



Pursing the Mandate in Nigeria: International Committee of the Red Cross and Its Challenges, 1967-2007

REFERMENET DU MANDAT AU NIGERIA: LE COMITE INTERNATIONAL DE LA CROIX-ROUGE ET SES DEFIS DU 1967-2007

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Abstract

While regarded as one of the best performing humanitarian agencies in the world today, the International Committee of the Red Cross (ICRC) has continued to face various obstacles and challenges in the pursuit of its mandate in the field in both conflict situation and peace time operations. The magnitude of such challenges has provoked calls for reforms in the ICRC in order to make it more functional and effective in the face of the dynamic nature of conflicts and humanitarian operations of the 21st century. This paper therefore examines the challenges facing the ICRC and in particular, in Nigeria from 1967 to 2007. The choice of 1967 as the commencement date stems from the fact that the year marked the beginning of the Nigerian Civil War and the involvement of the ICRC in relief operations in the country, while 2007 marked the end of General Olusegun Obasanjo's term as Nigeria's president, a period marked by tensions in various parts of the country resulting from the restiveness in the Niger/Delta, ethno-regions crisis in the North and communal crisis in the southwest and southeast

Key words: Humanitarian; Challenges; Operations; Relief; Displaced; Supplies

Résumé

Alors ce dernier est considéré comme l'une des agences les plus performantes humanitaire dans le monde d'aujourd'hui, le Comité international de la Croix-Rouge (CICR) a continué de faire face à divers obstacles et les défis dans la poursuite de son mandat dans le domaine à la fois en situation de conflit et les opérations en temps de paix. L'ampleur de ces défis a provoqué des

appels à des réformes dans le CICR en vue de le rendre plus fonctionnel et efficace dans le visage de la nature dynamique des conflits et des opérations humanitaires du 21^{ème} siècle. Ce document examine donc les défis auxquels le CICR et, en particulier, au Nigeria de 1967 à 2007. Le choix de 1967 comme la date de commencement provient du fait que l'année a marqué le début de la guerre civile nigériane et l'implication du CICR dans les opérations de secours dans le pays, tandis que 2007 a marqué la fin du mandat général Olusegun Obasanjo en tant que président du Nigeria, une période marquée par des tensions dans différentes parties du pays résultant de l'énerverment dans la crise du Niger / Delta, ethno-régions dans la crise du Nord et communales dans le sud-ouest et sud-est.

Mots clés: Humanitaire; Défis; Les opérations; Du secours; Déplacées; Fournitures

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INTRODUCTION

Over the years, the International Committee of the Red Cross (ICRC), the first and basic component of the International Red Cross and Red Crescent Society, has been performing an ever-increasing amount of humanitarian work both during armed conflicts and peace time. In the discharge of its mandate derived from the Geneva Conventions, the ICRC has acquired credibility as a result of its neutrality and impartial disposition with the belligerents in conflict situations and the empathy and assistance it extends to victims of conflict. In peace time also it has attempted to assist people to improve

their living conditions and pursued their general well being even though this was not a direct mandate from the Conventions. In carrying out these and related functions in Nigeria, the ICRC has faced numerous challenges. At the same time however, it has also sought to use the credibility and acceptability which it has acquired through this work during war to combat conflict and to promote peace (Sandoz, 1987, p. 288).

To achieve these, the ICRC has been careful about the politicization of its function and role as a humanitarian worker rather than an umpire in conflict situations. Indeed, in the contemporary times it has made more efforts to pursue policies in strict compliance with the Geneva Conventions and the Red Cross principles. Even when some of its procedures required that in the event of the breach of international law especially in a conflict situation, it took drastic actions of denunciations against the erring party, (ICRC, 1981, p. 76-83) the ICRC, out of its experience in Burundi, Haiti, South Africa, Nigeria and other conflict areas from which its status and neutrality received a bashing, has learnt that the organization might imperil its ability to offer assistance if it were to issue a formal denunciation (*New Nigerian*, 1968, p. 12). It also learnt not to participate in controversies or domestic politics of a nation involved in internal conflict, or identify the 'aggressor' in any war situation (Tansley, 1975, p. 35-42). But then these experiences would not in any way debar it from carrying out its traditional responsibilities of protecting human beings in the events of conflict and of relieving their suffering, for "it is through the faithful execution of its traditional mandate that it gains the moral force and credibility without which its appeals in favour of peace would have no weight" (Pictet, 1979, p. 31). While it is true that the universality of the Red Cross Movement, not only in its structures, but also, and above all, in its spirit has helped in fostering peace in the world (Sandoz, 1987, p. 289), the dynamics of international relations has continuously worked against this effort. Indeed, interaction between actors in the international system, both state and non-state actors have encumbered the work of the ICRC and have made conflict and perhaps its escalation inevitable.

From 1967 to 2007, the activities of the ICRC in Nigeria was that of cooperation and collaboration with the Nigerian Red Cross Society, the International Federation of Red Cross and Red Crescent Societies, the Nigerian Armed Forces, Police, Justice and Health Ministries, civil society, etc. It is based on the above that the challenges facing the activities of the ICRC in Nigeria shall be considered.

THE ICRC, ARMED CONFLICTS AND INTERNAL STRIVES

Overtime, the risks which the persons deprived of their

freedom face in the events of armed conflicts and internal strives are universal knowledge, hence state parties to the Geneva Conventions acknowledge the central role of the ICRC in monitoring and ensuring that victims of this situation detained in several places worldwide where other institutions and bodies have no access to are not dehumanized. This peculiar concession is based on the respect for the ICRC's traditional role and approach, and also based on the assurance that it would be apolitical and secretive on sensitive information that might jeopardize the internal security of the detaining authority or its sovereignty. Hence, the ICRC is accorded certain privileges that would enable it work thus. These privileges include the judicial immunity and testimonial privilege (right not to be called as a witness) recognized either by treaty or by legislation. Indeed, a lot of domestic and international tribunals have ruled on the ICRC's judicial immunity and testimonial privileges. The International Criminal Tribunal for the former Yugoslavia (ICTY) distinguished the ICRC from NGOs by citing its international legal mandate and status, including its right to decline to testify, (Hampson, 1998, p. 50-74; Cogan, 2000, p. 404-427). To emphasize this, the rules of procedure and evidence of the newly established International Criminal Court reinforced this position of the more than one hundred states that drafted the document, that the ICRC enjoys testimonial immunity.² However, this position of international law and the ICRC was perceived by many as contradictory since the ICRC itself approved of the creation of the two ad hoc international criminal tribunals, and backed the instauration of an international criminal court as a means of battling impunity (Jeannot, 2001, p. 643). Also as a legal expert, the ICRC took an active part in the drafting of the Statute and the Elements of Crimes of the International Criminal Court (ICC), (Jeannot, 2001, p. 643). Therefore, the refusal of the ICRC to testify before courts is perceived as contributing to the perpetuation of impunity, thus posing an ethical and operational dilemma for the ICRC.

Similarly, the dilemma of state sovereignty hindered the undertaking of this traditional role of the ICRC in protecting prisoners, especially political or civilian prisoners. This situation arose from the fact that though the ICRC tried as much as possible to be nonpolitical and maintain its neutrality, it operated in a world where anything that touched on the relations among state or a government's relations with its own citizens became increasingly politicized. Most especially with civil wars and internal disturbances on the increase, states often perceived the ICRC's involvement in the assistance and protection of civilian victims and political prisoners as meddling in the internal affairs of a sovereign state (ICRC, 1938, p. 1) especially if such assistance emasculated the governments ability to subdue the subversion. This scenario played out during the Nigerian Civil War, when the Federal Military Government of Nigeria accused the

ICRC of bias and undermining its sovereignty, leading to the expulsion of Dr. Lindt, an ICRC official from Nigeria, and the final removal of the ICRC as the coordinator of relief operations in the war. This dilemma derived from two facts namely; that governments viewed enemies in a civil war or disturbances not as foreign foes to be dealt with in line with international law, but as criminals to be punished according to the prescribed domestic laws (Armstrong, 1985, p. 622). And also because there were no conventions to support humanitarian action, involving internal disturbances and tensions, in which the ICRC constantly carried out its activities (Blondel, 1987, p. 307-310). The organisation only based its activity in such situations on the Statutes of the International Red Cross as approved by an International Conference of the Red Cross. The Twenty-Fifth Conference, held in Geneva in October 1986, revised the Statutes of the Movement. Concerning its role, Article 5, which concerns the mandate of the ICRC, states in particular that the role of the ICRC is:³

to endeavour at all times as a neutral institution whose humanitarian work is carried out particularly in time of international and other armed conflicts or internal strife - to ensure the protection of and assistance to military and civilian victims of such events and of their direct results.

Further:

The International Committee may take any humanitarian initiative which comes within its role as a specifically neutral and independent institution and intermediary, and may consider any question requiring examination by such an institution.

The Nigerian Civil War was a case in point for the ICRC. Equally, the case of the Republic of South Africa and Afghanistan is worth considering. While the ICRC's presence continued until the end of 1978 in South Africa, the organization visited (as it did since 1969) persons sentenced under the state security law. However, the less the protection available to the persons it assisted, the more important it considered its intervention. It therefore, requested the Government for regular access to all persons detained under the state of emergency, and undertook negotiations for permission to visit persons sentenced for public violence in connection with the internal disturbances. But the Apartheid government of South Africa considered this move of the ICRC as meddling in its internal affairs and did not allow the organization access to all the victims of the unrest in South Africa (Blondel, 1987, p. 307-308). On the other hand, in Afghanistan, with the exception of two brief missions carried out in 1980 and 1982, the organization was denied complete access to the entire country for a long time until 1987 (Blondel, 1987, p. 307-308).

These situations mentioned earlier were heightened because while the visits to prisoners-of-war and civilian internees were based on the Third and Fourth Conventions, especially Article 3, the political and civilian internees in connection with internal disturbances and tensions fall outside the scope of these Conventions and

of their Additional Protocols adopted in 1977 (Blondel, 1987, p. 310).

A peculiar challenge of the ICRC in Nigeria, apart from the legal and political discussed above was the issue of distance and accessibility. This, a technical challenge indeed, almost hampered the efforts of the ICRC in reaching the hinterlands of Nigeria during the civil war. In order to reach starving civilian victims of the war and even prisoners, the ICRC personnel in some cases covered rough stretches of terrain on foot. The situation was more critical especially in the Biafran enclave, in which topography and landscape posed a serious challenge for accessibility and contacts with people who needed the relief supplies and assistance. In particular, people of the riverine areas who lived in the creeks and marshy areas of the Eastern Region (Biafra) during the period of the war such as Calabar, and Port Harcourt. These were the worst affected hence the incessant humanitarian crisis witnessed in those places before and after their capture by the Federal side. Apart from the blockade placed by the FMG of Nigeria as a war strategy against the Biafrans, getting access to the enclave was the most dangerous adventure that the ICRC undertook in the course of the humanitarian operations in the region. Although this challenge was faced headlong by the establishment of stores and warehouses near strategic locations especially in the Biafran area, such as Enugu, Port Harcourt, Calabar, etc, where several tons of relief materials and provision were stockpiled to reduce the distance and time of response to emergencies nonetheless, the difficulties created by the terrain, sheer distance, and communications gaps markedly reduced the operational effectiveness, and the effects of these couldn't be underestimated in the deaths of some civilian victims of the war.

This particular challenge of distance over the years proved to be universal in the operational experiences of the ICRC. Indeed, ICRC relief activities in Angola, Ethiopia, and southern Sudan and especially towards the end of 1970s along the borders of Thailand and Kampuchea proved too difficult; hence the establishments of a vast network of complex transport systems (Blondel, 1987, p. 308). In the case of Nigeria, apart from the difficulty posed by the blockade that led to the establishment of 'mercy corridors', the natural topography of the area could be said to be the reason for the contemplation and actual practice of air dropping of the relief material in the Biafran enclave.

Similar to the problem of distance and accessibility was the lack of resource which faced the ICRC in its operation in the Nigerian Civil War. This was peculiar to ICRC relief operations in Africa and the Middle East (Blondel, 1987, p. 308). The ICRC received its funding from donor bodies and the contributions of states signatory to the Geneva Conventions. By implications, the organisation had no money of its own but relied heavily on the goodwill of donor bodies, as well as their

preferences. At the earlier stage of the Nigerian conflict, the international donor agencies and governments who were the major financiers of relief efforts, under the sway of emotion and bolstered by public opinion, offered appreciable financial and material aid during the first phase of the relief operation. However, the recurrence of emergency crisis and shortage of relief supplies in territories under the Biafran authorities and in the liberated areas, coupled with the politicization of the relief operations, tended to wane international interest in the operations. This was demonstrated by the exacerbated humanitarian crisis witnessed in Nigeria following the diminishing support especially in the period following the removal of the ICRC as the coordinator of relief operations in the country. This situation reinforced the view that it is easier to launch an operation than to maintain it once financial support diminishes.

The world over, relief operations require personnel and materials. As earlier stated, the ICRC receives its funding from donor bodies and the contributions of states signatory to the Geneva Conventions. During the Nigerian Civil War, there was the politicization of relief materials along religious lines especially with the involvement of religious bodies, for most relief agencies were either Christian in association or the secular heirs of Western Christian tradition. These included, the World Council of Churches, *CARITAS Internationalis*, Catholic Relief Services, Quaker Service-Nigeria, Christian Council of Nigeria, the Catholic Secretariat of Nigeria most of which operated under Joint Church Aid (JCA). Some of the problems that the ICRC ran into during its period of coordination of the relief operations in the civil war were caused by mainly the activities of the religious bodies seen by the Nigerian government as conniving with the secessionist Biafra and aiding their resistance to the onslaught of the Federal side. It could be inferred that the JCA, had somewhat informal understandings with the Biafran leadership alone, which of course encouraged its constant violation of the sovereignty of the Nigerian state and the stricter interpretations of international laws which protects state sovereignty (Davis, 1972, p. 490).

Further, the human factor cannot be taken away in considering the challenges of the ICRC in their involvement in Nigeria. Saner has carried out a detailed study on the role of stress as a challenge to the work of the ICRC. In particular, he observed, using Cooper and Davidson's model of occupational stress that identifies four categories of stressor variables, namely, those grouped under work arena, home arena, social arena, and individual arena, (Saner, 1990, p. 759) a whole lot of effects, psychological, emotional and physical on the personnel of the ICRC working in the field. These effects on the personnel of the ICRC in the field result from factors which include; the nature of the job, unpredictability of emergency situations, work ambiguity, insufficient social support within the delegation, role

conflict, career impasse, flight-flight impasse, socio-cultural and environmental influences amongst others. A typical example of the flight-flight impasse which Saner identified was the conflict which the ICRC officials especially Dr. Lindt had with the Nigerian government leading to his resignation, expulsion from Nigeria and the final removal of the ICRC as the general coordinator of relief during the Nigerian Civil War. This factor had to do with the realities which ICRC personnel were faced with in the course of their work. These included the true conditions of victims of the conflict, especially the wounded civilians; mothers who saw their malnourished children died on them; the rape victims and even the forceful recruitment of underage children and the bombing of hospitals and school; condition of the prisoners who were faced with ill-treatment and sometimes tortured and who disclosed their pain and misgivings to the delegates. Consequently, the delegates inadvertently empathized with these victims and felt some of the sufferings inflicted on these casualties. But who (the delegates) for the sake of confidentiality couldn't openly challenge the situation without risking expulsion from either the Nigerian or Biafran detaining authority. Indeed, they could only use restrained approaches such as diplomacy, negotiation, and persuasion, as a way of intervening. The ICRC delegate, in particular DrLindt was caught in this dilemma. This was because he could not fight the authorities of the FMG of Nigeria for the numerous violations especially during the period of the blockade nor take a flight but experienced a sense of powerlessness and anger. More so, he turned into what Saner described as a "tertiary victim, especially when a prolonged sense of powerlessness leads to feelings of impotence and hopelessness," (1990, p. 760). Similarly other humanitarian actors in the ICRC's camp were not left out of this dilemma. For example, a young doctor of the Red Cross, Bernard Kouchner, ignored the neutrality mantra at the height of the perceived violation. For him and many others, the actions of the Nigerian government especially the Biafran blockade and its refusal for humanitarian organizations and NGOs to deliver food to the secessionists, represented a Muslim plot to finish the pogroms of 1966 and eliminate a Christian people (Pérouse de Montclos, 2009, p. 72). However, these actions violated the internal rules of the ICRC which had the greatest difficulties in being allowed to operate within the Biafran enclave (Pérouse de Montclos, 2009, p. 71).

Equally, the unpredictability of emergency situation made full-scale planning and control impossible in the humanitarian crisis in the Nigerian Civil war. In this case, there was no time or the incentive for proactive planning as a way of anticipating measures needed to be undertaken during the crisis. The consequence was that the ICRC delegates were forced to deal with an unplanned and an uneven work flow. Consequently, they were overstressed during emergencies and under-stressed during times of stand-by. The different situations of exacerbated

humanitarian crises witnessed during the Nigerian Civil War both in areas held by the Biafrans and the liberated territories could be traced to this fact.

The risky nature of the operations and the difficult working conditions of the ICRC workers on the field left them at risk of fatal accidents in the Nigerian conflicts. The shooting down of a well-marked Red Cross plane during the night relief operations into the Biafran enclave by the FMG of Nigeria as well as the death of ICRC pilots and personnel in the field corroborate the risky nature of the organization's operations. Indeed, the ICRC stopped its flights after this hostile challenge, whereas the JCA flights kept going under even more severe conditions (Davis, 1972, p. 490). On the physical effects, stress symptoms such as "gastrointestinal problems (non-related to tropical diseases), heart attacks, skin rashes, alcoholism, and depression-related insomnia, anxiety, fatigue, sexual dysfunctions, and loss of appetite or overeating" had characterized the health situations of the ICRC personnel (Saner, 1990, p. 759).

Sometimes it is believed that the ignorance of the members of the combatants impeded the work of the ICRC. The exigency of the Nigerian Civil War corroborated this fact. During and after the war, there were avalanche of complaints of sexual harassments and rapes of the female civilian population by the soldiers especially of the Federal troop. In Owerri, for example, many girls were sexually harassed and raped by some members of the Federal troops while others, under threats of exterminating their families, were carried away and forced into becoming the wives of the soldiers, most times, the senior officers of the Nigerian army (Nwoko, 2010, p. 34-46). It was in this way that most girls were forced into marriage to these soldiers of northern and western Nigerian extractions.⁴ While this practice was very common in war situations, it could only be attributed to ignorance of the soldiers on the provision of international law with regards to the rights and treatments of civilian population. Hence the efforts by the ICRC in the post-civil war period to enlighten and educate the Nigerian Armed Forces on international humanitarian laws as well as the attempt at introducing international humanitarian law into law curriculum at Nigerian universities (NUC/AP/81, 1998). In this regard, the ICRC commenced a yearly training of officers drawn not only from the Nigerian army but also from other African countries. In this forum, the ICRC promotes compliance with international humanitarian law (Meierhans, 2008, p. 14).

One heavy criticism of the ICRC by scholars and observers which passed as a challenge was its mandate and style with regards to the overall philosophy and orientation guiding the ICRC. It was observed that the ICRC was too amateurish in its policymaking. Hence it is said "to drift with a tradition that seeks only minimum protection of rights, only indirectly, and only by discrete

actions which give great deference to governments," (Forsythe, 1990, p. 279). It was this trait of aristocratic amateurism which led to unnecessary caution experienced in World War 11 and the excessive assertiveness demonstrated in the activities of the ICRC during the Nigerian Civil War (Forsythe, 1990, p. 279). According to this argument, the key factor was the absence of professionalism and expertise in policymaking.

Further, the composition of the ICRC also proved a dilemma for the organization. It was believed that its composition reduced its wisdom and influence (Forsythe, 1990, p. 284). In the Nigerian context especially during the civil war, it created room for the suspicion of its activities as acting out the scripts and working as agent of the West (*New Nigerian*, 1968, p. 1, *New Nigerian*, 1966, p. 12). The all-Swiss national composition of the organization led to its perception by the Nigerian Government as well as some sections of the country as pro-western and thus pro-Christianity since most of the western countries evolved from Christian traditions.

In the 21st century, the emerging operational risks for humanitarian organization especially in the developing countries have not only been situations of civil wars but internal violence and disturbances, caused by opposition to government, struggle for land rights, access to natural resources, resistance against ethnic or indigenous oppression (Krähenbühl, 2005), etc. The most frequent however, remained the long running battles between states and rebellious element and the will of states to stamp its authority most times ruthlessly, on the perceived recalcitrant elements. Most times, repressive policies and actions of government provoked their populations into mounting protest marches and agitations which most times get out of hand resulting in the unleashing of the instrument of state coercion to quell such perceived lawlessness. The Arab uprising and other protests in Uganda, the Gambia, etc, are clear example in modern times. However, the aftermath of these was the catalogues of destruction of lives and properties. At the tick and centre of these fire lines have always been humanitarian organizations such as the ICRC and its personnel. In Nigeria for instance, the nascent democratic culture came with its sacrifices, in terms of loss of lives and properties occasioned by myriad of social injustice, perceived marginalization and calls for resource control, election malpractices, etc. The employment of brute force by the Obasanjo administration against its own citizens in several communities in 2003, especially in Odi, Zakibiam, and several attacks and reprisals in the Niger-Delta region of the country were some of the high points of such state sponsored attacks and attempts at crushing insurrections. Others included social violence caused by ethno-religious intolerance and insensitivity, such as the 2001 Kano religious riot caused by the Miss World Pageant, the Kaduna communal crisis, the Ife/Modakeke crisis, and so on. In all of these crises, the ICRC, in

conjunction with the Nigerian Red Cross always found its personnel on ground to attend to its responsibilities. Accompanying these remained the concern about the security of its personnel which is a crucial responsibility (Krähenbühl, 2004, p. 506). This was because working in these kinds of situations implied a significant level of risk for the personnel. This 'classic' security environment which Krähenbühl described as "One where the main risk is that of finding oneself in the wrong place at the wrong time" (2004, p. 507) remained to a large extent the most widespread security risk in the Nigerian conflict environment, both during the civil war and in the different post civil war conflicts in the different parts of the country.

From the ICRC's perspective, the challenges of ensuring the safety of its personnel and of beneficiaries remained the most crucial priority and responsibility it had to face during this period as a result of what it perceived as an apparent association of the ICRC's presence with the broader international political and military activities taking place in some of the Middle Eastern countries of Iraq, Afghanistan and other Muslim countries. Equally significant was its association with the West, especially because of issues relating to its emblem, the location of its headquarters and its funding. This was the case in Nigeria especially at the heat of the Nigerian Civil War and in contemporary times as well. This generated hatred against the West and offshoots of Christian traditions, including the ICRC, especially in Muslim environments. The result of this has been the deliberate targeting of the ICRC personnel in religious crisis and internal violence. For instance, the ICRC lost several staff members in deliberate attacks in Burundi and Chechnya in 1996 and in the east of the Democratic Republic of Congo in 2001 (Krähenbühl, 2004, p. 507) as well as other organizations with the same historical pedigree.

To buttress this view,

.... In 2003 the ICRC was the victim of a series of deliberate attacks that claimed the lives of four of its colleagues in Afghanistan and Iraq. A fifth colleague was caught in crossfire and killed in Baghdad. Several other organizations, including the Afghan Red Crescent Society, the UN family and NGOs, suffered similar tragic losses.

Two of these three deliberate attacks, namely those north of Kandahar in March 2003 and south of Baghdad in July 2003, seem to have been the result of an apparent association of the ICRC's presence with the broader international political.... The same could apply to the October 2003 car-bomb attack on the ICRC offices in Baghdad (Krähenbühl, 2004, p. 507).

To overcome this security challenge in any given situation of internal disturbances, the ICRC adopted a context based approach whereby its delegation in the field would evaluate its security environment on the basis of a series of indicators, including the acceptability of the ICRC and its activities, but the challenge still remained the fear that groups or individuals outside the local context or loosely connected with it might nevertheless target the ICRC's staff there (Krähenbühl, 2004, p. 507).

Further, the ICRC mandate compels impartiality and neutrality on it in crisis situations, however, this characteristics of the organization made its work the more complex in communal and ethno-religious conflict ambience. This results from the polarized environment where there is always a high degree of expectation that any player as a matter of fact must be partisan in the conflict. This normally puts pressure on the ICRC and its personnel in the field and makes its work too Herculean to discharge. This situation has two fundamental implications; the risk of rejection, and the risk of being instrumentalized (Krähenbühl, 2004, p. 508). The politics of relief in the Nigerian Civil War, clearly depicted this complexity; the reason for Dr. Lindt expulsion from Nigeria and the subsequent removal of the ICRC as the coordinator of the relief in 1969, was based on the perception by the Federal Military Government of Nigeria of the organization as friendly and sympathetic to the secessionist regime and its population in Biafra. While on the other hand, even before the eventual removal of the organization from the coordination of relief, the Biafran authorities decried what it perceived as the organization's tilt towards the FMG, hence the Biafran authorities were bent on not allowing supplies that had been inspected in Lagos for fear that it would have been poisoned (Adegbite, Unpublished, p. 26), probably with the acquiescence of the humanitarian organizations. Though these views and perceptions represented sheer propaganda, they nonetheless demonstrated the precarious position of the ICRC in this nature of conflict.

This situation was worsened by the number of humanitarian actors who provided responses to the humanitarian needs during the Nigerian Civil War. These included international and local humanitarian agencies, governmental or non-governmental, and, some missionary and military units. The terms of the ICRC's mandate presupposed a humanitarian action that was neutral and independent. Consequently, by maintaining its impartiality and neutrality in a conflict, the organization improved the chances of bringing protection and assistance to those in need. It was a real challenge to ensure that this identity was at all times demonstrated by the ICRC and clearly perceived to have been demonstrated and respected by all concerned. However, this was jeopardized by the activities of some other humanitarian actors who by their very actions gave the notion that the entire humanitarian role of the humanitarian actors was pro-Biafra. This exposed the ICRC to many controversies especially the charge against it by the FMG of Nigeria of violating its mandate, financing as well as using its diplomatic bag to smuggle in weapons into the Biafran enclave. Though this allegation was not substantiated, the Nigerian government had its grounds for the allegation. In particular, the activities of some Red Cross personnel, the church organizations and some other agencies with Christian backgrounds painted a picture of conflict between a 'big'

Muslim Nigeria and a 'small' Christian Biafra that needed sympathy and solidarity from the western Christian nations. Hence while most of them in defiance of the Nigerian sovereignty violated the country's airspace, others played the additional roles of propagandists' agents for the secessionist Biafra. Little wonder the Federal Military Government of Nigeria stopped all humanitarian activities except for those authorized and coordinated by the National Rehabilitation Commission.

As the custodian of the Geneva Conventions, most of the challenges that confronted the ICRC in the aftermath of the civil war in Nigeria up to 2007 were mainly the challenges arising from the implementation of the provisions of the Geneva Conventions in particular, the challenges of international law. In all areas of its mandate, the ICRC has encountered since its birth problems of implementation, compliance, support and general distrust even by the signatories of the Conventions from whose instance the ICRC derives its mandate.

Further, the challenges involved with the use of the Red Cross emblem created a number of problems for the ICRC and the Red Cross Movement, not only among the Nigerian Muslim communities, but also around the world where religious interpretations were attached to the emblems (*The Humanitarian*, 2006, p. 3). This situation was worsened in areas with equal proportion of both Christians and Muslims. One of the prerequisite for investiture of a National Society was its adoption of one of the emblems. Usually, the emblems were the Red Cross on white background, the Red Crescent on a white background and the Red Lion and Sun all of which were adopted in the 1929 diplomatic conference as the protective emblems designated for use in conflict situations. The adoption of the original Red Cross on white background in 1894 had no religious connotations, but a show of regard for Henry Dunant and his four Swiss compatriots who played significant roles in the birth of the Red Cross Movement in the aftermath of the First Diplomatic Conference (*The Humanitarian*, 2006, p. 3). The Red Cross on white Background simply represented the reversal of the Swiss national flag. However, prior to the Russia/ Turkey War of 1877, the Ottomans became sensitive to the Red Cross emblem which they attached religious connotation to, insisting on the use of the Red Crescent on white background in place of the Red Cross, while the Persians on the other hand adopted the Red Lion and Sun. The use of any of the emblems was spelt out in the Geneva Conventions with reference to the individual contexts. In Nigerian for example, the Nigerian Government ratified the use of the Red Cross on white as its emblem as well as the adoption of the name of the National Society. All were enshrined in the Nigerian Red Cross Society Act of 1960 (*The Humanitarian*, 2006, p. 3). This challenge some how was addressed in December 2005 when an additional emblem, the Red Crystal was created in what was known as the 3rd protocol. This was to

ensure a neutral emblem. It was also to ensure the safety and protection of the Red Cross personnel in the field where the acceptance and perception of the other emblem posed a security risk.

CONCLUSION

The role and activities of the International Committee of the Red Cross have impacted the lives of a very significant proportion of the world's population and therefore are so crucial to human security and development and consequently, the developments of states. The appreciation of this role is underscored by the special attention and recognition accorded this organization by state actors as well as under international law. While its mandate is visible mainly in periods of conflict, the organization also strived in peace times to ensure the strict respect for international humanitarian law and human rights principles. This it did by collaborating and supporting national societies' development by strengthening in peacetime as well as in situations of armed violence, the capacity of national societies to accomplish their own mission and embark on specific activities aimed at preventing and alleviating human suffering caused by armed conflict or internal strife (ICRC 2003, p. 368). The broader purpose is to reinforce the activities of the Movement as a whole and achieve greater coherence in the conflict-related humanitarian tasks of its various components. Overtimes the ICRC encountered challenges and difficulties in discharging its role partially caused by state and non-state actors as well as self inflicted difficulties as discussed in the paper.

From the discussions above, the collaborative humanitarian operations between the ICRC and other humanitarian organizations, especially the faith-based has increasingly become a focal point in modern international humanitarianism. This derives from the problems which this created overtimes in different humanitarian operations. The Nigerian example was perhaps the beginning of the build up of the issue of non-neutrality of the ICRC in sub Saharan Africa. This was because the experience created the room for the division of the humanitarians into "they and us," and for the faith based organizations, the civil war appeared to be one between Christians and the Muslims. Thus, the Joint Church Aid which had somewhat informal understandings with the Biafran leadership alone, since it operated on that side of the war line, constantly violated the sovereignty of the Nigerian state especially by engaging in unauthorized night flights (Davis, 1972, p. 490), and other subversive activities which were believed to have strengthened the resistance, e.g., smuggling of weapons into the enclave. Supporting this position, Pérouse de Montclos maintained that planes that supplied Biafra from São Tomé carried both food and weapons (Pérouse de Montclos, 2009, p. 72). This collaboration and joint activities between the

ICRC and these religious organizations therefore painted the ICRC as collaborative and abating of these serious acts of violation of humanitarian mandates. This was of great implications; first it not only raised some doubts about the neutrality of the ICRC in the Nigerian conflict, but also opened a new wave of debate on the politicization of humanitarian operation along religious lines especially with the involvement of religious bodies. However, as the sole coordinator of relief during the conflict, while not accepting the charge of smuggling in weapons to the Biafran side, ICRC has some levels of responsibility. This is because ICRC was not ignorant of the subversive actions of the faith based organization and yet did not take measures to stop it. To this extent therefore, it has some levels of responsibility for the bungled operation in the Nigerian Civil War. The questions that arise from the study therefore are; first, should ICRC alone bear the responsibilities of deficiencies in international relief operations especially if relief agencies and governments are involved, and second, what policy formulations should be put in place to checkmate the excesses of the faith based relief organization in future humanitarian operation.

On a general note, while the ICRC is widely regarded as one of the best performing humanitarian agencies, its major challenge in contemporary period apart from dealing with challenges arising from the peculiarities of the different fields in which it operates, is how best to cooperate with the reforms of the international humanitarian system, which places an emphasis on United Nation's leadership and co-ordination, while still retaining its impartiality, neutrality and independence. In particular, the need to maintain its confidentiality presents challenge in reporting on impact to the UN and donors ((ICRC, 2007, p. 1). This greatest challenge therefore, derives from the fact that while the UN is reforming itself to meet the challenges of the contemporary times, the International Committee of the Red Cross has an obligation to flow with the tide.

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