

POLITICAL ECONOMY OF INTERNATIONAL ASSISTANCE: ECONOMIC, POLITICAL AND LEGAL CONSTRAINTS TO HUMANITARIAN AID IN SUDAN

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1. Introduction

Since the collapse of Colonialism various parts of the African continent have been ravaged by violent conflict. Let it be for the control over natural resources like in Sierra Leone, Liberia, or Democratic Republic of Congo (DRC), an ethnic cleansings like in Rwanda and Burundi, an interstate war like between Ethiopia and Eritrea, for maintaining or gaining the political control as it has been in Nigeria, Somalia or Angola, it results in a tremendous loss of human life, but also successfully limits possibilities of economic development in this impoverished part of the globe. The violent conflict in Sudan, however, is unique, as it has been perpetuated for almost fifty years. Throughout this long period of time the certain economic system have had to be established: the economy of war.

Sudan, Africa's largest country with a territory of over 2,5 million square kilometres and a population of around 39 million (CIA World Fact Book 2004), is home to approximately 300 ethnic groups who speak over 100 languages. The North is inhabited predominantly by Muslim Arabs whereas the South by Christian and Animist Africans. 'Southern Sudan comprises ten states in three provinces: Upper Nile (Upper Nile, Jonglei, and Unity States), Bahr el Ghazal (West Bahr el Ghazal, North Bahr el Ghazal, El Buheirat, and Warab states), and Equatoria (Bahr el Jebel, East Equatoria, and Western Equatoria states)' (Kebbede 1999: 44).

The country has an eventful history. 'Once considered to be among Africa's most promising nations, with the agricultural potential to serve as "Africa's breadbasket", Sudan descended into disaster after decades of war, several droughts,

badly-designed development strategies, corruption and mismanagement' (Sorenson 1995: 131). The state gained independence in 1956, although the first armed struggles had erupted a few months prior to this. Repression and the Islamisation efforts of Abboud's military regime (1958-1964) led in 1962 to the establishment of Anyanya - the separatist guerrilla army - and to full-fledged armed conflict. The era of colonel Jaafar Nimeiri (1969 - 1983) was free from significant military activities; the South gained autonomy (the Addis Ababa Agreement of 1972) with its own assembly in Juba, the capital of Equatoria. In 1983, however, Nimeiri terminated southern autonomy abolishing the legally elected regional government, and a few months later imposed Shari'a law in the entire country. Those acts triggered another war in the South which has lasted since. Sadig al-Mahdi, who after democratic elections took power in 1986, was unable to end the conflict and was ousted in the military coup of lieutenant-general Omar Hassan Ahmed al-Bashir on 30 June 1989. The al-Bashir regime characterises a strong policy of Islamisation in the South.

The war in Sudan has resulted in somewhere in the region of two million deaths, over four million internally displaced persons and hundreds of thousands of refugees. Although there is a general impression that the conflict is between Sudanese Arabs from the North and Sudanese Africans from the South, the situation is far more complex. There is, on the one hand, the Sudanese government with several rebel movements which decided to sign a peace agreement with the authorities, and the Sudanese People's Liberation Movement (SPLM), on the other hand, with its armed wing - the Sudanese People's Liberation Army (SPLA) led by Dinka - John Garang. SPLM/A leads a strong opposition composed of the Sudan People's Democratic Front - SPDF (merged in January 2002),

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and of democratic Arab parties such as the Democratic Unionist Party, the Sudan Democratic Alliance, the Sudan Alliance Forces, the Beja Congress Forces, and the Legitimate Command of the Sudanese Army, which form the National Democratic Alliance (NDA). Al-Mahdi's Umma Party also joined the opposition and it is believed that the former Sudanese parliament speaker and the main ideologist of the Islamic regime until 1999 dr. Hassan al-Turabi and his Popular National Congress have recently supported the SPLM efforts. There are also warlords and independent rebel groups who in majority tend to be concerned with their own welfare.

Although it is widely believed that the war is limited only to the southern part of the country, it is worth noting that such provinces as Darfur, Kordofan and Blue Nile, considered to be northern, have also witnessed heavy fighting throughout the years, especially when revenues from the exploitation of rich oil deposits situated in central Sudan, have become the main sources of income for belligerent parties.

This article presents the legal, political and economic constraints to effective humanitarian assistance to Southern Sudan.

2. Humanitarian Assistance

Ausenda (1997) points out that the main actors of humanitarian assistance can be categorised as either internal or external. The main 'internal actors' in the Sudanese war are the belligerent parties: the Islamist government and the opposition. Both sides are equipped with relief agencies: the Relief and Rehabilitation Commission (RRC) in the North and the Sudan Relief and Rehabilitation Association (SRRA) in the South. The minor militia groups are also considered to be internal actors. Governments of the US and the UK are traditional representatives of 'international actors', as well as several UN agencies such as UNICEF and WFP, and international non-governmental relief organisations.

There are many theories concerning strategies of assistance. An interesting view is presented by F.C. Cuny (1999) who divides 'famine operation during conflicts' into several categories among which the case of Sudan reflects the 'cross border relief strategy' based on the 'open roads programmes' where the relief agencies negotiate an agreement with both sides of the conflict. Omer Elmugly (1995) argues that management of relief can be in the form of 'management by process' and 'management by results'.

The first gives priority to rules and regulations, sometimes irrespective of the final outcome whereas the second, 'requires a dynamic, flexible structure to cope with a volatile and rapidly changing task environment' (Elmugly 1995: 75).

Recently humanitarian interventions appear to be based on the principle that the UN obtains access and provides co-ordination while the NGOs implement the relief programmes. However, criticism of assistance seems to be increasing. NGOs are blamed for actually prolonging the conflicts themselves, whereas UN agencies are usually criticised for their inefficiency. 'Critics [also] regularly object to the orientation of aid towards large scale, capital-intensive, high-technology projects, and protest against its support of repressive regimes. Last but not least, aid is blamed for tolerating a high level of the misappropriation of aid funds and corruption' (Tomasevski 1989: 12). On the other hand, however, it is not clear what effective assistance is supposed to mean and how in fact it should be measured. 'Nobody can say, or even forward a realistic guess, how many people have died from famine in Sudan' (African Rights 1997: 352) and certainly nobody is able to count how many lives have been saved.

The main relief operation in the region is the Operation Lifeline Sudan, which, made up of around 40 relief organisations (with UNICEF as an "umbrella organisation") and authorised by the rebels, the United Nations and the Sudanese government, is responsible for roughly two-thirds of aid to southern Sudan. The OLS was originally created to provide neutral humanitarian assistance to war-affected populations throughout Sudan, regardless of their location. It was conceived as an innovative means of providing assistance and protection to the Sudanese in need (MSF 1998: 4). Although initially designed as an *ad hoc* operation it has continued to deliver aid for many years.

3. Legal Constraints

There seem to be two main legal constraints to effective humanitarian assistance to southern Sudan: the international recognition of the concept of sovereignty and the inadequacy of the international regulations concerning internally displaced persons.

The concept of sovereignty can be perceived to be currently a fundamental element of an international law determining an independent state. States' authorities have a right to exercise

power over their territory and to protect their borders, 'each state, according to international law, has a duty of non-intervention into the affairs of other states' (Luban 1980: 164), as 'non-interference in domestic matters and respect for nation-state sovereignty was a cornerstone in international relations' (Duffield 1997: 209). Luban (1980) points out that the concept itself served as a basis for developing the doctrine that sovereign states are *de facto* above the law. Therefore one of the main legal obstacles in delivering assistance is the fact that Sudan, as a sovereign state enjoys the protection of the international community and consequently international institutions are severely limited in acting on its territory and against its government. Although it can be argued that Sudan is a 'quasi-state' which is recognised as a sovereign and independent unit by other states within the international systems, but which cannot meet demands of 'empirical' statehood, which requires the capacity to exercise effective power within its own territory and be able to defend itself against external attack; the concept of 'negative sovereignty' ascribed to it by other states on the contrary to the 'positive' sovereignty which derives from effective control (Clapham 1998: 15), is not a matter of legal concern, but rather of a political one. Consequently, although Sudan might not meet the criteria for legitimate statehood, nonetheless in legal terms it is a sovereign state and the Sudanese government is a legitimate authority within the state's borders. For this very reason, the concept of sovereignty and its international recognition within the international legal norms has caused a nuisance in effective humanitarian assistance conducted by the UN. As 'the UN was created by, and is accountable to, nation-states and is not authorised to intervene in matters which are essentially within the jurisdiction of the state (Slim 1994: 196), 'the problems for the UN with regard to OLS were basically that Sudan was a UN-recognised sovereign state and itself a member of the UN so there was a reluctance to take action that could be construed as contrary to the regime's wishes' (Woodward 1996: 181). Even when it is plainly evident that the Sudanese government is unable to control its entire juridical territory 'in situations of disputed sovereignty where major emergencies may exist in areas beyond the control of the nominal state authorities, the UN has repeatedly found itself bound and gagged by its interstate mandate in the many sided realities of intrastate conflicts' (Slim 1994: 196). Moreover 'the fact that the UN

centres on the notion of national sovereignty, represented by its member states, means that in recent years humanitarian needs are often greatest at the point at which the international community has the least clear mandate to respond. The inability to adapt and respond to intrastate dynamics of conflict in many of today's emergencies has rendered UN an unwieldy and often paralysed player in complex emergencies' (Slim 1994: 196).

Most of the Sudanese displaced populations are not refugees, who are covered by a great deal of international norms, regulations and laws, but internally displaced persons (IDPs). It is estimated that over four million people can be considered internally displaced in the southern provinces of Sudan, however accurate data is not available, as the on-going violent conflict produces new forced migrants constantly and there is no institution which would be in a position to deliver adequate information from the war affected areas. As effective humanitarian assistance to refugees is in legal terms relatively easy, it does not concern the internally displaced, who are still on the jurisdictional territory of the persecutor (if the persecution is conducted by the state's authorities or local power centres), or in its proximity. Consequently, another main legal constraint to assistance to southern Sudan is the lack of effective legal and institutional background for IDPs. Following Carens' (1992: 38) statement that the most desperate, vulnerable and threatened are stuck in camps and shelters in the states next to the lands from which they fled, it is worth noting that those who have not managed to flee their country of residence and persecution at all are very often in worse conditions. 'Whereas those who have fled to the neighbouring countries [usually] receive help and some degree of security from international humanitarian organisations, those internally displaced southern civilian populations of Sudan continue to endure untold suffering at the hands of their own government' (Kebbede 1999: 53). Although the Oslo Conference in 1988 and the appointment of the Representative of the UN Secretary General on Internally Displaced Persons in July 1992 are considered as first significant steps towards international recognition of the problem, it is still insufficient, as 'for the time being there is no generally accepted definition of internally displaced persons or a specific agency with an overall mandate for them' (Kourula 1997: 184). Although it is indisputable that the essential legal requirement for effective hu-

manitarian assistance is a creation of an organisation with a clear mandate, the debate on who should be responsible for IDPs has not reached any satisfactory conclusion. The most urgent task, however, seems to be the question of the implementation of existing legal regulations and afterwards introduction of new ones as those already introduced do not appear to be sufficient. Currently the 'principal sources of the standards for protection of IDPs as well as foundation for further protections are found in international human rights law, specifically the Universal Declaration of Human Rights (1948), the 1966 International Covenant on Civil and Political Rights, the 1966 International Covenant on Economic, Social and Cultural Rights and in Africa - the 1981 African Charter on Human and Peoples' Rights; humanitarian law which comprises the four Geneva Conventions of 1949 and the two Additional Protocols of 1977; and refugee law embodied in the 1951 Convention relating to the Status of Refugees and the 1967 Protocol' (Deng 1995: 81). In Sudan, where there is a non-international armed conflict, it is clear that international human rights law and humanitarian law provide a framework for the protection of internally displaced persons.

Moreover, the notion that non-state actors should be internationally responsible for human rights abuses has gained ground in recent years (UNHCR 1996). However, the law imposes legal obligations only on the parties of the conflict, and there is no clear rule who should intervene in the situation of emergency and how (UNHCR 1996: 13). Consequently it does not seem possible to secure human rights and then create mechanisms to protect them, enabling effective humanitarian assistance, without sacrificing some part of sovereignty by all states, in order to generate legal space for international actors with a clear mandate to intervene.

In addition, there are no strict legal regulations concerning relief actions themselves as 'the international humanitarian law was not set up to deal with such a situation. The Geneva Conventions also bestow primary responsibility for meeting relief needs on the host authority and with this responsibility goes the power to regulate relief activities (African Rights 1997: 361). Therefore 'legal grounds for sustaining such programmes are uncertain, faced with Sudan government objections founded on sovereignty' (African Rights 1997: 361).

4. Political Constraints

It is believed that the major political constraint to effective humanitarian assistance is war itself. Indeed it is quite a convincing argument that all other aspects of political limitations derive from a violent conflict. In 1992 Timour Dmitrichev listed 29 major causes of potential tensions and conflicts (Furley 1995). Olivier Furley (1995) suggests that they can be summarised in four points, from which at least three can be used to describe the conflict in southern Sudan: first, the situation there can undoubtedly be described as a domestic power struggle between hostile groups and ethnic violence related to religious and cultural issues; second, an ideological and political campaign with a strong religious expansionism, is one of the major issues of this war; third, persecutions and violations of human rights are very common.

One of the main aspects of effective humanitarian assistance in the situation of armed conflict is the problem of access. 'Within the UN, the chief policy instrument for "negotiated access operations" has been the development of formal rule-based physical security and delivery systems' (Duffield 1997: 211), in the case of Sudan the 'corridors of tranquillity' can be seen as good examples. In southern Sudan access to the people in need is severely limited due to military activities and 'unrest and raids also have slowed relief work and even forced the evacuation of aid workers' (WFP 1998). In 1997 and 1998 alone the workers of MSF were forced to evacuate, relocate or entirely abandon several areas where assistance projects took place.¹ MSF (1998) has very often indicated that security threats to the staff on the field obstruct the activities of all relief agencies and strongly limit the medical and nutritional assistance, thus aggravating the situation as ensuring effective targeting (determining the people in need of assistance) requires a field presence and this cannot be systematically sustained in areas of conflict. The WFP (1998) indicates that the continued political insecurity worsens food shortages, which may in turn result in the emergence of new famine zones, and given that war induced famines cause great mobility of the people who require humanitarian aid and

¹ Six of them: Ajak, Bararud, Ajiep, Thiekthou, Pakor and Panthou, were situated in Bahr el Ghazar, whereas five of them: Duar, Gumriak, Nhial Dhu, Leer and Quoich - in western Upper Nile. See MSF 1998.

create new areas where assistance is needed, this impinges greatly on its effectiveness.

It is claimed that 'ethnicity' can be blamed for conflict between various ethnic groups. Indeed 'in the latter part of the twentieth century [there was] the unexpected emergence of ethnic identity as an idiom for the expression of political and economic interest' (Turton 1997: 81). Closer study of ethnicity reveals, however, that in no way can it be seen as a means to justify a violent conflict and that the concept of ethnicity has been misused by political power centres in order to achieve their goals. Turton points out that 'ethnicity [cannot] serve as a casual explanation of war, because it is not a thing in itself, even though its power to influence behaviour is largely the result of it being seen as "natural" property of a group. It is rather, a relational concept: it refers to the way cultural differences are communicated and it is therefore created and maintained by contact not by isolation' (Turton 1997: 78).

However, although John Garang himself admits that 'Arab culture is our [Southern Sudanese] culture and Arabic is our language, and they are there to stay' (Khalid 1987: 12), the multiethnic societies can cause constraints to effective assistance, as 'the region inhabited by Nilotic peoples such as the Dinka, Nuer and Shilluk, the Nilo-Hamitic peoples such as the Bari, Latuko, Toposa, and Murle, and the Sudanic peoples such as the Madi, Belanda, and Azande' (Kebbede 1999: 132) is extremely vulnerable to ethnically charged rhetoric and consequently ethnic tensions. The Nuer groups have 'routinely attacked, looted, and burned civilian villages [mainly the Dinka], killing civilians, wiping out their cattle and grain, and sparking a need for emergency relief' (Human Rights Watch 1996: 57); 'many southern tribes, especially those in the province of Equatoria, have long-held hostilities and suspicions toward the Dinka' (Kebbede 1999: 132); nevertheless the major atrocities are committed by the Baggara and Riziyat Arabs, who raid southern villages looting their belongings, killing men and enslaving women and children. Ethnic conflicts within the region can be seen as a major obstacle in delivering aid, also because in ethnically charged environments aid workers are usually blamed for favouring one particular population over another.

The most significant political constraints to effective humanitarian assistance to southern Sudan are the government's and the rebel groups' policies towards aid agencies as well as

to the local populations. Although introduced during Sadiq al-Mahdi's reign, the OLS has operated while the state has been ruled by al-Bashir's Islamic fundamentalist government, encountering together with independent relief organisations many difficulties and obstacles imposed by the authorities. Although al-Bashir 'gave a positive response and firm commitment to the Operation Lifeline' (Burr 1995: 220) soon thereafter it was clear that his intentions were diametrically opposite. Shortly after the coup Hassan al-Turabi, the leader of the National Islamic Front, became the second most influential person in the country and began incorporating his fundamental ideology into the state's law, which prompted the justifiable belief that 'NIF's [and government's] claim to legitimacy resides in its adoption of Islamic principles, and its goal is a theocratic rather than a democratic state' (DeWaal 1997: 98)².

Many limitations imposed by the Sudanese government on the aid agencies can clearly be seen as political constraints. Some of them are in the form of travel restrictions combined with complicated formal procedures to deal with authorities. The ban on all flights, except military, was introduced shortly after al-Bashir expressed his commitment to relief operations. Since then flight permission has been a matter of negotiation and the situation has changed frequently. In 1998 as soon as the OLS announced it was making emergency deliveries of relief food to approximately 100,000 civilians who had escaped the Wau slaughter, the government on the 4th February banned all relief flights into the entire rural area of Bahr el Ghazal (Human Rights Watch 1999). Moreover, it imposed restrictions on other means of transportation. The military authorities started blocking shipment on the Nile, as well as truck convoys and trains, demanding shares in humanitarian aid goods being transported.³ 'All the expatriate permits were nullified, and diplomatic and UN personnel could only travel in an emergency and after receiving approval from military security' (Burr 1995: 220). Valid truck contracts were also nulli-

² Al-Turabi remained al-Bashir's ally until December 1999. In February 2001 he was imprisoned by the president and consequently released in 2003. Although a major architect on the fundamentalist Islamic state, he has since pledged the fight for democracy and human rights.

³ I.e. in August 1989 National Salvation Revolution Command Council (NSRCC) refused to release a train in Aweil unless two-thirds of the food went to government towns and villages (Burr 1995).

fied. The imposition of various limitations and its random character throughout the time of Bashir's regime has been a significant political obstacle to effective assistance. The regime also capitalised on the popular yearning and international sentiment for peace talks, as long as they remained just talk. Once discussions moved to substantive issues, and negotiations were about to begin, the process came to a halt' (Ali 1999). Also internally, the government was very reluctant to solve problems without introducing what John Garang describes as 'Arabism as political and religious supremacy based on racial heredity' (Khalid 1987: 12). The hostility towards the OLS and other relief efforts was clear and al-Bashir tried to discredit the operation by claiming the existence of 'ignored malpractices' (Burr 1995) within the structure of the action.

The government policy towards the civilian population in the South can be seen as a significant basis for creating political obstacles. In order to extend its control over Sudanese people 'the popular defence forces law was promulgated, creating the Popular Defence Force (PDF). In effect, it legalised the existence of tribal militias that has brought such destruction and death to the South' (Burr 1995: 240). The Sudanese government can also be accused of causing famines such as in Wau or Jabelin, where by direct military action against the local population many people were killed or forced to flee, adding to the number requiring humanitarian assistance. The regime has supported several militias such as Baggara Arabs, who as Muslims of the same nation have been considered natural potential allies; different groups of Nuer, who in Upper Nile province have fought against each other; and some of the Southern allies from the 1996 peace agreement. 'The government has manipulated differences between different southern peoples and financed several ethnic breakaway rebel factions to serve as its proxies in attacks on the main rebel group SPLM/A- Mainstream' (Human Rights Watch 1996: 13).

It is not only the government which is responsible for creating constraints to humanitarian assistance to the population of southern Sudan, but also several rebel groups. John Garang's SPLM/A, the most important southern force controlling large areas in Equatoria, Bahr el Ghazal and Upper Nile, has imposed several limitations on aid agencies. The most significant took place in January 2000 when SPLM leadership announced that a new system of taxes and operating fees would be imposed on all hu-

manitarian agencies, except the UN. The agencies, among them MSF, World Vision, Oxfam, Care International and Save The Children, however, objected to the conditions in the document which would give rebels more control over their operations and would allow the SPLM authorities to charge for activities such as aircraft landings and movement within rebel-held territory, and consequently refused to sign the document. Even though the project was heavily criticised by both international organisations and the Sudanese government, SPLM decided not to negotiate the issue and ordered the organisations which had not agreed to the new tax scheme, out of the area. At the same time Elijah Malok, the SPLA commander responsible for negotiating the agreement, accused the agencies of failing to respect SPLA sovereignty (Reuters Africa 2000).

The rebel forces are also responsible for several abuses and acts which caused displacement of the populations. SPLA has been involved in looting, killing civilians, confiscating food, which inarguably led to an increase in the number of people who required humanitarian assistance. SPLA forces are believed to have destroyed thirty-five villages, killing over 100 children and 50 women in Ganyliel in June 1995 (Human Rights Watch 1996). Kebede states that 'during its existence, the SPLM/A has acted more like a military organisation and less like a liberation movement, and has not been able to bring any semblance of order to the so-called liberated areas, let alone build political and social institutions that overshadow tribal allegiance' (Kebede 1999: 56).

In dire conditions with the constant deficiency of all the means of sustenance brought about by internal violent conflict, such as in the war in southern Sudan, 'food plays an important role' (HRW 1996: 15). In Sudan 'both sides have used food as a political weapon, even though they have aggressively denied applying such a stratagem. The government has prevented relief food from reaching the starving civilians in the South whom it accuses of being sympathetic to the SPLA' (Kebede 1999: 55). The authorities have also constantly tried to monitor closely the food distribution, imposing more and more obligations on the aid agencies and significantly reducing the effectiveness of help. 'Not only did the government interfere in the movement of food, it prohibited support to projects [such as school-feeding programmes in the rebel-held areas] which it considered of strategic value to the SPLA' (Johnson 1994: 132). It also withdrew

flight permission after WFP announced that it had reached its target at the end of 1989, and in 1990 objected to the food convoys during the dry season (Johnson 1994: 130). Alex DeWall (1997) claims that the famine of 1990/91 could have been prevented, if the reserves of grain which had been exported, had been released into the market.

In such a long conflict as in southern Sudan, the political involvement of aid agencies seems unavoidable. The political affiliation of local relief agencies is unquestionable: SRRA has invariably strong connections with SPLA, therefore many NGOs together with USAID accused the organisation of 'diverting relief food to non-relief activities and perhaps even to SPLA itself' (Burr 1995: 238). Nonetheless, nobody has been able to determine how the agency could establish some autonomy from its military partner. It is claimed that 'because of the weakness of OLS structures, the UN agencies failed to implement their relief programmes with the full degree of balance, impartiality, and transparency they pledged' (Johnson 1994: 134). Even though the OLS officials expressed the desire to keep humanitarian operations clear of political interests and its chief Phillip O'Brien having taken office at the end of 1992 remained immune against the pressure of the Sudanese government, the OLS has been constantly accused of sympathising with one or the other side of the conflict. This has led to hostilities between aid workers and allegedly not favoured populations. One of the Nuer commanders after the Bor massacre explained that 'all the assistance donated by foreign governments was converted by Garang to particular benefit [of his own people]' (African Rights 1997: 276). The OLS was also accused of favouring the Relief Association of Southern Sudan – RASS, after having recognised the agency created by Riek Machar – the leader of the SPDF. Undoubtedly the overall judgement of the OLS's political involvement has been based on the fact that 'its northern sector [was] co-opted and manipulated by the Sudan government' (African Rights 1997: 362) and 'the southern sector has found itself drawn into a vacuum of quasi-governmental responsibility, that it cannot adequately fill' (African Rights 1997: 360). It was claimed that the relief agencies were trying to 'place real power into the hands of the officials responsible for delivering food' (African Rights 1997: 280). This theory can be supported by the fact that in Juba NGOs actually gained 'very strong infra-structural power as

compared to the state' (Tvedt 1994: 93) and were able to impose factual economic control therein. Many international agencies, especially those of the UN, have established networks in the northern Sudan co-operating with the Sudanese government in various development projects or relief activities and in order not to upset their partner and to strengthen their political position were not particularly interested in the South. 'The WFP office in Khartoum in 1990-91 appeared to have very little interest in the OLS – Southern Sector, but showed considerable interest in securing for itself a leading role in organising famine relief in northern Sudan' (Johnson 1994: 132). Political involvement can also have a form of 'multiple loyalties'. Although everybody is likely to admit that aid agencies should consider the needs of the local population as a priority, it is hardly possible for the aid workers to act independently and not take into consideration the advice or more likely orders from headquarters, whose decisions are likely to be politically and financially orientated.

In the developing world many relief operations have been built without an element of feasibility. It is claimed that 'with no overall priorities established there has been no systematic approach to the relief problems in the entire region' (Johnson 1994: 134). Moreover, Mark Duffield states that many 'relief programmes are built from series of short-term assumptions and institutional arrangements. Funding and personnel structures are *ad hoc*. Some programmes, such as that in southern Sudan, have been operating in some form or other for a decade. Nevertheless, they are still supported by periodic "emergency appeals"' (Duffield 1997: 212).

5. Economic Constraints

In the case of Sudan economic constraints can be seen to stem from two principal sources, the first of which is a shortage of funds from the donors and is usually based on their political preferences; and the second being the widespread poverty in the region and the dominance of the 'economy of war'. Sudan is one of the poorest countries in the world and therefore a great part of the population is actually in need of humanitarian assistance. It is, therefore, hardly possible to judge who should be provided with aid and who should not as the overall situation is dramatic.

'The main fuel of humanitarian action is, of course, funding' (Ausenda 1997: 238). Interna-

tional institutions and governments which provide necessary funds are considered the first elements of the 'chain' of humanitarian response. The primacy of these donors has always been criticised as they have very often imposed pressure on aid agencies suggesting how the funds provided should be used. Ausenda claims, however, that 'despite their primacy, donors are not absolute in determining the aims and recipients of their humanitarian help, because quite often they operate through humanitarian actors, generally NGOs, whose policies are of necessity well defined and do not always coincide with those of the donors' (Ausenda 1997: 237).

In Sudan, donors are particularly more reluctant to provide funds than in other crises and this is undoubtedly politically motivated as major donors are governments of developed countries seeking influence and Sudan does not seem to be considered of a special strategic value. Moreover, during the time of al-Bashir's regime there have been other serious crises in the world which have required humanitarian assistance and have been considered more important: Bosnia, Somalia, Kosovo, East Timor and finally Afghanistan and Iraq attracted much more international attention and consequently donors. When the Sudanese government officially backed Saddam Hussein in the First Gulf War, the donors became even more reluctant to assist. 'Any US participation in the OLS III seemed moot once the NSRCC gave its support to Iraq following the August 1990 invasion, conquest and assimilation of Kuwait' (Burr 1995: 285). Moreover, the UN, actively involved in operation Desert Storm, neglected the pledge of 313,000 tons of food aid by humanitarian agencies (Burr 1995: 293). Earlier the donors having received the information about the commencement of OLS II expressed little enthusiasm. Reluctance to provide assistance is a problem which is still prevalent and is not only based on the lack of sufficient interest, but also on the lack of adequate co-operation between donors and aid agencies. The situation in 1998 became critical as 'many donors initially chose to disbelieve early reports of the OLS and NGOs warning of impending disaster. Time was wasted in debates on terminology ("was it a famine," "pre-famine", "food crisis") and opportunities were lost' (Human Rights Watch 1999: 171). Officials of western governments very often question the need for assistance and thus add to the crisis whereby aid agencies suffer from insufficiency of means. Clare Short, the then United Kingdom minister

for international development, having stated in May 1998 that 'the public emergency appeal which raised millions of pounds for the private charities to feed the starving in the southern Sudan was unnecessary' (Human Rights Watch 1999: 171) proved that she shared the common opinion that assistance can serve as a preserver of war itself. As a consequence of this attitude, the UN's appeal for funds in 1998 raised only half of the sum required. The overall view that there are certain links between provision of aid and the continuation of the war has been preventing deliveries of necessary goods to the areas which require assistance. In 1995, only 19 percent of the assessed need was delivered to Bahr el Ghazal (Human Rights Watch 1999), the most populated region which received the least attention relative to its populace.

Another economic constraint to effective humanitarian assistance is the military model of economy. The 'economy of war' has several characteristic elements. First, the proportion of national resources diverted to the military is overwhelmingly high compared to other areas of governmental duties. In Sudan a significant amount of money has been spent on purchasing weapons and supporting governmental allies. It is estimated that 'the Sudanese government allocates 16 percent of its budget to the military, most of which goes towards financing a war against its own people in the southern part of the country' (Watkins 1996: 39). However, in this case, Sudan is not an exception as the militarisation of the African states in the post-colonial era was a very common process, as it 'was once seen as a force for progress in developing countries, principally on the ground that armies were "modern" organisations, rationally managed, relatively efficient and industrious in discharge of their functions, and imbued with national aspirations' (Rimmer 1995: 297). This approach to military dominance failed to be true. Second, the entire economy is likely to be controlled by the government and there is no space for free market competition. In Sudan this control exacerbated the situation and deepened the economic crisis allowing an expansion of poverty among the Sudanese people. Although in 1997 the government started some limited economic reforms, the economic growth reached 5.9% in 2003, and there are some positive development prospects, especially due to the discovery of new oil deposits of a significant size near the historical demarcation line dividing the North and the South, the country remains nearly bankrupt. The war has

cost US \$2 million a day. External debts remain high at US \$ 17 billion (CIA World Fact Book 2004). An overwhelming part of the society lives below the poverty line by any standards. There are no reasons for applying international methods of measuring average incomes, expenditures, etc. in order to determine the social situation of the local population, as the country is ravaged by war and the numbers are likely to be far from accurate.

6. Conclusion

There is a number of legal, political and economic constraints to effective humanitarian assistance in southern Sudan. The violent conflict can be seen as a core reason for failure to aid populations in need. The year 2003 brought intensified negotiations between the belligerent parties with the aim of ending the war. It was agreed that, not only would the southern rebels share power with the current Islamic government, but also that autonomy would be introduced, which would eventually lead to a referendum on cessation in 2010. The year 2004 and the beginning of 2005 showed, however, that the country is far from becoming stable. The Darfur crisis proves that the population remains extremely vulnerable and the fights between Arabs and Africans may continue for a long time. Although a permanent cease fire and finally peace might significantly reduce the constraints to assistance to Sudanese people, the reasons for aid will not vanish, as the dire conditions of most of the population, including millions of displaced, will more than likely persist.

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**POLITIČKA EKONOMIJA MEĐUNARODNOG UČESTVOVANJA:
EKONOMSKA, POLITIČKA I PRAVNA OGRANIČENJA
HUMANITARNE POMOĆI U SUDANU**

Zaključak: Postoji veliki broj pravnih, političkih i ekonomskih ograničenja za efektivnu humanitarno asistenciju u južnom Sudanu. Žestoki sukobi mogu izgledati kao bitan razlog za neuspjeh u potrebnoj pomoći stanovništvu. Godina 2003. je donijela intenzivirane pregovore između zaraćenih strana sa ciljem okončanja rata. Dogovoreno je da bi južnjački pobunjenici ne samo dijelili vlast sa aktuelnom islamskom vladom, nego bi takođe autonomija mogla da vodi do referenduma o otcepljenju 2010-te. Godina 2004. i početak 2005. su pokazali, međutim, da je zemlja daleko od toga da postane stabilna. Križa u Darfuru je dokazala da stanovništvo ostaje ekstremno ranjivo i da se borbe između Arapa i Afrikanaca mogu nastaviti za dugo vremena. Mada bi stalni prekid vatre i konačni mir mogli značajno smanjiti ograničenja u pomaganju sudanskom narodu, razlozi za pomoć neće iščeznuti, pošto će užasni uslovi većine stanovništva, uključujući milione raseljenih, najvjerovatnije i dalje trajati.