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Organization of African Unity

**Keynote Address by H.E. Salim Ahmed Salim,
Secretary General of the OAU at the
Third Wolfsberg Humanitarian Forum**

25 May, 1999

**KEYNOTE ADDRESS BY H.E. SALIM AHMED SALIM
SECRETARY GENERAL OF THE OAU
AT THE THIRD WOLFSBERG HUMANITARIAN FORUM**

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**Mr. President,
Excellencies,
Ladies and Gentlemen,**

It is an honour and a pleasure for me to address this Forum today as a special guest. I wish first of all to thank most sincerely the President of the International Committee of the Red Cross, Mr. Cornelio Sommaruga, for the kind invitation he extended to me and the opportunity given to me to share with you some thoughts on the topics of discussion you will be dealing with during this meeting.

The present Forum could not have been more timely. With the population of almost every continent currently involved in one violent conflict or the other, it is important to reflect seriously on the plight of victims of these tragedies. This reflection is particularly apt at a time when we are marking the Fiftieth Anniversary of the Geneva Conventions of 1949. Needless to emphasize Africa recognizes the importance and relevance of the Geneva Convention. We work hard to prevent war; and to end the wars that scan our Continent. In the meantime however, civilians and refugees need protection. Wounded soldiers and prisoners of war need care. The basic principles of humanity need to be upheld amidst many conflicts that disfigure Africa.

The theme of this year's Humanitarian Forum on the protection of people affected by armed conflict ought, therefore, to be of the utmost interest to all of us. Indeed, it is of particular importance to the peoples of Africa and to the Organization of African Unity.

The last decade of the twentieth century has been marked by the proliferation of armed conflicts between and within independent sovereign states, which have generated massive humanitarian crises. These conflicts have wrought untold horrors on countless communities. Women, the elderly

and children have been subjected to excruciating suffering. In sum, our Continent has witnessed great destruction and loss of life. We have endured the horrors of war and genocide. We have seen the forced displacement of millions and the impoverishment of tens of millions of people. Furthermore, misery and frustrated life chances for the Continent's youth prove a fertile ground for the growth of disillusion and violence. The millions of innocent civilians who have become war casualties need, not only protection, but also assistance from the international community.

In my remarks this evening, I wish to share with you some of my thoughts derived from our experience in addressing the challenge of protecting and assisting victims of conflicts in our Continent. I shall also reflect on some of the responses that we need to undertake collectively in meeting the challenges of contemporary conflicts. The need for undertaking such challenges collectively ought to be obvious. The consequences of conflict, however distant and foreign the particular conflict may be, tend to transcend national boundaries and to affect all of us.

**Mr. President,
Ladies and Gentlemen,**

One of the sad ironies of the last decade of this century is that, although, through their collective resolve and determination, African peoples succeeded in liberating the whole continent from colonialism and apartheid, the much expected peace and stability that were to constitute the foundation for economic and political transformation in the post-colonial era, have proved to be elusive. The process of reconstructing the fragile nation-states that emerged out of the ashes of the colonial empires of yesteryear has been accompanied by violent conflicts of an acute dimension.

While African countries have undertaken, by and large, bold measures to arrest the regressive development trends of the 1980s and to adjust themselves to the profound changes that were taking place globally, the proliferation of violent conflicts, created a severe setback to improving the people's living conditions. Even though the situation of prolonged violent conflict prevailed only in a few out of the 53 member states of the OAU, the negative spillover effects of the disturbances have, over the years, spread to more than half of the continent.

A number of our countries have been negatively affected not only by the failure to benefit from the developmental advantages of peace and

stability, but frequent wars and disorder have generated a humanitarian crisis of the most unprecedented magnitude. Indeed, you are all aware of the tragic figures of Africa having more than 6 million refugees and close to 20 million internally displaced persons, a situation that constitutes a serious humanitarian catastrophe.

The alarming aspect of humanitarian crises arising out of the conflicts in Africa is not only the magnitude, but also the fact that the conflicts which generate these crises have acquired features that make them unresponsive to the traditional approach to humanitarian intervention. This is, indeed distressing. The space which was traditionally allowed for neutral and impartial humanitarian agencies to protect victims and to alleviate the suffering of armed conflict, has been severely diminished by the unconventional character of some of the conflicts we have been witnessing in Africa and elsewhere over the few years.

Conflicts occurring in Africa are now predominantly internal rebellions, which involve, on the one hand, Government armed forces, and on the other hand, a group or groups of armed citizens of the same country. This has given rise to the phenomenon of parties in conflict who are not accountable to any political authority, whether local or global, and who cannot be effectively circumscribed by existing rules of warfare. The worst atrocities continue to be inflicted on innocent civilians, particularly on women and children, and existing mechanisms cannot guarantee effective prevention or protection from such brutalities. We have witnessed with horror such bestiality being perpetrated on the people of Liberia and Sierra-Leone, to name only two recent examples. The most barbarous manifestation of such horror was the genocide in Rwanda in 1994.

The worst form of degeneration in contemporary conflicts, from our experience, occurs in situation where there is a total collapse of institutions of government— as in the case of Somalia — and the prevalence of regimes of ‘warlords’. Factional violence that ensues in such a situation has made it extremely difficult to effectively protect victims of conflict, using the traditional approach. The multiplicity of belligerents and fragmentation of factions complicate the process of intervening in such situations. Indeed, it has not been uncommon lately to hear of humanitarian workers being savagely attacked or taken hostages by a party in conflict in such situations.

The phenomenon of ‘armed refugees’ is also another manifestation of the changing character of conflict in Africa. In a number of cases humanitarian work has been hampered by the existence of refugees who

possess weapons and create havoc within and around the camps. In some cases, such refugees use the safety of their camps as a rear base and continue to launch attacks on their adversaries. Incidences of this nature have not only complicated humanitarian assistance to genuine victims of war, but they have also led to the straining of relations between countries, as is currently the case in the Great Lakes Region. The concern over armed refugees has even led to the proliferation of conflict. Furthermore, the phenomenon of armed refugees has created a hostile environment, hitherto extremely rare in the Continent, for the bona fide refugees.

The fact that a greater majority of the prevailing conflicts in Africa are internal rebellions has also led to a shift in the modality of warfare. Classical warfare, upon which humanitarian intervention is based, involved the confrontation and targeting of combat forces and military installations. However, in current conflicts, attacks are deliberately aimed at instilling terror among the population and targeted directly at unarmed civilians. Cases of massacres of villages and towns, abduction of children and using them as sex objects or turning them into soldiers, mutilations of civilians are modes of behaviour in war that are not amenable to the traditional approach of protection.

Another element that characterizes these conflicts is the fact that they increasingly tend to last longer. While mediation efforts have been made in all cases where conflicts have emerged in the continent, the duration of continuous chaos, instability, and the attendant suffering has increased significantly. The prevalence of conflict situations has ranged from a few months as in the case of the Lesotho crisis of 1998, to more than 15 years as is the case of the conflict in the Sudan and in Angola. In fact, the majority of conflicts have, at the minimum, lasted for more than one year before they are resolved. On one hand, such a long lead-time for mediation to bear positive outcomes underscore the importance and necessity of strengthening humanitarian intervention. On the other hand, the prolonged deployment of resources strains the capacity for protection and humanitarian action in any given setting.

**Excellencies,
Ladies and Gentlemen,**

The changing character of prevailing conflicts in Africa has a number of implications in the conduct of humanitarian action in Africa. It has become widely accepted that the status quo in terms of humanitarian response to emergencies in Africa, does not augur well with the emerging situation and

improvements are called for. Areas of concern include: capacity limitation, insufficient synergy between political and humanitarian work, inadequate consideration of the interest of host countries, an emerging credibility deficit, as well as a tendency of marginalizing some sections of the international community.

Indeed, limitation of capacity for the protection of victims of conflict remains a very serious problem in the African context. In this respect, I wish to pay tribute to the ICRC for being the largest and the oldest organization that has strived over the years to build indigenous capacities for humanitarian work throughout our Continent. Of late there is an encouraging growth of local and international organizations that are trying their level best to help victims of conflicts. However, most of these organizations are under-resourced and ill-equipped. They are slow in responding to crisis situations and they are poorly coordinated. More disturbing is the fact that the international community seems to demonstrate a feeble response to providing assistance to African victims. Numerous appeals are currently being made to assist refugees and displaced people in the Great Lakes, in Angola, in Sierra Leone and in the Southern Sudan. The response we are getting is very poor.

In the case of Africa, the resource constraint factor has engendered an unfortunate dilemma, whose resolution in some instances has created even more problems. The tendency to address the exclusive needs of victims of conflict in a context in which the host communities themselves may be in dire need of basic amenities has generated tensions and complicated humanitarian work. Indeed, remarkable compassion has been demonstrated by the African people and their governments over the years in hosting and taking care of refugees from neighbouring countries at a great cost. However, when the refugee population is perceived by the host local community to be relatively well endowed in getting access to facilities, it creates not only hostilities but also political problems to the host government.

To a large extent, the conventional perspective that the work of protecting victims and providing humanitarian assistance is best performed by neutral non-political agencies has contributed to the poor development of humanitarian capacity both within the OAU as well as among the African Regional Organizations. While we have concentrated on building capacities for conflict prevention, management and resolution at a political level, our ability to address the humanitarian catastrophe remains very weak. Recent experience has underlined the need to incorporate the humanitarian dimension.

What many Governments across the Continent seem to be saying is that even though Africa needs humanitarian assistance, it is clear that it can no longer be indiscriminate in what assistance it accepts and under what conditions. There is a pressing need for reform of the delivery of humanitarian assistance. In particular, humanitarianism has come to be identified almost exclusively with the delivery of material assistance, to the exclusion of respecting National laws, the laws of war and other international conventions. This imbalance needs to be redressed. While international humanitarian interventions have provided life-saving assistance to many in Africa, recent developments on the Continent, have seen the recognized rights of refugees and displaced persons, come into open conflict with what is deemed expedient. Both human rights and the right to asylum as well as the principle of non-refoulement have come under siege.

The International Community also has to address the serious credibility deficit that they face in the eyes of many African Countries. In many parts of Africa, governments and leaders are challenging the old ways of doing business and are uncompromisingly set against the patronizing attitude of many humanitarian Agencies and NGOs who are beginning to attach conditionalities, often political, to the delivery of humanitarian assistance.

The International Community and Humanitarian Agencies must come to terms with the new political realities of a Continent and leaders who are seeking a more assertive relationship with the rest of the world and less influence on events in the Region. This confidence deficit must be addressed in a pragmatic manner, in order to deepen the dialogue that must inform humanitarian interventions and move the Region towards peace, security and development.

There is an urgent need to ensure respect for the letter and spirit of international humanitarian laws. In the aftermath of the 1994 genocide in Rwanda, there is need for us to search our conscience and to examine the extent to which humanitarian operations in Africa are consistent or in conformity with the spirit of International Humanitarian Law. The most relevant of which are the Genocide Convention of 1948, the Geneva Conventions of 1949 and the additional Protocols, as well as the Refugee Convention of 1951 and the 1967 OAU Convention on Refugees.

These Conventions are all concerned with justice and protection. For instance, the Geneva Conventions strike a delicate balance between the protection of non-combatants and the provision of material relief. It is a well-known fact that many of the requirements of International Law have been

discarded or ignored by some relief Agencies in Africa, on grounds of expediency.

There is also a need for a better division of Labour, with an allocation of clear and unambiguous roles for protection and assistance. This can be done globally but it can also be done on a case by case basis, based on the resources and capabilities of the agencies on the ground.

In the Great Lakes Region, there is need for an integrated, non-paternalistic, preventive approach, based on objective, non-ethnic analysis of the different conflicts and their solutions. Let me, at this juncture, stress the obvious. A serious understanding of the situation in the Great Lakes region, requires taking into proper account the dimension and magnitude of the traumatic events in Rwanda of 1994. The Genocide Convention is the simplest and starkest of all international instruments. Without any qualification or ambiguity, the Convention demands that states prevent and punish the crime of genocide.

The consequences of the genocide in Rwanda still reverberate across central Africa and beyond. History shows that in the aftermath of genocide, human rights and international law are profoundly destabilized. The survivors of genocide seek their basic security by any means at hand; the perpetrators will stop at nothing to preserve themselves and complete their task. Only when this reality is addressed and this evil is halted can the region expect to live in peace and security once more.

This year, the OAU has convened a Panel of Eminent Personalities to investigate the genocide in Rwanda and the surrounding events. This is a major African initiative, to examine international responsibilities for preventing and punishing genocide. The work of the Panel is conceived and implemented in the spirit of the Genocide Convention.

The requirement of the Genocide Convention is simple and overriding. The means for implementing it were left unspecified. Exceptional crimes call for exceptional measures: to legislate for them in advance would be an impossibility. Law can only spell out the obligation; it is for human morality and ingenuity to do the rest. It is abundantly clear that there was a monumental failure by the international community in Rwanda. There is a need to acknowledge that failing, investigate it, and learn the lessons, to ensure that there is no more genocide in the century to come.

One of the priorities for the Great Lakes Region is action to ensure a smooth transition or at least a linkage between humanitarian and rehabilitation activities, especially, in post conflict situations in Countries such as Rwanda, Burundi and the Democratic Republic of Congo, as well as the other Congo. There is also a need for better regional co-ordination of humanitarian actors. Humanitarian developments in one country almost inevitably have repercussions on the country next door.

My other area of concern is that even though humanitarian policy has been much discussed in recent years, with the expression of views such as African "participation" and "ownership", humanitarian law and policy remains almost entirely the domain of non-African international organisations. Although most humanitarian work in Africa is done by Africans, citizens of the continent have had a minimal opportunity to make a major contribution to humanitarian policy. African institutions – including governments, inter-governmental organisations and African NGOs – have played little role in setting the terms of the debate. This has now come partly because of resource dependence. It has partly arisen because of the scarcity of opportunities for African policymakers, practitioners and theoreticians to come together to analyse the African experience of humanitarianism. Unnecessary frictions between African governments and NGOs have also arisen because of funding practices, which have contributed to African governments and NGOs failing to recognize their common interests. There is, I believe, a strong need to find common cause and address these issues holistically if we are to face the challenges of the new millennium in an efficient and more effective, but rational manner.

In terms of adjusting to the new situation, we at the OAU embarked on building capacities for a comprehensive approach that combines political, humanitarian, and military means in responding to conflict situations in the Continent. As early as June 1990, the 26th Assembly of Heads and Governments expressed its determination to work for the speedy and peaceful resolution of all the conflicts in Africa. And in June 1993, a Mechanism for Conflict Prevention, Management and Resolution was established.

While the emphasis is on preventing the occurrence of conflict, the mechanism has been designed to engage itself effectively in peace-making, peace-keeping as well as in providing humanitarian relief to meet the needs of populations caught in conflict situations. In the same regard, as part of the process of consolidating peace, the mechanism also includes the provision of assistance for rehabilitation and reconstruction in post-conflict situations. Indeed, for the past six years concerted efforts are being made to build

capacities for the mechanism to function effectively. And, in the meantime, it has been deployed in dealing with the various crises currently obtaining in the Continent.

An important protection initiative that Africa has vigorously worked for, is the ban on the production, sale, distribution and utilization of landmines. As you all know, during the last decade, there has been an increased and indiscriminate utilization of anti-personnel mines. These are weapons, which do not distinguish between combatants and non-combatants, and continue to claim victims long after peace agreements have been signed. It is with this concern that the OAU, and I am happy to mention, in conjunction with the ICRC, devoted tremendous efforts to ban this terrible weapon. And as I address you today, more than two thirds of our Member States have signed the Ottawa Treaty, while a significant number have already ratified it.

As a further effort to pre-empt the slide into the abyss of violence, Heads of State and Governments took an important position at their 33rd Ordinary Session held in Harare in June 1997. They resolved not to tolerate the resort to the use of violence as a way of changing governments. In essence, this position was taken not only to discourage the use of force under any political pretext, but also to provide a mandate for initiating proactive measures to foil such an attempt whenever possible.

The position adopted in Harare was more or less a confirmation of an attitude towards unconstitutional seizure of power that was beginning to develop since the beginning of the decade. As early as August 1990, armed forces from five West African countries, known as the Economic Community Military Observer Group ("ECOMOG") of the Economic Community of West African States ("ECOWAS"), forcibly intervened, *inter alia*, to stop the atrocities occurring within Liberia's civil war and to stem the large exodus of refugees.

The Liberian intervention was sanctioned and supported by the OAU and it was also implicitly endorsed by the UN. In November, 1992, by a unanimous resolution, the UN supported an arms embargo on Liberia and thus reinforced ECOMOG's unprecedented military blockade of air, land and seaports in Liberia.

Despite the difficulties faced by ECOMOG in Liberia, it should be stressed that for those who believe in the legality of humanitarian intervention, the ECOWAS intervention in Liberia in many respects

constituted a hopeful model in humanitarian intervention by an international inter-governmental organization.

The ECOMOG force also intervened in Sierra Leone where, as I have stated earlier, despicable atrocities were being committed. As it was in the case of Liberia, the military involvement was a complement of intensive political and humanitarian initiatives that were being taken to effect a cessation of hostilities and to protect the civilian population. It is with a sense of great relief that it was announced only a few days ago, that leaders of the sub-region working with the OAU and the UN managed to broker a cease-fire agreement.

I should underline at this juncture, that even with our recognition of the importance of undertaking military interventions, when necessary, within a clear political framework, the decision has not always been easy. We have been confronted with situations where we were faced with a dilemma of whether to intervene or not intervene. While the decision to intervene in order to arrest a deteriorating situation was envisaged and even considered to be technically viable, it was realized, at the same time, that it might not be the most appropriate option. In such cases, we have continued to pursue the political means and to encourage the classical humanitarian approach.

While acknowledging that the task of protecting victims in the context of contemporary conflicts has become more daunting and more complex, I still believe that we can reinvigorate our efforts and surmount the challenges. We in the OAU are endeavouring to build our capacities for conflict prevention, management and resolution within a comprehensive framework. This entails developing a proper alignment between political, humanitarian, and if need be, the military dimensions of addressing conflicts and protection of victims. Apart from the resources and skills required for this task, we are now in the process of putting in place an 'Early Warning System' that would provide the necessary alarms and reveals the trends in the evolution and development of conflict. We are also developing an operational system that can allow us to respond promptly and in a comprehensive manner to conflict situations. The framework for the functioning of all these initiatives will stretch from the Continental Organization, the Regional Institutions, and will be linked to the Member States.

Mr. President,

The promotion of education on human rights and humanitarian law among the citizenry can also help in developing a more humane behaviour in situations of conflicts. The fact that, atrocities are often disclaimed by parties in conflict suggests that there is neither a military nor a political benefit in committing them. The internalization of the values embodied in human rights doctrines can help in diminishing the tendency to demonize the enemy and to deny the later the basic elements of humanity.

It is salutary to note that the OAU and the ICRC have been jointly organizing annual seminars on humanitarian law, in Addis Ababa for the past few years. These seminars have been complemented in the past two years by another annual seminars on human rights organized by the OAU and the International Commission of Jurists. The general objective is to sensitize African ambassadors and policy makers on the fundamental and critical aspects of human rights and humanitarian law.

Similarly, a widespread exposure to the elements of humanitarian law and the consequences of their violations may dissuade parties in conflict from committing atrocities. Indeed, it has not been uncommon even for governments engaged in conflicts to exhibit tendencies that betray a lack of acquaintance with some elements of humanitarian law.

To buttress the respect of humanitarian law it is important to strengthen the institutions that have been put in place to enforce and administer these laws. While realizing the difficulties of conducting a judicial process on offences committed in conflict situations, the experience of bodies such as the International Tribunals on war crimes proves that they can serve as effective deterrents to violations of agreed codes of conduct. In this regard, I applaud the adoption in June last year of the statutes establishing the International Criminal Court. I am proud to say that the OAU supported this initiative, and that a majority of its member states participated actively in the deliberations leading to the adoption of this statute in Rome.

For such institutions to function effectively, they need not only adequate resources, but also the commitment and support of the international community. The fact that rebels like Jonas Savimbi can continue to thrive and perpetrate atrocities on the people of Angola indicates that such support is not easily forthcoming.

I wish to conclude by reiterating my introductory observation that the task of protecting victims of conflict is faced with the challenge of adapting to the changing character of conflict and the need to revitalize humanitarian action in order to cope with the increased scale and complexity of the task.

I thank you all.