



**Armed conflict
mothers and
children**

**“Enforcing health
protection”**

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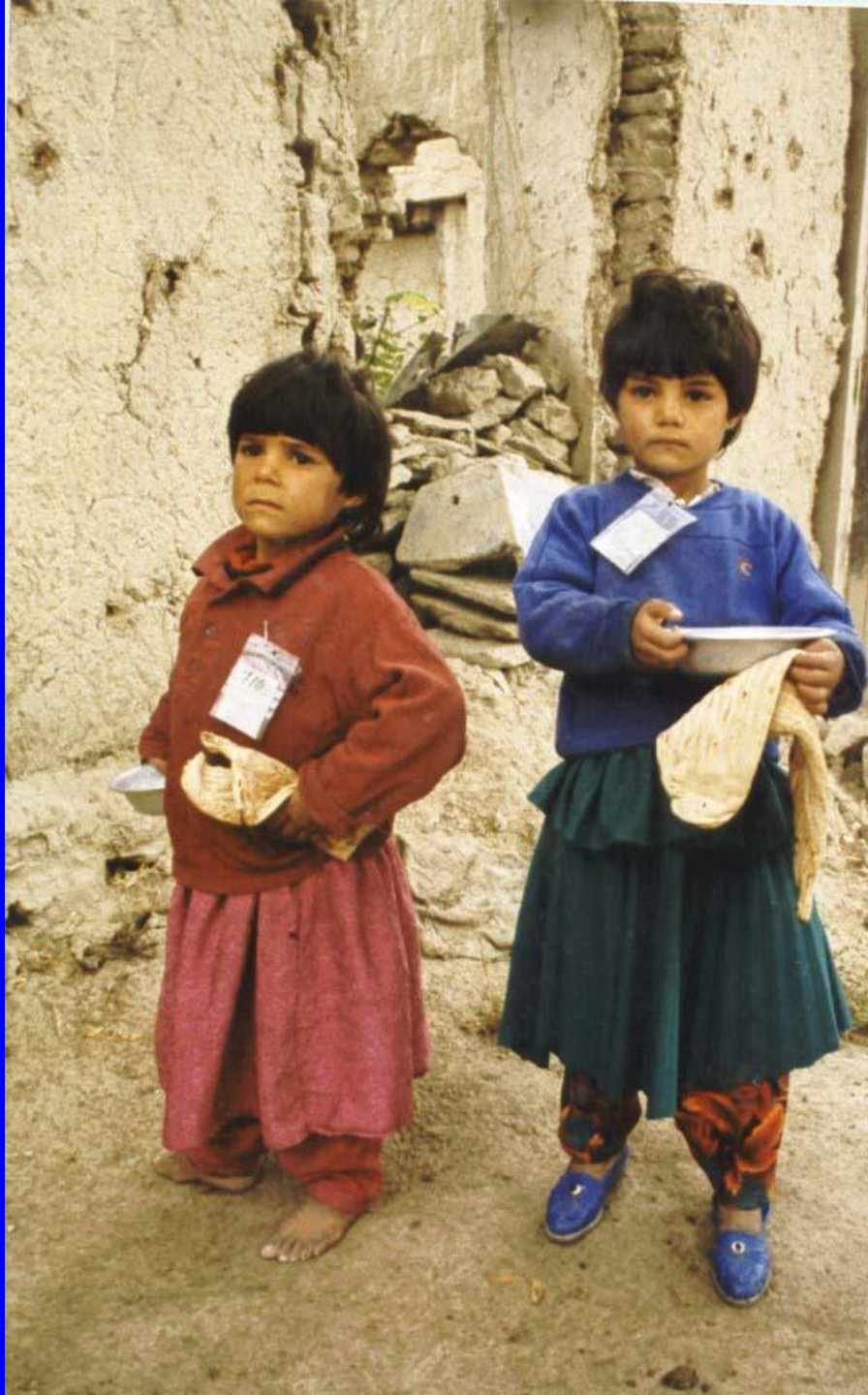
**Maternal and Childhealth
Advocacy International-MCAI**



Armed conflict and children

- “Wars have always victimised children and other non-combatants, but modern wars are exploiting, maiming and killing children more callously than ever.”

Graca Machel September 2000 *(a critical review of the progress made and the obstacles encountered in increasing protection for war-affected children)*



Afghanistan 1995

FIFTY-FIFTH WORLD HEALTH ASSEMBLY WHA55.13

18 May 2002

- **Protection of medical missions during armed conflict**
- Convinced, in accordance with international law, that it is indispensable to protect against attacks directed at health personnel, hospitals, health facilities and infrastructures, ambulances and other medical vehicles and communication systems used for humanitarian purposes



UN Charter

- The Charter of the United Nations was signed, in San Francisco, on 26 June 1945 and is the foundation document for all UN work
- The UN was established to “*save succeeding generations from the scourge of war*” and one of its main purposes is to maintain international peace and security

International humanitarian law

- International humanitarian law is known also as “*the law of war*” or “*the law of armed conflict,*” and restricts the means and methods of armed conflict
- International humanitarian law is contained in the four Geneva Conventions of 1949 and their two Additional Protocols of 1977, as well as in rules regulating the means and methods of combat.
- International humanitarian law also includes ... protection of victims of conflict

Existing attempts at protection of healthcare

- The expectation that countries or non-state factions involved in conflict will adhere to existing humanitarian laws, human rights law and medical ethics is misplaced
- The Geneva Conventions of 1949 and their additional protocols 1977 contain statements which should protect healthcare. However, these conventions were violated with impunity in most of the armed conflicts between 2003 and 2008.

UN Security Council Resolutions

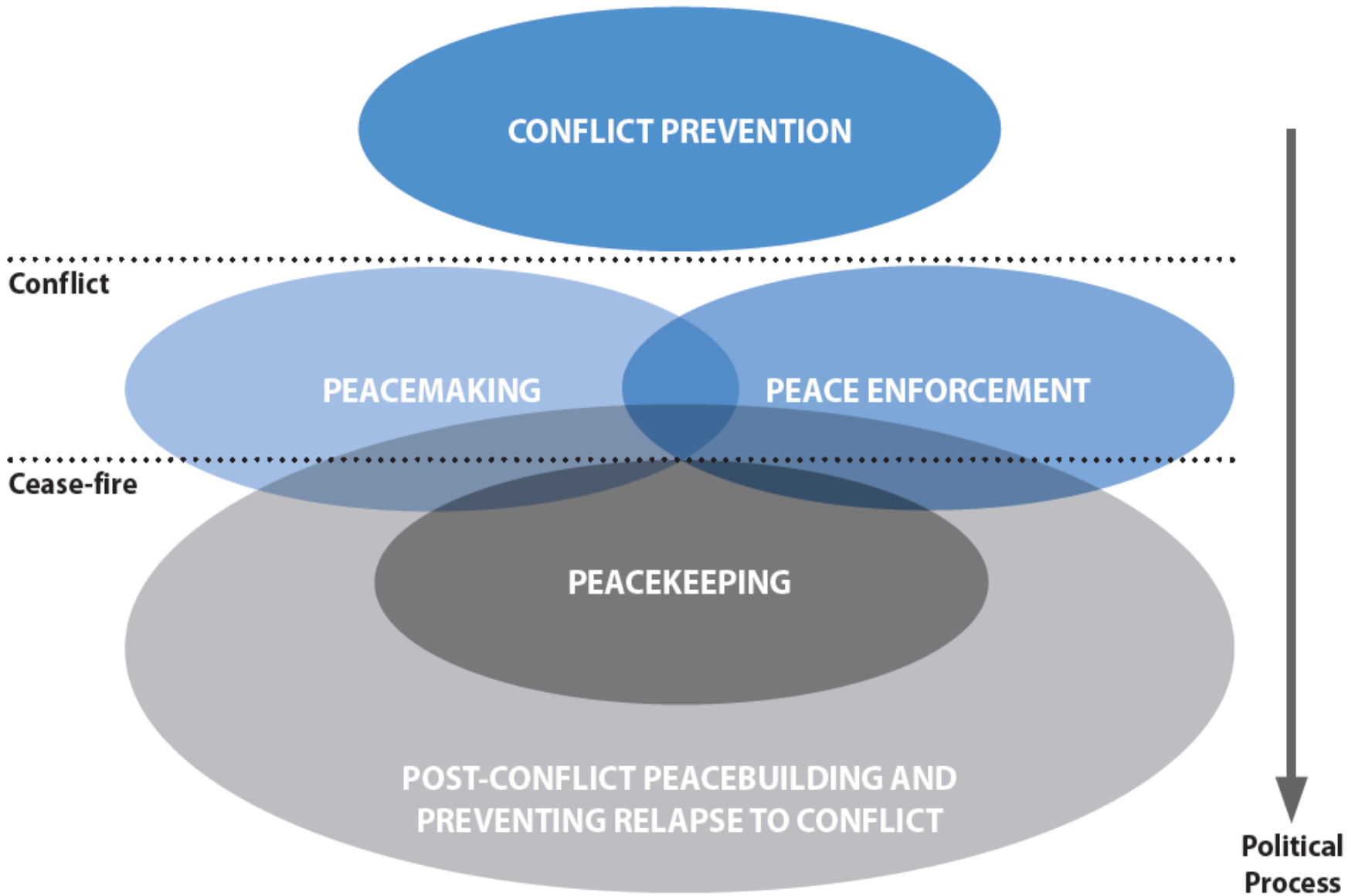
- Security Council resolution 1325 (2000) on women, peace and security
- Security Council resolution 1612 (2005) on children and armed conflict
- Security Council resolution 1674 (2006) on the protection of civilians in armed conflict

United Nations Peacekeeping Operations Principles and Guidelines

*Jean-Marie Guéhenno Under-Secretary-General for
Peacekeeping Operations 2008*

UN-led peacekeeping operations are authorized by the Security Council, conducted under the direction of the UN Secretary-General, and planned, managed, directed and supported by the UN Department of Peacekeeping Operations (DPKO) and the Department of Field Support (DFS)

Figure 1 Linkages and Grey Areas



The Basic Principles of United Nations Peacekeeping

- **Consent of the parties**
- **Impartiality**
- **Non-use of force except in self-defence
and defence of the mandate**
- **United Nations peacekeeping operations are
not an enforcement tool**

Enforcement allowed within UN peace-keeping

- The environments into which UN peacekeeping operations are deployed are often characterized by militias, criminal gangs, and other spoilers who actively seek to undermine the peace process or pose a threat to the civilian population
- In such situations, the Security Council has given UN peacekeeping operations “robust” mandates authorizing them to “use all necessary means” to deter forceful attempts to disrupt the political process, protect civilians under imminent threat of physical attack, and/or assist the national authorities in maintaining law and order

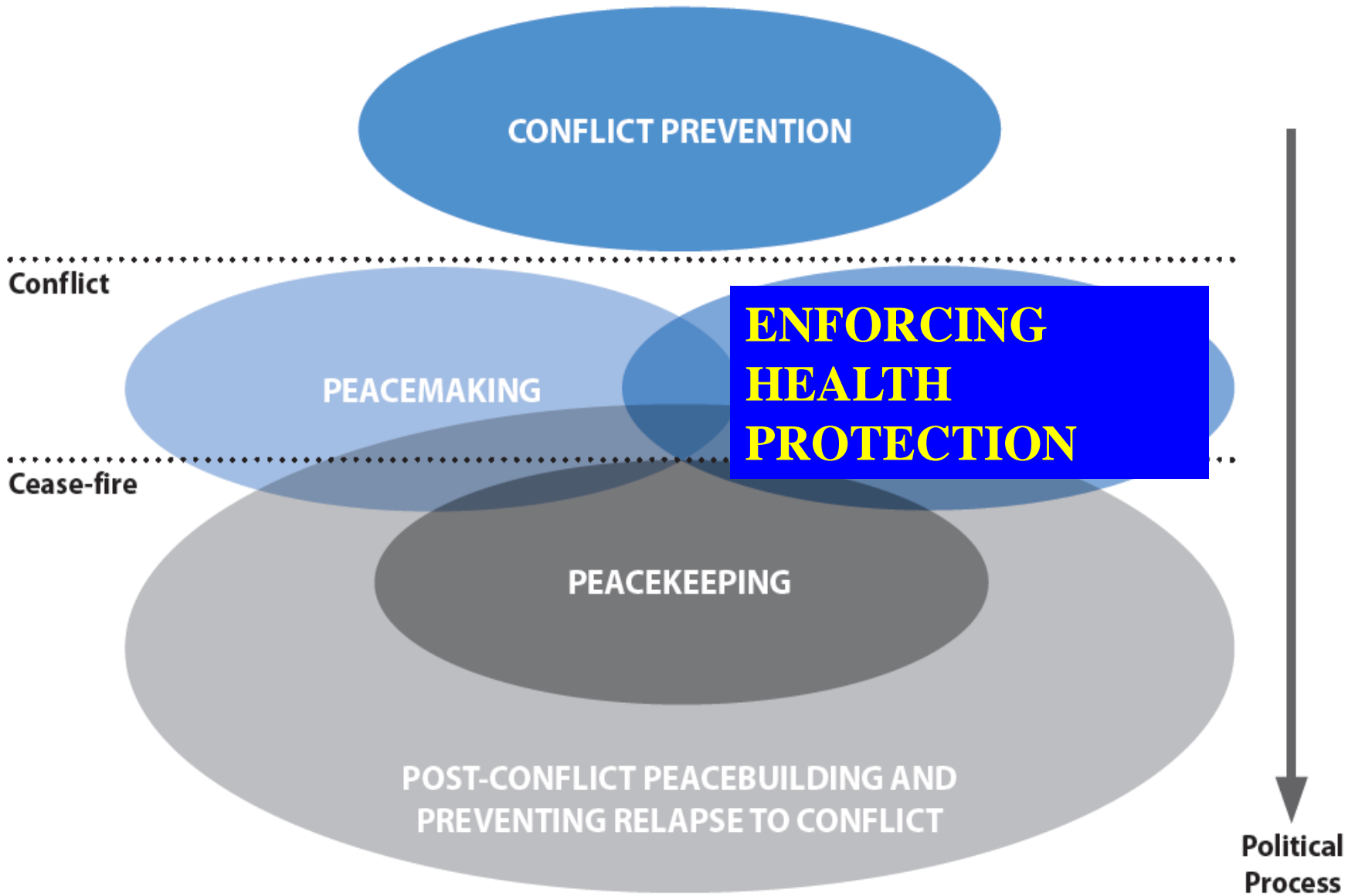
Peace-keeping v Peace enforcement

- While **peacekeeping** may involve the use of force at the tactical level with the consent of the host authorities and/or the main parties to the conflict
- **peace enforcement** may involve the use of force at the strategic or international level, which is normally prohibited for Member States under Article 2 (4) of the Charter unless authorized by the Security Council.

Peace enforcement

- **Peace enforcement** involves the application, with the authorization of the Security Council, of a range of coercive measures, including the use of military force.
- Such actions are authorized to restore international peace and security in situations where the Security Council has determined the existence of a threat to the peace, breach of the peace or act of aggression
- The Security Council may utilize, where appropriate, regional organizations and agencies for enforcement action under its authority.

Figure 1 Linkages and Grey Areas



Security is a prerequisite for Health

- “The nexus of security, insecurity and health must take centre stage in foreign policy thinking”
- “Recognizing that security for all is a prerequisite for health for all implies closer collaboration between the health community and ministries of foreign affairs”

Robin Coupland Bull. WHO 2007 March

What health services therefore need protection?

- The WHO defines health services as all activities intended to restore and maintain health.
- Includes vaccinations, medical care, but also sanitary services related to water and hygiene, and a clean environment under this heading, as well as all activities ensuring access to food resources
- Those “*underlying determinants of health*” imply consideration of the right to health in a broader perspective, which is the basis of Article 25 of the Universal Declaration of Human Rights

Existing attempts at protection of healthcare

- Regular and systematic documentation of attacks on health workers, facilities, transports and patients is lacking
- International criminal justice institutions have potential power but implementation of justice against war crimes is protracted and results become available so many years after conflicts that their deterrent effects are less effective

Protection and promotion of human rights, including the right to health

- All UN entities have a responsibility to ensure that human rights are promoted and protected by and within their field operations
- Most UN peacekeeping operations are therefore mandated to promote and protect human rights by monitoring and helping to investigate human rights violations and/or developing the capacity of national actors and institutions to do so on their own



No Protection

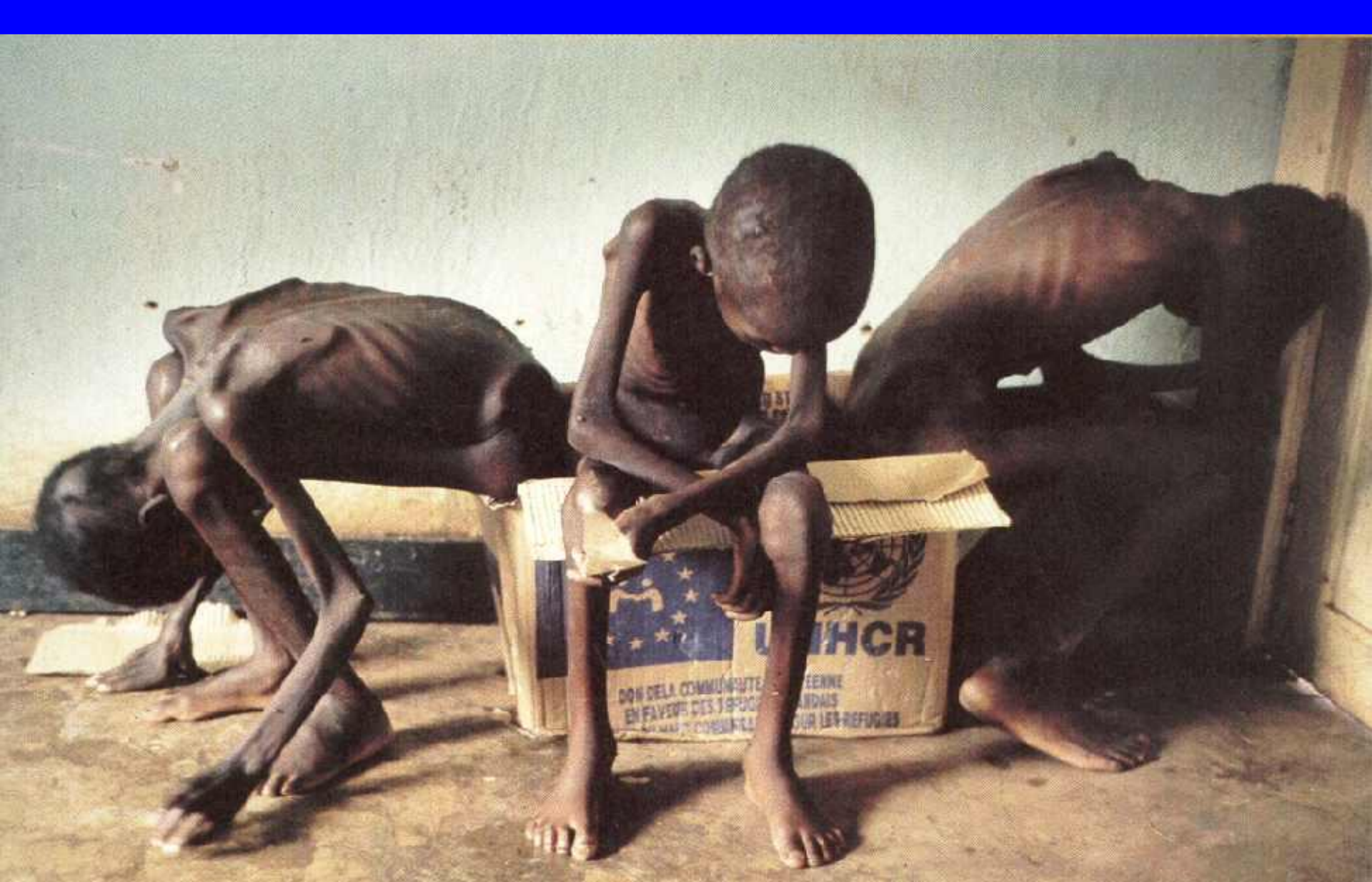
“UN forces have held the line in the Democratic Republic of Congo, with bravery under the difficult circumstances. Yet we have not been able to protect innocent people from violence”

UN Secretary General, Ban Ki-moon
December 2008

DRC Humanitarian action plan

UNFPA 2010

- In both conflict-affected and stabilized areas, violence against the civilian population remains an endemic problem
- Women, adolescents and children are the primary victims of sexual violence, assault, abduction, theft, exploitation and forced displacement.
- The extent and brutality of sexual violence committed against women and girls is of particular concern. They are often gang raped, abducted and forced into sexual slavery; reportedly, 40 rapes occur daily in South Kivu alone
- Many survivors of sexual violence suffer debilitating damage to their reproductive organs, which result in multiple fistulas and incontinence



DRC 2010-NOW

- Overall, nearly 3 million deaths are attributed to the ongoing fighting in the Eastern region—almost 90 per cent due to malnutrition and other diseases
- A high maternal mortality ratio (549 deaths per 100,000 live births in 2007), rising infant mortality rates (115 deaths per 1,000 live births in 2005), and high childhood mortality (204 deaths per 1,000 live births in 2005)

DRC 2010

PROTECTION

- In the context of generalized violence in the DRC, the situation is particularly dire for the 2.1 million people displaced – sometimes two or three consecutive times
- Women and children in particular are exposed to all manner of abuse, exploitation and violence by armed groups, as well as those from within host communities surrounding the displacement sites
- Women and girls throughout the DRC are susceptible to sexual violence during the course of their daily routines, such as fetching wood or water, or because poverty has forced them into selling sex as a means of survival.

UNFPA proposals DRC 2010

- Strengthening **data collection** tools
- **Preventing and mitigating** protection risks, in particular sexual violence, by developing prevention and advocacy programmes that target both combatants and communities
- Improving **access to services, justice and rehabilitation** for survivors of sexual violence
- **Mainstreaming gender** in all activities of the Protection Cluster through advocacy and sensitization of partners



Somalia 1992

Operation Restore Hope

- The spectre of 500,000 Somalis dead from famine by autumn 1992 and hundreds of thousands more in danger of dying
- December 3rd 1992, U.N. Security Resolution 794 authorized a US led intervention *"to use all necessary means to establish a secure environment for humanitarian relief operations in Somalia as soon as possible"*

Operation Restore Hope

1992 Somalia

- The US-led coalition approved by the Security Council in December 1992 had a mandate of protecting humanitarian operations and creating a secure environment for eventual political reconciliation
- At the same time, it had the authority to use all necessary means, including military force
- A joint and multinational operation, Restore Hope--called UNITAF (unified task force)--was a US-led, UN-sanctioned operation that included protection of humanitarian assistance and other peace-enforcement operations.

Operation Restore Hope

- By March 1993, mass starvation had been overcome, and security much improved. 30,000 US military participated, along with 10,000 from 24 other states
- Despite the absence of political agreement among the rival forces, periodic provocations, and occasional military responses by UNITAF, the coalition retained its impartiality and avoided open combat with Somali factions--blending its coercive powers with political dialogue, psychological operations, and highly visible humanitarian activities

Operation Restore Hope

- Traditional peacekeeping had proven inadequate as a means of alleviating human suffering (the parallel crisis in Bosnia)
- **This US operation showed that a massive deployment of force could halt factional fighting and safeguard relief operations, thereby saving thousands of innocent lives while suffering almost no casualties**
- Some 19 other nations, recognizing the success of the U.S.-led humanitarian operation, eventually offered to contribute contingents

Rwandan Genocide 1994

- *"Some 2,000 personnel from several countries, including France, United Kingdom, United States and Italy, had come to evacuate their expatriates and though they were stumbling on corpses, they remained firm in totally ignoring the catastrophe"* - retired General Romeo Dallaire, former commander, UN mission in Rwanda.

Rwanda 1994

- Ambassador Gambari, who served as Nigeria's representative on the UN Security Council at the time, acknowledged that
- *"Without a doubt, it was the Council, especially its most powerful members, that had failed the people of Rwanda in their gravest hour of need."*

Rwanda 1994

- *“The central actors responsible for allowing Hutu extremists to perpetrate the genocide are well known: the government of France, the UN Security Council led by the USA with British backing, the UN Secretariat, the government of Belgium, and, by no means least, the Roman Catholic Church. The Organization of African Unity also refused to condemn the genocidaires and proved to be largely irrelevant throughout the crisis”*
- *“As a consequence of these acts of commission and omission, 800,000 Tutsi and thousands of moderate Hutu were murdered in a period of 100 days”*

Gerald Caplan appointed by the Organization of African Unity to investigate the genocide

Rwanda 1994

- Time and again in the months prior to and during the genocide, the Commander of the UN military mission to Rwanda (UNAMIR) pleaded with the UN Department of Peacekeeping Operations to expand his very limited mandate.
- Heavily armed western troops began materializing at Kigali airport within hours to evacuate their nationals. Beyond UNAMIR's 2500 peacekeepers, these included 500 Belgian para-commandos, 450 French and 80 Italian troops from parachute regiments, another 500 Belgian para-commandos on stand-by in Kenya, 250 US Rangers on stand-by in Burundi, and 800 more French troops on stand-by in the region.
- None made any attempt to protect Rwandans at risk

Rwanda 1994

- Only days after the genocide began, 2500 Tutsi as well as Hutu opposition politicians crowded into a Kigali school where Belgian UN troops were billeted
- The Belgian soldiers were ordered to depart to assist in evacuating foreign nationals from the country. They did so abruptly, making no arrangements whatever for the protection of those they were safeguarding. As they moved out, the killers moved in.
- When the afternoon was over, all 2500 civilians had been murdered.

Rwanda 1994

- After the deaths of 18 American soldiers in Somalia in October 1993, the United States decided to participate in no more UN military missions
- The Clinton administration further decided that no significant UN missions were to be allowed at all, even if American troops would not be involved
- Thanks mostly to the delaying tactics of the US, after 100 days of the genocide not a single reinforcement of UN troops or military supplies had reached Rwanda

Rwanda 1994

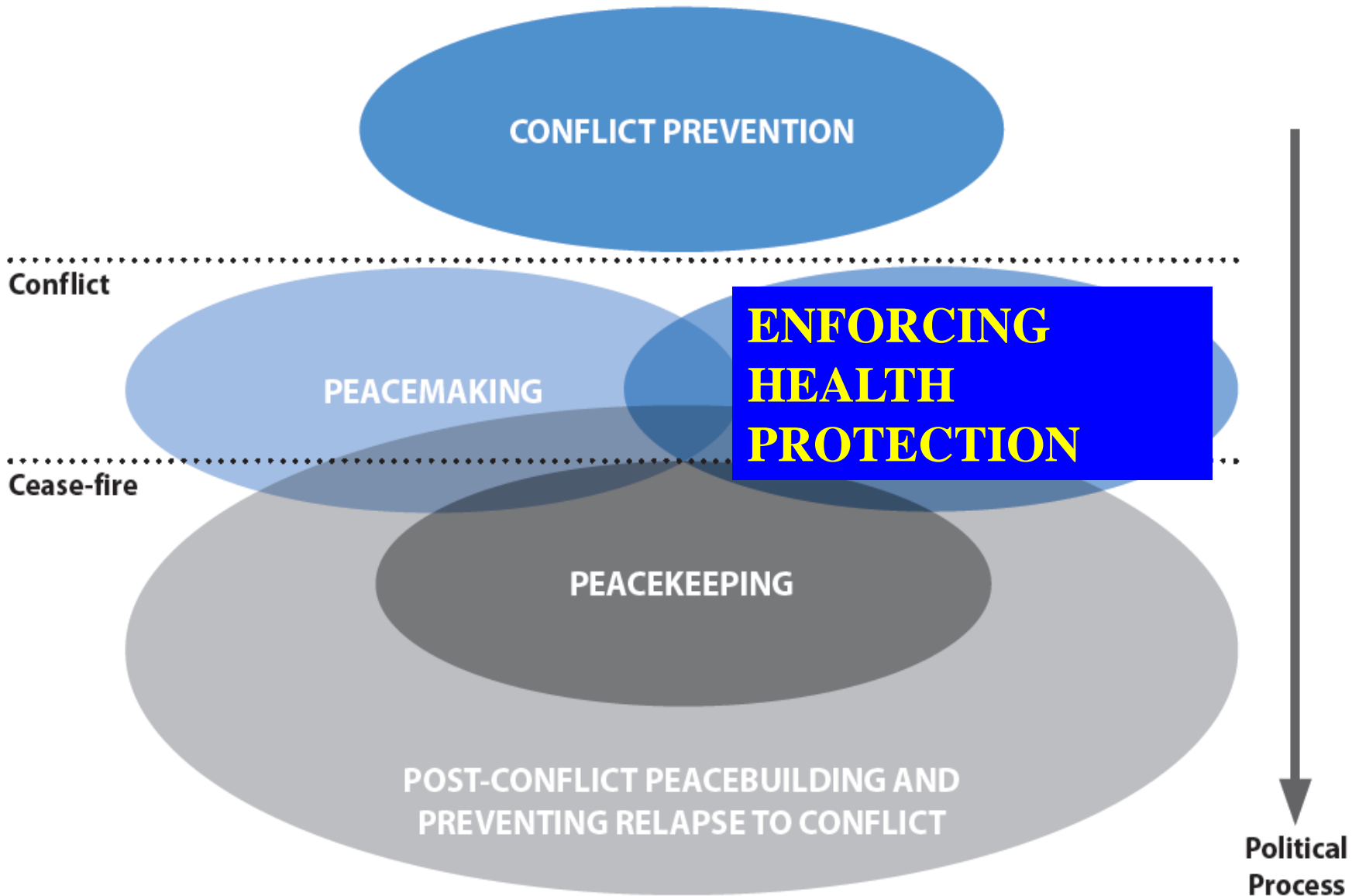
- George W. Bush, during the campaign for the 2000 Republican presidential nomination, was asked by a TV interviewer what he would do as president if, "God forbid, another Rwanda" should take place
- He replied: *"We should not send our troops to stop ethnic cleansing and genocide outside our own strategic interest"*

Rwanda 1994

"Today, we observe the sixteenth commemoration of the genocide in Rwanda. We cherish the memory of more than 800,000 innocent people who lost their lives. Our thoughts are also with the survivors, whose haunting testimony woke us to the reality of a tragedy that was all too preventable"

Secretary-General Ban Ki-moon 7 April 2010

Figure 1 Linkages and Grey Areas



CONCLUSION

Not suggesting a parallel system but an additional UN security council mandated activity based on the Right to Health and the protection of the whole system of healthcare DURING conflict

Enforcing the protection of health

Armed conflict, poverty and children

- The vast majority of major conflicts between 1990 and 2000 were in poor countries (eg in 14 Heavily Indebted Poor Countries in Sub-Saharan Africa)
- Many are longstanding (in 2000)
 - Afghanistan 22 years
 - Sri Lanka 16 years
 - Angola 35 years
 - Somalia 12 years

Conflict and Poverty

- >85% major conflicts since WW2 in poor countries
- From 1990-2001 57 major conflicts in 45 locations
- 16 of the 20 poorest countries involved

- UN or other peace-keeping forces are difficult to fund, have been themselves involved in abuses of women and children, and have been inadequately mandated with regard to how far they can act in protecting civilians or healthcare
- The Office for the Coordination of Humanitarian Affairs of the UN has established a system to address civilian health and protection but this does not include protection of health services

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MCH in 10 poorest countries at war 2000

COUNTRY	YEAR ONSET CONFLICT	UNDER 5 YEAR MORTALITY /1000 live births	RANK IN UNDER 5 MORTALITY	INFANT MORTALITY	MATERNAL DEATHS PER 100,000 LIVE BIRTHS) 1995
Sierra Leone	1991	316	1	182	2100
Angola	1992	292	2	170	1300
Afghanistan	1979	257	4	165	820
Somalia	1991	211	8	125	1600
DRC	1996	207	9	128	940
Burundi	1993	176	17	106	1900
Ethiopia	1998	173	18	110	1800
Rwanda	1990	170	21	105	2300
Pakistan	1989	136	33	95	200
Uganda	1993	134	35	84	510

MCH indicators for 10 largest exporters of arms

Countries ranked by quantity of exported arms	Major weapons exported 1996-2000 in US million \$	Under 5 year mortality per 1000 live births	Rank in under 5 mortality	Infant mortality per 1000 live births	Maternal deaths per 100,000 live births) 1995
USA	49,271	8	160	7	12
Russia	15,690	25	115	21	75
France	10,792	5	175	5	20
United Kingdom	7,026	6	165	6	10
Germany	5,647	5	175	5	12
Netherlands	2,014	5	175	5	10
Ukraine	1,956	22	126	18	45
Italy	1,720	6	165	6	11
China	1,506	47	79	38	60
Belarus	1,246	27	110	22	33

MCH in 10 poorest countries at war 2000

COUNTRY	No: < 5yr deaths per day scaled to population of 50 million	No: maternal deaths per year scaled to population of 50 million using 1995 data
Sierra Leone	2009	45,972
Angolia	1926	29,358
Afghanistan	1835	18,498
Somalia	1513	38,432
Democratic Republic Congo	1307	20,350
Burundi	1018	39,492
Ethiopia	1054	38,559
Rwanda	996	47,698
Pakistan	668	3,375
Uganda	940	24326

MCH indicators for 10 largest exporters of arms

COUNTRY	No: < 5yr deaths per day scaled to population of 50 million	No: maternal deaths per year scaled to population of 50 million using 1995 data
United States of America	15	86
Russia	33	339
France	9	128
United Kingdom	9	64
Germany	7	55
Netherlands	9	64
Ukraine	30	216
Italy	7	52
China	103	518
Belarus	40	170

Arms manufacturing versus arms using countries

- Massive and unethical differences in maternal and child health indicators
= maternal and child abuse
- 15 versus 2009 under 5 years deaths per day
- 86 versus 45,8972 maternal deaths per year