



TALK BACK

The Newsletter of the International
Council of Voluntary Agencies

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UNHCR URGED TO BETTER COORDINATE EVACUATION OF TIMORESE FROM INDONESIA

**- UNHCR studying "safe havens" for
displaced in East Timor**

UNHCR has been urged to take a more "proactive role" in identifying threatened Timorese refugees in the Indonesian archipelago and coordinating their evacuation for resettlement to third countries.

The appeal was made by representatives of Australian non-governmental organisations last week at UNHCR briefings for NGOs. The briefings were arranged in preparation for the full meeting of the UNHCR's Executive Committee (EXCOM), which begins 4 October in Geneva.

UNHCR has presented between 1,200 and 1,500 urgent cases to the Indonesians, and received assurances that they can leave Indonesia. But NGOs estimate that as many as 5,000 Timorese may be in hiding elsewhere in Indonesia outside the island of Timor. There are reports from Bali that Indonesians have been told not to provide shelter to Timorese.

There is growing concern that the names are being haphazardly collected, with no thought given to the practical difficulties of their evacuation and resettlement.

Paris Aristotle, from the Victoria Foundation for the Survivors of Torture and Trauma, said that Australian groups have even made
see page 10 "East"

ICVA ASSEMBLY URGED TO DEFINE AND DEFEND CORE HUMANITARIAN VALUES

**- ICVA Assembly attracts 65 NGOs and
confirms a renewed ICVA**

Non-governmental organisations must define the "heartland" of humanitarianism, defend it against political interference and their own occasional lack of professionalism, and then set it firmly on the policy agenda, according to Martin Griffiths, the keynote speaker at the recent ICVA Assembly.

The Assembly took place in Geneva over the weekend in the shadow of crises in Kosovo and East Timor. Speaking to the Assembly,
see page 3 "NGOs"

TALK BACK

ICVA has been producing Talk Back over the last 6 months as part of its new proactive information strategy. This issue comes at the time of UNHCR's Pre-EXCOM and EXCOM meetings, as well as at ICVA's General Assembly. Talk Back is normally distributed via e-mail and can also be found on the ICVA website <www.icva.ch>.

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EDITORIAL

Ed Schenkenberg van Mierop

This issue of Talk Back comes to you at a critical moment. At ICVA's General Assembly, held on 2 and 3 October in Geneva, member agencies confirmed that ICVA performs a unique and essential function at a time when crisis situations are growing more complex and destructive, but we, as NGOs, are less able to prevent them. Governments and UN agencies have struggled to fashion effective responses. In helping to focus and unite NGOs and civil society, the ICVA family's response could be instrumental in slowing the current trend towards lawlessness and brutality. The number of opportunities for joint NGO action seems to be increasing.

In his recent opening speech to the UN General Assembly, Secretary General Kofi Annan stated that the aim of the UN Charter is to protect the rights of individual human beings, not to protect those who abuse them, thereby strongly challenging the principle of sovereignty. Since the beginning of this year, the protection of civilians in armed conflict has been a subject of debate in the Security Council. The NGOs want to increase their involvement in this issue, while stressing that the primary responsibility to protect human rights lies with state actors.

One opportunity for NGO participation in protection is the Reach-Out process of UNHCR, which has now also brought in NGOs. Task forces have been established on topics such as protection in the field, advocacy and NGO involvement in the standards setting process. The latter topic has been a sore point in the refugee law area. Compared to NGO participation in this process in other bodies and fora, there is much room for improvement. New ways must be found for NGOs to meaningfully contribute their expertise and experience in the decision-making processes impacting on the protection of refugees and other persons of concern to UNHCR. For example, NGOs have called on UNHCR to advocate for a treaty monitoring body, or to take up its supervision task much more vigorously. So far, UNHCR's response has been lukewarm to these proposals, at best.

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EDITORIAL....

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Alternatively, the suggestion has been made at ICVA's meeting to develop a checklist among NGOs to monitor state compliance with the refugee convention. Experiences and information could be exchanged world-wide among the ICVA family by electronic means.

But there are many other ways, too, in which NGOs can contribute to protection. At the ICVA General Assembly, former UN Deputy Emergency Relief Coordinator Martin Griffiths stated that he felt that NGOs should exploit political statements on prevention. "We all know that there is a need for prevention, the point is, however, to ask States what they have done to prevent," he said. "There are many issues the NGOs should advocate on: arms transfers, compliance with sanctions regimes, involvement of the corporate sector in war economies, western governments' involvement in fuelling wars, etc. But the NGOs should impose self-discipline in the sense that they should be much more concrete in their advocacy activities and call for concrete measures."

The ICVA family is committed to work as a strong advocacy network. In fact, in recent days, at the ICVA General Assembly, a big leap forward was made in revitalising relations and defining priorities that make use of members' comparative advantages in core competencies and presence in a strategic manner. As a result, ICVA will be more present at the regional level through members and existing NGO structures. It will raise attention to crises where refugees and displaced persons are in a care and maintenance phase, but where the cameras and funding are much less present. It will be part of field coordination structures where possible, but will at the same time play the role of critical watchdog to ensure higher quality in the international community's response. And it will promote and support the involvement of national and local NGOs, particularly to mobilise civil society as a strategy to protect individual human beings with dignity. This issue of Talk Back goes into many of these issues and illustrates how ICVA is involved.

NGOs MUST DEFINE CORE VALUES

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Griffiths said that the outlook for humanitarian agencies is "uniformly bad and getting worse."

But, he said, some of this was due to the inability of NGOs to clearly define what they can and cannot do, and then act forcefully to put this before decision-makers. "There is a crisis of confidence because of a crisis of clarity," he said.

The ICVA Assembly was the first opportunity for the ICVA family to meet since ICVA almost collapsed in 1997. This year's meeting attracted over a hundred participants from 65 groups, including 35 of ICVA's 78 member organisations and observers. Representatives came from as far away as Guatemala, Bolivia, Sudan, Cameroon, Benin, India.

The ICVA Assembly adopted new statutes and elected a new Executive Committee that will sit until the next Assembly in three years time.

see page 4, "ICVA"

ICVA'S NEW EXECUTIVE COMMITTEE

Chair: Anders Ladekarl, DRC (Danish Refugee Council)

Vice-Chair: Elizabeth Ferris, WCC (World Council of Churches)

Treasurer: Roswitha Dinger, LWF (Lutheran World Federation)

Members:

AVARD (Association of Voluntary Agencies for Rural Development)

CRDA (Christian Relief and Development Association)

DRA (Dutch Relief and Rehabilitation Agency)

ICMC (International Catholic Migration Commission)

InterAction

WVI (World Vision International)

Two member agencies will be invited to sit as members of the Executive Committee to ensure regional representation.

"ICVA BACK IN BUSINESS"

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It heard from the Chair and Coordinator on the way in which ICVA has been renewed. The Assembly was briefed by the director of the ICVA office in Bosnia and by a secondee from an ICVA member who recently visited Kosovo, on their experiences and ways in which ICVA could be present in the field. It also outlined the second phase of an ambitious information strategy to use the Internet.

All of this underscored the complete revival of ICVA after a rocky period. "It is hugely reassuring that ICVA is back in business," said Griffiths.

Griffiths served as the deputy to the UN Humanitarian Coordinator and Regional

Coordinator in the Balkans before he resigned from the UN to become director of the Henry Dunant Centre for Humanitarian Dialogue in Geneva.

While the main threat to humanitarianism comes from violations by governments, Griffiths stressed that a good deal of the crisis comes from "friendly" parties and even the NGOs themselves. He was particularly critical of the "brutality" of governments who dictate to humanitarian agencies, impose conditions, and even exclude them from crises, as in Sierra Leone.

But, he said, NGOs must also do much more to clarify their own role and competence. Once this was done, he said, NGOs could then approach international
see page 5 "General"

INTERNET TO PLAY A GREATER ROLE IN ICVA'S INFORMATION POLICY

ICVA's member agencies will be helped to use the new information technology under the next phase of ICVA's proactive information policy.

Describing information and advocacy as the principle goals of the "new ICVA," Ed Schenkenberg van Mierop, the ICVA Coordinator, outlined plans for expanding ICVA's information policy before the ICVA Assembly.

This will be aimed principally at wiring up the twenty or so ICVA members which are not "wired" to the Internet. This prevents them from receiving ICVA's electronic newsletter Talk Back and from using ICVA's interactive web site.

The reasons vary. In some cases the problem is technical - a shortage of telephone lines, intermittent electricity, or the lack of an Internet service provider. In other cases, it might be government policy. Still others spoke of being "intimidated" by the new technology, and of being "overloaded" by the massive amount of e-mails they receive daily.

In spite of this, there was wide agreement that e-mail is essential for a global network like ICVA, which depends on a flow of ideas among members and from members to the central office in Geneva, and vice versa.

The Canadian Council for Refugees proposed organising an e-mail lobbying campaign around compliance with the 1951 Refugee Convention. This could be circulated among ICVA members by e-mail and then presented to UNHCR on the occasion of the agency's 50th anniversary.

ICVA plans to conduct a detailed survey of members that still need to be wired. In partnership with The Advocacy Project, it will then design "information packages" for three or four members.

Based on this survey, ICVA will then be in a better position to propose a larger plan for enhancing the use of e-mail in its lobbying by the entire ICVA membership. ICVA Coordinator Ed Schenkenberg Van Mierop told the Assembly that the private sector will be approached to help with funding.

Visit the ICVA website: www.icva.ch

GENERAL ASSEMBLY

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agencies in concert. He cited a recent meeting on the Sudan for members of the UN Security Council, which was organised through the good offices of the Swedish government.

Among the critical issues that could benefit from clearer definition, he said, were the prevention of humanitarian emergencies and compliance with sanctions. Prevention needs to be placed in a much broader context, so as to prevent the transfer of arms to trouble spots.

Sanctions would also be more effective if NGOs were to exploit a broader range of opportunities. For example, it is quite possible that some European corporations are violating European law by their operations in Angola.

The ICVA Assembly was also warned that the growing number of humanitarian emergencies is eating into scarce development aid. Anders Ladekarl, from the Danish Refugee Council and Chair of the new ICVA Executive Board, noted that development assistance has fallen from \$60 billion to \$50 billion since 1994.

It was immoral and unacceptable that part of this was due to the increased cost of humanitarian emergencies. "The poorest in Africa, Asia and Latin America are indirectly paying for the increase in humanitarian crises."

HUMANITARIAN CRISIS IN SERBIA DRAWS AID AGENCIES INTO ANOTHER POLITICAL VOID

- Serbia's 800,000 refugees raise concern at manipulation

As Serbia lurches towards a humanitarian catastrophe, there are concerns that relief agencies are once again being drawn into a political void that will leave them open to manipulation.

Following the lead of UNHCR, humanitarian agencies are gearing up to assist Serbia's

refugee population - the largest and most vulnerable in Europe.

The depth of the crisis was driven home last week at the Pre-EXCOM meetings with UNHCR officials. Before the Kosovo crisis, Serbia hosted 600,000 refugees from Bosnia and Croatia. Since July, 178,000 more have fled from Kosovo, and 48,000 from Montenegro.

According to the Serbian Red Cross, 10% are living in 321 collective centres, the rest with host families. There is a growing risk from disease, and 50,000 could be "on the verge of starvation."

90% of the households depend on electricity for water, but the infrastructure has been damaged by NATO bombing. Adding to the misery, 78,000 Serbians were affected by floods in July, and 1.3 million pensioners are pressing for their pensions to be paid.

While these needs are clearly humanitarian, the context is deeply political. The refugees are partly victims of Serbia's aggressive policies during the 1990s. They are being housed by a country that has been crippled by years of economic sanctions and most recently by NATO bombing.

Clearly, such "root causes" cannot be addressed without reconstruction aid. Yet the United States and Britain are determined to keep Serbia isolated as long as Serbia's President Milosevic remains in power, and are opposed to allowing Serbia to benefit from the EU Stability Pact for the Balkans.

But the humanitarian agencies also face a deeply suspicious partner in the form of the Serbian government. Relations are still strained over the detention of Branko Jelen, a CARE employee who was arrested with two other CARE officials from Australia and jailed for four to six years.

The two Australians were released after a massive international campaign that was supported by the Pope and Nelson Mandela. CARE even took several leaders of the Australian Serb community to plead with Milosevic. But Jelen still remains behind bars.

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CRISIS IN SERBIA

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CARE is convinced that it was able to secure the release of the two Australians because the CARE office has remained open, and it feels that the best way to help Jelen is to maintain aid - particularly as the humanitarian needs are so pressing. At the same time, all are aware that the case against Jelen is bogus and that he is to all intents a guarantee of continuing aid - on Serbia's terms.

The UN system may also be being sucked into something that it cannot control. The UN has designated a humanitarian coordinator in Belgrade to cover the war-affected population - not just refugees. This presumably includes the impact of NATO bombing.

UNHCR is now spending more money in Serbia than Kosovo. At the same time, UNHCR is also facing some pressure from the government, which resents the fact that UNHCR is only spending 15% of its funds through the government. (The rest goes to NGOs and the Serbian Red Cross).

UNHCR said that the government attitude had "softened," and that the Minister for refugees was more cooperative in allocating visas. UNHCR is also pressing to develop a legal framework for NGOs to work in. UNHCR is confident that its aid is reaching intended beneficiaries.

This suggests that UNHCR is clawing its way on top of yet another difficult humanitarian operation, winning small victories along the way. But at the same time it is being sucked into precisely the kind of political vacuum which lays agencies open to exploitation and manipulation - so familiar from Bosnia and Zaire.

On the one hand, there is little doubt that the Serbians hope to use relief as a way of ending their isolation. On the other hand, the Americans and British have made it clear that they are relying on NGOs to prevent any major humanitarian disaster which would force them to soften their opposition to Milosevic. As in Bosnia and Zaire, the

agencies have few alternatives but to grit their teeth and push in.

PROFILE - ANKICA GORKIC, THE SERBIAN DEMOCRATIC FORUM

Ankica Gorkic's presence at the Pre-EXCOM meetings last week was a reminder that Serbs have suffered greatly during the Balkans wars this decade.

Working as a legal advisor to the Serbian Democratic Forum in Zagreb, Ankica helps Croatian Serbs who were expelled from Croatia and are seeking to return home. 400,000 Serbs were driven out by the Croatian army in 1994 and 1995.

Last year, under pressure from European governments, the Croatian parliament agreed to respect minority rights, including the right of exiles to return and reclaim their property.

According to Ankica, 500 applications are accepted each week. But, she said, so many administrative obstacles are placed in their way that only 13,000 have returned home. Most are in isolated villages, where houses were abandoned but are not occupied. There are housing commissions in each country, but in practice it is almost impossible to dislodge a Croat who occupies the house of a Serb refugee. Without a home and a job, many returning Serbs give up in despair and return to exile in Serbia.

The SDF has 14 field offices and employs sixteen lawyers to help exiles, and has advised 34,000 Serbs since it was created in 1991. It is completely dependent on foreign donors, with most funding coming from the American Development Foundation and UNHCR.

Ankica herself lived in Zagreb throughout the war and is married to a Slovenian. Although she is Serb and works on behalf of Serbs, she refused to take sides and never thought of leaving. "Croatia is my country," she said.

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UNHCR's NEW OPERATIONAL SYSTEM COULD INTIMIDATE SMALLER NGO PARTNERS

- Only 3% of UNHCR's government partners produced audit certificates for 1998

Some of UNHCR's operational partners have raised concerns that a new system for designing field projects could overwhelm smaller NGOs with reporting requirements and training, to the detriment of refugees.

The new UNHCR system, known as the Operational Management System, was explained to NGOs by UNHCR officials in Geneva on Friday. UNHCR feels it will help its partners set clearer goals and measure the output of their projects, while taking advantage of the new information technology.

At the same time they also agree that the new system is a response to pressure from UNHCR's main donors. Last year, UNHCR was criticised by its auditors for the failure of its implementing partners to produce audit certificates in time.

514 NGOs manage projects for UNHCR in the field, and the new system will require many to change their thinking. UNHCR accepts that this will be difficult, and plans to offer training courses which are carefully tailored to individual groups. UNHCR is also confident that computer technology will eventually make life much easier and faster. UNHCR has also agreed to pay some overhead costs.

But the concern is that a complicated new system will impose heavy demands on smaller NGOs who are already working in difficult conditions. Mary Musirika, who works with the Agency for Cooperation and Research in Development (ACORD) in North-Western Uganda, explained to Talk Back that UNHCR trained her in the current system (Project Management) in November 1998. While she herself will be able to absorb the new approach, she was less confident about passing it on to two small Ugandan groups that she in turn supports on behalf of UNHCR.

At the same time, UNHCR is ready to sign a Framework Agreement for Operational Partnership (FAOP) with NGOs who implement projects on UNHCR's behalf. (There may be questions as to how the new system and the FAOP relate.) This agreement is a tool for real partnership in the field, including enhancing the NGOs' capacity to take active part in field cooperation through training and capacity-building.

USING THE INTERNET TO IDENTIFY REFUGEE SKILLS

UNHCR will shortly start several pilot projects in camps that are aimed at compiling a profile of refugee populations based on skills rather than needs.

Robert Ashe, Chief of the Operations Management System of UNHCR, told Talk Back that new finger printing technology will be used experimentally to try to analyse the strengths of refugees, instead of treating them as recipients of aid. Information on teachers, doctors social workers, midwives will be drawn from many different sources, and entered in an electronic database.

This could have the additional benefit of doing a more accurate headcount of refugees, which could allay some of the controversy that always crops up over numbers and the delivery of aid. But the main purpose say UNHCR officials, is to draw on the resilience and skills of refugees, and better help them contribute to the rebuilding of their country.

The suspicion remains that the real pressure on UNHCR is coming from its donors, which demand reassurance that their funds are being properly used in the field. The late delivery of audit certificates became a lightning rod for these concerns last year after UNHCR's auditors revealed that many audit reports were months - even years - late.

Last year's EXCOM insisted that UNHCR's governmental partners produce certificates within three months of the end of a project. NGOs were given six months.

see page 8 "New"

NEW OPERATIONAL SYSTEM

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Over the last year, however, the four main governments which implement UNHCR projects - Iran, Pakistan, Tanzania and Thailand - only produced 3% of their certificates. (UNHCR's 337 local NGO partners did better with 27%. International NGOs sent UNHCR 46% of their certificates.)

UNHCR officials accept that governments have many other programmes to audit, and there is a limit to the pressure that can be applied. But the failure of governments to abide by the EXCOM ruling makes it even less reasonable for smaller southern NGOs to bear the brunt of donor impatience.

CIVIL SOCIETY MUST MAKE BETTER USE OF PRE-EXCOM, SAYS ICVA COORDINATOR

NGOs must make more use of the Pre-EXCOM meetings to identify gaps in the humanitarian response and stiffen UNHCR's protection role, according to the ICVA Coordinator, Ed Schenkenberg Van Mierop.

In a statement to the Pre-EXCOM meeting, Schenkenberg said the Pre-EXCOM represents an important opportunity to strengthen the partnership between NGOs and UNHCR, and in so doing strengthen the protection of refugees and displaced persons. The

see page 9 "Better"

NGOs SHOULD CLAIM MORE OWNERSHIP OF PRE-EXCOM

NGOs should claim Pre-EXCOM as their own, and take more control over the preparation and proceedings of the annual consultations, according to UNHCR's NGO Coordinator Arnulv Torbjornsen.

In a discussion with Talk Back, Torbjornsen insisted that NGOs are also owners of the Pre-EXCOM process - even if until now the process has been largely driven by UNHCR. That needs to change, he said, adding that UNHCR would like to use ICVA to bring NGOs more into the planning process.

The Pre-EXCOM takes place prior to UNHCR's EXCOM, and has become something of an institution. This year, a record 179 NGOs came to Geneva to meet with UNHCR officials.

But the forum is still not ideal for discussion. Many of the sessions take the form of briefings by directors of UNHCR Bureaux, following which PARinAC Focal Points deliver NGO presentations. While questions can be put to the UNHCR staff, the responses are not always satisfactory or complete.

The original idea was to discuss with NGOs the issues to be raised during the EXCOM meeting. The Pre-EXCOM meeting has evolved, however, into an entirely separate meeting where UNHCR took to briefing NGOs and avoided dialogue. Now it is time to bring back the dialogue.

Even UNHCR could benefit from more profound dialogue. There also needs to be more time for participation from NGOs, especially those based in the field. Pre-EXCOM offers a rare opportunity for UNHCR's operational partners to discuss their concerns.

In short, there is also a need to put some real substance into what Torbjornsen calls the "mantra of partnership." It has become a catch-phrase, but needs to be defined. One way to do this is to have NGOs be more involved in the preparation of future Pre-EXCOMs, and planning of the programme. UNHCR would handle the technical aspects of organising the meeting, but appears willing to have NGOs play a role in deciding the agenda of the meeting. In taking advantage of the offer, ICVA will provide a forum to facilitate the input of NGOs.

BETTER USE OF PRE-EXCOM

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opportunities have increased over the last year with the inclusion of NGOs in the Reach-Out process, he said.

The draft review of the Partnership in Action (PARinAC) process and recommended Plan of Action for 2000 will also improve collaboration between NGOs and UNHCR, although many NGOs only saw the PARinAC report for the first time during Pre-EXCOM.

But NGOs could still make better use of the event. For example, there is concern among NGOs over the drafting process of the EXCOM conclusions. NGOs are once again worried that these will do little to strengthen or enhance existing international standards.

There are also many lessons to be drawn from the Kosovo crisis. The bilateral approach taken by many governments, including the deployment of military contingents to the region, severely hampered UNHCR's lead-agency and coordination role. The participation of the military, in the view of many NGOs, compromised the independence and impartiality of humanitarian action.

Even the quality of the humanitarian response in Kosovo has caused concern. A huge number of NGOs rushed to provide relief, but this response may have been unbalanced when compared with needs in other parts of the region. There was also a major emphasis on technical assistance and logistics. Protection, however, was largely overlooked.

MEMBERS' PAGE

CONFEDERATION OF CENTRAL AFRICAN NGOS (CONGAC)

By Marguerite Garling

Central Africa is best known through its conflict zones around the Great Lakes and Eastern Congo. But the neighbouring French-

speaking countries of the region have received scant attention. They are categorised as "middle-income countries" because of their immense natural resource potential.

As a result, donor governments see them as less deserving of support. Jacqueline Nkoyok of CONGAC (Confederation of Central African NGOs) laments this fact since it ignores the inequitable distribution of resources under the prevailing authoritarian regimes that fails to benefit local communities.

CONGAC brings together 355 national NGOs working on sustainable development, the environment and forced migration issues. The Confederation came into being during the 1992 World Environment Summit, when NGOs from nine Central African countries – Burundi, Cameroon, Central African Republic, Chad, Congo-Brazzaville, Gabon, Rwanda, Sao Tomé and what was then Zaire – recognised the advantages of joining forces to tackle the common problems of their region. A follow-up meeting in Douala, Cameroon formally set up CONGAC.

Each country is now represented by a national network of NGOs, with sub-groups devoted to specific areas of work, including human rights, democratisation and refugee issues. Angola and Equatorial Guinea have joined CONGAC in recent years and efforts are still under way to create national NGO networks within these countries. A staff of three paid and nine volunteer staff run the Confederation from Douala, on a small core budget of US\$25,000, with separate projects attracting additional funding and staff.

Fund-raising is a major problem facing CONGAC. Most big donors work closely with governments in the region and insist on prior government approval of projects. Most of the governments in the region view NGOs as part of the opposition or as being subversive in some way. CONGAC lobbies governments in the name of civil society in an attempt to remove the suspicion with which governments view NGOs. Getting their voice heard is thus a real battle for NGOs in the region. Being based in Cameroon, a bilingual country, is a plus for using both French and English in their approaches to the international donor community.

CONGAC....

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But there are other impediments, most notably CONGAC's non-exemption from import duties on much-needed equipment and inevitably with difficulties in communication. To call Equatorial Guinea from Cameroon, the call still has to pass through France or Madrid. Many NGOs do not even have their own telephones.

CONGAC will be hosting a major international meeting on 7-11 November 1999 in Douala under the aegis of the European Role. The theme 'What partnership for development?' will bring together NGOs from Africa, the Caribbean and the Pacific (ACP), to examine the EU's record on development in those countries. Questions of dialogue and governance will feature high on the agenda, as will problems arising from conflicts within the region, the chances for sustainable development, and the problem of debt. Behind this agenda lies a lobbying effort in favour of a new ACP Convention based on a more equitable relationship between the ACP countries and the European Union.

A website will be opened shortly before the conference, but some information is already available through the ENDA website <www.acpngo.sn>

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EAST TIMOR

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preparations to charter two planes to take refugees out. But any evacuation will have to be done in cooperation with the Indonesian government, he said. This will require pressure from governments, particularly the United States, and even the IMF. But it will also mean that NGOs present names in a coordinated manner.

The crisis in Timor began after the August 30 referendum in East Timor, in which 78% of the Timorese population voted for independence from Indonesia. Indonesian-backed militia went on a rampage, killing thousands and forcing 200,000 into the hills.

The situation inside East Timor is slowly returning to normal, as the UN mission re-establishes control. Displaced are coming out of the hills and humanitarian aid is also starting to flow. UNHCR has delivered 130 tons of aid. UNHCR officials also say they are considering the establishment of "safe havens" in East Timor, although it is not clear whether these would assist delivery of aid or protect displaced.

The largest protection threat is in West Timor, which is still Indonesian territory, and outside the island. According to the Australian Council for Overseas Aid (an ICVA member), there were 182,000 East Timorese refugees in West Timor and Flores, as of 21 September.

Many are living in terrible conditions, after being forced from East Timor by militia at gunpoint. There are growing fears that the militia plan to keep the refugees as hostages, and launch hit and run attacks on the UN force inside East Timor from the camps.

The UN High Commissioner for Refugees, Sadako Ogata, visited West Timor recently, and UNHCR has deployed an emergency team. They are trying to win unimpeded access to the 200,000 refugees, as well as guarantees of security for any aid operation. UNHCR is pushing to set up offices in Kupang, the capital, and Atambua.

UNHCR has been angered by the criticism of NGOs stating that Mrs Ogata gave the green light to the Indonesians to take Timorese out of West Timor and relocate them to elsewhere in the Indonesian archipelago.

Any suggestion of "transmigration" in Indonesia conjures up massive forced movements. It also raises the possibility that any Timorese who moved from the island could be vulnerable to acts of reprisals by Indonesians who are angry at the referendum and UN intervention.

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COORDINATED APPROACH NEEDED

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ACFOA estimates that there could be 2,500 potential refugees on the Indonesian islands of Alor, 600 on Bali, Java, Kalimantan and Irian Jaya. "They include politically active East Timorese who are extremely fearful of

disappearing or killed and are seeking temporary asylum abroad," says a recent ACFOA statement.

As a result, NGOs are trying to push UNHCR to organise a coordinated approach to evacuation, and the resettlement by third countries.

see page 12 "Timor"

PROTECT THE REFUGEES IN WEST TIMOR - A STATEMENT BY THE AUSTRALIAN COUNCIL FOR OVERSEAS AID (ACFOA)

Since the announcement of the results of the UN sponsored ballot on 4 September, East Timor has been subjected to a scorched earth policy carried out by the Indonesian military and its proxy militias. Thus most of the East Timorese population, in addition to being displaced, have been denied the services of aid agencies and have no homes or jobs to return to.

In East Timor, tens of thousands who have now spent several weeks without aid in the arid, rugged interior. Aid has been air-dropped in some districts, but it will be days and even weeks before the Multinational Force is able to provide an environment of security in which people can return to their homes and aid supplies can be regularised.

Aid agencies are severely restricted by the lack of security and infrastructure. In areas close to the main centres of Dili and Baucau, some IDPs have begun returning 'home' following the arrival of the Multinational Force and retreat of the Indonesian army and militias. Indonesia's scorched earth policy will ensure, however, that the majority of East Timorese will be dependent on outside aid for the foreseeable future. As many are also victims of human rights violations, provision also needs to be made for counselling and other appropriate forms of assistance.

Most of the East Timorese refugees in West Timor and Flores have been forcibly deported from East Timor. Those in camps in West Timor are living in poorly serviced camps and public buildings. Most are women, children and older men - younger men having been forced to join the militia or having taken refuge in the interior. Sanitation is poor due to lack of clean water and medical support is extremely limited.

Most aid is being provided by the provincial government and local NGOs; access by international aid agencies is restricted. A climate of fear and tension prevails in West Timor, due to the heavy presence of armed militias and Indonesian military and compounded by tensions between pro and anti-independence groups.

The Indonesian Transmigration Minister is planning to permanently resettle many of the refugees. Both UN Security Council Resolution 1264 (1999) and head of the UNHCR, Mrs Sadako Ogata, have stressed the right of refugees to return freely to East Timor. In addition to providing protection and assistance, the UN must act to provide an environment of security in which the refugees can exercise this right freely and in an informed manner.

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TIMOR EVACUATIONS MUST BE ORGANISED

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Although Indonesia has said that Timorese are free to leave Indonesia, the modalities of their evacuation appear to have stalled. While UNHCR is urging a quick and speedy process at the airport, the Indonesians are insisting on a complex process, and that any refugees renounce Indonesian citizenship.

Some fear that the Indonesians may delay the process. But there are also fears that the Indonesians will be further antagonised if NGOs present names in an uncoordinated manner.

Beyond that, it will be extremely difficult to identify those in need of evacuation, let alone get them out. "Anyone who emerges from hiding could be a sitting duck," said Margaret Piper, from the Australian Council of Refugees. They could be particularly vulnerable if they make for an Australian consulate, given Australia's unpopularity in Indonesia.

This underscores the importance of spreading the burden of resettlement. Australia has agreed to take 1,500 refugees, and UNHCR says that New Zealand has agreed to take another 300. The Philippines has also reportedly agreed to take as many as 2,000 for temporary refuge, but apparently on condition that they are eventually given asylum by Portugal.

The United States is increasingly favourable to the resettlement of refugees after its Kosovar experience, but requires that they have fled across an international border. At present, the Timorese in West Timor are viewed by Indonesia as Indonesian nationals, and UNHCR, while coming under increased pressure, is internally divided as to the definition of their legal status.

As a result, UNHCR's position appears to be very general, stating that the Timorese are "of concern" to UNHCR, but that it is not for UNHCR to declare East Timor formally independent. A UN committee is currently reviewing the legal status of the territory,

which will become independent once the referendum is formally accepted by the Indonesian Assembly.

But until then, it might be difficult for the US to accept any Timorese. The only precedent for taking people directly from the country of origin - Cubans, Russians and Vietnamese - required special presidential authorisation.

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