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Relief and Protection: The Role of Non-State Actors

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This paper provides a point of departure for discussion of the non-state actors which populate the political landscape of humanitarian crises and complex emergencies, and which play an increasingly important role in shaping the operating environment of UN emergency response efforts. It is broken down into four sections:

1) a scenario typology of the most common sources of humanitarian emergencies the UN has faced and will likely face in coming years,[1] and a matrix of operating environments these emergencies can present.
2) a review of the current state of knowledge about the internal dynamics of collapsed states and warlordism, the most frequent and problematic operating environment for humanitarian response.
3) an inventory of the most significant non-state actors emerging in these complex emergencies, and an assessment of their interests and the obstacles they can pose for humanitarian response.
4) a review of strategies for co-existing with, circumventing, co-opting, or confronting those non-state actors.

[1] This paper considers only "loud" emergencies, not crises of chronic and profound underdevelopment, even though they can produce equal levels of human misery.

I. Scenario Typology

Over the past fifteen years, humanitarian emergencies worldwide have increased in frequency, severity, and complexity. The following is an inventory of the most common types of situations producing humanitarian emergencies. In practice, most humanitarian crises are usually the product of two or more of the precipitating causes listed below.

Situations producing humanitarian crises

1. *Natural disasters, short duration*. This type of emergency is sudden and typically results in extensive damage and displacement in a relatively confined area. Recent examples include Hurricane Mitch in Central America and the current volcanic explosions near Goma, Congo.
2. *Natural disaster, protracted or chronic duration*. Protracted droughts in certain regions with high variability of rainfall, such as the current drought in the Horn of Africa (2001-02) and the 1999 southern African drought, are recent examples. Depending on their severity, these disasters can produce crises ranging from the manageable (widespread bankruptcy of small farms and national grain production shortfalls) – to the catastrophic (massive population displacement and famine). Emergency response thus ranges from food monetization programs and concessional loans to the full spectrum of emergency response
3. *Man-made disaster (non-war related).* This has been relatively uncommon to date; usually involves industrial accidents, such as at Bopohl, India and Chernyobl. These types of disasters usually produce intense medical emergencies and displacement in a relatively well-defined area.
4. *Interstate war*. Though less common since 1990, interstate wars have the capacity to unleash enormous humanitarian crises. Recent examples include the Gulf war of 1991, the Ethiopian-Eritrean war of 1999-2000 and the current war on terrorism waged inside Afghanistan. Typically, interstate wars produce large numbers of refugees and IDPs, destruction of infrastructure and livelihoods, and food shortages.

5. *Civil war*. Armed conflicts pitting government forces against a rebel or secessionist group, often with external support and involvement, and in fighting which blurs the line between civilians and soldiers, have been the dominant backdrop for humanitarian crises in the past decade. Humanitarian crises in Bosnia, Kosovo, Congo, Sudan, and East Timor are among the many examples. Civil wars almost always involve the central government as an active party to the armed conflict, which can produce situations in which the state seeks to obstruct emergency aid to perceived combatants. The conflicts themselves tend to be protracted, and yield protracted humanitarian crises, including massive and long-term displacement, medical emergencies, and food shortages, which typically involve mobilization of the full spectrum of humanitarian response.
6. *Anti-insurgency campaigns*. In some cases, low-level insurgencies do not qualify as full-scale civil wars, but prompt governments to take actions which can create humanitarian dilemmas for aid agencies. The most common tactic is forced relocation of civilians into "protected villages" presumably to protect civilians from attack, but also to deprive rebels of local support. Northern Uganda is a current example.
7. *Ethnic clashes, ethnic cleansing*. Though often coinciding with civil war, ethnic clashes can occur without direct governmental involvement as a party to the dispute. Examples include recent communal clashes in northwest Kenya, western Uganda, northern Ireland, and Nigeria. They can produce displacement, loss of livelihoods, and casualties. Impartiality and peace-building measures become an important component of humanitarian response.
8. *Collapsed states/warlordism*. This scenario almost always occurs in conjunction with one or several other types of situations producing humanitarian emergencies, typically following or in conjunction with a civil war. Somalia, Liberia, Angola, Sierra Leona, Afghanistan, and Colombia are all examples of partial or complete failure of the state, creating conditions ripe for the rise of conflict constituencies which profiteer from lawlessness through banditry, plunder, extortion, kidnapping, and transnational criminal activity (such as drug production and trafficking). This in turn produces chronic insecurity, atrocities, destitution,

displacement, and even famine, promoting a full spectrum of humanitarian response and creating enormous difficulties for aid agencies.

9. *Terrorism and sabotage*. Over the past decade, this has not been a significant source of humanitarian crises, but the events of September 11 have given this possibility greater relevance, especially in the event of a terrorist attack involving a weapon of mass destruction (biological or chemical weaponry).
10. *Political impasse*. Many humanitarian emergencies are a result not of active warfare, but of failure to achieve reconciliation. Long-term refugee crises are the result. Refugee camps in Kenya, Tanzania, Pakistan, and northern Iraq are all examples of ongoing humanitarian operations for populations stranded for a generation or more by a stalled peace process or chronic instability in their home country.
11. *Economic collapse*. "Loud" humanitarian emergencies resulting from economic collapse in a country are very uncommon. Usually economic collapse, such as massive withdrawals of foreign investment (Indonesia) or a free-fall in the value of the currency (Argentina, Somalia) produces severe shocks, high unemployment, and loss of savings, but not a level of hardship that produces a conventional humanitarian crisis. It is possible, however, that a profound economic collapse in a weak economy could trigger levels of hunger, malnutrition, and displacement associated with "loud" emergencies.
12. *Sanctions*. Humanitarian emergency borne of protracted imposition of economic sanctions by the United Nations has been most visibly at issue in Iraq. The operating environment for aid agencies tends to be highly politicized and subject to manipulation.

Coping and recovery capacity of communities in crisis/political contexts

The extent to which local authorities and communities are able and willing to support humanitarian response constitutes an additional set of criteria shaping the different types of operating environments of aid agencies. On a rudimentary level, these two issues form a basic matrix, as shown in figure 1, suggesting four different types of local ability and interest in emergency response. In reality, local capacity to absorb,

manage, and recover from humanitarian crises is best measured on a sliding scale, from instances of very high coping capacity (the Kobe earthquake in Japan) to medium (Bosnian civil war) to low (Central American countries hit by Hurricane Mitch) to very low (Sierra Leone, Somalia). Local capacity includes the ability of the government at national and local levels to organize emergency response and marshall resources and expertise, the capacity of local economies to absorb the costs of caring for those in need, and the level of infrastructure, education, and capital available to undergird post-crisis recovery.

Local capacity has important implications for non-state actors and humanitarian response. Where local capacity is low, external humanitarian agencies often must both organize and execute relief efforts themselves. To the extent that they need and seek local counterparts, those counterparts tend to be non-state actors who can be empowered considerably by the partnership with aid agencies. Local non-governmental organizations (NGOs), for instance, have grown enormously in number and importance in the past decade, in large part due to external demand. Monetization and other relief approaches can empower local businesses as for-profit partners. Low levels of local capacity also yield numerous other challenges, In worst case scenarios, poverty and underdevelopment are so profound that even minimal subsistence levels of external assistance improve household food security and medical care to a level greater than that which they could secure pre-crisis, leading to disincentives for refugee and IDP populations to return home.

Likewise, the political context and operating environment for humanitarian response also varies on a sliding scale from very receptive to very hostile. Enabling environments are more common in peacetime natural disasters when the government possesses the will but not the capacity to respond to the crisis. Hostile environments tend to occur in civil wars (when both the government and rebels may object to aid crossing enemy lines) and in collapsed states (when warlords, bandits, and others seek to divert aid, extort, and profiteer in other ways from external assistance).

Most common configurations of contemporary humanitarian crises

The prototypical humanitarian crisis over the past fifteen years has, unfortunately, combined some of the most problematic scenarios listed above. *The most numerous and*

urgent humanitarian crises in recent years have tended to be situated in zones of protracted internal armed conflict, state collapse, ethnic clashes, and warlordism; in communities with very low capacity; and in environments which are generally hostile to the mission of external humanitarian agencies. Massive levels of displacement either as IDPs or refugees are almost always a feature of these crises. This prototype of contemporary humanitarian crisis is generically referred to as a 'complex emergency.' It is easily recognized in any one of a dozen or more recent crises – Congo, East Timor, Bosnia, Kosovo, Rwanda, Burundi, Liberia, Sierra Leone, Somalia, Southern Sudan, Afghanistan, Angola. Complex emergencies are without question one of the most vexing and problematic contexts imaginable for effective humanitarian response.

This particular emergency scenario has defined humanitarian intervention in the 1990s. But will it also define the humanitarian crises we can expect in the future? While predicting future political and economic trends is more art than science, a few trends appear more likely than others.

- First, there is little evidence to suggest that the complex emergency scenario is likely to diminish in frequency. Most current complex emergencies show few signs of abating; most are likely continue to require humanitarian response for years to come. This is in part due to "warlord" dynamics (discussed below), in which powerful parties have no interest in seeing the crises end.
- In addition, the same conditions which appear to have led to the complex emergencies of the 1990s are present in a number of other states; we may reasonably expect to see at least a few new cases of complex emergencies in the next ten to twenty years.[2]
- We must also be prepared for the real possibility that the next generation of complex emergencies will include at least one case of state collapse and civil war which is of an unprecedented magnitude. One unremarked feature of the first

[2] Research into the causes of complex emergencies and state collapse have not been able to pinpoint the particular combination of factors which account for why one state succumbs to a complex emergency while another does not. This makes it impossible to predict complex emergencies with any precision. Research has, however, identified a "syndrome" of political, economic, and social features typical of failed states and complex emergencies. That syndrome exists in dozens of states which have not fallen prey to complex emergencies, suggesting that a number of countries of the world are "ripe" for complex emergencies should the wrong set of precipitating factors emerge. It does not, however, imply inevitability of crisis in any of those states.

generation of complex emergencies is that, despite the horrific levels of misery they produced, all occurred in countries with relatively low populations. What we did not see in the 1990s was the implosion of a major regional state, one which would not only generate huge numbers of vulnerable populations on its own, but which would trigger a ripple effect (by way of massive refugee flows, arms flows, and economic repercussions) throughout neighboring countries. Were a state the size or economic importance of a Nigeria, Pakistan, Indonesia, or Kenya to become the site of a complex emergency – and all four of those cases have at times exhibited worrisome signs -- the humanitarian emergencies which would ensue would dwarf the crises of the 1990s.

- The lull in interstate warfare is probably temporary. The next ten-twenty years may well see one or several large-scale interstate wars. Indian-Pakistani tensions tend to top this list, but other flashpoints, such as Israel and its neighbors, are possible as well. Were such a war to occur, the destructive firepower at the disposal of the countries at war – including weapons of mass destruction -- could produce humanitarian crises of unprecedented levels.
- Humanitarian crises will almost certainly continue to be concentrated in states with very low capacity and high poverty levels.
- Humanitarian crises will continue to feature hostile operating environments for aid agencies, mainly due to the interests of non-state (and sometimes sub-state) actors.
- Because many to most of the world's current trouble spots happen to be in areas with Muslim populations, we can expect to see greater levels of direct American involvement, as part of its war on terrorism and its concern that complex emergencies may provide safe haven for radical Islamic movements. That may result in fewer collapsed states, since the US is more likely to provide economic and military aid to those failing governments, and higher levels of civil war/counter-insurgency scenarios. That could present increased cases of hostile operating environments due to states seeking to block or limit aid to perceived combatants .

- Finally, it is not unlikely that at some point in the future a complex emergency will produce a major epidemic of an ebola-type disease. This nightmare scenario is probably just a matter of time, since complex emergencies tend to produce ideal environments for such epidemics – large concentrations of weakened and malnourished displaced persons in highly unsanitary conditions.

In short, there is little evidence to suggest humanitarian crises in coming years will abate, and persuasive evidence to suggest that we are likely to experience a continuation of the current stream of complex emergencies, in generally hostile operating environments; and it is likely that we will encounter at least one humanitarian crisis on an unprecedented scale.

II. The Nature of Complex Emergencies

Recent research on zones of humanitarian crisis and protracted war have shed new light on the local political and economic interests which aid agencies must confront. Among the most important findings are the following:

X Contemporary civil wars and complex emergencies, far from being senseless or irrational, are perpetuated by parochial interests which profit from or survive on opportunities generated by war economies and lawlessness, even as the war brings calamity to society as a whole. These conflicts thus feature 'conflict constituencies' with vested interests in maintaining certain levels of armed violence and in blocking efforts to build reconciliation and responsible government.

X These spoilers or veto coalitions may be relatively small in number, and not at all representative of the wishes of the majority of the population, but are well-positioned to block efforts to end hostilities and re-establish rule of law. This explains the otherwise puzzling phenomenon of protracted conflicts which, on the surface, appear ripe for resolution either via victory or negotiated settlement, but which continue for years despite broad public support for a return to peace and basic government, and despite an evident hurting stalemate as experienced by the population at large. It also explains the repeated failure of leaders to abide by signed peace accords.

X While individual and group calculations of interests in war cannot be reduced to a single factor, economic interests feature prominently in protracted armed conflict and the transformation of war into "an instrument of enterprise." David Keen enumerates seven types of economic opportunities in civil wars: pillaging; protection money; trade monopolies; labor exploitation (including slavery); land expropriation; diversion of relief aid; and military benefits (such as promotions or combat pay).[3] Importantly, Keen and others also argue that civil wars are often initially fueled by political aims, but that over the course of the conflicts interests mutate into short-term economic objectives.

X Complex emergencies and the armed conflicts associated with them do not produce sustained anarchy, though it may appear that way to outside observers. Instead, violence is used to produce alternative, informal systems of power and profit. Rather than complex political emergencies, these crises can also be seen as "emerging political complexes." These informal systems can be as expansive and elaborate as the "Taylorville" empire which stretched across portions of Liberia, Guinea, and Sierra Leone. But they also emerge at the local level, where communities and neighbourhoods adapt to state collapse with a variety of coping mechanisms in attempts to create a minimum of security, market access, and other public goods.

X Fortunes made by warlords in this "noxious cocktail of commerce and violence"[4] are generated mainly by their capacity to monopolise both legal and illicit trade of valuable primary products into the global market, colluding with international firms.[5] In some instances, fortunes are also made by local actors via involvement

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[3] David Keen, *The Economic Functions of Violence in Civil Wars*, Adelphi Paper 320 (Oxford: Oxford University Press for the IISS, 1996), p. 17. See also Mats Berdal and David Malone (eds), *Greed and Grievance: Economic Agendas in Civil Wars* (Boulder: Lynne Rienner, 2000).

[4] Jean-Francois Bayart, Stephen Ellis, and Beatrice Hibou, *The Criminalization of the State in Africa* (Oxford: James Currey Press, 1999), p. xiv.

[5] This has been a particularly important theme in analyses of the crises in Angola, Sierra Leone, Liberia, and Congo, where primary resources such as diamonds, gold, and timber are abundant. See, for example, William Reno, *Warlord Politics and African States* (Boulder: Lynne Rienner, 1998); Global Witness, *A Rough Trade: The Role of Companies and Governments in the Angolan Conflict,* 2000 (http://www.oneworld.org/globalwitness/reports/Angola/diy.html); and Steven Ellis, *The Mask of Anarchy: The Roots of Liberia's War* (New York: New York University Press, 1999).

in various aspects of transnational crime, which can only be conducted in an environment of state collapse and impunity from rule of law.

X Because armed conflict produces profitable war economy opportunities for both government army officers and rebels, shocking levels of collusion between combatants is commonplace, even involving sales of weapons and fuel across enemy lines.[6]

X "War" in this context is virtually unrecognisable in the conventional (modern) sense.[7] Parties to conflicts do not fight to win, but rather to perpetuate a level of "durable disorder" enabling them to carry out their illicit economic activities at a minimum of risk. Direct armed clashes are avoided, minimized or simulated; strategic towns are not taken; and armed violence is mainly directed at unarmed civilians.[8] Looting of civilians is the primary form of payment for both soldiers and rebels, leading to the rise of "sobels" -- soldiers by day and rebels or bandits by night.[9] Individual soldiers and military units are unwilling to risk injury or death in such wars, and so act in a highly risk-averse manner. Militias in both 'government' and 'rebel' forces operate virtually independent of a command structure, pursuing their own interests locally, frequently switching sides and fighting against one another as often as against the 'adversary'.

X Finally, famine is also transformed in complex emergencies. Rather than the product of natural disaster, famine is a product of and an integral part of war, and humanitarian crises are opportunities for enrichment by some actors.[10] Famine is

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[6] Keen provides an entire page of anecdotes of collusion, from Liberia to the Chechen conflict to Peru, in *Economic Functions of Violence*, p. 20.

[7] Mats Berdal and David Malone remind us that in fact warfare has historically featured profiteering and looting by both officers and soldiers for enrichment and survival; its contemporary manifestation in collapsed states is a new variation on an old theme. Berdal and Malone, 'Introduction' in *Greed and Grievance*, p.1.

[8] Stephen Ellis, *Liberia: The Mask of Anarchy*, p. 145.

[9] Arthur Abraham, 'War and Transition to Peace: A Study of State Conspiracy in Perpetuating Armed Conflict,' *Africa Development,* vol. 22, no 3-4, 1997, p. 103.

[10] Among the best of the many works exploring this issue are David Keen, *The Benefits of Famine* (Princeton: Princeton University Press, 1994), Mark Duffield, 'The Political Economy of Internal War: Asset Transfer, Complex Emergencies and International Aid', in Joanna McRae and Anthony Zwi (eds),

thus often provoked and/or exploited by parties to the conflict. Relief aid can be a prized commodity over which warring parties and militias fight; camps of internally displaced persons are controlled and used as 'bait' to attract international relief; both state and rebel leaders develop vested interests in keeping internally displaced persons (IDPs) and refugees in camps rather than allowing them to return home; parties to the conflict seek to 'capture' UN agencies and NGOs in order to monopolize employment and direct the flow of assistance; and small fortunes are made via contracts for transportation, money changing, security, and other services provided to international aid organizations. The transformation of famine from a product of natural disaster to a product of war and state collapse has been a major challenge for international relief agencies.

III. Non-State Actors

In almost every humanitarian crisis scenario, but especially in instances of state collapse, non-state actors (NSAs) have come to take on a much more robust role in shaping the operating environment of humanitarian agencies. Some NSAs have proven in be valuable and essential partners in humanitarian response. Many others, however, possess interests which can be at odds with the mandates and operations of humanitarian operations. It is this latter group which commands our attention.

Non-state actors as obstacles: an inventory

1) Warlords. An easily abused term, but one with utility to describe a certain type of NSA. Militia and political leaders qualify as warlords if they profiteer from the economy opportunities generated in conditions of lawlessness, plunder, and violence, or if their political base rests on continued levels of insecurity, fear, and division. They are stakeholders in complex emergencies, and stand to be marginalized in a

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War and Hunger: Rethinking International Responses (London: Zed, 1994); Alex de Waal, *Famine Crimes: Politics and the Disaster Relief Industry in Africa* (Oxford: James Currey Press, 1997); John Prendergast, *Frontline Diplomacy: Humanitarian Aid and Conflict in Africa* (Boulder: Lynne Rienner, 1996); and Geoff Loane, "Literature Assessment of the Wider Impact of Humanitarian Assistance," in Geoff Loane and Tanja Schumer (eds) *The Wider Impact of Humanitarian Assistance: The Case of Sudan and the Implications for European Union Policy* (Baden-Baden: Nomos Verlagsgesellschaft, 2000).

normalized situation of reconciliation and rule of law. They tend to view the resources brought in aid agencies – goods, jobs, rent, and contracts – as valuable goods to be manipulated or diverted to help sustain their patronage relations with supporters. Ironically, they are often stakeholders in the humanitarian emergencies they help to create, since those crises prompt the international aid from which they profit. When emergency aid becomes a main commodity over which warlords fight, and when diverted aid serves to fuel the very wars causing humanitarian emergencies aid agencies are trying to address, then aid agencies have become part of the problem rather than part of the solution. This is a dangerous threshold for aid agencies which warlords actively exploit.

2) Militiamen. Typically, young, unskilled, and unemployed, militiamen are usually unpaid or underpaid and so fight in order to access to war booty. International aid and security jobs with aid agencies are considered a prized commodity. "My gun is my job" is the economic reason given by these individuals for their banditry and warring. Others were kidnapped or forcibly recruited as children and know no other life.
3) Bandits. The distinction between soldier, rebel militiaman, and bandit is often lost in complex emergencies. Bandits thrive on weak to non-existent law enforcement capacity in these crises; like the militiamen, they are driven to their actions by unemployment and lack of alternatives. Food relief convoys and high-value all-terrain vehicles used by aid agencies are favorite targets.
4) (non-state) Political leaders. Political movements, factions, self-declared regional authorities or secessionist groups often arise in civil wars and collapsed states. One of their chief objectives, if not obsessions, is to win recognition and demonstrate their authority. Consistently, the easiest way to do this is not by taxing and administering their own people, but rather by devoting all their energies toward external aid agencies, which they can bully with relative impunity. They demand that they be the "sole legitimate authority" in the area of operation, and lay traps to make the aid agency take steps which tend to legitimize that claim. This can constitute a very problematic operating environment, and a chronic headache, for aid agencies.
5) Legitimate business interests. Local commercial interests can be pivotal in shaping the operating environment of relief agencies. Merchants and petty traders are major

stakeholders in the price of basic commodities, which can be dramatically undermined by relief aid or medicines dumped on the market. Private sector providers of key services in veterinary medicine, human health care, and provision of potable water, etc., are also negatively impacted when aid agencies arrive and provide those goods for free. Well-intentioned but poorly conceived relief aid can make enemies of legitimate local businesspeople, prompting them to sabotage wells, drive food convoys away, or even incite violence against the aid agency.

6) Mafioso business interests. Complex emergencies produce a class of war merchants who profiteer from activities ranging from the unethical (collusion to drive up food prices in famines or manipulate exchange rates to their advantage) to the illegal (killing of competitors, drug trafficking, smuggling, toxic waste dumping, piracy, etc). Aid agencies often encounter problems tendering open bids for contracts for transportation and money-exchange when Mafioso business elements seek to monopolize those contracts by coercion. In some instances, the very presence of an aid agency constitutes a security threat to groups involved in illegal commerce, especially if the staff become well-informed about the area. Security incidents designed to drive the agency away are usually the result.
7) Traditional leaders. In some zones of state collapse, traditional clan or communal leaders reassert their roles. Though generally an asset to emergency response efforts, these leaders can at times be venal and unhelpful. As representatives of a specific communal group, their (often shaky) legitimacy is based mainly on their ability to protect and promote the groups' interest, not the interest of the community as a whole. This can lead to aid operations being disrupted or shut down because elders are unable to agree on employment or distribution of aid.
8) Employment/assistance seekers. In complex emergencies, unemployment is close to 100%, and people are desperate for work. Often times, external aid agencies constitute the entire "formal sector" of salaried wages. Competition among educated local residents for the jobs aid agencies seek to fill is extremely intense. Inevitably, most applicants walk away disappointed and angry. When hiring procedures are perceived to have been unfair, aid agencies can be confronted with mobs mobilized by the spurned applicants. The UN's problems in East Timor over hiring national

staff is the most memorable reminder of how explosive and time-consuming this issue is. In other cases, fired local staff can become a chronic security problem.

9) Non-indigenous commercial interests. In some complex emergencies, powerful external commercial interests – such as oil, mining, and timber companies – can become obstacles to relief efforts or even serve to trigger conflicts creating humanitarian crises. The most notable current example of this are the foreign oil companies operating in the "scorched earth" area of southern Sudan.
10) Mercenaries. This group is increasingly visible in humanitarian crises, employed either by weak governments to fight rebels and protect key economic assets, or by rebels seeking to overthrow a government. The mercenary group "Executive Outcomes" operating in Sierra Leone, is the most public example of this trend.
11) Non-indigenous political movements. The post-September 11 war on terrorism reminds us that a variety of transnational political networks, including Islamic terrorist cells, could be operating in zones of humanitarian crisis and response. Where they exist, they may not desire the presence of western aid agencies which could learn about and report them. To date, this has been a problem in only a handful of cases.

Obstacles created by NSAs

NSAs are able to create powerful obstacles to the work of aid agencies if they so choose. Among the more common obstacles are:

- "Taxation" of emergency relief passing through their check-points or ports
- Extortion of money from aid agencies
- Demands for jobs or contracts, including provision of security, at very high price
- Diversion of relief aid at the port of entry, on roads, or after distribution to the needy
- Manipulation of camps of refugees or internally displaced persons which are used by militias as 'bait' to attract international relief;
- Misuse of IDP and refugee camps for militia recruitment, regroupment, protection, and provisioning
- Creation of bogus local non-profit counterparts, which are little more than fronts for warlords or others to control and divert aid; or penetration of a major local

non-profit (such as a branch of the Red Cross or Red Crescent) to control aid resource flows.

- Theft of agency vehicles and material
- Kidnapping of local and national staff
- Threats
- Assassinations
- Persistent attempts to "capture" aid agencies to monopolize jobs and aid, to prevent aid from being distributed to adversaries, and to limit and manipulate the information aid agencies have about local situations. In worst case scenarios, external agencies inadvertently become a virtual logistical support unit for militias; their local armed guards are basically encamped militiamen on their payroll.
- Demands to limit or control movement and activities of aid agencies, via "visas" and permission requests. This is often done when non-state actors begin posing as local political authorities without providing any of the basic services of a local administration
- Communal and political disputes over allocation of aid, jobs, and contracts from the aid agency, resulting in negotiations and delays
- Creation of situations of severe insecurity and warfare blocking aid efforts, including mining of roads
- Manipulation of currency rates or prices of key commodities

Interests – variable or intrinsic

The key concept in understanding and managing relationships with these NSAs is *interests*. Though William Reno is certainly correct to point out that protracted wars and state collapse "give a comparative advantage to sociopaths," it is not accurate to assume that these crisis zones are populated by "Mad Max" gunmen whose behavior and interests can be written off as maniacal, evil, or beyond the realm of rational calculation of interests. Most of the non-state actors inventoried above possess relatively clear and comprehensible short-term interests which tend to determine their attitude toward emergency response. How they pursue these interests may not always be "rational" in the

conventional sense – they operate in the same fog of war as aid agencies do, and are prone to making very poor, extremely risk-averse, and sub-optimal decisions – but they do possess interests. For our purposes, the single most important determination which needs to be made about NSAs – one requiring a fairly skillful level of political analysis and access to good information – is whether their interests are amenable to "reshaping" by aid agencies or others, or whether the groups and individuals blocking emergency relief are intrinsically hostile.

A strong case can be made that the behavior of most of the NSAs creating problems for aid agencies is in fact amenable to change. Militiamen who fight and loot because that is their only source of earnings have in many instances leapt at the chance to learn new skills in demobilization programs. Business interests can over time shift from illegitimate to legitimate. Some warlords have seen opportunities to succeed on the political playing field as legitimate candidates for elected office.

But in other instances, NSAs have crossed a point of no return, and see no future for themselves in cooperating with humanitarian response or in embracing political normalization. These tend to be warlords whose past makes them prime candidates for war-crimes tribunals, war merchants whose fortunes are threatened by the prospect of a peacetime economy, and young soldiers who were made to commit atrocities so that they could never return to their home communities. The interests of these groups are firmly entrenched in warfare and lawlessness; it is the only lair in which they can survive. The distinction between NSAs who have crossed this "point of no return" and those who could be enticed into legitimate, peacetime commerce, politics, and employment is not always easy to draw, even for the actors themselves.

IV. Managing Hostile Non-State Actors

Humanitarian aid agencies have only a limited number of options to consider when operating in an environment of hostile NSAs.

Confrontation. Confrontation is rarely successful; the NSAs are well-armed and at home, the aid agency is not. Confrontation usually works against the aid agency and can even risk the lives of agency personnel. Moreover, confrontation is generally seen locally as an empty gesture, since the NSAs make the (usually accurate) calculation that the aid agency

needs to be operational in the crisis more than the spoilers need the aid agency there, so the agency's bargaining relationship is weak whether measured by gunpower or willpower. Still, threats to withdraw is a common agency tactic, typically borne of frustration and fatigue. Usually, the most that comes of this is a temporary suspension of operations, which can be useful if the agency can convince aid recipients to place blame on the NSAs in question and not the aid agency itself. When aid agencies do walk away permanently – as was the case in Goma in 1994 – they must be prepared to weather considerable criticism that they have abandoned refugees or famine victims. Often the main critics are from their own head offices, which can press them to remain on the ground for broader fund-raising and media visibility purposes even if the mission is dysfunctional.

Suspension or withdrawal of aid activity is much more effective when undertaken as a united aid agency coalition rather than as a single agency. When single agencies depart, it is viewed as the result of their own mishandling of local politics. When collective bargaining is undertaken by all aid agencies, the message is unmistakable. That is very difficult to achieve, as NGOs and UN agencies in the field often have mixed feelings for one another, and project managers may be loathe to close down their own mission in order to maintain solidarity with another agency.

Utilitarian capitulation/ the Faustian bargain. The more common tactic in the face of hostile or obstructionist NSAs is submission, justified by utilitarian logic. Faced with hostile, extortionate NSAs in a humanitarian crisis, many aid agencies opt to make a deal with the devil – agreeing to a variety of demands placed on them by local warlords or others – in order to enable them to get at least some of their aid to needy populations. The most common concessions include agreeing to a portion of aid taxed or diverted at the port to militia leaders, and employment of individuals named by warlords for jobs or contracts. This tactic can be a slippery slope; at some point the good the aid agency is doing is outweighed by the damage wrought by their Faustian bargains. That damage can be measured in many ways – in the weapons procured by warlords with the relief aid handed over as a "tax;" by the precedent set which every future aid agency will be forced to deal with; by the empowerment of the warlord with your resources. But because this

policy constitutes the "easiest," least risky way to manage the short-term problem of hostile NSAs, it remains a popular option.

Circumvention. Efforts to circumvent NSAs presumes that the aid agency can "outsmart" local actors on their own playing field. There are a few successful forms of this tactic, discussed below, but in general this rarely works as planned. It tends to be attempted by agency personnel who believe themselves to be experts in the local culture or by national officers who convince international staff that they can outfox a warlord. The basic problem is that the game itself is asymmetrical. That is, it takes very little for a local NSA actors to create enormous problems or inflict enormous damage on an aid agency operation; the aid agencies have far more to lose than the NSA, and playing a game of outsmarting them runs the risk that the NSA in question will simply "flip the game board" rather than accept being outmaneuvered.

Circumvention is most effective when it is transparent, and when responsibility for the policy can effectively be directed towards UN authorities at a higher level. Aid agencies can at times make it clear that they are working with a respected alternative authority (such as a group of religious or business leaders) because that is what their procedures require. As long as there is consistency in the policy, this can sometimes produce positive results. Obviously, the most difficult moment in a circumvention policy is the initial shift in policy, which can lead to lost opportunities for NSAs. Key in this regard is the weight and respect those alternative leaders have in their community. If they are vulnerable, circumvention tactics can put them in physical danger. That is a risk they should be agreeing to take, not one imposed on them.

Another type of circumvention tactic is to devalue the emergency aid which is at risk of diversion. Low-value food staples like sorghum or millet replace high value food aid like rice or wheat in emergency relief. Food rations to households are halved (and distributed twice as often), to make it less worthwhile for bandits to follow relief distribution and loot it. Local markets can be flooded with food to drive the price so low it is not worthwhile to steal (though this creates enormous conflicts with farmers and merchants). Contracts for transport and protection of food convoys to interior locations are tendered to local businessmen rather than handled directly by aid agencies; the businessmen must place with the aid agency (typically WFP) a sizable deposit which

serves as a surety in the event some or all of the food aid is lost to banditry. This circumvention tactic effectively displaces vulnerability to banditry from the aid agency to the businessmen, who presumably are able to cajole, bribe, or threaten anyone who would attempt to loot the convoy.

Co-optation. Most obstructionist NSAs are simply pursuing short-term economic and survival interests. To the extent that external actors possess a variety of carrots and sticks which can effectively reshape local interests in obstructing or facilitating humanitarian response, policies focusing on co-opting NSAs become an important option. Unfortunately, most of the forces which can transform warlords into elected officials, bandits into policemen, and mafioso merchants into legitimate businessmen are well beyond the capacity of aid agencies to influence. At any rate, these shifts in interest tend to occur slowly, and are not amenable to a quick fix policy. One of the few exceptions to this rule are demobilization programs, which can provide skills training to enable young gunmen to seek legitimate work and put down their guns. This is most successful in areas of economic recovery; otherwise, these efforts to co-opt gunmen only lead to disgruntled, unemployed young men likely to return to banditry. The above example of contracting out delivery of food aid to businessmen is another instance of successful co-optation; the approach makes businessmen stakeholders in a minimal level of law and order in the community.

Many of the calculations that local NSAs make with regard to aid agencies and humanitarian relief hinge on a careful weighing of short-term and long-term benefits. Because most aid agencies involved in relief operations tend to be working on a short-term basis, local calculations about them tend to be short-term in nature as well. Why protect and assist an agency controlling an enormous (by local standards) level of wealth and goods if you expect that they will have departed in six months time? The very-term nature of emergency response invites local actors to embrace expedient responses to those relief agencies, which typically translates into actions designed to grab as many resources from the agency as possible. In cases where agencies have had a long-standing presence in a community, and are seen as likely to remain for the foreseeable future, local calculations can shift. In these instances, long-term interests in maintaining the agency's presence and programs can win out, earning the agency a level of local support which can

neutralize obstructionist NSAs. Agencies need to have long-standing relationships and an ongoing presence in communities in order to win over potential obstructionists.

Table 1

Operating environments for humanitarian response:

Local capacity and willingness to support humanitarian response