, nor did ICRC have the capacity at the time to implement therapeutic feeding programmes. ICRC decided on feeding people at (what they considered) the lowest acceptable 'maintenance' levels (1,990kcal) so that 1.8 times more people could be fed than if requirements for catch-up growth were provided for the severely malnourished (3,500kcal). This was provided as two cooked meals a day (320g rice, 110g pulses, 55g oil). ICRC recognised that this was inadequate for children, particularly the malnourished, and advocated for NGOs to bring in therapeutic feeding.

Food was brought into the country using a number of landing points on the coast, four cross-border points with Kenya, and airlifts to Baidoa, Hudur and Belet Weyne at times of high security risk. Negotiation skills of ICRC staff were crucial in getting the convoys through. Many Somali staff, as well as security, were paid in food. This did however not prevent the looting of some consignments. Some food aid found its way into the market-place and consequently lowered the price of locally produced food.

Operations in 1999/2000

Following the departure of UNOSOM in March 1995, Aideed's forces (the USC) captured Baidoa (Bay Region) and Hudur (Bakool Region) later in 1995. Most Rahanwein again left Baidoa, Hudur and surroundings, for Gedo, in particular areas close to the Kenyan border. International agencies left or remained with local staff

only. By 1999, the number of factions had increased, and almost every clan and sub-clan had their own militia. Increasing levels of violence and banditry were reported from 1998.

ICRC had stopped food distributions in 1993 soon after UN and NGO operations started. ICRC did some emergency food distributions following the 1997 floods, and again in late 1999 and early 2000 to people displaced by recent conflict. In 1999/2000 a key constraint for ICRC's operation was the security risk associated with food distributions. This influenced their assessments, food delivery and distribution. The approach to distribution had to be adapted to every specific location in Somalia, based on knowledge of current leadership, who the displaced are, etc.

A nutritional assessment, in which the anthropometric status of children is measured, is considered to attract too much attention, not only increasing the expectations of the local population, but also attracting bandits. Changes in food security are monitored by working out the terms of trade between sorghum and various income sources (goat, camel's milk and unskilled daily wages). Local ICRC and SRC monitors collect market prices. Further information is collected by ICRC field officers (they currently have 12). Then, if terms of trade indicate a serious deterioration in food security, international staff carry out a very rapid assessment. Terms of trade between sorghum and unskilled wages showed a significant deterioration from January 1998 to October 1999. This was considered to reflect a nutritional risk particularly for the displaced.

Once it has been determined to distribute food aid to displaced in a certain area, almost all planning is done either by, or together with, ICRC Somali field officers. This includes the selection of target groups and determining the beneficiary numbers (using targeting criteria set by the ICRC delegation). Field officers generally cover an area that is larger than that of their own clan.

ICRC may decide to distribute through clan elders, or to do it itself. For distributions in Gedo, where both local and displaced populations are of the Marehan clan, distribution is done through clan elders. The target population is informed of their rations, and the consignment is handed out in front of everyone. Consequently, the elders can only take what the population considers acceptable. The ration size allows for sharing with the local population (for example in January, a two-month ration was provided for displaced families in Gedo). When distributing to displaced Bantu, ICRC involves the elders, but distributes food directly to the displaced. The elders are paid for assisting in the distribution. ICRC faces frequent problems with elders and local authorities when ICRC decides to do distribution itself. Knowledge of 'warlords' and local politics, allows ICRC to judge local leaders and decide whether to work with them or not.

ICRC tries to purchase food locally as much as possible, and moves food like other commercial goods in Somalia. Only small quantities are moved at a time; i.e. one consignment goes in four or five different convoys, using a different timetable for each. Food transport therefore has low visibility. People at checkpoints are paid by merchants who are responsible for the transport of the goods and considered as the owners until delivery to ICRC Field Officers at delivery points. Local trucks are used for onward movement within the region, so that local businessmen will also benefit. According to the ICRC delegate in Nairobi, ICRC has never been asked to pay part of their food aid as tax to the RRA.

Box 1

Key points arising from ICRC Somalia case-study

- 1 In 1992, despite the impossibility of controlling food supplies, the extent of the need justified the food distribution.**
- 2 Dry distribution was mostly done through committees of clan elders, which led to highly unequal food receipts, and the exclusion of the politically vulnerable. Its continuation was justified to prevent political tension and prevent an influx to the kitchens.**
- 3 Providing cooked food was the only way to guarantee access to food for the politically vulnerable.**
- 4 10% of food aid was provided for security in 1992.**
- 5 In 1999/2000, the risk of banditry determined all aspects of the relief operation. No nutritional surveys were done because of fear of attracting attention, and food aid was transported in small quantities using local commercial transport.**
- 6 How to distribute to displaced populations depends on the relationship between the displaced and the resident population. If the political interests of the resident and displaced populations are the same, the distribution is done through resident elders. If the displaced are politically marginalised groups, ICRC involves resident elders, but ICRC distributes the food itself.**
- 7 Local knowledge, through long-term presence, was crucial in determining how to work with local leadership and in developing a relationship of trust with staff and the local population.**

2.2 Somalia: CARE and WFP 1999/2000³

WFP and CARE carry out free food distributions in Bay, Bakool and Gedo Regions. CARE started distributions in January 1999, and WFP distributed food aid in response to the floods, and later drought, in 1998 and 1999. The regions have now suffered 5 consecutive poor harvests. The Rahanwein are amongst the worst affected, because their asset base has been depleted since the 1992 famine. They have been unable to build up food stocks or other assets since that time, because of continuing insecurity during the period that Aideed held Baidoa and Hudur, and repeated drought. High malnutrition rates have been reported in Rabdure, 30% <-2 Z-scores (Bakool Region), and Bardera (Gedo Region), 23% <-2 Z-scores, in February 2000 and December 1999 respectively. WFP re-established their office in Baidoa in November 1999.

CARE, WFP and ICRC all face similar risks of abuse of food distribution. There are certain important differences however, in both the problems faced and how they were addressed. WFP, like other UN agencies in Somalia, has not received all the funds it requested, which particularly affects its ability to pay for support costs (e.g. staffing). Lack of food aid, as well as the high cost of the operation, means WFP 'has to get food as close to the needy people as possible'. This leads WFP to attempt the targeting of vulnerable households. In addition, food aid often arrives late. Donor priorities also determine what both agencies can do; the Somalia Aid Co-ordination Body (SACB), which was established by the key donors to Somalia after the departure of UNOSOM, may put bans on rehabilitation in certain areas (Gedo at present). This forces agencies to carry out free food distribution, even when they think that food-for-work may be more appropriate.

Neither agency had the freedom to hire the staff they consider to be qualified to do the job, regardless of clan affiliation, nor did they feel able to fire staff because of the consequent risk of threats. Both agencies identified the need to negotiate access and engaging with local authorities as the over-riding difficulties in their work. This led the UN Coordination Unit (UNCU) to formulate Ground Rules for Somalia (in draft). In addition to humanitarian principles, the Ground Rules outline the roles and responsibilities of UN agencies and local authorities. This includes the protection of civilian populations, unhindered access for aid agencies, freedom to recruit staff without interference, etc. CARE makes sure that local authorities agree to certain conditions before starting distribution, for example, targeting criteria, non-interference, security. In April 2000, an operational agreement was signed between WFP and local authorities in Bay and Bakool regions. The agreement outlines the principles of WFP assistance (neutrality, impartiality, accountability and transparency) and the respective responsibilities of WFP and the Rahanwein Resistance Army (RRA). A procedure for the settlement of disputes is also included. For example, WFP responsibilities include: assessment of needs,

verification of beneficiary numbers and supervising and monitoring distributions, and that of the RRA includes the provision of a secure working environment.

Frequent political and military changes sometimes make it difficult for external agencies to know who is actually 'in charge' in a particular village or district. Often, several individuals, or 'committees' may claim to represent a certain population group. Political power among the Rahanwein is diffuse; there are no formalised power structures and local civil administration is not yet well established. Knowing with whom to work as local representatives for food distribution is therefore problematic.

Neither WFP, nor CARE considered the information provided by the UN's Food Security Assessment Unit (FSAU) sufficiently disaggregated for food aid targeting purposes. Others questioned the reliability of the information provided by local monitors without verification by international staff. CARE supplements FSAU information with its own assessments, and UNCU-initiated joint assessment missions. FSAU has increased the number of field assessments with international staff, and has written a proposal to include nutritional surveillance. Assessments have sometimes been manipulated by local authorities. This can be either by excluding areas that were inhabited by clans perceived to be the enemy, or by requests to do assessments in areas important to the RRA.

The greatest difficulty is targeting the vulnerable groups identified by FSAU. FSAU might identify, for example, the poorest agro-pastoralists as most vulnerable, representing 30% of the population. WFP Somalia initially established village committees, composed of clan elders, to identify the most vulnerable. Both WFP and CARE quickly realised that distribution through clan elders led to a proportion of food aid being taken as tax, another part for the elders, and the most vulnerable received only a small portion of their entitlements or were excluded entirely. A CARE survey in Gedo in September 1999, showed highly unequal food aid receipts and that malnutrition levels had therefore remained high. Problems of food aid targeting are compounded by a lack of accurate population figures. Both WFP and CARE have been asked to pay 20–30% of food aid as tax. Refusal to meet RRA (in Bay and Bakool regions) or Somali National Front (SNF) (in Gedo region) demands, initially led to attempts by the RRA and SNF to play the two agencies off against each other. This was resolved by an agreement between WFP and CARE that one would not work in an area where the other could because of excessive demands or threats.

CARE and WFP dealt with taxation and diversion in different ways. CARE decided to target clearly identifiable target groups, such as the malnourished, displaced in camps, the elderly and the disabled. WFP on the other hand, registered all households in the worst-affected areas, and in February, were planning on food for work and distribution of general rations to families

of malnourished in towns such as Baidoa. Both were convinced that if rations could be distributed directly to households, the risk of taxation and diversion would be significantly reduced. Or at least households may then have a choice whether to pay part of their food aid as tax. During the field visit, local people asked for food to be provided directly to them for the same reasons. Both agencies have faced considerable resistance from local authorities and elders in implementing their approaches. When CARE first implemented the distribution in Bulla Hawa, they had 24 CARE staff present to prevent disruption of the distribution.

CARE takes a capacity-building approach in Somalia and works with local NGOs. The local NGOs carry out the selection of target households using CARE's criteria. Most local NGOs consist of former staff of international NGOs or UN, or former employees of government ministries. When interviewed for this study, they agreed that CARE's criteria resulted in a more equitable distribution overall, but that sometimes some of the destitute were excluded (at the same time admitting, however, that if destitution was included as a targeting criteria, "everyone would suddenly become destitute"). It was felt that because the targeting criteria were simple and understood by everyone, it was more difficult to abuse. CARE's decision to work with local NGOs initially led to many people setting up local NGOs. NGOs had to be selected on the basis of their professional expertise, which took time. CARE field staff commented that initial work with a limited number of local NGOs led to inter-clan tension.

Local NGOs and local staff are subject to considerable political pressure to favour some groups and marginalise others. CARE's own staff check a sample of the target households selected, and CARE staff do all post-distribution monitoring. WFP has started verifying Extended Delivery Points (EDPs) before distribution (and found that while some villages had been excluded, others did not exist), with international staff doing registration and post-distribution monitoring.

Both CARE and WFP prevent looting and theft from food convoys by using commercial transporters who are responsible for making up any losses. They use a system of security bonds, whereby the contractor provides a certain proportion of the value of the food aid as a security bond to CARE or WFP. In February 2000, neither agency warehoused any food because of the danger of theft. Convoys are sometimes attacked by 'uncontrolled militia'. In January, a CARE convoy was asked for 2–3 million Somali Shillings and because they could not pay, 20 security people (hired by the contractor) were killed. Landmines continue to cause problems.

Box 2

Key points arising from CARE and WFP Somalia case-study

- 1 CARE and WFP's actions were partly determined by donor priorities and funding.**
- 2 In contrast to 1992, in 2000 noone believed there to be an acute crisis. The aim of the programme was livelihood support. Since noone was considered at immediate risk of dying, this put a greater emphasis on minimising abuse.**
- 3 Registration and direct distribution to households was considered the only way to minimise taxation, diversion and exclusion. Either all households in a particular area, or easily identifiable households were registered.**
- 4 A distribution system with clearly defined targeting or distribution criteria that are understood and can be verified by everyone, is more difficult to abuse. Clear criteria included: the malnourished, the displaced in camps, elderly, disabled or all households in an acutely food insecure area.**
- 5 Targeting 'the most vulnerable' through village representatives is problematic when those representatives may collect tax and pay themselves for their services. Also their perception of vulnerability and entitlements differs from that of external agencies.**
- 6 The presence of international staff is important to verify registration of beneficiaries, monitor food distributions and reduce political pressure on local staff.**
- 7 Consistency in approach between agencies reduced threats and manipulation of each individual agency.**

2.3 The Rwandan refugee crisis in Zaire, 1994–7 (with a focus on CARE's operations)⁴

The social, political and military implications of assistance provided to Rwandan refugees in Zaire have been extensively analysed and led to much introspection by the international aid community. The problems associated with the provision of aid to Rwandan refugees led to many NGOs signing up to the Red Cross/NGO Code of Conduct and to the development of the Humanitarian Charter and Minimum Standards in Disaster Response (known as Sphere).

The Rwandan Patriotic Front's (RPF) capture of Kigali in July 1994, following the genocide by Hutu extremists, led to an unprecedented outflow of Rwandans into Tanzania and Zaire in April and July 1994, respectively. Almost 200,000 Rwandans fled to Ngara in Tanzania on 28 April, and about 850,000 fled to Goma in Zaire between 14 and 18 July. It is generally known that those responsible for the genocide were part of this population movement, and lived among the refugees. Interahamwe militia (Hutu extremists) and many former government officials, lived among civilians in the camps. Some have argued in fact that the Rwandans were not refugees in Tanzania and Zaire because the persecution came from people within the refugee population rather than from their countries of origin.

The huge population movements took attention away from the genocide in Rwanda and presented a 'refugee crisis' that the international aid community knew how to deal with. The humanitarian instinct was to provide life-saving assistance as soon as possible. The outflow was accompanied by huge media attention, and over 200 NGOs came to provide assistance.

Soon however, agencies operating in the camps realised that the community representatives who were assisting with programme implementation were suspected *genocidaires*. Commune leaders were re-organising their militia, using the camps as a platform for political and military mobilisation. While this was a dilemma for all agencies working in the camps, the issue was particularly acute for the food distribution agencies. In order to distribute food aid immediately, agencies worked with the former commune leaders. This had two effects. First, they could divert aid resources to finance their militias. Second, having control over the food distribution enabled them to maintain control over civilians.

Attempts to change the way assistance was provided were met by threats to agency staff. CARE in Katala camp created a series of consultative committees, which confirmed that some of the weakest camp residents were not getting their rations. To overcome this, CARE hired a group of 'boy scouts'; young men familiar with each other from Rwanda but who were believed not to be Interahamwe. Their task was to find out who did not receive their rations and supply them with supplementary rations. Tension soon mounted between the 'boy scouts' and the Interahamwe, which led first to the killing of one Interahamwe leader. CARE received death threats, and as many as 20 of the 'boy scouts' may have been murdered. CARE withdrew its camp staff temporarily.

Commune leaders also resisted a UNHCR registration, which in some of the Goma camps was delayed to as late as mid-1995. In the less heavily militarised camps, agencies were able to change distribution from commune level down to much smaller social units, such as the 'cellule'. According to refugees, this was the most significant change in improving their access to

relief. Despite the reported diversion of aid by commune leaders, malnutrition levels were brought under control in Zaire by early 1995, and in Tanzania were always within an acceptable range. The major negative effect of food distribution was the control of resources by Hutu political organisations and their consequent ability to re-organise their militias for re-invading Rwanda. There were reports of continued killings by Hutu militia both inside Rwanda and Zaire during this period.

The failure of the international community to uphold international law, specifically by removing militia from the camps and bringing *genocidaires* to justice, effectively meant that agencies could either provide assistance to refugees under the terms set by the camp authorities or get out. Complete withdrawal (of all agencies) would have undoubtedly led to many more deaths among the civilian population. However, the competition between agencies meant that even if one NGO withdrew, another would have quickly taken its place. Only MSF-France withdrew permanently.

By late 1996, the continued killings by Hutu militia and the failure of the international community to act, sparked the ADFL offensive in eastern Zaire, supported by Rwanda and Burundi, as well as their Western allies. An attack on Mugunga refugee camp, considered a base for Hutu extremists, led to the mass repatriation of some 600,000 Rwandans. While it was clear that a significant number of Rwandans and Burundians had fled into the interior of Zaire (lowest estimates were around 360,000), the prevailing wisdom at the time was that these were Hutu militia in good physical condition. Many in the international community considered non-return to Rwanda as evidence of guilt in the 1994 genocide. From November 1996, all remaining Rwandans in Zaire were politically vulnerable. The refugee population as a whole was considered a political and military threat by the ADFL. Since late 1996, every major refugee concentration in Zaire had been attacked. In addition, the ADFL attempted to weaken the support base of Hutu extremists by denying them access to resources. The ADFL was able to continue its military strategy because all key political actors (including those in the West) showed no political will to uphold international humanitarian law (IHL).

A CARE emergency team arrived in Kisangani in May 1997, and found the condition of the refugees almost beyond salvation. There were large numbers of severely malnourished adults and mortality rates by this stage were extremely high. In developing a food distribution strategy for the remaining Rwandan refugees, CARE made conscious efforts to implement some of the lessons learnt from the joint evaluation of the Rwanda crisis in 1994–5. Three basic assumptions were made in developing the food distribution strategy:

- There was a high proportion of malnourished and other vulnerable groups (30–50%). Many had no cooking utensils and were too weak to prepare food if they did.

- The refugee population as a whole was subject to attack and to having possessions stolen — including food aid.
- There were some groups or individuals amongst the refugee population who were physically and socially stronger than others. It was thought that the unequal power relations that existed in the refugee camps between 1994–6 were likely to be magnified, because the proportion of Hutu extremists was higher.

It was decided to provide cooked food to as many of the weakest as quickly as possible. Cooked food was considered most appropriate because:

- Cooked food is highly perishable and therefore less subject to theft and diversion.
- Employment in kitchens is less attractive to the powerful, reducing the potential for control by allocating food resources.
- Beneficiaries can be observed to eat the food.
- No cooking utensils or fuel collection is required and it provides food for those too weak to cook for themselves.

The weakest were visually identified by monitors and nutritionists working in every kitchen.

In both locations where CARE worked (Kisangani and Lulingu) a combination of cooked and dry food distribution was implemented. As described for ICRC in Somalia, this was partly to prevent resistance to and interference with the kitchen programmes. In Lulingu, dry rations were distributed to prevent refugee concentrations from developing, taking into account the associated risk of attack. While in Lulingu, kitchen programmes were considered appropriate for the reasons describe above, refugees were dispersed in about 105 locations, including in the forest. Kitchens were therefore decentralised as much as possible. A high degree of monitoring was considered an essential part of the programme. In Kisangani, CARE worked with 10 UNHCR Field Assistants, 45 monitors for dry distribution and 26 for the kitchen programme, for a refugee population of 30,000. In Lulingu, CARE had 30 monitors for about 8,000 refugees dispersed over 105 locations (in addition to kitchen staff).

While CARE, and other agencies, tried to establish a programme along basic humanitarian principles, aid agencies were essentially required to accommodate the political aims of the ADFL and its supporters. Aid agencies did not gain access to refugees until the crisis was extreme. UNHCR in effect agreed to rapid repatriation in return for access. The risk of further attacks on Rwandans meant that repatriation had a higher priority than the provision of humanitarian assistance.

By late 1997, fewer than 80,000 refugees had been repatriated. At least in Lulingu, some did not return because they were still being held captive by their

'leaders'. UNHCR, CARE and other agencies, left when the remaining refugees could not be convinced to return to Rwanda.

Box 3

Key points arising from the Rwandan refugee case-study

- 1 In the absence of international political action, agencies were forced to accommodate to some degree first the aims of Hutu extremists and later the political aims of the ADFL, as a condition for maintaining operations.**
- 2 It is extremely difficult to develop a principled approach when there is no political will, at any level, to uphold international law.**
- 3 There were no technical ways of significantly reducing support to the Hutu extremists in 1994.**
- 4 The only distribution methods that went some way towards a more principled approach were to distribute to the smallest social unit in the refugee camps in 1994/95, the distribution of cooked food in 1997, and extensive monitoring.**
- 5 In 1994-96, competition for funding and the need to be visible significantly determined NGO actions. It also undermined developing a principled approach.**
- 6 Decentralisation of the operation in 1997 was essential to reduce the risk of attack.**

2.4 South Sudan: WFP and WVI, 1998–2000⁵

In 1998, the people of Bahr El Ghazal (BEG) in South Sudan suffered their worst humanitarian crisis in 10 years. Southern Sudan has experienced war between the Government of Sudan (GOS) and southern opposition movements — the Sudan People's Liberation Army (SPLA) and South Sudan Independence Army (SSIA) — for 32 of the last 43 years. In Bahr El Ghazal, the southern Dinka people had been subjected to raiding and destruction by Karebino's forces (allied to the GOS), since 1994, leading to widespread displacement and destitution. Raids by Arab militia from the north have also been frequent since 1986. In January 1998, Karebino switched his alliance from GOS to the SPLA and attacked Wau (a GOS held garrison town). The resulting displacement (an estimated 110,000 southerners fled Wau), together with poor harvests in 1997, created famine throughout BEG. By the middle of 1998, this

was associated with extremely high malnutrition rates and significant loss of life.

WFP is operational in the most insecure parts of southern Sudan, where other agencies are reluctant to operate. This includes much of Bahr El Ghazal and Upper Nile. WVI works in Western Equatoria and Tonj and later Gogrial (BEG). Access to BEG is almost exclusively by air. Food delivery in Bahr El Ghazal and Upper Nile is mostly by airdrops.

WFP and WVI are part of Operation Lifeline Sudan (OLS), which was established in 1989, following the famine in BEG in 1988. OLS is a political and organisational arrangement where access to war-affected populations is negotiated by the UN between GOS and the southern movements. The OLS agreement specifies free access to war-affected populations and the neutrality of humanitarian assistance. The signing of the 1994 OLS agreement, by GOS and the southern movements, led to greater access and to WFP's ability to carry out assessments and food distributions over a much wider area, covering rural populations. OLS is also a mechanism for coordinating humanitarian assistance. NGOs working under OLS, are granted some protection, and receive logistical support and coordination. The southern sector of OLS developed what are known as the 'Ground Rules' in 1995. These outline the basic principles of humanitarian assistance and the operating conditions required to implement them. The SPLA and SSIA signed them, and all NGOs working under OLS, sign up to them through their project agreements.

Despite the OLS agreement, denial of access by the GOS is common. In February 1998, the GOS denied access to BEG for relief flights, during which time it carried out an aerial bombing campaign. At the end of February, the GOS granted clearance to four locations in BEG, which exacerbated the developing crisis by attracting people in search of relief. Further access was granted by the end of March 1998. WFP could not, however, substantially increase aid deliveries until July 1998, following an increase in funding. Lack of coordinated contingency planning also contributed to a slow response. At the peak of the crisis, therefore, WFP suddenly had to expand its operation hugely. Food aid deliveries increased from a maximum of 2,438MT in June 1997 to 12,746MT in November 1998. International field staff increased from 15 in 1997 to 54 by July 1998. Despite the huge increase in deliveries, WFP was never able to provide food aid for the entire emergency-affected population.

Since 1994, WFP has used the food economy approach to assess food aid needs and, in Bahr El Ghazal, distributes food through locally elected relief committees. WFP international staff monitor food distributions. WVI staff have been trained in, and use, the same assessment methodology. Food economy assessments result in recommendations to target assistance to the proportion of the emergency affected population which faces a food deficit. Relief committees

were established to help target food aid to the food-deficit group. Local authorities, the Sudan Relief and Rehabilitation Association (SRRA—the humanitarian wing of the SPLA), and chiefs also take part. By August 1998, however, it became clear that this distribution system was not functioning in the acute crisis. Many of the most vulnerable did not receive food rations. This led to the establishment of a SPLM/SRRA/OLS task force. The task force found that certain groups were consistently marginalised during the distribution process; this included displaced without the representation of their chief, families with a member in the feeding programme, widows, and others at the lower end of the social hierarchy. Generally, a re-distribution took place following the 'official' distribution with WFP there. In WFP's presence 'target households' collected their food ration, and after this, chiefs and SRRA re-distributed the food, setting aside a proportion of food aid for the SPLA, SRRA and civil administration. The remaining food was then divided among the resident population, favouring the most powerful (and richest) clans, and marginalising people excluded from traditional social networks. The relief committees had little or no role in distribution. WFP international monitors faced difficulties in monitoring because they relied entirely on the SRRA for translation and assistance.

In 1998, WFP quickly organised food distribution to families of the malnourished directly through the feeding programmes. Post-distribution monitoring was also implemented systematically. Difficulties in monitoring remain however. Monitoring taxation and diversion is extremely difficult because households will rarely report this. Often, they do not know what rations they are entitled to. Monitoring is also difficult when the target households can only be identified by local people. In 1999, WFP appointed 23 Sudanese field staff, making it possible for WFP to have more open discussions with local people and learn their priorities. In some areas, distribution is now done through chiefs or *gol* leaders (which represent the smallest social unit), but the main method of distribution remains through the relief committees. Attempts are now also made to identify the displaced and ensure that they are represented. From 1999, WFP suspended some operations on the basis of clear evidence of large-scale diversion and taxation. Over 100 distributions were suspended because of noticeable taxation. Suspension of distributions was more difficult to consider in 1998, because of the extent of the need as indicated by high rates of malnutrition and mortality.

Taxation of food aid has been reported in South Sudan since the relief operation started. In 1998, it was found that the only programmes where there was no evidence of taxation were the feeding programmes for the malnourished and for under-fives. There are several explanations why taxation was difficult in these programmes. Food was distributed in small quantities on a regular basis; food was distributed directly to mothers of malnourished children or under-fives; the distribution criteria were clearly understood by

everyone; small children are traditionally prioritised in household food allocations; and foods like CSB and UNIMIX are not as valuable as sorghum.

Problems with targeting and distribution remain. In April 1999, food diversions were reported in Aweil East and West (BEG), and were associated with high malnutrition rates. A second task force was convened to investigate the problem. One of the main outstanding recommendations from the first task force report was the strengthening of the targeting and distribution system. In terms of actual abuse of the distribution system, it found that there were fewer reports of diversions to the army or theft by soldiers. Food security had improved and not everyone was affected. However, favouritism in distribution and marginalisation of the displaced continued.

In addition to targeted free food distributions, WFP is now also considering food-for-work as a form of self-targeting, as well as school feeding. Targeting on a geographical basis is also being considered (this means the distribution of food aid to all households within a specified area). However, this raises the issue of population estimates and the need for registration. Registration of beneficiary populations is almost impossible in South Sudan. South Sudan covers a huge area, where most travel is done by air or on foot, and the population is very mobile. Furthermore, population figures are highly political in South Sudan, as it indicates the populations under control of the various southern factions and the GOS.

There are two key differences between WVI's and WFP's food distributions. WVI registers the target population and provides 'full' rations to each household. Beneficiary households are issued with ration cards on the basis of the registration. People sign for the food they receive. WVI staff found that this increases the level of ownership felt by the beneficiaries. In 1998, WVI employed about 50 expatriate staff and 200 Sudanese staff (including 40 food monitors and nine commodity officers) in Tonj and Gogrial Counties of Bahr El Ghazal, a smaller area than that covered by WFP. WVI faces similar problems of favouritism and exclusion. For example, they found that initially many beneficiaries were the wives of clan leaders. Sometimes malnourished people were not included. If this happens, distribution is stopped until the issue is resolved. WVI has started food-for-work, which represented 25% of its food aid programme in early February 2000. The presence of local staff that are not involved in the food distribution programmes, has certainly assisted in analysing some of the problems associated with the food distributions.

At the time of fieldwork for this study WVI had pulled out of South Sudan, because it refused to sign a Memorandum of Understanding (MOU) with the SRRA. Negotiations on the contents of the MOU had been ongoing intensively from 1998, but were not completed when the SRRA put a deadline for signing by 29

February 2000. In addition to WVI, 11 other NGOs did not sign and withdrew from SPLM-held areas of South Sudan. The NGO's main concern is a reference to a 'commitment to SRRA objectives' in the MOU, which would compromise their neutrality and impartiality.

Box 4

Key points from the South Sudan case-study

- 1 It is extremely difficult to target a limited amount of food aid in an acute crisis. When food aid is insufficient to meet the needs of all, the strong are likely to be favoured and the weak excluded. The risk of looting and theft is also increased.**
- 2 Local representatives do not necessarily target those considered most vulnerable by outsiders—whether they are village relief committees, chiefs or local authorities.**
- 3 Vulnerability was determined by social and political status. It was these groups that were initially excluded or marginalised in distributions.**
- 4 One method for reaching the politically vulnerable was to target them when they were already malnourished. Another was to ensure that the displaced were identified and represented.**
- 5 It is impossible to stop food aid taxation for armed forces completely where the perceived external military threat remains high and other resources are scarce.**
- 6 Strategies that minimised taxation included frequent distribution of small quantities of food, targeting families of malnourished and under fives, and distribution of less valuable foods such as CSB and UNIMIX.**
- 7 When conditions are relatively stable, food-for-work and school feeding may be appropriate targeting methods.**
- 8 Both agency local and international staff are necessary to retain a degree of independence in relief programme implementation. Local staff employed by the agency, but not directly involved, can have a valuable monitoring role.**

2.5 The Balkans, 1999/2000⁶

This case-study does not cover the entire food relief operation to war-affected populations in the Balkans in 1999/2000. It merely aims to cover some of the key issues in relation to food assistance. More importantly, it is added here to illustrate some of the key differences

of an operation in which there was no shortage of funds, and which assisted a European population.

By 1997, there was increasing violence between the Serbian military and the Kosovo Liberation Army (KLA). After the failure of the Rambouillet talks, NATO launched air strikes on 24 March 1999. The war in Kosovo caused the displacement of over one million people. During the NATO air campaign more than 800,000 Kosovar Albanians sought refugee in Albania, Macedonia, Montenegro and Bosnia. Since NATO forces entered Kosovo in June 1999, the majority of Kosovar Albanians have returned to Kosovo, but over 200,000 Serbs and Roma have left Kosovo, mainly for Serbia and Montenegro.

At no stage during the crisis were there unusually high levels of undernutrition among the Kosovar population. Action Against Hunger (UK) carried out a nutritional survey in Kosovo in December 1998, and in July 1999 and January 2000. Refugee nutritional status was assessed in June 1999 in Macedonia. The prevalence of malnutrition in children under five in Kosovo in December 1998 was 2% (<-2 Z-scores) and did not significantly increase subsequently. In fact, the major nutritional problem among Kosovars was adult obesity. The survey in January 2000, found that 23.6% of women with small children were overweight (BMI 25–30) and 16% were obese (BMI>30). In addition to the relief operation, the absence of malnutrition during the crisis has been attributed to the good nutritional status of Kosovars before the war; to some having savings or receiving remittances; and — in Albania and parts of Macedonia — to refugees having been supported by their hosts.

The scale of the humanitarian response was unprecedented, both in terms of the funds available and the number of agencies. Over 300 NGOs came to work in the region. The quantity and types of food aid provided to the Kosovar refugees was exceptional. WFP and UNHCR used their standard procedures to estimate refugee food needs. Unusually however, WFP received more funds than it requested in the 1999 UN Consolidated Inter-Agency Appeal. In addition, many unsolicited food donations were sent to the region, and many donors provided funding direct to NGOs for the purchase of additional food. For example in Macedonia, ECHO gave money to CARE to purchase fresh food and vegetables for refugees in camps and to three other NGOs to provide all complementary foods to refugees in host families (vegetables, fruit and milk). The US provided funding to Mercy Corps International to purchase milk and cheese for refugees in camps. Donations included Mars bars, Turkish Delight and cakes.

The food rations provided to Kosovars was based on supply, rather than on an assessment of need. While little information is available from assessments, it appears that food aid was not provided according to need on a regional level. Most of the humanitarian assistance went

to Albania, Macedonia and Kosovo. Refugees in Bosnia and displaced in Serbia, received less in relation to their needs.

There was little reporting or monitoring of food distribution for the refugees. It is therefore mostly unknown what food refugees actually received. However, refugees in host families in Albania received substantially less than those in camps or collective centres. This is in part because of the breakdown in the ICRC/IFRC pipeline (who took responsibility for food distribution to refugees in host families), but also because of the difficulties in finding and registering refugees in host families. In Macedonia, refugees in camps did not receive the recommended WFP/UNHCR ration because they were unable to cook. Camps were overcrowded and refugees could not be given stoves because of the fire risk. Neither was there space to establish communal kitchens. They received no oil, sugar or beans for the major part of their time in Macedonia. Their diet mainly consisted of bread, cheese, milk, canned meat, and fruit and vegetables.

Most international NGOs worked through local partners, particularly in Kosovo. Local NGOs were valued because of their knowledge and ability to respond quickly. INGOs also hoped to build disaster response capacity. Most local NGOs had little or no emergency experience prior to the crisis. In Kosovo, while the responsibility for food distribution was divided between five international NGOs, most initially worked through the local Mother Theresa Society (MTS). MTS had carried out relief operations in Kosovo prior to the refugee outflow and had an extensive network throughout the region. Both in Kosovo and elsewhere in the region, however, it became clear that local partners had their own political and religious agendas. For example, MTS could not distribute food to minority Serbs and Roma in Kosovo from June 1999, as MTS was exclusively Kosovar Albanian. Food aid to these minorities was later provided directly by the international NGOs, with protection from KFOR for food convoys. In Macedonia, some Kosovar Albanian refugees expressed dissatisfaction with the work of Macedonian NGOs (who were mostly Slavs rather than Albanians). Most local partners felt they had gained from their work with international agencies; this included in a material sense, but also in terms of their credibility among the local population and in management experience.

In Kosovo, explicit arrangements were made for the politically vulnerable almost as soon as the operation started. In Kosovo, the politically vulnerable (the Serbs, Roma and other minorities) had a direct risk of being killed, which focused the attention of all agencies on them.

In June 1999 in Kosovo, initially the entire population of 1.2 million people was entitled to food assistance. This was gradually reduced to 900,000 after three months, to 600,000 by April 2000 and 300,000 by June 2000. Targeting criteria were initially agreed between

international agencies and MTS. It was later found, however, that these criteria included almost the entire population and that MTS employees, who distributed the food, had a different perception of who was in need of food aid. Whereas for international NGOs the war affected were the main priority, MTS felt that the 'social cases' were in greater need. These include the long-term poor, the unemployed, elderly, etc. As elsewhere, targeting was difficult because of a lack of support from the local population, and difficulties in verifying people's socio-economic status.

There are no reports of food aid taxation by the KLA (Kosovo Liberation Army), nor of any diversion by local authorities or institutions in Albania and Macedonia. This could be either because information on taxation and diversions was not collected, or because it simply did not occur. Without distribution reporting or monitoring, it would have been difficult to detect any such abuse of food distributions. During the author's time in Albania and Macedonia, the issue was never raised, by either UN, donor or NGO. It could also be that the KLA was well enough financed not to require food aid as a resource.

Despite the existence of policies and guidelines on the provision of food aid, as well as the recently developed Sphere standards, these were generally not adhered to. The most well-known example is the distribution of milk powder and infant formula by a number of agencies. This is against the policies of most agencies, and there is an international code against the promotion of infant formula. None of the minimum standards for analysis were applied in 1999, and many of the nutritional support, nutritional requirement, targeting and capacity standards also were not applied. This happened either because people were unaware of the standards or because they were not considered relevant to a European emergency. Also, because there was no nutritional crisis and ample food aid, there was less incentive to assess, analyse and monitor the situation. It could be argued that no questions were asked about food aid abuse, and no attention was paid to standards because political objectives were of greater importance to NATO donor governments than humanitarian ones.

Coordination of assistance was hindered by the number of NGOs present and the need to be seen. In addition, the availability of private funding for many NGOs and the direct funding of NGOs by donors, undermined the coordination role of UNHCR. Some NGOs were unaware of the role of WFP and UNHCR in a refugee operation. In addition, NATO sometimes took over the role of camp construction, further undermining UNHCR's role. The fact that NATO was on one side of the war, and that many NGOs came from NATO countries, received funding from their governments and made use

of NATO's logistical services, also raises important questions regarding neutrality.

Box 5

Key points from the Balkan case-study

- 1 The provision of humanitarian assistance on a global level is not impartial. Kosovar refugees, who were not malnourished, were offered more food aid than the estimated need, whereas, for example, malnourished Somali and Rwandan populations often received less than a minimum survival ration.**
- 2 Over-supply of food aid, together with a clearly well-nourished population, meant most agencies did not see the need for assessment, reporting or monitoring. Many agencies were under pressure to distribute resources.**
- 3 Sufficient food aid supply (in this case more than the need), in comparatively well-off countries, may reduce the risk of diversion and abuse of food distributions.**
- 4 Targeting vulnerable households is difficult even if justified on the basis of assessments rather than being determined by shortage of resources.**
- 5 Working with local partners can have significant advantages, in terms of local knowledge and networks they possess. Knowledge of their political agendas, however, is essential to know whom they might exclude.**
- 6 Local partners can gain significant benefit from working with international NGOs, in terms of materials, credibility and management experience.**
- 7 Agreement on minimum standards does not ensure their application. There needs to be awareness and training of both headquarters and field staff, as well as mechanisms for promoting compliance. If international NGOs decide to work with local partners, these partners also need to be informed of the minimum standards.**
- 8 Direct funding of NGOs by donor governments, and the need to be visible, undermined the coordination of food distribution.**

Chapter 3

Summary of problems and risks for food distribution in conflict

3.1 Brief overview of types of problems

There are several types of problems that may be associated with emergency food distributions; these include economic, environmental, social, political, security and military. Descriptions of the potentially harmful effects of aid have ranged from the possible disincentive effects on food production and the distortion of markets (Maxwell, 1999), to undermining the development of a political contract between a government and its people (de Waal, 1997). Fears of creating dependency and undermining coping strategies have often been the reason for reducing food rations and limiting the coverage of interventions (i.e. targeting) in protracted emergencies. There is however little evidence that aid does create dependency in chronic conflict related emergencies. More often, changes in aid programming over time are based on assumptions and funding constraints rather than empirical evidence (see Macrae et al., 1997; Jaspars and Shoham, 1999).

Issues of food aid abuse are not unique to conflict situations. Inflation of beneficiary numbers, unequal distribution and diversion to benefit powerful groups or authorities, are common problems in all emergency food distributions (Jaspars and Young, 1995). However, distributing food in conflict is particularly controversial because of fears of prolonging the conflict or supporting one faction through the provision of food aid. Where war is about controlling access to resources, food aid becomes part of this.

3.2 Risks and constraints for distributing food in conflict situations

Access and security are the over-riding constraints to distributing food aid during active conflicts. Other problems identified in the case-studies are summarised in Table 3.1.

Under international humanitarian law (IHL), the authorities controlling an area have the first responsibility for providing the civilian population with the essential resources and services needed for survival. If authorities fail to meet these responsibilities, then ICRC and other humanitarian agencies may offer to provide relief. All too often, however, IHL is not respected by parties to the conflict. Free access to the victims of conflict for impartial humanitarian assistance is a key principle in humanitarian law, and it is the obligation of the authorities to provide this. Denial of access, through a variety of means is, however, common in many of

today's conflicts. Lack of access, either through denial or insecurity, influences all aspects of programming, from assessments and information gathering, to warehousing and transport and monitoring of distributions. Access to people is more than gaining access to certain locations. It also means freedom of movement around the emergency-affected area, freedom to talk to anyone, unhindered by security or military personnel. In situations where access to food and other resources is withheld as a war strategy, humanitarian assistance programmes directly oppose the aims of the warring parties. In such instances, warring parties may attempt to deny access to aid resources as part of their strategy.

In all conflict situations, humanitarian agencies negotiate with the warring parties or *de facto* authorities to gain access to populations and request security guarantees. By engaging with local authorities, agencies do to some extent legitimise the authorities with whom they choose to work. Furthermore, in many emergency contexts, there will be several local authorities, or people who claim to be representatives. A relief agency is faced with having to make a decision about whom to work with, in a context where most formal administrative structures and civil society have broken down.

The case-studies, and evidence from other conflict situations, show that one of the recurring problems of distributing food in conflict situations is the exclusion of the socially and politically vulnerable. Their abuse, exclusion or marginalisation can occur by a variety of means:

- Denial of access to populations perceived to support the opposition.
- Attack and looting of convoys, or disruption of distributions to people perceived to support the opposition.
- Exclusion of certain social or political groups from assessments.
- Manipulation of assessments by providing incorrect information or translation, or by not providing information on marginalised groups
- Under-registration of marginalised groups and over-registration of the powerful.
- Food distribution by abusive leadership increases their power to maintain — or increase — their control over the population.
- Exclusion of displaced and socially marginalised groups from distribution by local elders, institutions or village-based relief committees.

Table 3.1

Political, military and security-related problems in food distribution

1 Theft

Taking food against someone's will. E.g. theft of food by militia or soldiers, before, during or after distribution.

2 Looting and pillage

Organised and violent taking of large quantities of food, household and productive assets by local authorities, leaders or militia. For example, looting of food aid from warehouses or food convoys.

3 Attack

Attack on staff to force distribution according to attacker's wishes (which is against agency criteria). Attack on convoys or at distribution points to deny food to intended beneficiaries or for personal gain.

4 Taxation

Imposed or unimposed levy by authorities for feeding troops, paying local administration, or for providing security, including food aid. Can occur before or after distribution.

5 Diversion

Powerful individuals within communities or within agencies, taking shares larger than their entitlements. For example, elders, local authorities or village committees.

6 Manipulation

Various types:

6.1 Of information

Inflation of beneficiary numbers to benefit powerful groups, either within the beneficiary population or by those administering assistance. E.g. by creating fake beneficiaries or villages, inflating family size. Exclusion of marginal groups, or those seen to support the enemy, from assessments.

6.2 Of beneficiaries

Deliberately creating displaced groups or maintaining malnourished groups to attract resources. Exclusion of displaced and other politically vulnerable groups.

6.3 Of agencies

Playing agencies off against each other. E.g. making use of a lack of consistency in agency principles for withdrawal.

7 Coercion/extortion

Forcing agencies to do something against their will by issuing threats. E.g. imposing regulations on staff and vehicle hire.

3.3 External factors influencing food distribution

3.3.1 Donor government priorities

While this study focuses on practical operational issues, it should be recognised that problems in implementing a principled approach to food distribution do not necessarily occur only at field level. Donor government priorities and funding have a significant influence. In fact, a number of people interviewed questioned whether it was realistic to expect faction leaders or warlords to respect the impartiality of aid when on a global level, aid provision by donor governments was clearly not impartial. The funding provided for the Kosovo crisis in 1999, compared to that for Somalia or South Sudan clearly illustrates this. Food security and nutritional assessments clearly show there to have been a greater need in Somalia and South Sudan (RNIS, 1999, July 7)⁷ than Kosovo. While a lack of interest in Somalia in donor government capitals determines the degree of funding, at the local level donors are increasingly involved in directing field operations. For example, donor government bans on rehabilitation assistance in Gedo in Somalia because of a security incident, meant that agency programmes were limited to relief. The limited donor response to the 1998 Emergency Appeal for Sudan left WFP and other agencies, without the capacity to respond rapidly once access was gained to the victims of a severe humanitarian crisis.

The Congo-Zaire case-study provides a different example. The lack of political will by all actors, including Western countries, to uphold international law, seriously limited and compromised the humanitarian operation. The crisis in 1997 was the direct result of this failure.

3.3.2 Insufficient resources

It is common that agencies are forced to distribute less food aid than the estimated needs. Targeting and distribution strategies are often determined by the actual amount of food aid available (Jaspars and Shoham, 1999). Insufficient food aid to meet estimated needs means that the intervention has to be limited to fewer people. Restricting the coverage of interventions may also lead to resentment, abuse and violence, by those considered 'less needy'. This in turn increases the risk of theft, looting and diversions. Continually dealing with a shortage of food aid leads to a disproportionate amount of time being spent on logistics and actually distributing the food.

An effective distribution requires sufficient staff to implement the distribution and monitor it. Because of the pressures that local staff are often under, international staff are essential to guarantee independence and carry out supervision of activities. While food aid is often supplied in kind, support costs obviously depend on the availability of cash. The lack of support costs is a common problem across agencies. This is particularly

important in that it restricts the number of monitors — a key element in developing a principled approach. The ratio of monitors to beneficiaries varies hugely, from one monitor per 1000 beneficiaries (Oxfam in Turkana in 1996) to one per 20,000–30,000 beneficiaries (WFP in South Sudan in 1998).

Experienced and qualified staff are essential to meet minimum standards. The expertise and confidence to make the difficult ethical decisions required can only come from experience of working in conflict situations. Unfortunately, in most agencies, distribution staff are on short-term contracts. They usually have low positions within the organisation, so there is little incentive to continue work in this area.

3.3.3 Coordination and agency priorities

Most humanitarian assistance operations involve a wide range of actors — including several UN agencies, donors, NGOs (national and international) and the Red Cross movement. The most extreme examples include the operation for Rwandan refugees in Zaire, which involved over 200 NGOs, and the recent crisis in the Balkans, which involved over 300. Coordination of assessments and the provision of assistance are essential if assistance is to be provided on the basis of need. In both crises, coordination was undermined because of competition between NGOs for funding, and the need to be visible. Both included extensive media exposure. These were both refugee (and later returnee) crises, where established coordination mechanisms existed through UNHCR. In particular in the Kosovo crisis, however, donor governments decided to provide the majority of their funding direct to NGOs rather than through UNHCR (Suhrke et al., 2000). The same factors undermined consistency in applying a principled approach. With such a variety of actors, it is difficult to determine commonly agreed minimum operating conditions, and for all agencies to respond in a similar fashion if these

minimum conditions are not met.

Consistency in approach is essential if needs are to be met effectively and efficiently. In the Somalia case-study, the agreement between WFP and CARE not to work in an area where the other could not because it received threats and excessive demands from authorities considerably improved operations. A similar agreement between agencies would have been useful in the Rwandan refugee camps, but NGO competition for funds and the need to be visible undermined this. If an authority knows that if they expel one agency another will take its place, it is unlikely to feel compelled to meet minimum conditions.

In contrast to emergency operations for war-affected populations, coordination mechanisms for food distribution to refugees are well developed. There are several important reasons for this. First, in UNHCR there is a UN agency with a clear mandate for providing protection and assistance to refugees. Second, following the Rwandan refugee crisis, UNHCR has produced guidelines for commodity distribution to refugees. Third, there is a Memorandum of Understanding between WFP and UNHCR, which clearly outlines the responsibilities of each agency (UNHCR, 1997; UNHCR/WFP, 1997). Fourth, there are widely accepted methods for monitoring nutrition and food distribution in refugee situations. Perhaps the most important aspect is that everyone involved in refugee operations is aware of the MOU, which provides a guarantee that everyone has to make an effort to meet their responsibilities. Unfortunately, even these mechanisms are insufficient to provide an effective guarantee for the coordinated provision of assistance. In the Kosovo crisis, most of these were forgotten or ignored. High levels of private donations, and direct funding of NGOs by donors, undermined the coordination role of UNHCR. The NGOs themselves did not always respect the minimum standards that they themselves had developed over the previous three years.

Chapter 4

An analysis of why food distributions are abused

4.1 War strategies and the political economy of war

In many contemporary conflicts, war strategies seek to undermine the resource base of the enemy, and this often includes the targeting of civilians. Abuse of food distribution may include denial of access, attacks during distribution, theft or looting after distribution, or manipulating assessments to exclude or marginalise areas controlled by the enemy or by people seen as enemy supporters.

The use of food as a weapon can be categorised as acts of: omission, commission and provision (Macrae and Zwi, 1994). Acts of omission include the failure by authorities to declare an emergency or to deny access to the victims of war. Acts of commission include actions to undermine food production and hinder coping strategies. Acts of provision include the selective provision of food to government supporters, to those from whom support is sought or to lure populations into areas controlled by the military (Macrae and Zwi, 1994).

In general, people are most at risk of starvation in famines associated with violence. In conflict famines, coping strategies are deliberately obstructed (de Waal, 1991). In Somalia, in 1991–2, the Rahanwein had their food stocks and livestock looted and were unable to farm for fear of attack. Prior to 1991, Bay and Bakool regions (where the Rahanwein live) and the riverine areas were the most agriculturally productive areas of Somalia. In South Sudan, GOS forces together with northern Arab militia, systematically undermine the Dinka subsistence base by looting, burning and destroying assets and livestock. Their access to markets and employment in GOS-held areas is restricted (Karim et al., 1996). Huge numbers of Dinka have been displaced into GOS-held areas. In 1988, an extreme famine developed in part as a result of the formation of army and merchant cartels who controlled market prices of grain and delivery of relief (Keen, 1991). In Zaire in 1997, in addition to direct attack, access to resources for the Rwandan refugees was systematically denied as part of the war strategy of the ADFL (Fennell, 1998).

The nature of the political economy of war and of the armed groups determines the degree of exploitation and abuse of certain groups. It also determines the need for food aid as an income source by armed groups, or the need to control its distribution. Some of the most extreme forms of abuse and exploitation are likely to occur in internal conflicts where the conflict itself has an important economic function for a minority elite

(Keen, 1998). Keen distinguishes between ‘top-down’ and ‘bottom-up’ economic violence in civil wars. Economic violence is encouraged for political reasons, but is provoked ultimately to defend economic privileges. Top-down violence may be perpetrated by states, warlords or other forms of leadership. Keen suggests that the following conditions encourage top-down violence: a weak state, rebel movements which lack strong external finance or support, an undemocratic or exclusive regime under threat, an economic crisis, ethnic divisions which cut across class lines, the existence of valuable commodities and prolonged conflict. All case-studies, except Kosovo, meet one or more of these conditions.

In weak states, governments and faction leaders use underpaid fighters to derive part of their income from looting civilians or from illegal trade. Economic violence is a way of rewarding supporters. While governments may tax a population to fund the war effort, rebel movements have to rely on external finance, gifts or theft. With limited external financing, the “taxation” of food aid is common. Economic violence is less likely in rebellions underwritten by a coherent ideology and a strong sense of class. For example, while the SPLA has committed many abuses against its own population, the continued strength of the SPLA reflects the northern regime’s discrimination against non-Arab groups (Keen, 1998). It is a war of resistance. The war is being fought (mainly) between two sides with clear military aims. The continued threat from the Government of Sudan’s forces and militia allied to the government may be sufficient to maintain continued support for the SPLA.

The longer a civil war, the more likely it becomes that some people will find a way to profit from it. Continued fighting deepens poverty and damages agriculture and industry. Prolonged conflict can prompt ordinary people to embrace violence. Three factors are conducive to generating ‘bottom-up’ violence; deep social and economic exclusion, the absence of a strong revolutionary organisation and impunity for violent acts (Keen, 1998). Again, the case-studies of Sudan, Somalia and Zaire meet these conditions. Civil wars that begin with clear political aims may mutate into conflicts where short-term economic benefits are paramount. The Somali situation reflects this mutation. Whereas initial aims were the overthrow of Siad Barre and gaining political power, the long duration of the conflict has led to increasing factionalisation based on ethnic divisions, and banditry where economic gain is paramount. While warlords may benefit from local and international business deals, local people, without access to sufficient resources or employment, increasingly resort to theft and banditry.

The economic functions of violence reflect the growth in the international informal economy associated with increasing globalisation. It can involve anything profitable where an extra-legal environment may be advantageous; from diamond extraction in Sierra Leone and Angola to unregulated exports of tuna and shellfish from Somali waters (Fennell, personal communication). These economies are rarely 'closed systems', but involve extensive international trading networks. As such, it has been argued that protracted conflicts represent an alternative form of development driven by non-traditional forms of political authority (Duffield, 1998). New political and economic projects emerge which no longer depend on any kind of consent or accountability to society; there is thus no need for any kind of social or political contract between presumptive authority and people.

The key issue is that in many conflicts a powerful elite maintains power by controlling resources and exploiting people, and that food aid will become part of this dynamic. Just as people who are unnecessary to the maintenance of the economy can be neglected or excluded from public services, they are at risk of being excluded from food distribution. Alternatively, if power is maintained by the exploitation of historically marginalised groups, this can be associated with violent asset stripping, looting or forced labour. They not only risk being excluded from food distribution, but also of being taxed, looted, attacked and manipulated to attract aid resources.

4.2 Political contracts

Essentially, the nature of the armed groups and the political economy of the conflict will determine the particular pattern of abuse. This section looks at a key element in this, the nature of the political contract.

The following factors were identified by people interviewed for the study as key in determining the risk and pattern of abuse:

- The accountability, or representativeness, of leaders or local authorities to the emergency-affected population.
- The extent of local support for the movement or faction.
- Functioning judiciary system or courts, or traditional ways of dealing with those who commit crimes.
- The extent to which segments of the population present a political threat to existing leadership, and by implication, if they do not, the extent to which certain groups can be marginalised.
- The severity of the external military threat (and hence the need for protection).
- The desire of local leaders to increase control over other population groups, consolidate their status in society, or elicit or maintain their support. Also,

the desire to ensure a position in local administration or government.

- Resource scarcity or lack of financing of militia (either through external sources or through the exploitation of local resources).
- Personal gain.

These factors essentially determine how external food aid will be used, in terms of whether:

- The army or leadership has a need to tax or divert food aid resources.
- People will voluntarily provide part of their food aid as a tax.
- People can refuse to pay part of their food aid as tax, and not have it taken from them.
- When food aid is stolen, there is a functioning judiciary system to punish the perpetrators.
- Or if food can be stolen and there is nothing the victims can do about it.

Many of these factors could also be seen as describing the nature of the political contract between the authorities and the people. According to de Waal, an anti-famine political contract involves a political commitment by government, recognition of famine as a political scandal by the people, and lines of accountability from government to people that enable this commitment to be enforced (de Waal, 1997). Here, the concept is used to examine the nature of the relationship between the ruling factions and the people in the area they control and how this influences the distribution of food aid.

A political contract exists between authorities and those sections of the population whose political interests are represented, and to a lesser extent, sections of the population that represent a potential threat to the legitimacy of the authority. Sections of the population outside of this can be exploited and abused. The theory presented here argues that the first group is likely to pay tax voluntarily, the second can refuse and the third can be excluded or have resources taken from them without any system of redress. Whether food aid is taxed, depends on the availability of other resources. However, frequently, if people can choose, food aid may be provided as tax because 'it is easier to contribute something that is free, than something you own' (Somali informant).

Taxation of food aid can occur 'at source', or after receipt by beneficiaries. In South Sudan for example, in 1998, taxation was commonly thought to occur prior to a re-distribution of food aid by local chiefs. After the 'official' distribution, aid recipients were required to gather all food in a certain site, where chiefs would re-distribute it after taking a proportion for the army and local authorities. In Somalia in 1999/2000, aid workers believed that once food was provided directly to households, it would be their choice whether to provide

part of this as tax. A Somali informant said that he had only come across the 'South Sudan' type of taxation once. This was in 1992, at the height of the Somali famine. It was said that people accepted this because the military threat was greater at this time, and because people were together. Somali factions have fragmented since this time. In Sudan, the continued threat from the Government of Sudan's forces and their militia, may be sufficient to allow continued food aid taxation. The SPLM/SRRA/OLS Task Force in 1998 also noted that the proportion of food aid provided as tax depended on the need for protection (SPLM/SRRA/OLS, 1998). Again, the overall availability of resources plays a role. In South Sudan, when food security improved (in part as a result of increased stability), there were fewer

reports of diversion and taxation (SPLM/SRRA/OLS, 1999b).

In each society, there are different forms of leadership and local authorities. Each of these will have their own interests in the management of relief. As the case-studies show, local leadership often takes a proportion of food aid as a sign of their status within society, whereas local administration may take some as a form of payment for services. Where a political contract exists between local authorities and the population, authorities can only take as much as the population will let them. For abusive, or unaccountable, leadership, control over food distribution is a means of enhancing political control over the population.

Chapter 5

Agency policy and practice for food distribution in conflict

Without exception, all agencies interviewed for this review were in the process of developing a better understanding of how to work in internal conflicts. This included developing assessment methods which incorporate an analysis of the potential harms that aid may cause (e.g. CARE, CRS, WVD), and/or identifying the constraints and challenges that fieldworkers face (e.g. WFP). In ICRC, a recent development has been to promote greater collaboration between the relief and the protection delegates, and in terms of food distribution, to separate programming from logistics. This discussion is limited to ICRC, CARE, CRS, WVI and WFP.

5.1 Common practices

The case-studies show that food distribution in conflict situations requires a flexible approach. There is not one approach or method that is applicable in all conflicts. Different agencies may make different choices in the same conflict area, and the same agency will make different choices in different conflicts. However, there are some common practices that can be identified across all agencies:

- 1 In situations where the warring parties do not respect IHL, agencies often seek to develop local agreements, codes of conduct or ground rules, which outline principles of humanitarian action and the responsibilities of each of the key actors, including the de facto authorities and humanitarian agencies. A well-known example of this is the ground rules in opposition-held areas in South Sudan. UNICEF/OLS, as the co-ordinating body for OLS Southern Sector, negotiated the ground rules. In Somalia, UNCU has also drawn up draft ground rules. In the absence of an agreement developed for the overall assistance programme, agencies often draw up their own agreements with local authorities. For example, WFP and the Rahanwein Resistance Army have recently signed an agreement for operations in Bay and Bakool regions. In many conflict situations, agencies are faced with situations in which abuses by the warring parties are likely to continue, including attempts to manipulate food distribution. Warring parties will only respect IHL, ground rules or codes, if it is in their interest to do so. This depends in part on the warring parties' dependence on aid. For example, if their continuing legitimacy depends on support of the local population and the importance to the armed

group of being seen to facilitate humanitarian assistance. Even for ICRC, whose mandate it is to disseminate IHL, adaptation to the local context has become key.

- 2 Intensify activities that ensure that the intended beneficiaries receive their food rations. This includes: registration of beneficiaries and issuing ration cards for direct distribution to beneficiary households; intensifying supervision and monitoring (often with international staff); dissemination to recipients of information on targeting criteria; distribution methods; ration entitlements; and holding distributions in a public place.
- 3 If registration of all affected households is not possible, strategies to reach the vulnerable should include the provision of general rations to families of malnourished registered for feeding programmes. Another example is distribution to the smallest social unit. The smaller the unit, the more likely that the leader will be accountable to members of that unit.
- 4 Food aid may be stolen or taxed after its receipt by the intended beneficiaries. The case-studies show several examples of strategies to minimise this: the provision of a less desirable food, a food which is only eaten by the intended target group or a low-value food, in an attempt at self-targeting. Decentralised distribution and distribution of small quantities of food aid on a frequent basis may also prevent theft and taxation.
- 5 In the most extreme situations the distribution of cooked food has been the only way to ensure that the most vulnerable receive their food rations and are able to hold on to them. The advantage of providing cooked food is that it has no value after a few hours, and only people who really need food will come to a soup kitchen. The risk of theft after receipt of rations is low.

5.2 ICRC

The Red Cross and Red Crescent Movement's fundamental principles have long served as an ethical framework for tackling the dilemmas of working in war situations. A description of the first four principles is presented in Table 5.1 on page 26.

Table 5.1

The first four principles of the Red Cross and Red Crescent Movement⁸

Humanity

To prevent and alleviate human suffering wherever it may be found. To protect life and health and ensure respect for the human being.

Impartiality

No discrimination on the basis of nationality, race, religious beliefs, class or political opinions. To relieve the suffering of individuals being guided solely by their needs, and to give priority to the most urgent cases of distress.

Neutrality

In order to enjoy the confidence of all, the Movement may not take sides in hostilities or engage at any time in controversies of a political, racial, religious or ideological nature.

Independence

Maintain autonomy to be able at all times to act in accordance with the principles.

The ICRC approach is rooted firmly in IHL. The commentary on Article 23 of the Fourth Geneva Convention, which refers to international armed conflicts, specifically distinguishes between medical and food aid. Food aid is only entitled to free passage if used solely by children under 15 and pregnant and lactating mothers. 'The intention is to keep a strict check on the destination of provisions which might reinforce the economic potential of the enemy.' Potential benefits of aid to one side of the war were recognised:

It is true that any consignment of medical and hospital stores, food and clothing, always benefits the receiving Power in one way or another...It will be agreed that the contribution by authorised assignments must be limited: in the majority of cases, such consignments will be hardly sufficient to meet the most urgent needs... it is hardly likely therefore, that they would represent assistance on such a scale that the military and economic position of a country was improved to any appreciable extent.⁹

Another paragraph states that consignments should be subject to strict and constant supervision from the moment they arrive until they have been distributed. A condition for all ICRC relief interventions is that ICRC maintains complete supervision and control over its relief projects. The project is only considered feasible if ICRC can maintain its independence throughout all stages of

a relief operation. This means the supervision of every aspect of the food distribution process (from assessment to monitoring) by international ICRC staff (*ICRC Relief Handbook*). Assessments explicitly include the identification of constraints to distribution and the associated risks. Examples given are: exposing beneficiaries to brutality and theft, conscription, displacement, taxation, encouraging armed groups to maintain that crisis, etc. When proposing an intervention, ICRC delegates have to complete a log-frame, which includes an analysis of the risks and constraints. The preferred distribution method is to provide food aid directly to families on the basis of a registration and ration cards (Mourey and Gardiner, 2000).

There have been, however, some emergency situations where ICRC has decided to act even when it cannot completely control relief interventions. A recent example of this was the operation for displaced Chechens in Ingushetia. ICRC was unable to check every aspect of distribution but the need to act was considered of greater importance. Similarly in Somalia in 1991, it was not possible initially to provide food aid directly to families and instead distribution was done through clan elders (Mourey and Gardiner, 2000). Despite knowing that some, or even most of this would be diverted, the indirect impact of food aid was considered sufficient justification in a situation where almost 100% of the population was malnourished.

5.3 CARE, CRS and WVI

The US-based agencies (CARE, CRS and WVI) all have well-developed guidelines and procedures for the logistical aspects of food distribution: transport, warehousing, stock-keeping, staff requirements, distribution procedures (CARE, 1995; World Vision, 1993). If these procedures are implemented, they ensure highly accountable commodity management, in other words, ensuring that food gets from the port or other entry-point to the distribution site with minimum losses. As for ICRC, their agencies generally see distribution directly to households, on the basis of a registration and ration cards, as the ideal.

Since the publication of Mary Anderson's work 'Do No Harm; How Aid Can Support Peace or War' in 1996 (Anderson, 1996), these three agencies have started to incorporate benefit-harms analyses as part of their programming strategies for working in conflict. CRS, WVI and CARE are part of the Local Capacities for Peace Project (LCPP). In addition, CARE has developed its own benefit-harms handbook (CARE, 1999). This approach covers programming in conflict in general.

A good benefit-harms analysis is based on a knowledge of the history of the conflict and identifies the different social and political groups within the project area. It then assesses the potential or actual tensions within and between these groups, who controls resources and the way in which aid programmes influence these. It is specifically concerned with analysing the impact of

implementation modalities and broader impact beyond that directly connected with the project itself. For CRS, this approach fits in well with its roots in Catholic social teaching, which emphasises the analysis of social relations and structures to address the underlying causes of injustice (CRS, 1998).

CARE's benefit-harm handbook distinguishes between six categories of impact: political, personal security and freedom, social, attitudinal and cultural, household livelihood securities and institutional capacity. The handbook is intended to help CARE programmers to identify the unintended benefits and harms resulting from their projects (CARE, 1999). It provides tools to use in baseline studies and for design, monitoring and evaluation activities. All tools include an examination of the history and nature of the conflict, social relations, control over access to resources, the legitimacy and power of political authority structures, as well as the existence of functioning judicial systems. The impact of aid on each of these is then examined. One of the main aims of using a benefit-harms framework is to ensure consistency in agency approach across a range of conflict situations.

While agencies have used the benefit-harms framework to assist in situation analysis, the practical application, in terms of influencing programming, has so far been limited. The LCPP pilot projects are still in progress. CRS has taken part in this project in Liberia, WVI in South Sudan and CARE in Sri Lanka. From discussions with representatives of these agencies, the main emphasis so far has been on issues of staff recruitment and engaging with local authorities. For example, the WVI study in South Sudan identified tensions between the community and local authorities because WVI's staff hiring practices gave inordinate power to the SRRA. Most staff recruitment was done through the SRRA, the SRRA was given the funds to pay their salaries and did the currency exchange. As a result of the analysis, WVI changed its recruitment practice. Similarly in Liberia, CRS found that its staff came predominantly from one county and changed its recruitment process. CRS works with local NGOs as counterparts. However, since most NGOs were formed after the minority Mandingo fled Liberia, CRS projects were in danger of becoming part of the pattern of exclusion of the Mandingo communities. CRS realised that greater CRS involvement was needed in the development of selection criteria for its projects.

Criticism of the benefit-harms framework has mainly focused on its peace-building component (see Duffield, 1998; Macrae, 1998). Thinking purely in terms of emergency food distribution in ongoing conflict, it is difficult to see how the way in which food is distributed can contribute to peace and reconciliation. In Anderson's work, the harms that are described and ways of minimising them, all relate to relief programmes, including food distribution. The examples of how aid can contribute to peace building are, however, a different type of relief project — none of which relates to food

distribution. This means that even if the assumption that community-based projects can contribute to peace building is valid (which has been disputed by some), providing food relief and building peace cannot be achieved with the same intervention.

5.4 WFP

WFP frequently uses the food economy approach to assess food aid needs in protracted conflict-related emergencies (Seaman, 2000). While this approach has made a valuable contribution to the allocation of food aid resources based on actual needs, it provides no guidance on how to target food aid at local level. Food economy reports provide information on food deficits by wealth group, so an assessment may for example conclude that 50% of the population faces a 75% deficit. The implication is that 50% of the population can actually be targeted with a 75% ration. Practice shows that this is extremely difficult. The economically vulnerable are difficult for outsiders to identify and monitor. In a recent WFP/UNHCR workshop on the provision of food assistance in protracted refugee situations, all agencies present agreed that an analysis of the socio-political context is crucial in determining who is vulnerable and how to target assistance to them (UNHCR/WFP/ENN, 2000).

Internally displaced people are considered to require a special focus because of their protection needs. This is particularly true in the case where government or other authorities are responsible for the forced displacement of people within their borders. While WFP assists IDPs as part of the broader food insecure population, targeting and distribution mechanisms need to ensure that assistance effectively reaches the displaced. Experience in South Sudan, for example, showed that whilst displaced and resident populations may have had similar food aid needs, food distribution by local representatives led to the exclusion of the displaced. In some operations, WFP has adapted distribution mechanisms to reduce the risk of harassment and attack of IDPs (for example, distributing small quantities at a time, decentralisation of distribution sites, providing cooked rations, providing less preferred food, varying delivery schedules, using food coupons) (WFP, 2000c).

WFP currently prefers community-based distribution. This is because: it is faster in reaching beneficiaries; it empowers people and makes them more responsible; it reduces overhead costs; and it minimises the risk of losses. With regard to targeting, WFP formulates policies as and when necessary (WFP, 2000a). The appropriateness of community based distribution programmes needs to be carefully considered, however, as community representatives do not necessarily target the most vulnerable households. This can be because perceptions of vulnerability differ between WFP and community representatives, and/or differing priorities, including political and military aims in the context of internal war (Jaspars and Shoham, 1999).

Monitoring is considered a crucial aspect of the distribution process, but is often constrained in conflict situations because of security risks, obstruction or inadequate resources.

Because of the difficulties in targeting and distribution in conflict-related emergencies, WFP generally aims to move towards self-targeting approaches as soon as the situation allows. This includes for example, food-for-

work, school feeding and vulnerable group feeding through Maternal and Child Health (MCH) clinics.

WFP has a clear policy commitment to women, including the provision of direct access to appropriate and adequate food, ensuring a lead role for women in power structures and decision-making, and facilitating women's equal access to resources, employment, markets and trade.

Chapter 6

Principles, standards and food distribution

6.1 Proliferating principles

In the last few years, there has been much explicit debate in the humanitarian system about the role and nature of principles and about what it means to take a ‘principled approach’ (Leader, 1999). This was in large part due to specific problems with food aid. This has resulted in the development of a number of different documents containing a confusing variety of codes, principles, minimum standards and operational protocols.

Much debate on principles naturally starts with the well known ‘fundamental principles’ of the Red Cross, and indeed, they provide a sound and coherent set of principles for the Red Cross. There are, however, many aspects specific to the Red Cross which enables it to implement these principles in ways that is impossible for other organisations. Other organisations have borrowed some Red Cross ideas, reinterpreted them, and added their own, often drawn from human rights and development thinking to build their own ethical frameworks. Perhaps the most widely accepted statement is the Red Cross/NGO Code of Conduct. The development of the humanitarian charter and minimum standards through the Sphere project, is more recent.

In this confusion of rights, principles and standards, the key point to remember is that they are all ultimately only tools for a purpose rather than an end in themselves. Their value lies only in the extent to which they help agencies better serve the interests of the victims of conflict.

6.2 Core principles: Humanity and Impartiality

The principles of humanity and impartiality are widely accepted as the core principles for humanitarian action. In other words, the duty to relieve suffering wherever it may be found, and to provide assistance according to need alone, are fundamental to being a humanitarian. All agencies interviewed had no doubt about the importance and the meaning of these principles.

6.3 Neutrality: ‘Do no harm’ or a ‘principled approach’

The principle of neutrality is more complex. It is interpreted in various ways by different organisations. For ICRC, neutrality means not taking sides in hostilities, and its ultimate objective is to ensure ICRC can work on all sides and thus be impartial. Neutrality is thus not an objective in itself, but is a means of achieving action.

For ICRC, neutrality “does not mean nor pretend that humanitarian action is immune from a certain degree of recuperation and abuse. Naturally, all humanitarian action does support, more or less, to a large or small extent, “parties”, leading possibly to a lack of impartiality in the distribution of aid. Neutrality is a principle of prudence, not an expression of political naivety” (Blondel, ICRC, personal communication).

The Red Cross/NGO Code of Conduct also refers to this issue: ‘Aid will not be used to further a particular political or religious standpoint. We shall endeavour not to act as instruments of government foreign policy’.

ICRC is more financially independent than most other organisations, which allows it frequently to implement interventions based on its own assessments of need. Other organisations are more likely to be influenced by those providing funding for their operations. For example, an increasing proportion of donor contributions to WFP is earmarked. Hence in this case, it is donors who decide on allocations and WFP has little discretion over the provision of assistance according to its own assessments of need (Ockwell, 1999).

Many agencies repeatedly expressed their concern about the indirect and unintended effect of food aid and its impact on the cause of a conflict. The protracted nature of today’s emergencies, as well as the duration of humanitarian assistance and the resource scarcity in some, has raised the importance of this issue. Agencies may aim not to further a political stand-point, but their operations may indirectly support one side of the conflict through the diversion of food aid or agencies may legitimise authorities by the way in which they work with them. This concern has crystallised in the newest principle of humanitarian action, ‘do no harm’.

The diversion or taxation of food aid is a reality in all distribution programmes and as such food will provide some kind of support for the authorities or military in control of the area. All agencies that took part in this study accepted this as the reality in conflict situations, and that this could not be prevented completely. The key issue for agencies is thus not whether this occurs, but the extent to which it occurs and how to minimise it. A ‘principled approach’ is an approach which weighs up the likely impacts of various courses of action on the beneficiaries and then takes a decision based on the different principles.

6.4 Sphere and Minimum Standards

Many NGOs signed up to the Red Cross/NGO Code of Conduct in the aftermath of the Rwandan genocide. The provision of assistance to Rwandan refugees in

Tanzania and Zaire forced agencies to reflect on the human rights implications of their work and the potentially harmful effects of providing assistance. The failings of the assistance operation also led to the development of the *humanitarian charter and minimum standards in disaster response* (Red Cross/NGO, 1994; The Sphere Project, 2000).

The Humanitarian Charter and Minimum Standards in Disaster Response provides specific standards for the nutrition and food aid sectors. Each standard provides key indicators to monitor whether or not the standards are being reached. The standards are intended as an instrument in ensuring accountability and for promoting coordination. Most humanitarian agencies have been part of developing these standards and are committed to applying them.

Accountability and transparency are widely accepted good practice in food distribution. 'Principles' may not be the right term to use, as they can also be seen as the means by which to achieve impartiality. Accountability, in terms of meeting minimum standards, has as its aim to provide assistance according to needs. Similarly, mechanisms for ensuring accountability, such as distribution reporting and monitoring, also aim to minimise diversion and losses. Transparency in food distribution is generally seen as informing beneficiary populations of their entitlements and creating an awareness by all key actors of the criteria and mechanisms for distribution. Knowledge of the system is an important form of self-monitoring to maximise receipt of food aid by intended beneficiaries and minimise its diversion.

6.5 Capacity building, community participation and reducing vulnerability

Many agencies see capacity building, community participation and reducing vulnerability as important components of their emergency response. In the Red Cross/NGO Code of Conduct, these approaches are written as:

We shall attempt to build disaster response on local capacities.....Ways shall be found to involve programme beneficiaries in the management of relief aid. Relief aid must strive to reduce future vulnerabilities to disaster as well as meeting basic food needs.

Capacity building can mean a variety of things: from supporting local people's coping strategies and taking account of local people's knowledge and expertise, to institution building with the authorities. Agencies may distribute food with or to local authorities, local NGOs,

community-based relief committees, to build local capacity. There is considerable debate at present over the meaning and appropriateness of these approaches for humanitarian assistance programmes in general, and food distribution in particular.

All external agencies have to work with local institutions, whether local authorities, NGOs, religious groups, traditional elders or village relief committees. As with different international humanitarian organisations, every one of these will have its own particular agenda and a capacity-building exercise will necessarily play into this. The issue is how to work with these institutions in a way that will best serve the interests of the victims. This means that an agency must know the particular bias of the local institution it chooses to work with. Agencies have to work with local authorities, however, and many do this by formulating an agreement on the principles of humanitarian action and the operating conditions required.

Working with civil institutions is more complex. On the one hand, working with and supporting local NGOs, local relief committees or other local institutions, can have important benefits. For example, this can strengthen 'civil society', ensure the participation of local people in the management of relief, contribute valuable local knowledge to programming and provide access to areas that cannot be reached by international staff. On the other hand, it has been argued that in political crises, ethnicity and political affiliation position civilians as well as the military, and that attempts to strengthen 'civil society' are likely to play into the conflict in some way. Local organisations are often under pressure to favour the more powerful and often have different perceptions of vulnerability and entitlements than international organisations. This can make local organisations ambivalent partners in the search for impartiality. Outside agencies often don't know about the forces and allegiances that dominate local organisations and can be too willing to accept them uncritically as representatives of civil society. On the other hand, trying to ignore or bypass local institutions and customs is equally futile. The key to making decisions by which local institutions work, and how to work with them, is to remain victim oriented and to determine ways of working with local institutions that will best assist the victims of conflict.

Aid agencies often try to develop civil institutions to assist in the implementation of assistance programmes. The types of organisations they promote are those most directly relevant to their own concerns, i.e. local intermediaries in the aid process (African Rights, 1995). In South Sudan, for example, the Sudan Relief and Rehabilitation Association (SRRA) was established as the 'humanitarian wing' of the SPLM. However, rather

than developing into a publicly accountable institution, its role is limited to being the point of contact between relief agencies and the SPLA. Its inability to control the allocation of relief supplies, and be seen as doing this fairly, exempts it from civil responsibility. Local SRRA secretaries have become accountable to local chiefs and commanders on the one hand and representatives of international agencies on the other (African Rights, 1995). It can be argued that any institution, NGO or committee created for the purpose of relief distribution, will remain more accountable to the relief provider than to the people. A popularly accountable civil institution, in contrast, has to be created from a social contract between political authorities and the people. The implication is that international agencies should aim not to obstruct emergence of civil institutions, rather than to create them. Ideally, an agency should work through established accountable local institutions (Medley, 2000). Real civil society and peace building takes longer than the average emergency food distribution. For example, Justice Africa is involved in mobilising civil society in North and South Sudan, and it has taken two years for northerners and southerners to speak openly about issues such as race relations and the meaning of self-determination for South Sudan (de Waal, 2000).

6.6 Principles, standards and food distribution

Table 6.1 opposite summarises the discussions in the previous sections and relates principles and standards to food distribution procedures and practices.

The application of these principles essentially constitute a principled approach to food distribution. Together, they maximise receipt of food aid by the most vulnerable and minimise diversion and abuse. There are of course internal tensions, but the explicit balancing of these different tensions can be creative and should assist ethical decision-making in the interest of the beneficiaries.

Several conditions are necessary for these principles to be applied successfully. First, access and security are the most crucial conditions. Agencies can try to obtain these conditions through advocating respect for IHL or developing local agreements on ground rules. Respect for IHL or ground rules, however, depends on whether the warring factions see this as being in their interest. In wars which have important economic functions this is unlikely to be the case.

In addition, for food distribution, timely delivery of sufficient food aid is also essential. As is the need for support costs to allow adequate supervision and monitoring. Various strategies have been discussed as to what to do if IHL is not respected, and sufficient food aid is not available. These are again summarised in the final chapter.

Table 6.1

Principles and food distribution

| Principle | Food distribution |
|--|--|
| Humanity | Intervene to alleviate suffering if lives or livelihoods are at risk, and basic needs of civilians are not met by the authority in control of the area. |
| Impartiality | Objective assessments of need. Provision of assistance according to need. Develop targeting and distribution methods that effectively reach those most in need. E.g. register the vulnerable, distribute to smallest social unit, distribute to the malnourished, distribute cooked food. Ensure that all social and political groups are represented, in particular the politically vulnerable (e.g. the displaced and marginalised groups). |
| Neutrality | Work with accountable institutions or authorities without taking sides. Independent supervision of all aspects of the distribution process; including assessment, distribution and monitoring. Minimise diversion and taxation, e.g. by direct distribution, frequent deliveries and/or distributions of small quantities of food, supervision and monitoring. |
| Accountability | Ensure that minimum standards are met. Minimise losses and diversions. Ensure that the stated objectives of the intervention are met. Clear and simple targeting and distribution methods. Regular and accurate monitoring and reporting. |
| Transparency | Inform beneficiaries and all key actors of ration entitlements, targeting and distribution criteria and methods. Distribution in a public place. |
| Capacity building and community participation | Work with civil institutions that are known to be accountable. Do not obstruct the emergence of accountable civil institutions. Use local knowledge and expertise. Where possible, aim to protect livelihoods as well as save lives. Where acceptable local organisations do not exist, an agency must be prepared to be directly operational. |

Chapter 7

Strategies for implementing a principled approach

This study has shown that in a conflict related emergency, food distribution will always indirectly benefit the perpetrators of conflict and local leadership in some way, either through taxation or diversion of food aid, or by having to negotiate with local authorities or warlords. The most a relief agency can do is to try to minimise this and balance this against the benefit of food for the beneficiaries. A greater danger is that food aid may be controlled and manipulated like other resources in a war economy. As a consequence some groups may be denied access to food aid by a variety of strategies. The study repeatedly shows that unless active measures are taken by the relief agency, the politically vulnerable are excluded or marginalised.

The main challenge for the humanitarian is therefore not how to ‘do no harm’, but how to ‘do good’ by finding ways of reaching the most vulnerable in a political context where this directly opposes the aims of the warring parties and the powerful. There will be cases, however, where the only option is to withdraw.

From the agencies, approaches and specific distributions studied here, the following overall ‘rules’ can be deduced:

- Know your principles and what they mean for food distribution.
- Remember that humanity and impartiality are the core principles for any humanitarian action.
- Always put the victim’s interests first.
- Assess the risks associated with food distribution and try to minimise them.
- Determine minimum operating conditions, set limits, and be consistent in actions if minimum conditions do not exist.
- Coordinate actions between agencies.

The following provides a synthesis of the steps required in decision making for a principled distribution.

7.1 Situation analysis

There are three key aspects to a situation analysis, which are necessary to design a principled food distribution:

- The risk to people’s lives and livelihoods.
- Types of war strategies used and the nature of the war economy.
- Political contracts, representation and exclusion.

7.1.1 The risk to people’s lives and livelihoods

The application of the principle of humanity and impartiality requires first of all an analysis of the risks to people’s lives and human dignity: who is at risk of dying, where and why? If it is known that people’s lives are at risk, it would be morally unacceptable to allow people to suffer and die because relieving their suffering would support an abusive army or government. The principle of humanity must guide all humanitarian work.

There are accepted technical guidelines for mortality and nutritional surveys which give an indication of this risk. In some situations where access is limited, this risk may be determined by an analysis of the underlying causes of malnutrition and mortality. The Sphere minimum standards provide analysis standards for food aid and nutrition. There is no generally accepted approach for food security assessments in emergencies (MSF, 1997; UNHCR/WFP/ENN, 2000). Evidence from past conflict-related famines, however, indicates that it is people’s social and political status that determines their vulnerability and risk of dying (Jaspars and Shoham, 1999). An analysis of who is vulnerable therefore requires the identification of different social and political groups in the emergency-affected area, the relations between them, their political representation and the history of social and political marginalisation and oppression. The socially oppressed and marginalised are the most vulnerable and will be the most difficult to reach with emergency assistance.

7.1.2 War strategies and the political economy of war

The war strategies used together with the political economy determine the degree of abuse and exploitation of certain groups, and therefore their degree of vulnerability. The most abusive situations are usually those where the war provides important economic gains for a minority élite. In resource-scarce areas, often when conflict has been protracted, aid is more likely to be stolen and diverted. Questions to ask include:

- Do war strategies target civilians or aim to undermine their livelihood base? Do they deliberately block people’s coping strategies? Is aid likely to be denied to the intended target group?
- Are rebel movements based on a coherent ideology?
- What economic gains can result from the war

and who gets them? Is aid likely to be an important resource and how can the warring parties or soldiers get it?

- How long has the conflict or political crisis been going on?
- How do those in charge maintain their power? If this is by exploiting certain groups of people and controlling resources, how will aid become part of this?
- What is the historical pattern of social and economic exclusion?
- Are violent acts likely to be punished?

7.1.3 Political contracts

Knowledge of the presence or absence of a political contract, in whatever form, is essential in determining the level and type of food aid abuse that is likely to occur. The analysis needs to identify the different types of leadership and institutions to determine who is represented and excluded. A political contract determines the accountability between leadership and a particular group of people. Questions to ask are:

- Whose political or economic interests are represented by local leadership or institutions?
- Who represents a threat to the legitimacy of local leadership?

People whose political interests are represented may pay tax voluntarily, and people who represent a threat may be able to refuse without any negative repercussions. Sections of the population whose political or economic interests are not represented and do not represent a threat, can be exploited, abused, and excluded from food distribution. This knowledge can be gained by knowing the history of various forms of leadership and their past actions. The unrepresented and excluded are generally the most vulnerable. Unless the agency takes active measures to include them in food distribution, they will be excluded from the programme as they are from all aspects of society.

An analysis of political contracts is also necessary to determine how to work with local authorities and to make decisions on whether to support local NGOs to develop community-based relief committees. Ideally, aid provision should be done through accountable local institutions.

7.2 Develop agreement with local authorities and coordinate with other agencies

Where local authorities are accountable, or where they can be convinced it is in their interest to respect humanitarian law or principles, a local agreement can be prepared between the agency or agencies and the local authority. Local agreements generally outline the

principles of humanitarian action, and the respective responsibilities of the different actors.

Coordination with other agencies and consistency in approach is essential for a principled approach. Unless agencies agree on minimum operating conditions, they can be manipulated by the warring parties. External agencies must be seen to take the same position in response to threats and demands.

Coordination is also necessary to ensure the impartiality of assistance, i.e. that the provision of assistance is coordinated to cover all (accessible) populations in need. Joint assessments have been useful to develop a common understanding of the emergency situation. In addition, agencies may want to develop similar approaches to food distribution. For example, once there is agreement on the severity of the risk of abuse, agencies could determine together the number of monitors that are desirable in relation to the number of beneficiaries. Currently there are no accepted standards for this.

7.3 Identify the most appropriate distribution method and determine whether it is feasible

A number of distribution methods have been discussed in the report. In determining the most appropriate method, it is necessary first of all to decide whether to distribute through local institutions, traditional elders and village representatives, or whether it is necessary to distribute direct to households or individuals. Each option has associated benefits and risks. These are summarised in Table 7.1 opposite. Broadly speaking, the main question to ask is whether beneficiary representatives or local institutions can be relied upon to distribute to the most vulnerable.

7.4 Identify the risks of abuse at each stage of the distribution process and try to minimise them

There are different risks associated with each stage of the distribution process. To develop strategies to minimise the risks, it is necessary to examine how food distribution could be abused at each stage and try to develop a way of either preventing or minimising this. An example of this for CARE and WFP Somalia is illustrated in Table 7.2 (page 36). This is followed by a summary of the various strategies that have been used in past emergency food distributions, particularly in the case-studies described in Chapter 2.

In general, the strategies discussed in this report can be divided into two broad groups: maximising food receipt by the intended beneficiaries, and ensuring that they can hold on to it. The latter is necessary in situations where food aid may be stolen after its receipt by beneficiaries.

Table 7.1

Benefits, risks and limitations of different types of distribution mechanisms

| Method | Benefits | Risks/ limitations |
|--|--|--|
| Distribution of cooked food to individuals | Only way of guaranteeing access to food by the politically vulnerable. Reduces risk of theft and taxation. No registration or ration cards needed. Overcomes problems of lack of fuel, utensils, water, and physical weakness. | Creates population concentrations. Risk of attack and military recruitment. Health risks associated with overcrowding. High cost because of high staff and material needs. Food needs to be stored and can therefore be stolen or looted. |
| Distribution direct to households based on registration and ration cards | Ensures that households receive food Initial control over beneficiary figures Less risk of diversion by elders and taxation by military and administration. Undermines abusive leadership. | Over-registration of more powerful groups, leading to unequal distribution. Difficult to register mobile populations; movement is increased at times of insecurity. Little beneficiary participation. |
| Distribution by community based relief committees | Faster than distribution on the basis of registration. Empowers people and makes them more responsible. Creates social contracts by electing committee members. Reduces overhead costs. Can specify gender balance. Enhances agency understanding of local society. | Local representatives are under pressure to favour relatives, the more powerful and divert to the military. Local representatives may exclude outsiders, such as the displaced. Agency needs to identify the politically vulnerable and ensure they are represented. Time consuming to establish truly representative committees. In acute crisis, traditional leadership may take over. |
| Distribution by local NGOs | Possibility of strengthening civil society Reduces overhead costs Access to areas inaccessible to international staff Contribute to local knowledge | Possibility of creation of large number of new NGOs May not be neutral or impartial, because of their ethnicity and political affiliation Under pressure to favour the powerful and divert to military |
| Distribution by traditional elders | Distribution according to social and cultural values. Likely to be system of complaint for unfair distribution or if elders take more than considered acceptable. Reduces overhead costs. Can be accountable if population unit is small. | Outsiders (e.g. displaced), and socially marginalised likely to be excluded. Difficult to monitor. Under pressure to collect tax and likely to take part of food aid because of their status. |
| Distribution by local government | Quick and efficient if local infrastructure sufficient. Fair distribution if accountable Builds local capacity. | Cannot be a neutral action. High cost if infrastructure needs to be reinforced. Exclusion of certain groups if unaccountable. Subject to taxation if resources are scarce. Government may be responsible for crisis; e.g. forced displacement. |

Source: Adapted from table prepared by Susanne Jaspars for the *WFP Food and Nutrition Handbook*.

Table 7.2
Strategies used by WFP and CARE Somalia to reduce the risks associated with food distribution.

| Stage | Risks/ limitations | Care Strategy | UN/ WFP strategy |
|---|--|--|--|
| 1 Needs assessment | No access to certain areas or population groups. Unreliability of needs assessments because of bias of local monitors in Food Security Assessment Unit (FSAU). | Combine info on FSAU data, assessments and quantity distribution last year. | Negotiate access. FSAU increases field assessments with international staff. Joint assessments and co-ordination. |
| 2 Engage with local authorities | Difficult to know who is in charge. Demands for taxation. Disagreement with targeting. Manipulation of agencies against each other. | WFP/ CARE agreement not to distribute where the other refuses because of threats. No distribution until environment conducive. | Explain new WFP distribution methods to authorities and get their consent before distribution. Develop agreement with local authorities. |
| 3 Local assessments and registration of vulnerable households | Local NGOs under pressure. Clans competing for position of power, leading to exclusion of marginalised clans. Exclusion of areas/ populations seen to support the opposition. Creation of fake villages or beneficiaries. Inability to identify vulnerable groups identified by FSAU and elders disagree with targeting. | Registration checked by CARE staff. Local NGOs can use this in dealing with authorities if under pressure. As above; checks by CARE international staff. Register clearly identifiable target groups (see below). | Verification of EDPs and populations by WFP local and international staff. Re-assigning local staff to areas where clan different from their own. As above; checks of EDPs and SDPs by international staff. Register all households in most affected areas. |
| 4 Logistics: Warehousing | Looting and theft. | Only warehousing in ports where food arrives. Use of commercial contractors for warehousing and transport; security bonds. No warehousing between port and EDP for free food distribution. | As for CARE |
| Transport | Looting by freelance militia, attack, landmines. Diversion (personal interest of staff and elders). Taxation on arrival at EDP. | Use of security bonds makes any losses the responsibility of transporter. Presence international staff when food arrives. | As for CARE |
| 5 Targeting and distribution | Diversion by elders and village committees. Manipulation (true beneficiaries do not turn up for distribution). Taxation. Exclusion of marginalised groups. Attack and threats. | Registration of clearly identifiable target households (malnourished, IDPs, elderly, handicapped.) Verifying at the distribution site (call 2 names and ask for 3rd). Segregate according to target households in different sites. Inform population of their entitlements. | Direct distribution to all households by WFP local and international staff in rural areas. Double rations to populations with high malnutrition rates. Distribution through MCH, to malnourished in urban area. Inform population of entitlements. |
| 6 Post-distribution | Taxation or theft after distribution. | PDMs is integral part of distribution. Inform population of entitlements Local NGO responsible for storing left over food. | PDMs by international and local staff. Inform population of entitlements. |

7.4.1 Maximise the food receipt by the intended beneficiaries

Most agencies considered that a registration and ration cards was the best way to ensure that people received food, and that this minimised taxation and diversion. Registration either included the entire population within an affected area, or if this was not possible, registration of clearly identifiable groups, such as the malnourished. Independent monitoring is essential, as is the independent supervision of all stages of the distribution process. In addition, information campaigns to inform people of their ration entitlements, targeting criteria, distribution methods are a form of self-monitoring, and important in preventing diversions.

In many conflict situations registration is not possible, or is extremely difficult and takes time. In addition to direct distribution, the following strategies were found to minimise taxation:

- Distribution of small quantities on a regular basis.
- Distribution to clearly defined target groups, for example, groups that are traditionally prioritised by the target population (e.g. under-fives).
- Distribution of foods seen as women's or children's food, e.g. blended foods such as CSB or UNIMIX.

Strategies to maximise receipt by the most vulnerable (in the absence of a registration) included:

- Distribution to the smallest social unit.
- Identification and representation of the displaced and other marginalised groups.
- Distribution direct to the malnourished.
- Distribution of a less-desirable food.
- Distribution of cooked food (also see below).

- In less acute crisis, self-targeting through food for work, school-feeding or vulnerable group feeding programmes.

Strategies for reducing the risk of attacks on convoys and looting have included:

- Use of commercial contractors for food transport, or in extreme cases, airlifting or air dropping food.
- Use a variety of entry-points into the affected area, vary delivery schedules and transport small quantities along different routes.
- Do not store large quantities of food aid, but distribute immediately.
- Decentralise distributions, so that population concentrations are not created.
- Distribute food items of low financial value.

7.4.2 Maximise the possibility that beneficiaries can hold on to their rations

In the most abusive situations, there is a risk that the politically marginalised will have their food stolen even if they initially received their entitlements. Some of the strategies given above will minimise this risk. For example, if beneficiaries are aware of their entitlements, the risk that it can be taken away from them is minimised.

In many of the recent conflict-related emergencies, however, it has been found that the only way of guaranteeing that people are actually able to eat the food they receive, is by providing them with cooked food. This strategy has also been used when the crisis is extreme, but food aid was insufficient to meet all the needs.

Endnotes

¹ The Red Cross and Red Crescent Movement's fundamental principles are: humanity, impartiality, neutrality, independence, voluntary service, unity and universality.

² Sources used: Mourey and Curdy (1992); de Waal (1997); Netherlands Development Co-operation (1994); Bradbury (1999) and an interview with Raymond Desarzens, Deputy Head of Mission for ICRC Somalia on 1 March 2000. The author worked for MSF-H in Hargeisa in 1987–8, for UNHCR in southern Somalia in 1993–4, and visited Somalia for this study in February 2000.

³ Sources used: In February 2000, several WFP and CARE staff were interviewed: Saleh, Miskell, Abdullah, Ahmed; from CARE; Farrell, Hayes, Kallon, Legg, Narbeth and Somali monitors from WFP. Four local NGOs working with CARE were also interviewed. Interviews were conducted with Majid, Sacco and Prendiville of the Food Security Assessment Unit and various FSAU documents and nutritional surveys read. Carter from UNICEF, Harborne from UNCU were also seen.

⁴ Sources used: Jaspars (1994); Pottier (1996); Shoham (1996); Borton et al (1996); de Waal (1997); Jaspars (1998); Fennell (1998); Ron (1998). The author worked with UNHCR in Tanzania in May–June 1994 and with CARE in Zaire in April–July 1997.

⁵ Sources include: SPLM/SRRA/OLS (1998), Jaspars, (1999), Harragin (1999), SPLM/SRRA/OLS (1999b), SPLM/SRRA/OLS (1999a), Karim et al. (1996). Interviews with WFP staff in Nairobi (Milisic, Matus and Witteveen) and Lokichokio, and WVI staff (Vicary and Riak) in Nairobi in February/March 2000. The author worked for WFP in South Sudan October–December 1998.

⁶ Sources used include: Wiles et al. (2000); WFP (2000); Suhrke et al. (2000); AAH (1999, 2000); Lawrence (1999); Lawrence and Borrel (2000); McGrath et al. (1999); Jaspars (1999b). The author worked for CARE-US in Albania in April–May 1999, and for UNHCR in Macedonia in June–July 1999. Fiona Watson provided significant input, and worked on the Evaluation of the DEC Kosovo Appeal.

⁷ The Refugee Nutrition Information System (RNIS) publishes a quarterly report on the nutritional situation of refugees and displaced people, and is part of the UN's Sub-Committee on Nutrition. In July 1999, it reported 134,000 people in Somalia and 374,000 people in Sudan at high risk. None as considered at high risk in the Kosovo region.

⁸ The other three principles — unity, voluntary service and universality — are specific to the Red Cross Movement so are not discussed here.

⁹ Article 23. Consignment of medical supplies, food and clothing. Convention IV relative to the Protection of Civilian Persons in Time of War. Geneva, 12 August 1949.

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ISBN 0-85003-492-2



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Email: odi@odi.org.uk
ISBN: 0-85003-492-2 £8.00