

CHAPTER VII

PEACE, RECONCILIATION, DEMOCRACY AND SUSTAINABLE DEVELOPMENT IN POST-CONFLICT NICARAGUA: 1990 TO THE PRESENT

Peace building and conflict resolution in Nicaragua was a very complex and complicated process involving many components. Post conflict scenarios range from continued low intensity conflicts to a fragile peace, which could blow into a full-fledged conflict any time. Once the hostilities have abated, arms are laid down, the refugees and the returnees have returned home the process of reintegration and recovery has to be initiated as fast as possible. These programmes have to be undertaken in with full respect to human rights and public safety and security. This process involves supervision of the electoral process by the international community, demobilization, disarmament of the armed groups and their subsequent reintegration into the national mainstream. Peace building involves the rehabilitation of the refugees, internally displaced persons and the returnees and their reintegration into the national economic, social and civic life. This needs the bridging of the gap between the emergency humanitarian relief and sustainable development in these war torn nations. The transition from relief to rehabilitation and reconstruction to sustainable development has to be built.

Peace building is a wholly integrated approach not only involving the military and police forces but also including humanitarian and development assistance within the political framework of the nation states. Peace building involves political resolution of the conflict, peacekeeping, civil and police administration, alleviating the problems of refugees, internally and externally displaced persons and returnees. Any economic rehabilitation and reconstruction of the war torn economies and societies should be sustainable in the long run.

The unfinished agendas of political and human rights must be completed. Peace and reconstruction must address pivotal questions and issues relating to poverty, social inequality, population pressures environmental stability. The nation states and the international community should expressly address crucial issues such as local development,

decentralization, transparency and good governance and institution building. Any efforts towards peace, democracy and sustainable development must address the most vulnerable members of the civil society. Peace can be established if nations and governments work for the rights of women, children and the indigenous people.

This Chapter is an attempt to examine the process of peace and reconciliation, democratization of the polity, the supervision of the elections in February 1990 by the United Nations Observer Mission to Verify the Elections in Nicaragua (ONUVEN) and the demobilization and the disarmament of the forces of the Nicaraguan Resistance by the United Nations, the United Nations Observer Force to Central America (ONUCA), the de-mining operations that Nicaragua undertook with international assistance, the United Nations High Commissioner for Refugees and the United Nations Development Program which sponsored the Program for the Displaced Persons, Refugees and the Returnees in Central America (PRODERE) under the broad framework of International Conference on Central American Refugees (CIREFCA) process. The natural disasters such as Hurricane Joan in 1988, and Hurricane Mitch in 1998 which compounded the problems faced by the war torn economy and the response of the international community in rendering emergency humanitarian assistance, and developing legal frameworks to deal with such emergencies, to the beleaguered population of Nicaragua is discussed in this chapter.

Peace Building And Democracy.

Peace building and conflict resolution required many components, one of which is the political will, and resolve of the nation states to end the conflicts in their countries. Peace can be achieved through a political settlement of the conflict through dialogue, pacific Settlement of disputes and negotiation, which is more often a long-drawn process. To bring about a peaceful settlement of the Nicaraguan murderous counterrevolutionary war to a logical end required the regional initiative from the Latin American and the Central American countries. The Contadora Group of countries first initiated

the regional political process during the years 1983-1986. This plan sought to defuse the conflicts in El Salvador and Nicaragua and prevent an escalation of the conflict, which was still in a nascent stage in Guatemala. This Contadora Peace Plan was based on the principles of non-intervention, and de-escalation of the conflicts by banning foreign advisers and removal of foreign bases in the territories of the Central American nations. This plan also called for the reductions in the military and defense expenditures and the acquisition of defense materials.¹

Due to the intransigence of the United States and the non-cooperation of the nations like El Salvador and Honduras, whose governments were under the influence of the United States and shared a dependency relationship with the superpower, this Peace Plan floundered before collapsing in January 1987.² In February 1987 the Costa Rican President Oscar Arias Sanchez proposed the Arias Peace Plan that largely was the basis of the Esquipulas II Peace Agreements of 7 August 1987. This Esquipulas II was initiated by the five Central American nations in form of collective action, which created the framework for conflict resolution. This framework was based on the common interest that the bullying by the United States and its attempts of the derailment of the peace process in Central America, which was very much evident during the Contadora peace, Process had to stop. Also there was the desire of the Central American leadership to end the political isolation of Nicaragua. The nations of Honduras and El Salvador saw the changes in leadership in 1986. The nations were themselves getting tired of the civil conflicts in their nations and the burden of thousands of people internally displaced or refugees and the loss of lives and property during these civil conflicts made this transformation possible.

¹ *Contadora Act On Peace And Co-Operation In Central America*, 7 September 1984, Annex to the Report of the Secretary - General of the United Nations of 9 October 1984 A/39/562S/16775.

² See Kenneth Roberts, *Bullying And Bargaining .The United States And Nicaragua And Conflict Resolution In Central America*, International Security (Centre for Science and International Affairs, The MIT Press, Harvard), Volume 15, No 2, Fall 1990, Pp. 67-102.

For President Oscar Arias of Costa Rica the involvement of the United States and the external powers was more a hindrance to peace. It was time for the Central American leaders and the people to take matters into their own hands. Initiation of the search for peace and stability in the region began in May 1987 when the five Central American presidents met in Esquipulas to undertake a dialogue for peace. On 7 August 1987 the Central American presidents in a summit meeting in Esquipulas, Guatemala signed the Esquipulas II Peace Accords, termed as the "Procedure to Establish a Firm and Lasting Peace in Central America".³ This agreement focused on initiation of the process of national reconciliation through dialogue with the internal unarmed opposition and former combatants, seeking amnesty to the contra forces. Setting up of national reconciliation missions in their own countries to oversee the cease-fire, democratization and free elections by ensuring participation and full freedom of expression and assembly to all the political parties also formed part of the process.

It also sought international relief and rehabilitation of the refugees and the displaced persons. International community was also requested to provide the necessary assistance for the purposes of democracy, peace and development assistance. This agreement also set up the International Verification Commissions made up of the Secretaries General of the United Nations and the Organization of the American States.⁴ United States, however not being a party to the Esquipulas II Accords, refused to comply with the provisions and continued to aid the contras until February 1990, all the while keeping the contras as a fighting force and as a bargaining chip for any future negotiations with the Sandinista Government.

A second meeting of the Central American Presidents met in San Jose, Costa Rica on 15-16 January 1988, which committed them towards the

³ *Procedure For Establishing Firm And Lasting Peace In Central America*, Signed by the Five Central American Governments, Guatemala City, 7 August 1987

⁴ *ibid.*

implementation of the Peace Plan.⁵ The most significant development of the Esquipulas II was that it placed the Central American nations independent and in opposition to the United States interventionist policies in the region. Nicaragua in compliance the Esquipulas II promptly established the National Reconciliation Commission headed by its bitter critic, Cardinal Miguel Obando y Bravo. Cardinal Bravo worked with the then Secretary General of the Organization of American States Joao Clemente Baena Soares to bring about a cease-fire between the Nicaraguan government and the Nicaraguan Resistance. The two parties signed a pact to that extent, the Peace of Sapoa, on 23 March 1988.⁶ This was the only cease-fire accord reached between a guerrilla movement and a Central America government.

On one side the peace process was on and the Sandinista government on 10 July 1988 arrested 38 critics of the regime who had taken part in an anti-government rally at Nandaime.⁷ The Sandinista government closed down the opposition newspaper La Prensa and shut down Radio Catolica and confiscated the private owned San Antonio Sugar Mill while the sporadic attacks from the Contras continued unabated.⁸ A Central American Summit meeting held on 13-14 February 1989 in Costa del Sol in El Salvador. In these meetings Nicaraguan President Daniel Ortega agreed to hold elections to the Presidential and the municipal elections no later than 25 February 1990. It was then agreed to meet again within ninety days to work out a demobilization and repatriation plan for the members of the various factions of the Nicaraguan Resistance and their families' base in Costa Rica and Honduras under the supervision of the United Nations.⁹

⁵ *Joint Declaration By The Presidents Of Central America*, San Jose, Costa Rica, 16 January 1988

⁶ *Agreement Between The Nicaragua Democratic Resistance And The Government Of Nicaragua*, Sapoa, Nicaragua, 23 March 1989.

⁷ Dario Moreno, *Peace And The Nicaraguan Revolution*, Current History, Volume 87, No 523, December 1988, p. 405.

⁸ *Id.*,

⁹ *Joint Declaration Of The Central American Presidents*, Adopted in Costa del Sol, El Salvador, 14 February 1989.

With President George Bush taking office on 20 January 1989 heralded a new change in policy stance. On 7 August 1989 in the Tela, Honduras meeting the agreements signed by the presidents of Central America provided for the process of demobilization of the contra camps in Honduras and Costa Rica and their disarmament under the supervision of the International Commission for Support and Verification.¹⁰ In another meeting in San Jose, Costa Rica on 10-11 December 1989 the Central American states requested the United Nations to send an Observer Team to participate and oversee the dismantling of the contra camps and supervise the demobilization and the disarmament of the contra forces.¹¹

In Nicaragua the Sandinista Government constituted the Supreme Electoral Council with representatives from all parties across the political spectrum. Nicaragua invited the United Nations Observer Mission for the Verification of Elections in Nicaragua. The Council of Freely Elected Heads of State, which was headed by the former President Jimmy Carter with its headquarters in Atlanta, Georgia, established a small office in Managua. The Council put it that Daniel Ortega had no choice as "complex balancing act under the pressure of his Central American neighbours and with declining support from his Soviet benefactors, Ortega opened up the political system and eventually agreed to an unrestricted electoral process".¹² Prior to the elections on 7 February 1990 the Nicaraguan National Assembly approved amnesty in a 76-4 vote and on 9 February 1990 the Sandinista government freed 1,151 former contra rebels and 39 members of the National Guard who were accused of serious human rights violations. They were released from the Casa Modelo prison in Tipitapa, north of Nicaragua.¹³ A decade of bloodshed costing over 30,000 lives was radically altered with a single day of

¹⁰ *Bilateral Accord Between Nicaragua And Honduras*, Tela, Honduras, 7 August 1989.

¹¹ New York Times, 12 December 1989, p. A1.

¹² The Council of Freely Elected heads of Government. *Observing Nicaragua's Elections - 1989-1990. The Carter Centre Of Emory University, Special Report, No 1*, (Atlanta, Ga, The Carter Center, 1990), Pp. 13-15.

¹³ Facts on File, Volume 50, No 2570, 23 February 1990, p 131

voting on 25 February 1990 that finally succeeded in halting the fratricidal slaughter and the internecine conflict in Nicaragua.

The war weary population also fearful of renewed contra war by the United States opted for peace and reconciliation by ousting the Sandinista government and voted in the United Nicaraguan Opposition (UNO) led Violeta Chamorro administration.¹⁴ On 26 February Daniel Ortega, the President of Nicaragua said in his concession speech "Sandinistas would respect and obey the popular mandate, that they had stayed in the forefront of the defense of the interests of the people, in the forefront of the homeland, the national dignity, sovereignty, at the forefront of the struggle for Nicaraguan self-determination and that of the struggle for peace and elections with the conviction that the battle in this electoral field must be decided once and for all to end the war, a little peace, stability and tranquility for the Nicaraguan people".¹⁵ Former President Ronald Reagan stated that the Nicaraguan people had chosen "democracy and hope over totalitarianism and despair".¹⁶

On 13 March 1990 President George Bush lifted all economic sanctions against Nicaragua and requested Congress an emergency aid package of \$300 million. The Department of State stated that \$45 million of aid would be used for the resettlement of thousands of contra rebels and their families, \$234 million would be used for overdue payments to the World Bank and the Inter-American Development Bank.¹⁷ Also in their defeat lay the hope that the United States would assist in the economic recovery of Nicaragua.¹⁸ Post elections on 27 February 1990 General Humberto Ortega and Antonio Lacayo headed their respective transition teams met at the Emory University's Carter Center in Managua. Issues that were discussed on the agenda were the demobilization of the contras, integrity of the Sandinista

¹⁴ Jennifer L. McCoy, *Nicaragua In Transition*, Current History, Volume 90, No 554, March 1991, p.117.

¹⁵ Facts on File, Volume 50, No 2571, 2 March 1990, p. 133.

¹⁶ *Id.*,

¹⁷ Facts on File, Volume 50, No 2573, 16 March 1990, p.174.

¹⁸ Foreign Broadcast Information Service Latin America Daily Report, July 11, 1990, Pp. 28-30

armed forces and implementing of land reforms and property rights.¹⁹ On 27 March 1990 the representatives of the President - Elect Violeta Chamorro and the Nicaraguan Resistance met and signed an agreement where the Contras would begin demobilization and disarmament in Honduras no later than April 25.²⁰ On 18 April 1990 three accords were signed which provided for five security zones inside Nicaragua from where the Sandinista troops would withdraw and the Contra forces would move in, the demobilization and the disarmament process was to begin on 25 April 1990 and the complete demobilization of all the contras would be completed by 10 June 1990.²¹ On 27 March the two transition teams announced an agreement, a seven page "Protocol of Procedure for the Transfer of Executive Power of the Republic of Nicaragua".²²

Smooth transfer of power from the Sandinista government to the UNO led President Violeta Chamorro took place on 25 April 1990 at the national Stadium, amidst several heads of state and government. Both the FSLN and the UNO supporters called for the process of reconciliation. President Violeta Chamorro named General Humberto Ortega as the Chief of the Armed Forces and charges him with the task of reduction of the armed forces and the recovery of the weapons in the hands of the civilians.²³ By September 1990 the military strength was reduced from 96,000 to 35,000. This included the elimination of approximately 50,000 militia and 10,000 regular troops.²⁴ Even after the transfer of power the Sandinistas continued to hold strong influence through its grassroots organizations, its labor unions and its organized mobs of street supporters.²⁵ On the political front President Violeta Chamorro had the international credibility, legitimacy and the democratic

¹⁹ Jennifer L. McCoy, *Nicaragua In Transition*, *Supra* Note 14, p.118.

²⁰ *Id.*,

²¹ *Id.*,

²² Mark A. Uhlig, *Nicaragua's Permanent Crisis: Ruling From Above And Below*, Volume XXXIII, No 5, September-October 1991, p.407

²³ Jennifer L. McCoy, *Supra* Note 14, p. 118

²⁴ *ibid.* p.120

²⁵ Mark Uhlig, *Nicaragua's Permanent Crisis*, *Supra* Note 22,

mandate to lead the country from chaos to order and economic recovery, rehabilitation and development.

Yet the nomination of General Humberto Ortega as the Chief of Armed Forces created friction within the new administration as well as a lot of heart burning for the United States. The promised United States aid of \$300 million which it had promised to the new administration was never materialized and Nicaragua slipped into obscurity and the nation of least significance in the foreign policy concerns of the United States, not even as a matter of passing interest. For this aid the Violeta Chamorro had even withdrawn the \$17 billion claim of damages that the International Court of Justice had awarded to Nicaragua in its landmark judgment on 27 June 1986, in the lawsuit that Nicaragua had brought before the World Court in 1984.²⁶ The Judgment could not be enforced as the United States had vetoed the proposed Security Council resolution and the General Assembly was only a recommendatory body but did not have the mandate to enforce the resolution.²⁷ In September 1991 the Violeta Chamorro government of Nicaragua stopped seeking enforcement, following a bilateral agreement with the United States aimed at enhancing Nicaragua's economic, commercial and technical development.²⁸ President Chamorro's decision to retain General Humberto Ortega as the Chief of the Armed Forces alienated her closest allies Antonio Lacayo Oyangyren and Alfredo Cesar Aguirre as also the new Vice President Virgilio Godoy Reyes.²⁹ Assistant Secretary of State Bernard Aronson in a visit to Nicaragua on 19 April 1990 had tried to persuade President Violeta Chamorro not to retain General Humberto Ortega as the Chief of the Armed Forces which would jeopardize the \$300 million aid. General Ortega resigned from the FSLN National Directorate as required by an agreement between

²⁶ Katarina Tomasevski, *Responding To Human Rights Violations: 1946-1999* (The Hague, Martinus Nijhoff Publishers, 2000), p. 131.

²⁷ *Special Plan Of Economic Cooperation In Central America*, UNGA RES. 42/231 of 12 May 1988.

²⁸ International Legal Materials, Volume 31, 1992, Pp. 103-106 for the letters of the two governments and the ICJ order on the discontinuance of the proceeding in Nicaragua vs United States.

²⁹ Facts on File, Volume 50, No 2579, 27 April 1990, p297

the two Transitions teams on the grounds that members of the armed forces could not hold leadership positions in political parties.³⁰

Hurricane Joan

Pressing economic problems due the contra war and the United States economic sanctions in May 1985, 1988 was the worst year for the economy of Nicaragua. Exports' value fell 24.2 percent and the total value of the Gross Domestic Product (GDP) declined by 9 percent. Inflation touched new heights and spiralled from 7,748 percent to 27,000 percent. Foreign debt approached \$8 billion. 21 percent of the working age Nicaraguans was unemployed. Additional reduction of the work force of 10,000 government employees and the slashing of food subsidies added to the misery of the people.³¹

Compounding these economic problems, which beset the war torn country and the brutality of the conflict, the Nicaraguan eastern coast was hit by Hurricane Joan on 22-23 October 1988. The storm left only 432 casualties, 310,000 people were evacuated and 230,000 saw their homes destroyed or damaged or swept away. Unknown number of Nicaraguans saw their ability to earn their livelihood seriously threatened or destroyed.³² Early warning systems alerted the people and the government. Disaster preparedness measures that were undertaken included evacuation of hundreds of families to shelters in schools, churches, and in government buildings. Public information campaigns were beamed through the television and the radio networks.

The Hurricane made its landfall in Bluefields causing extensive damage to the infrastructure, housing, agricultural lands in low-lying areas. It caused extensive damage to El Rama, Great and Little Corn Islands, San Carlos, Juigalpa, Bocao, Managua, Masaya, Granada and Corinto.

³⁰ *Id.*,

³¹ United Nations Economic Commission for Latin America, *Preliminary Overview Of The Latin American Economy 1988* (January 3, 1988), Pp. 16-17. Foreign Broadcast Information Service, Latin America Daily Report, December 16, 1988, p. 30.

³² *ibid.*

Evacuations of approximately 200,000 people were undertaken from Bluefields to Rama and from Juigalpa to Managua. The poorest of the poor of the population living in low lying areas which were flooded were moved into schools, church houses and warehouses in the Port of Corinto. The Road to Rama nearest to Bluefields was damaged. The Pan American Highway was rendered impassable due to the collapse of one bridge.

The Minister in Charge of Social Service headed the National Emergency Committee.³³ According to the United Nations sources 200,000 people were affected which included 40,000 children and aged people.³⁴ Responding to the distress call made by the Nicaragua government the United Nations Disaster Relief Organization (UNIDRO) airlifted plastic sheets, water containers, family kits, and medical aid from its depot in Pisa.³⁵ More international aid followed. United Kingdom sent \$84,459; World Food Program dispatched food amounting to 3,078 metric tons for 200,000 people to last for 60 days.³⁶ The Pan-American Health Organization (PAHO) officials coordinated the emergency humanitarian assistance in Managua.³⁷ Canada provided PAHO for health and sanitation supplies amount \$53,719, Denmark through its CEPAD \$208,333, the Finnish Red Cross \$67,415, Sweden \$3,100,775, the Federal Republic of Germany through the NGO CARITAS \$106,951, in emergency assistance.³⁸ The Norwegian Refugee Council provided \$36,263, NOVIB \$50,000, OXFAM (UK) \$17,427 and other minor donations from the Save the Children Fund (\$5,000) and the War on Want (\$7,040).³⁹

Nicaragua received lukewarm response to its call for help and emergency assistance from the international community. This was due to the

³³ United Nations Disaster Relief Organization (UNIDRO), *Hurricane Joan Situation Report No 7*, UNIDRO 88/2356, 26 October 1988. Seen on 8 September 2001.

³⁴ *UNIDRO Situation Report No 6*, UNIDRO 88/ 2335, 24 October 1988.

³⁵ *UNIDRO Situation Report No 5*, UNIDRO 88/2319, 24 October 1988.

³⁶ *UNIDRO Situation Report No 7*, UNIDRO 88/2356, 26 October 1988.

³⁷ *UNIDRO Situation Report No 9*, UNIDRO 88/ 2387, 28 October 1988.

³⁸ *ibid.* Such assistance also included blankets, plastic sheeting, tanks , shelter, ware containers, and tanks, ware purification tablets, motor pumps , generators, radios and inflatable motor boats

³⁹ *UNIDRO Situation Report No 11*, UNIDRO 88/2427, 1 November 1988.

political isolation of Nicaragua, which was, then under the Sandinista regime. Neither the West nor the Soviet Union or the Eastern Bloc was willing to underwrite the Sandinista experiment in revolutionary socialism. Canada, Sweden, West Germany, Spain and the Netherlands agreed to support small reconstruction projects costing about \$2 million each. Soviet Ambassador to Nicaragua Valerie Nikolayenko stated, "Some increase in the Soviet Union's planned economic assistance for 1988 now equal to about \$300 million. The Soviet Union battling its own economic hard times has sought to avoid rises in its aid commitment here".⁴⁰

As a European diplomat put it "The world is beginning to get tired of Nicaragua". Major losses were the downed 620 miles of communication lines, a multi million-dollar port under construction at El Bluff suffered extensive damage, a massive Bulgarian project on the east coast. Losses in coffee, bananas, and export crops amounted to \$50 million. Reynaldo Teffel, head of the National Emergency Committee termed the international hurricane aid as "really insufficient".⁴¹ According to Chris Patten the European Economic Community sent in \$413,000 in emergency aid to Nicaragua. He also confirmed that there was no military assistance from the British forces stationed in Belize to aid the civilian authorities in Nicaragua, as there was the Nicaraguan government made no such request.⁴²

In the United Nations General Assembly there were demonstrations of solidarity and humanitarian concerns, which hoped that, would trigger multi lateral cooperation and the initiation of the process of reconstruction. The United Nations in its attempt to strengthen the coordination of humanitarian emergency assistance had stressed on the strengthening of the response capacity of the affected countries. It also emphasized on giving attention to the disaster prevention and preparedness of the governments Establishing

⁴⁰ [Http:// www.washingtonpost.com/wp-srv/weather/hurricane/poststories/joan.htm](http://www.washingtonpost.com/wp-srv/weather/hurricane/poststories/joan.htm) (Accessed on 12 September 2001).

⁴¹ *ibid.*

⁴² *Written Answers To Questions. Overseas Development Aid Programme*, 25 November 1988, in <http://www.parliament.thestationery-office.co.uk/pa/cm/cmhansrd/1988-11-25/written-1.html> (Accessed on 16 September 2001).

relationship between emergency rehabilitation and development relief is the key to alleviating the problems caused by the disasters.⁴³

The causes for such natural disasters are myriad as are their repercussions. Hurricane Joan exacerbated the poverty, the country suffered losses in economic production, increased inflation, increased public spending, accelerated the poverty cycle causation which are linked to extensive deforestation for urban settlement and agriculture. Mudslides, water run-off, flooding all were attributed to the environmental degradation. The devastation caused to the housing was on account of the use of unreinforced masonry and the houses lacked basic safety norms. Being built on riverbanks and hill tracts denudation of the topsoil resulted in major devastation.⁴⁴

Commenting on the Hurricane Joan the then United States Ambassador to Honduras John Negroponte was heard to remark, "we need to treat this as if it were a successful contra attack".⁴⁵ This revealing statement summed up the disdainful and the callous attitude of the United States towards this natural disaster in Nicaragua. Seen in the context of the contra war such a statement was as expected. President Daniel Ortega in January 1989 announced imposition of severe austerity measures to curb inflation and restore economic stability. The budget was cut by 40 percent, civil and military payrolls were reduced to 30,000. Spending on education and police sectors were severely curtailed. Government had to close down 20 movie theaters to save on the precious foreign currency used to procure the films. One third of the nation's college educated professionals who had already left Nicaragua in search of greener pastures in 1988 were joined by thousands of their less educated fellow citizens.⁴⁶ During this tragedy a

⁴³ *Emergency Assistance To Nicaragua, Costa Rica, Panama And Other Countries Affected By Hurricane Joan*, UNGA/ RES/ 43/17 of 28 October 1988, <http://www.un.org/documents/ga/res/43/a43ro17.htm> (Accessed on 16 September 2001).

⁴⁴ *What Puts Latin America And The Caribbean At Risk*, <http://www.165.158.1.110/English/ped/hapter3.pdf> (Accessed on 16 September 2001).

⁴⁵ <http://www.therationalradical.com/documents/nicanetletter.htm> (Accessed on 9 September 2001).

⁴⁶ New York Times 31 January 1989, PP., 1,4, Central American Report 24 February 1989.

significant development was noted. In the absence of preventive organizations and alert communications and government and civil society took over the massive emergency humanitarian tasks of evacuation of large numbers of the people to higher and safer locations. That mainly explains the reason that Nicaragua escaped with such fewer casualties. The presence of early warning systems, rapid communications, and an alert state and civil system made the emergency mobilizations and evacuations and the rendering of relief possible.

A severe flooding of the Rio Coco in May-June 1990 affected more than 100,000 indigenous Indian communities of the Miskitos and Sumos located along the Prinzapolka, Bambana and the Rio Coco. Flooding made the cultivation impossible and food shortages were chronic and much of the population was susceptible to endemic diseases.⁴⁷ The country already torn asunder by the war combined with the lasting or repetitive massive man-made or natural disasters and fragile political structures found itself struggling to mitigate the effects of the long wars and natural disasters. Such disasters proved that fragile political structures were incapable of sustaining a governance environment as also depleted the natural, economic and political resources.

United Nations Supervision Of Elections In Nicaragua

Peace Building and progress towards democratization involved having the elections supervised by the United Nations in order to lend a certain amount of legitimacy to the process towards establishing a government, which had the consent of the governed. This stipulation was enumerated in the Esquipulas Peace Accords of 7 August 1987, which was to invite the United Nations and the Organization of American States send observer force to verify the political and the electoral process in Nicaragua. Such an observer force's mandate would be to ensure that the electoral process was conducted smoothly according the rules established by the law. Governments had to ensure that the political parties had equal access to the

⁴⁷ [http:// www.hurricanecity.com/bluefields.htm](http://www.hurricanecity.com/bluefields.htm) (Accessed on 12 September 2001).

communications and media and provided with ample opportunities for the organization of public demonstrations and any type of political propaganda.⁴⁸

On 14 February 1989 the Cost Del Sol Summit meeting took cognizance of the Nicaraguan President's announcement that he would hold elections not later than 25 February 1990.⁴⁹ Pursuant to these decisions the Nicaraguan Ministry of Foreign Affairs in a letter on 3 March 1989 requested the United Nations Secretary General to send a group of international observers to monitor the elections in Nicaragua.⁵⁰ On 5 July 1989 the Secretary General Javier Perez de Cueller informed the President of the General Assembly that he would be prepared to establish a United Nations Observer Mission to Verify the Electoral Process in Nicaragua.⁵¹ The Security Council of the United Nations in its Resolution 637/1989 of 27 July 1989 authorized the deployment of the United Nations Observer Mission to Verify the Elections in Nicaragua (ONUVEN),⁵² which became operational on 25 August 1989.

Elliott. L. Richardson of the United States headed this mission. This Mission at maximum strength was at 237 Observers with the mandate to oversee that the electoral rolls were properly drawn up and to check the irregularities and the interference in the electoral process. This mandate was spelt in an exchange of letters between the Government of Nicaragua and the United Nations Secretary General. A unique aspect of this mission was the absence of police monitors or military component. These elections were an important step towards realization of the right to take part in the political governance as enunciated in the international human rights instruments. The elections were also important for the political development, political pluralism,

⁴⁸ See *Procedure For Establishing Firm And Lasting Peace In Central America*, Guatemala City, 7 August 1987.

⁴⁹ *Joint Declaration Of The Central American Presidents*, Adopted in Costa del Sol, 14 February 1989.

⁵⁰ Quoted in *Central America: Efforts Towards Peace*, UNSC Res 637 (1989) of 27 July 1989.

⁵¹ *Ibid.*

⁵² *ibid.* see also *Establishment And Terms Of Reference Of The UN Observer Mission To Verify The Electoral Process In Central America, Threats To International Peace And Security Peace Initiatives*, UN Doc A/44/375/1989 Annexe 1, p.3

social progress and economic development, which could be only possible in an atmosphere of peace and security. Having such election observer missions in conflict torn countries contributes to the process of healing and the sheer psychological presence of the United Nations has on the society contributes to the smooth conduct of the elections. Adhering to the United Nations Guidelines the Supreme Electoral Council and the National Reconciliation Commission ensured that the elections were conducted in a free and fair manner.⁵³ Once the election process completed with the defeat of the Sandinistas and the election of Violeta Chamorro on 25 February elections, the role of the ONUVEN also ceased to have any relevance.

Demobilization And Disarmament Of The Nicaraguan Resistance And Other Armed Groups

Reconciliation and the path towards peace and development was a long drawn process. Important component of the peace process required that the armed groups have the Nicaraguan Resistance and their subsequent disarmament, which had rampaged the country and had terrorized the people of the nation. In Central America the armies have been instruments of oppression and human rights violators. Presence of armed forces in such large numbers impeded the process of reconciliation and healing.

Large number of weapons in circulation even after the cease-fire had been declared impeded the process towards reconciliation and the reconstruction toward achieving reconciliation, reintegration and mainly development of the nation rocked by the conflict. Achieving these objectives could be possible if these armed groups demobilized and disarmed themselves, repatriated back to their home and effectively reintegrated themselves into the process of nation building. Under the Sapoa Agreement of 23 March 1988 that declared cease-fire between the Nicaraguan Government and the Nicaraguan Resistance it was agreed to declare amnesty to the members of the Nicaragua Resistance for those who were

⁵³ [http:// www.un.org/depts/dpa/ead/3rept91.htm](http://www.un.org/depts/dpa/ead/3rept91.htm) (Accessed on 12 September 2001).

prosecuted for the violation of the Law for the Maintenance of Order and public Security.⁵⁴

The Tela Agreement of 7 August 1989 called mobilization and reintegration of the contras in Honduras and their families. A bilateral meeting between Nicaragua and Honduras involved the suspension of the Nicaraguan law suit against Honduras pending before the International Court of Justice, in return for the Honduran agreement for a "Joint Plan for the Demobilization and Voluntary Repatriation or Relocation of the Nicaraguan Resistance and Their Families". This Joint Plan was endorsed by the Central American Presidents meeting in Tela, Honduras and requested the United Nations to use its expertise in assisting this major process of demobilization and repatriating the members of the Nicaraguan Resistance.⁵⁵ On in the February 14 1989 meeting the Central American declaration of Costa Del Sol, El Salvador agreed to draw up a plan for the demobilization of the remaining contra forces.⁵⁶ The internal opposition joined the FSLN in calling for the voluntary demobilization and disarmament of the contras in Honduras. In February 1989 President Daniel Ortega agreed to move up the elections to February 1990 earlier scheduled in November 1990 in exchange for the regional support for the demobilization of the Nicaraguan Resistance.⁵⁷ As per these accords the United Nations Security Council on 7 November 1989 passed a resolution, which was the basis for the establishment of the United Nations Observer Force for Central America. (ONUCA).⁵⁸

The mandate of this Observer Force was to oversee the voluntary demobilization, disarmament and the reintegration of the contra groups. The Venezuelan battalion was entrusted with the task of overseeing the

⁵⁴ *Agreement Between The Nicaraguan Resistance And The Government Of Nicaragua*, Sapoá, Nicaragua 23, March 1988. . See also International Legal Materials, Volume 27, 1988, Pp. 954-956.

⁵⁵ *Bilateral Accord Between Nicaragua And Honduras*, Tela, Honduras, 7 August 1989

⁵⁶ *Joint Declaration Of The Central American Presidents*, Adopted in Costa del Sol, 14 February 1989

⁵⁷ *ibid.*

⁵⁸ *Creation Of The United Nations Observer Group In Central America*, UNSC 3 /RES/ 644 of 7 November 1989, in <http://www.un.org/Docs/scres/1989/644e.pdf> (Accessed on 12 September 2001).

demobilization and disarmament of the contra forces. Its main objective was to remove the weapons from the individuals and find and collect the weapons in arms caches. For each collected weapon a cash and food equal to approximately \$100 was distributed. The final settlement would be cash for the weapons along with food, housing or construction materials.⁵⁹ The demobilization of the contras began on 25 April 1990 the day the new government of Violeta Chamorro took office. On 23 March 1990 representatives of the President elect Violeta Chamorro and the Nicaraguan Resistance met in Managua where the contras agreed to demobilize and disarm their troops in Honduras no later than 25 April 1990. However much of the troops had moved into Nicaragua along with their arms.⁶⁰ President Ortega had warned the contras on 8 March "There is a calm like the calm before the storm. If we do not want to be devastated by the storm of civil war, insurrection and violence, the contras must disarm".⁶¹

To facilitate the smooth process of demobilization, disarmament and repatriation on 19 April 1990 three accords were signed known as the Toncotin Agreements. These talks were mediated by Cardinal Miguel Obando y Bravo the National Reconciliation Commission Chief and the Nicaraguan government led by General Humberto Ortega. Oscar Soblvarro for the Contra groups and Antonio Lacayo were on the side of the Violeta Chamorro coalition, the United Nicaraguan Opposition (UNO).⁶² These accords provided for five security zones inside Nicaragua from which the Sandinista forces would withdraw and into which the contra troops would move in beginning on 19 April 1990. Sandinista troops and militia would withdraw to a distance of at least 12 miles from the five zones by 21 April.⁶³ Also with the taking over of the Violeta Chamorro government on 25 April 1990 the contra troops agreed to begin their process of demobilization and

⁵⁹ *ibid.*

⁶⁰ Jennifer L. McCoy, *Nicaragua In Transition*, *Supra* Note 14, p. 118.

⁶¹ Facts on File, Volume 50, No 2575, 30 March 1990, p.218

⁶² Facts on File, Volume 50, No 2579, 27 April 1990, p 297.

⁶³ *Id.*,

disarmament inside Nicaragua on 25 April and the complete demobilization would be effected by 10 June 1990.⁶⁴

The Chamorro government agreed to cease hostilities, provide care and support and aid in the rehabilitation to the war wounded, the orphans and the widows.⁶⁵ As a reconciliation package President Violeta Chamorro announced that the Nicaraguan government would establish more than 20 development centers for the contras and give them priority in recovering the farmland confiscated under the Sandinista regime. 22,000 sq km of tracts of land near El Almendro in Rio San Juan Department was reported to have been set-aside for this purpose. The Chamorro government also pledged to provide schools, hospitals, electricity and other facilities. The contras who were moved into the five zones would be given titles to the farmlands and other aid to set up cooperative enterprises and make a place for the local governments and the rural police to play an active role in the reintegration process.⁶⁶

During the period April-June 1990 23, 273 contras demobilized, 17,833 weapons, missiles and explosives were collected. This operation by the ONUCA ran for two years and incurred a cost of \$600, 000. However the operation ran for two years by which the ONUCA had collected about 142,000 weapons through confiscation or buy back program initiated in September 1991 by the Nicaraguan established Special Disarmament Brigade (BED). This division was set up to run a country -wide gun buy back program to reduce the weapons, which had been in circulation in the country. According to one authority 78,000 weapons were confiscated by the police and the army, 54,000 weapons were brought back in the rural areas, and 10,000 in the capital city of Managua alone. This was in addition to the collection of over 250,000 pieces of munitions or ordnance. The weapons

⁶⁴ Jennifer Mc Coy, *Supra* Note 14, p 118.

⁶⁵ See Caesar Sereseres, *The Regional Peace-Keeping Role Of The OAS: Nicaragua. 1990-1993*, [http:// www.colorado.edu/conflict/peace/example/sere4873.htm](http://www.colorado.edu/conflict/peace/example/sere4873.htm) (Accessed on 12 September 2001).

⁶⁶ Facts on File, Volume 50, No 2587, 22 June 1990, p 458.

thus collected were destroyed in an open place by fire. Such an action was taken not only to pass a message to other contras who were holding weapons and to have a psychological and symbolic impact on the community.⁶⁷ Commensurately the Nicaraguan defense spending fell from 1990 total of \$230 million to a mere \$50 million in 1992. A further cut reduced the spending to \$34 million in 1994.⁶⁸

The costs of the ONUCA were to be borne by the member states according to Article 17, para 2 of the Charter of the United Nations, which stipulated that "the expenses of the organization shall be borne by the members as apportioned by the General Assembly". The budget of ONUCA was authorized by the General Assembly in its 77th Plenary Meeting on 7 December 1989 *vide* its resolution 44/44.⁶⁹ About 30,000 contra forces returned to Nicaragua where they received the assistance from the Organization of American States until they disarmed and by January 1993 71,500 refugees and former members of the Nicaraguan Resistance had returned from Honduras, Costa Rica and El Salvador.⁷⁰ ONUCA also provided police training to the contras apart from providing food, temporary housing and basic social services during the process of the demobilization. The Nicaragua government estimated that 15 percent of the population and 20 percent of the families had been affected by the decade long conflict.⁷¹ Strengthening the hands of the Central American leaders in the peace process the United Nations Security Council on 27 July 1989 called a halt to all external support and military aid to the paramilitary groups in the region and pledged its support to the ongoing peace process in the Central American region. This resolution also called for the respect to the principles

⁶⁷ <http://www.iss.co.za/Pubs/MONOGRAPHS/No%2022/case%20studies.html> (Accessed on 21 September 2001).

⁶⁸ *World Military Expenditures And Arms Transfers* (1995), p.87 <http://www.oecd.org/dac/pdf/C-AMERIC.pdf> (Accessed on 15 October 2001).

⁶⁹ <http://www.un.org/documents/ga/res/44/a44r044.htm> (Accessed on 21 September 2001).

⁷⁰ http://www.refugee.org/world/articles/centralamerica_wrs93.htm (Accessed on 15 September 2001).

⁷¹ *Nicaraguan Government Presentation To The Second International Meeting Of CIREFCA. San Salvador* (CIREFCA) CS/927/ Add/1, p. 5

of self-determination, non -intervention all the while respecting and ensuring full respect for human rights.⁷²

An International Support and Verification Commission (CIAV) composed of the Secretaries General of the United Nations and the Organization of American States was established in pursuant to the Joint Plan for the Voluntary Demobilization, Repatriation or relocation of the members of the Nicaraguan Resistance and their families and other irregular forces which was adopted on 7 August 1989 in Tela, Honduras. Among the principal component of the mission were the demobilization of the ex-combatants and the verification of compliance with the rights and guarantees enshrined in the Nicaraguan laws.⁷³ Also during this process were demobilized 125,000 Sandinista army and internal security personnel in a society deeply divided by the war.⁷⁴ The operation of ONUCA lasted until January 1992. Countries as diverse as Argentina, Brazil, Canada, Colombia, Ecuador, India, Ireland, Spain, Sweden and Venezuela sent their troops as a part of the United Nations Mission in Central America. Venezuela provided a 700-man infantry battalion to supervise the demobilization, disarmament and the resettlement of the armed factions in Nicaragua until July 1990.⁷⁵

This force oversaw the collection, registration, storage and essential destruction of the collected weapons, ammunition, equipment and uniforms. The total number of the personnel of the Observer Force numbered 800 from all ranks. 260 military personnel offered support drawn from air wing and the navy.⁷⁶ This Mission began its operation based in Tegucigalpa, Honduras, before moving to Costa Rica and then Nicaragua. ONUCA set up 33

⁷²Central America: Efforts Towards Peace, UNSC Res 637 (1989) of 27 July 1989, *Supra* Note 50,

⁷³ Cooperation Between The United Nations And The Organization Of American States. UNGA A/Res/45/10 of 25 October 1990, <http://www.un.org/documents/ga/res/45/a45r010.htm> (Accessed on 12 September 2001).

⁷⁴ <http://www.gn.apc.org/peacenews/issues/past/204/pn.240402.htm> (Accessed on 10 October 2001).

⁷⁵ <http://www.un.org/Depts/DPKO/MISSIONS/ONUCA.htm> (Accessed on 17 September 2001).

⁷⁶ *ibid.*

verification centers.⁷⁷ Nicaragua benefited from the gun- buy- back programme. Cash and food incentives, housing and construction materials were given in exchange to the weapons. The amounts varying from \$80-\$100 depended on the caliber and the condition of the weapons.⁷⁸

The process of building confidence was on as the ONUCA assisted the Central American states to maintain their commitments to respect the peace agreement and the insurgent forces to trust the commitments made by the government.⁷⁹ The Italian government -sponsored a micro enterprise program during this period 1992-1993 amounting to \$300-\$500 for the weapons. This amount was to be used as seed money for the initiation of development projects.⁸⁰ The Special Disarmament Brigade and the Italian program collected 142,000 weapons out of which 30 percent were found to be non-functioning. These collected weapons were destroyed publicly in an open fire intended to erode the cultural norm of violence.⁸¹ The Nicaraguan contras who had voluntarily demobilized and disarmed found that the packages offered by the Violeta Chamorro Government unsatisfactory and the economic hardships difficult to bear. Small groups of guerrillas calling themselves recontras or recompas remained active until the final peace agreements were signed in 1994.⁸² The next President Armando Aleman announced abandoning the cash for weapons program and policy and proposed a land for gun program wherein five parcels of land, technical

⁷⁷ Robin Hay, *Peace Building During Peace Support Operations- A Survey And Analysis Of Recent Missions*, 14 March 1999, [http:// www.dfait_maeci.ga.ca/peacebuilding/hay_e.asp](http://www.dfait.maeci.ga.ca/peacebuilding/hay_e.asp) (Accessed on 17 September 2001).

⁷⁸ Ed Lawrence and Sarah Meek, Brief 7. *The New Field Of Micro Disarmament* (Bonn, International Centre for Conversion, September 1996), p. 84

⁷⁹ Paulo S. Wrobel, *Managing Arms In Peace Process. Nicaragua And El Salvador UNIDIR* (Geneva, United Nations, 1996), p.22.

⁸⁰ Ed Lawrence, *The New Field Of Micro Disarmament*, *Supra* Note 78, p 84.

⁸¹ Michael Renner, *Small Arms Big Impact. The Next Challenge Of Disarmament* (World Watch Institute, October 1997), p85.

⁸² Adam Issacson, *Altered States. Security And Demilitarization In Central America* (Washington D.C, Center for international Policy and the Arias Foundation for Peace and Human Progress, 1997), p.142

agricultural assistance, vocational training and guaranteed local political involvement for the former rebels.⁸³

The end of the cold war in 1989 undermined the old roles relating to counterinsurgency, hemispheric defense and the geopolitical based national security doctrines. ONUCA was the first United Nations operation of Peacekeeping in the Western Hemisphere. It redefined the traditional civilian-military roles and emphasized that the process of democratization was very often a very difficult and a delicate one. This especially in a post conflict scenario, which ranges from low intensity conflicts to a fragile peace. Once the hostilities have abated the process of reconciliation, reintegration and recovery had to take over and as fast as possible. Much of these processes could be facilitated in an atmosphere of public safety and security and respect for human dignity and rights. Urgent measures, emergency humanitarian assistance has to be sought from the international community towards infrastructure recovery such as water, sanitation, shelter, transportation, food security, and agricultural rehabilitation. Urgent needs of the civil society as health, education, basic social welfare requirements and employment generation schemes had to be immediately addressed once the process of demobilization, disarmament and reintegration was completed. The bridge between the emergency humanitarian assistance and sustainable development had to be bridged.

Path To Sustainable Development- The CIREFCA/ PRODERE Experience

Protection needs do not disappear once the refugees are repatriated, the returnees and the externally displaced persons return to their homeland and the internally displaced persons make their way to their devastated homes and communities which they were forced to abandon during the conflict. Internally displaced persons are traditionally defined as those persons who are displaced as a result of development projects, natural

⁸³ Julie Conroy, *Voluntary Weapons Collection In El Salvador*. Working Paper. Program for Arms Control. Disarmament and Conversion. (Monterey Institute of International Studies, 30 October 1997), p 8.

disasters, victims of human rights violations, public emergency and internal strife there is a clear relationship between emergency, rehabilitation and development. In order to ensure a smooth transition from relief to rehabilitation and development, emergency assistance should be provided in ways that would be supportive of the recovery and long-term development. Short-term emergency measures should be a step towards long-term sustainable development. Economic growth and sustainable development are essential for the prevention of and preparedness against natural disasters and other emergencies, which are also arising on account of the war and civil conflict.

Humanitarian assistance should be accompanied by a commitment to economic growth and sustainable development of the developing nations. Accordingly the Copenhagen Summit in 1995 had defined sustainable development as the creation and maintenance of conditions under which human beings can live their lives in dignity and security, realizing their potential to the fullest extent possible. This landmark summit called for creation of political, legal, material and social conditions, that allow for voluntary repatriation of the refugees in safety and dignity to their countries of origin, the voluntary and safe return of the internally displaced persons to their places of origin and their smooth integration into their societies.⁸⁴ The criteria underlying dignity and security are as defined in the international and regional human rights instruments. International system is faced with the challenges as to how to translate these rights into realities. Such humanitarian assistance must be provided in accordance with the principles of humanity, neutrality and impartiality.

Respect for the rule of law and human rights are the key components of any such repatriation and resettlement program and the reintegration into the national mainstream. Each and every state has the primary responsibility to take care of the victims of natural disasters and other emergencies and

⁸⁴ *Copenhagen Declaration On Social Development* 12 March 1995, <http://www.un.org/esa/socdev/wssd/agreements/decpartc.htm> (Accessed on 15 September 2001).

has to play a primary role in the initiation, organization, coordination and implementation of humanitarian assistance within its territory. States have to facilitate the work of international humanitarian organizations in supply of food, medicines and health care. Improvement in economic, social and human rights fields facilitate national reconciliation as much as securing land for residential and agricultural use and creating conditions for economic development. Such standards were seen in the manner in which the United Nations organizations and the specialized agencies had addressed the problems facing refugees, returnees, internally displaced and externally displaced persons and the ex-combatants. Reintegrating them into the national mainstream was the major challenge of the international community.

Seen from an international law perspective the responsibility for the protection and assistance to the internally displaced persons rests with the territorial state by virtue of its sovereignty and the principle of non-intervention. In practice however internal displacement occurs as a result of civil conflict, in situations where the authority of the central government is itself in dispute and its capacity and willingness to offer protection and assistance is equally in serious doubt. More often as in the case of Nicaragua such displacement occurs as a result of civil conflict or relocation of the communities who inhabited the war zones and the relocation was taken for their safety and for the reasons of military necessity and security concerns. United Nations High Commissioner for Refugees relief and rehabilitation programmes for refugees and returnees have included those displaced within the territories of their countries, ever since the United Nations Economic and Social Council and the General Assembly endorsed such operations in Sudan. The General Assembly kept the mandate door open by asking the High Commissioner to continue to participate at the request of the Secretary General in, "those humanitarian endeavours of the United Nations for which his Office has particular expertise and experience".⁸⁵ The Statute of the UNHCR requires the Commissioner to, "follow policy directives from the

⁸⁵ UNGA, Res, 2956 (XXVII) of 12 December 1972.

General Assembly and the Economic and Social Council to engage in such additional activities as the General Assembly may determine within the limits of the resources placed at his disposal".⁸⁶

Resolutions of the United Nations General Assembly contained frequent references to displaced persons though generally without qualifications as internal or external. The context remained assistance to the refugees, returnees and the internally displaced persons.⁸⁷ In the period between 1988-1991 the General Assembly under pressure for major donors began to stress on the necessity for better coordination of the relief programs for the internally displaced.⁸⁸ This task was initially entrusted to the United Nations Development Programme (UNDP) Resident Representative.⁸⁹ In 1990 the Economic and Social Council requested a United Nations system-wide review to assess the experience and the capacity of the United Nations organs involved in assistance to all refugees, displaced persons and refugees.⁹⁰ This move was followed by the Commission on Human Rights, which focused on the need of the internally displaced persons for relief assistance and protection.⁹¹ The Commission on Human Rights requested the Secretary General of the United Nations to appoint a representative on internally displaced persons, a role that was first entrusted to Francis Deng in July 1992.⁹² The Representative identified his goal as the development of a doctrine specifically aimed at addressing the needs of the internally displaced

⁸⁶ Para 9., *Statute Of The Office Of The United Nations High Commissioner For Refugees*,

⁸⁷ *Reports Of The United Nations High Commissioner For Refugees*, UNGA Res 3454 (XXX), of 9 December 1975, UNGA Res 31/35 of 30 November 1976, UNGA Res 34/60 of 29 November 1979, UNGA Res 35/41 of 25 November 1980 and UNGA Res 40/118 of 13 December 1985.

⁸⁸ *International Conference On Central American Refugees*, UNGA Res 43/116 of 8 December 1986.

⁸⁹ *International Conference On Central American Refugees*, UNGA Res 45/136 of 14 December 1990.

⁹⁰ Para. 1, *Refugees, Displaced Persons And Returnees*, ECOSOC Res 1990/78 of 27 July 1990.

⁹¹ *Internally Displaced Persons*, CHR Res 1992/73 of 5 March 1992, UN doc E/CN.4/1992/L.II/Add6. E.

⁹² *Comprehensive Study On The Human Rights Issues Relating To Internally Displaced Persons*, U N, doc E/CN.4/1993/35. Also, *Internally Displaced Persons. Report Of The Representative Of The Secretary General*, UN doc, E/CN.4/1994/44.

persons.⁹³ The UNHCR published internal guidelines on 28 April 1993 setting out a number of legal considerations and criteria.⁹⁴ While stressing on the fact that the UNHCR does not have a role or general competence for the internally displaced persons, it otherwise takes lead form para. 14 of the UNGA Res 47/ 105 identifying the criteria for engagement as a specific request from the Secretary General or other competent authority and the consent of the state concerned. Another resolution of the United Nations General Assembly also stressed on the consent and respect for sovereignty, territorial integrity and national unity.⁹⁵

It was commented upon that during the discussions which led to the adoption of the Additional Protocol II to the 1949 Geneva Convention in 1977, Relating to Non-International Armed Conflicts, that states strongly opposed any reference to offers of relief and humanitarian assistance emanating from neutral third parties which might constitute an interference in the internal affairs of their countries.⁹⁶ Additional Protocol II contains therefore minimal provisions on relief. It states that, "Civilian population is suffering undue hardship owing to a lack of the supplies essential for its survival, such as foodstuffs and medical supplies, relief actions for the civilian population, which are of an exclusively humanitarian and impartial nature and which are conducted without any adverse distinction shall be undertaken subject to the consent of the High Contracting Party".⁹⁷ The UNHCR Executive Committee reaffirmed its support for the UNHCR role with the internally displaced persons, emphasizing its involvement should focus on situations that call for the Office's particular expertise and that of other relevant organizations as

⁹³ Para. 28, UN doc E/CN.4/1994/44 in *International Journal of Refugee Law*, Volume 6, 1991, p. 291.

⁹⁴ *UNHCR, Role With The Internally Displaced Persons*, IOM/ 33/93-FOM/33/93, of 28 April 1993.

⁹⁵ See also *Strengthening The Coordination Of Emergency Assistance*, UNGA Res, 46/182, of 19 December 1991.

⁹⁶ Macalister -Smith, P. *International Humanitarian Assistance: Disaster Relief Action In International Law And Organization* (1985), P 31.

⁹⁷ Article 18, para. 2, *Additional Protocol II To The Geneva Conventions Of 12 August, 1949. Relating To Non-International Armed Conflicts*, Of 8 June 1977.

well as on the available resources.⁹⁸ The United Nations High Commissioner for Refugees as mandated to provide protection to the internally displaced persons and local population under siege in refugee-like situations and potential refugee- generating situations.⁹⁹ In the same year the United Nations General Assembly confirmed this approach in its resolution 48/135, of 20 December 1993. In this resolution the General Assembly welcomed the decision of the UNHCR Executive Committee to extend the humanitarian mandate on a case-by-case basis and under specific circumstances, and to offer protection and assistance to the internally displaced. However the protection aspect to the internally displaced persons was a separate item on the Executive Committee agenda in 1994 which was examined in a paper presented by the UNHCR to an Inter-Session Meeting in May.¹⁰⁰ The Note On the Protection Aspects of UNHCR's activities on behalf of the IDPs offered the UNHCR'S operational definition framed in terms of the Office's traditional refugee functions and including those, "persons caught up in refugee-like situations. Refugees are persons fleeing persecution, armed conflict or civil strife, rather than victims of physical disasters".¹⁰¹

The Executive Committee conclusion adopted in its 44th Session in October 1994 while emphasizing the primary responsibility of the state for the welfare and protection of the IDPs within its territory also recognized that actions by the international community must be undertaken in consultation and coordination with the concerned state. These actions contribute to the easing of tensions and the resolution of problems resulting in displacements and constitute an important component of the comprehensive approach to the prevention and solution of the refugee problems.¹⁰² It also stated that the,

⁹⁸ UNHCR Executive Committee *General Conclusion On International Protection, Report Of The 44th Session* (1993), UN doc A/AC.96/821. AT para., s.

⁹⁹ UN doc, A/AC.96/SR.482, (1993), para 31.

¹⁰⁰ UNHCR *Note On The Protection Aspects Of The UNHCR's Activities On Behalf Of The Internally Displaced Persons*, UN Doc, EC/1994/SCP/CRP.2, 4 May 1994. See also para.3-36, of *Report Of The 18-29 May Meeting Of The Sub-Committee Of The Whole On International Protection*, UN. Doc EC/SCP/89, 29 September 1994.

¹⁰¹ *Ibid.* para 11.

¹⁰² Para, h, *UNHCR'S Protection Mandate In Relation To The Internally Displace Persons: Executive Committee Conclusion No 75, 1994.*

“activities on behalf of the internally displaced persons must not undermine the institution of asylum including the right to seek and enjoy in other countries asylum from persecution”. Finally it laid great stress on the necessity of inter-agency cooperation in addressing these complex issues.¹⁰³ In Central America there was an interconnectedness of assistance, protection and durable solutions by the international community.

The International Conference On Central American Refugees (CIREFCA) **- A Plan For The Resolution Of Refugee And Other Related Issues**

To address the issues of refugees in Central America and to ensure that the Esquipulas II Agreement of 1987, the Central American countries convened an international conference.¹⁰⁴ The International Conference on Central American Refugees (CIREFCA) was convened in Guatemala City on 29-31 May 1989 and adopted a Concerted Plan of Action in Favor of Central American Refugees.¹⁰⁵ This conference was a milestone, which put the Central American countries on a path of development, peace and refugee assistance. The Declaration and the Concerted Plan of Action linked any resolution of the plight of refugees and other affected groups to integrated national development plans and international development projects.¹⁰⁶ CIREFCA can be traced back to the OAU Convention of 1967, which expanded the definition of a refugee to include those categories of people who fitted into the realities of Third World political, social and economic realities. This Convention defined a refugee as one who “owing to external aggression, occupation, foreign domination, or events seriously disturbing public order in either part of the whole”,¹⁰⁷ had fled the country. CIREFCA can

¹⁰³ Paras, r and s, *ibid.* See also Dennis McNamara, UNHCR'S *Protection Mandate In Relation To The Internally Displaced Persons*, http://www.nrc.no/global_idps_survey/rights_have_no_borders/mcnamara.htm (Accessed on 27 January 2002).

¹⁰⁴ See *Esquipulas Accord Of 7 August 1989*.

¹⁰⁵ *International Conference On Central American Refugee (CIREFCA), Concerted Plan Of Action In Favor Of Central American Refugees, Returnees And Displaced Persons*, 31 May 1989, Guatemala City, Guatemala. (CIREFCA/ 89/14.13, May 1989)

¹⁰⁶ *ibid.*

¹⁰⁷ Article 1, para 1, *OAU Convention Governing The Specific Aspects Of Refugee Problems In Africa*, Adopted by the Assembly of Heads of State and Government at its Sixth Session, Addis Ababa, Ethiopia, and 10 September 1969.

be traced to the International Conference on Assistance to Refugees (ICARA) I and ICARA II, which argued for infrastructure development assistance to both asylum and home countries. The Central American nations redefined and expanded the definition of the refugee to include persons "who have fled their country because their lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order".¹⁰⁸

The UNHCR sponsored a meeting of the Advisory Group on Possible Solutions to Central American Refugee problems in May 1987; to resolve the refugee crises within the context of national and regional development plans, and also called for an international conference on the situation of aid programs for the Central American refugees.¹⁰⁹ The Esquipulas II Accord provided for refugees and displaced persons with the protection and assistance partnerships in the areas of health, education, work, and safety and to facilitate their repatriation, resettlement or relocation provided that this was pledged voluntarily. The Central American countries pledged that they would ask the international community to aid the refugees and the displaced persons and to strengthen democracy by contributing to the economic and social development.

During the preliminary meetings of CIREFCA in El Salvador the governments of El Salvador, Costa Rica, Guatemala Honduras, Mexico and Nicaragua signed the San Salvador Communiqué of 9 September 1988 and agreed to hold CIREFCA in the Guatemala City in may 1988.¹¹⁰ CIREFCA would review proposals to aid Central American refugees that would go a long way in contributing to the regional peace process. Denmark, Norway and Sweden promised to pay 45 percent of the US \$1.8 million needed to prepare

¹⁰⁸ Part 3, para 3, *Cartagena Declaration On Refugees*, 22 November 1984.

¹⁰⁹ Dennis Gallagher and Janelle Diller, *CIREFCA: At The Crossroads Between Uprooted People And Development In Central America* (Washington DC, Commission for the Study of International Migration and Cooperative Economic Development, 1990), p. 9

¹¹⁰ Joaquin A. Maza Martelli, *Beyond A Diplomatic Initiative*, Refugees (Geneva, UNHCR), Volume No 62, 1989, p.24

the CIREFCA.¹¹¹ The United Nations General Assembly passed the Resolution No 43/118 in December 1988, which asked the UNHCR to organize the conference in tandem with other United Nations agencies especially the United Nations Development Program that was already overseeing the PEC program.¹¹² In May 29-31 1989 the United Nations Secretary- General Javier Perez de Cueller opened the Central American Conference (CIREFCA) and placed the proceedings within the context of the ongoing Esquipulas II Peace Process. He also urged the Central American states to act expeditiously and vigorously to end the conflict in the region. He also noted "those providing aid were working in a vacuum as long as the conflict continues".¹¹³ States attending the CIREFCA emphasized that without peace and respect for human rights the Central American states would not be able to solve their refugee problems.

On 31 May 1989 the CIREFCA approved the Declaration and a Plan of Action and confirmed, "the obligation of the refugees to avoid any activities which might affect the strictly civilian and humanitarian nature of camps and settlements as well as any activity that is incompatible with the regional peace process".¹¹⁴ The Plan of Action identified the refugees who decided to return to their country of origin, internally displaced as, "persons who remained within their own countries and without means of subsistence" and the externally displaced persons as people, "located outside their own countries who as a result of the crises have been unable to provide for their subsistence or lead a normal life, whether or not their lives, security or liberty have been threatened by the conflict".¹¹⁵ In Central America another category of persons who were fleeing the civil conflict became to be identified. These were the externally displaced persons who were defined as persons who

¹¹¹ Collette Braeckman, *A War Of Solidarity*, Refugees, Volume No 62, 1989, p. 36

¹¹² *International Conference On Central American Refugees*, UNGA RES/43/118 OF December 1988

¹¹³ Paul Lewis, *Central American Nations Urged To Take Lead On Refugees*, New York Times May 28, p.17

¹¹⁴ Part C, Para 15, *CIREFCA Declaration*

¹¹⁵ *ibid.* Part A, para 6

were forced to leave their country for reasons among which are the non-immediate consequences of conflict and widespread violence.¹¹⁶

The Central American countries reiterated their support for the principle of *non-refoulement*¹¹⁷ and that the refugees must respect the laws of the host countries including lawful measures taken for the maintenance of public order.¹¹⁸ The Plan of Action developed aid programs into those that aided returnees, those that aided refugees and those that aided the externally and internally displaced persons. Under the CIREFCA the United Nations High Commissioner for Refugees and the United Nations Development Program were given the responsibility for aiding the drafting of project proposals locating funding for the projects and organizing the follow-up meeting of the Committee. The development projects to aid the socio-economic integration and development of refugees would benefit about 1000 refugees¹¹⁹ and also were designed to benefit 90,000 internally displaced persons.¹²⁰ For Nicaragua the proposed projects were estimated to help 31,000 potential returnees, 127,850 refugees and internally displaced persons and 294,000 affected local populations.¹²¹

To monitor the progress of the projects the first International Meeting of the Follow-up Committee was held on 27-28 June 1990 in New York. By this time 4,515 Nicaraguan Miskitos and 928 Ladinos were repatriated from Honduras to Nicaragua, and 3,600 were voluntarily repatriated from Costa Rica and Honduras. In 1990 another 30,000 were repatriated from Costa Rica and Honduras to Nicaragua and enabled Honduras to close five refugee camps.¹²² In the same year Nicaragua expanded its initial request from seven projects to nineteen for a total cost of about \$89 million.¹²³ By March 1991

¹¹⁶ *ibid.* para 7.

¹¹⁷ *ibid.* part C, para 14

¹¹⁸ *ibid.* para 15

¹¹⁹ *ibid.* Part D (2), para 25

¹²⁰ *ibid.* Part D (3), para 29

¹²¹ American Friends Service Committee (AFSC), *Report On The International Conference On Central American Refugees (CIREFCA)*, Philadelphia, 1989, Pp., 12-14

¹²² CIREFCA, Joint Support Unit, *Synthesis Of The Strategies And Proposals Of The First International Meeting Of The Follow-Up Committee*, San Jose, Costa Rica, 1990, Pp., 1, 3.

¹²³ *ibid.* Pp. 56-94

Nicaragua raised about \$23.1 million out of the \$55.1 million it had requested.¹²⁴ During the first part of 1992 Nicaragua received an additional amount of \$10.7 million.¹²⁵ A second meeting of the International Conference on Central American Refugees was held in April 1992 by this time the countries were faced with reintegrating large numbers of returnees.¹²⁶

The Esquipulas II Accords of 1987 provided the major impetus to the peace process and not only called for the repatriation, resettlement and reintegration of the refugees, returnees and internally displaced persons but also resolved to ask the international community to aid the refugees and the displaced persons and strengthen democracy by contributing to the economic and social development of these populations. The move towards peace building received its impetus from the Cartagena Declaration on Refugees of 22 November 1984. This Declaration emerged not from within a regional organization but out of ad hoc groups of experts and representatives drawn from the governments of Central America, meeting together in a Colloquium in Cartagena. The University of Cartagena, the Regional Center for Third World Studies, and the UNHCR, under the auspices of the Colombian government, sponsored this meeting.¹²⁷

CIREFCA was the culmination of the process involving Central American nations, interested non-government organizations, various United Nations agencies and potential donor countries that was designed to aid the refugees, returnees and the displaced persons. The CIREFCA process linked solutions to national dialogue, reconciliation, peace and democracy with sustainable development. According to Michel Garbaudan, the UNHCR

¹²⁴ CIREFCA Joint Support Unit, *First Status Report On The Implementation Of The Concerted Plan Of Action Of The International Conference On Central American Refugees* (CIREFCA), San Jose, Costa Rica, 1991, Pp., 5-19

¹²⁵ CIREFCA Joint Support Unit, *Second Status Report On Implementation Of The Concerted Plan Of Action Of The International Conference On Central American Refugees (CIREFCA)*, San Jose, Costa Rica, 1991, p. 9

¹²⁶ CIREFCA, Joint Support Unit, *Synthesis Of The Advances, Strategies And Proposals Of The Second International Meeting Of The Follow-Up Committee*, San Jose, Costa Rica, 1992, p. 5

¹²⁷ Gros Espiell, H. Picados and Valladares Lanza L, *Principles And Criteria For The Protection Of And Assistance To Central American Refugees And Displaced Persons In Latin America*, *International Journal of Refugee Law*, Volume 2, 1990, p.83.

representative in Guatemala “the Esquipulas II Peace Accords provided the framework for CIREFCA. UNHCR utilized political developments in the region, seeing it as a chance to start talking about real long-term solutions to refugee problems and not just assistance programs”.¹²⁸ UNHCR had sponsored a meeting of the Advisory Group on the Possible Solutions to the Central American Refugee Problems in May 1987, which underlined that conflict resolution should be within the context of national and regional development plans.¹²⁹

United Nations General Assembly approved the Plan of Economic Cooperation for Central America (PEC) in May 1988 with the resolution 42/231.¹³⁰ The Plan of Economic Cooperation for Central America (PEC) envisaged the Program for Displaced Persons, Refugees and Returnees in Central America (PRODERE), development projects that are designed to promote self-sustained development through local projects that link refugee assistance to national development plans.¹³¹ Under the broad framework of CIREFCA, the PRODERE Programme was a joint United Nations High Commissioner for Refugees (UNHCR) and United Nations Development Program (UNDP). These two organizations were given the responsibility for the aiding the drafting of project proposals, locating funding for the projects and organizing the follow up Committees meetings.

The PRODERE was the combination of the field level operations expertise of the UNHCR and the long-term sustainable development mandate of the UNDP. Both these organizations along with the UNICEF, WFP and ILO joined their expertise, experiences and competence. Traditionally the UNHCR is the organization mandated under the Statute of the Office of the United Nations High Commissioner for Refugees to care for the protection and

¹²⁸ See [http:// www.unhcr.ch/issues/regional/MO9903.htm](http://www.unhcr.ch/issues/regional/MO9903.htm) (Accessed on 15 September 2001).

¹²⁹ Gallagher, Dennis and Diller, Janelle, *CIREFCA: At The Crossroads Between Uprooted People And Development In Central America*, *Supra* Note 109, p. 9.

¹³⁰ The United Nations High Commissioner for Refugees. *The State Of The World's Refugees*, 1989, (New York, Oxford University Press, 1989), p.62

¹³¹ Dennis Gallagher and Janelle Diller, *CIREFCA. At The Crossroads Between Uprooted People And Development In Central America*, *Supra* Note 109, p.10

welfare of the refugees who have left the country on account of the fear of persecution. It does not have a legal mandate or the competence for the persons displaced within their own country.

However the General Assembly does confer certain selective and limited mandate to undertake humanitarian assistance and protection activities on behalf of the displaced when 1. Specific request from the Secretary General or a competent principal organ of the United Nations, i.e. the General Assembly, the Security Council or the ECOSOC and 2. the consent of the concerned state. Since the UNHCR particular expertise lies in providing international protection and assistance to refugees and seeking solutions to refugee problems those internally displaced persons who are of concern to the Office of the UNHCR are those in refugee like situation i.e. Persons fleeing persecution, armed conflicts or civil strife, rather than victims of physical disasters such as earthquakes, floods or nuclear power plant explosions, who have not left the territory of their nationality.

In Central America, which is one of the examples of the UNHCR involvement with the internally displaced, there is an attempt to link between internal and external displacement. This is by recognizing that the problems of the internally displaced and of the refugees are the manifestations of the same phenomenon, which civil strife or internal armed conflict. The beneficiaries of the definition of internally displaced persons would include those displaced as a result of armed conflicts, situations of generalized violence, violations of human rights or natural or human-made disasters and who have not crossed an internationally recognized state border.¹³² Much of these people had existed in refugee-like situations and faced the same humanitarian problems.

¹³² See Office for the Coordination of Humanitarian Assistance (OCHA) *Guiding Principles On Internal Displacement* 1998, see also *Analytical Report Of The Secretary General On Internally Displaced Persons*, E/CN.4/1992/23, 14 February 1992, para2.

Rendering humanitarian assistance was to be done in accordance with the principles of humanity, neutrality and impartiality.¹³³ All the while respecting the sovereignty, territorial integrity and national unity of states.¹³⁴ Strengthening the protection needs of the internally displaced is Common Article 3 of the Four Geneva Convention of 12 August 1949 which in the case of armed conflicts not of international character prohibits violence to life and/or person, the taking of hostages, and outrages upon personal dignity of persons.¹³⁵ Equally, if not more, important is Article 17 of the Protocol Additional to the Geneva Conventions of 1977 which deals with the displacement of the civilian populations in internal armed conflict and places restrictions on the forced displacement of the civilian population.¹³⁶

However the international humanitarian law operates only during the situations of armed conflicts. Once the conflict ceases the law has no role to play in the alleviating of the problems that are the result of the conflict. The UNHCR did have to look beyond the conflict and the problems faced by the refugees as well as the internally displaced persons were the same, it did not differentiate or discriminate among the two categories of people. It was recognized by the CIREFCA that displaced persons need for protection and assistance is at times as great as if not greater than that of refugees who have left the country. All these efforts were aimed at relief, rehabilitation and reconstruction of the war torn economies as also the reintegration of the refugees, the returnees and the internally displaced persons into the national mainstream. CIREFCA process enabled the UNHCR to address the needs of the returning refugees and the internally displaced people in a most comprehensive manner that ever before.

PRODERE's philosophy was of coordinated regional development with the concept of community-based activities that achieve immediate

¹³³ See *Strengthening Of The Coordination Of Humanitarian Emergency Assistance Of The United Nations*, G A Res. 46/192 of 19 December 1991

¹³⁴ *ibid.* .

¹³⁵ Common Article 3 of the 1949 *Geneva Conventions Of 12 August 1949*

¹³⁶ Article 17, *Additional Protocol To The Geneva Conventions Of 12 August 1949, Relating To Victims Of Non-International Armed Conflicts Of 8 June 1977*.

results.¹³⁷ The Italian government with a contribution of \$115 million financed PRODERE. The United Nations Development Program (UNDP), in association with the UNHCR, the International Labor Organization (ILO), the Pan American Health Organization (PAHO) and the World Health Organization (WHO), implemented this program.¹³⁸

More than 100 NGOs met in March 1989 at the First NGO International Conference on Central American Refugees, Displaced Persons and Returnees, which gave a call to CIREFCA to recognize the necessity for the integral involvement of the NGOS in Central American development projects affecting the refugee population. This conference identified armed conflicts, restrictions on freedom, social contradictions and the interests of foreign states as root causes for the situation of the uprooted.¹³⁹ The CIREFCA Declaration recognized the positive role of the NGOs in aiding the uprooted populations and encouraged them to increase their efforts within the framework established by the national governments.¹⁴⁰

Post conflict Nicaragua faced unemployment rate of over 50 percent, land ownership disputes, clashes among the former contras, re-contras, Sandinista followers and the Nicaraguan government forces in an atmosphere of hatred, revenge, mutual suspicion and distrust.¹⁴¹ In such a scenario the development projects had to be taken up on a war footing so as to prevent the country from sliding back into a civil conflict. Development projects to aid the refugees were designed to benefit 1000 refugees, 90,000 internally displaced persons and returnee-related projects for about 20,000

¹³⁷ [Http:// www.refugees.org/world/articles/centralamerica_wrs93.htm](http://www.refugees.org/world/articles/centralamerica_wrs93.htm) (Accessed on 15 September 2001).

¹³⁸ UNDP/UNHCR CIREFCA, Joint Support Unit 1993. *Questions And Answers About CIREFCA*. San Jose, Costa Rica. See also Sergio Aguyao, *International Aid In The Case of Central American Refugees And Displaced Persons* (Geneva, ILO/ UNHCR, 1992).

¹³⁹ American Friends Service Committee, *Report On The International Conference On Central American Refugees (CIREFCA)*, Philadelphia 1989.

¹⁴⁰ CIREFCA. *Declaration And Concerted Plan Of Action In Favor Of Central American Refugees*, 31 May 1989.

¹⁴¹ *Annual Report Of The Inter-American Commission On Human Rights 85th Session*, (Washington DC, February 1993), OEA/Ser.L/VII.85, <http://www.cidh.oas.org/annualrep/93English/93ench5b.htm> (Accessed on 16 September 2001).

repatriated refugees in Guatemala and Nicaragua.¹⁴² For the externally displaced persons of the Atlantic Coast the PRODERE provided multi sector assistance.¹⁴³ Nicaragua's proposed projects were estimated to help 31,000 potential returnees, 127,850 refugees and internally displaced persons and 294,000 affected local population.¹⁴⁴ By March 1991 through the PRODERE disbursed \$24,899,000 for Nicaragua.¹⁴⁵

It instituted planning networks that permit participation of local groups such as mayors' offices, community representatives, cooperatives, NGOs, cultural organizations and professional associations.¹⁴⁶ Projects for the literacy, emergency assistance, community works and production has helped tens of thousands of internally displaced persons, returnees and refugees. PRODERE is the core of the National Reconciliation Process designed by the Nicaraguan government. It directly or indirectly benefited about 51,100 persons in 1991. PRODERE funds have built and equipped 39 schools, 41 health clinics, built and improved 115 km of rural roads and supported numerous development projects, emergency housing schemes and production projects.¹⁴⁷ It has definitely contributed to the integration of the uprooted population in Guatemala and Nicaragua.¹⁴⁸

Quick- Impact Projects

The Quick Impact Projects (QIPS) was created by the CIREFCA process in the face of massive voluntary repatriation of Nicaraguans to their country designed to help returnees through job creation and infrastructure repair. These Quick Impact Projects numbered 250 micro projects implemented over a 20-month period. Great emphasis was on health,

¹⁴² CIREFCA Plan Of Action 1989, *Supra* Note 105,

¹⁴³ AFSC, *Report On The International Conference On Central American Refugees*, 1989, Appendix 2, Pp. 1-15.

¹⁴⁴ *Ibid.* Pp.12-14

¹⁴⁵ *Second Status Report On Implementation Of The Concerted Plan Of Action Of The International Conference On Central American Refugees*, San Jose, Costa Rica, 1990, Pp.6-19

¹⁴⁶ CIREFCA, *Joint Support Unit. Synthesis Of The Advances, Strategies And Proposals Of The Second Follow-Up Committee*, San Jose, Costa Rica, 1992, p.5

¹⁴⁷ *ibid.* p.43

¹⁴⁸ *ibid.* p.3

education, water, sanitation, transportation and crop and livestock production.¹⁴⁹ Micro projects were designed to link capital to infrastructure projects. Community members were involved in the planning and the execution of the projects. Averaging only about \$40,000 each these Quick impact projects were revised by joint technical teams composed of representatives from the UNHCR, UNDP and the local government to ensure that they comply with the CIREFCA and the Nicaraguan development plan.¹⁵⁰ Quick impact Program for Women (QIPFEM) program funds micro projects, that benefit women and their families. In Nicaragua the QIPFEM achieved this goal by requiring at least 50 percent of the beneficiaries of the projects are women, that women should be equally represented in the planning of projects and women have equal access to on-the -job training aspects of the projects.¹⁵¹ Charles Keely had identified a number of collective actions that the state had undertaken on behalf of the internally displaced persons.¹⁵² These actions can and should be placed within the expanded legal protection for all uprooted population. The UNHCR links this protection to long-term development efforts in that it hopes to transform principles and criteria regarding the protection of basic human rights into national and international obligations, and to include in the concept of assistance to refugees, repatriates and displaced people, durable and self-sustaining solutions".¹⁵³

The community itself designs these Quick Impact Projects and they fill important needs such as bridges, roads, to provide access to markets, building of a simple dispensary or school, the provision of livestock and so forth. Their average cost is \$37,143 each, to be completed in an integrated fashion within months or one or two years and is generally in the hands of the

¹⁴⁹ A. Bonifacio and A. Lattimer, *A Primer On Quick Impact Projects (QIPs). A Formula For Consolidating Durable Solutions* (New York, UNHCR, 1992). P.3.

¹⁵⁰ *ibid.* p.7

¹⁵¹ *ibid.* p. 9

¹⁵² Charles Keely, *Finding A Critical Gap In The Refugee Protection Regime. The Internally Displaced*. World Refugee Survey 1991, (Washington D.C., US Committee for Refugees, 1991), Pp., 24-25

¹⁵³ Adolfo Zinser Aguliar, *CIREFCA. The Promises And Reality Of The International Conference On Central American Refugees: An Independent Report*, (Washington DC, Center for Immigration Policy and Refugee Assistance, 1991), P. 55.

non-government organizations. All together the estimated cost of funding of \$345 million in external priority funding requirements some \$240 million had been disbursed since 1989. However this amount does not include the \$115 million granted by the Government of Italy for the PRODERE program. These Quick Impact Projects were implemented for the first time in Nicaragua on a large scale. These projects addressed the urgent needs identified by the community members, and were carried out in communities with large numbers of recent returnees. They encouraged people to share ideas, skills and resources and helped in reducing the tensions between the former adversaries. They were not only innovative but also essential to the successful reintegration as well as reconciliation.

One of the success stories of the PRODERE Quick Impact Projects (QIPs) was the bridge over the Jicaro River.¹⁵⁴ IT was a UNOPS/ PRODERE endeavor. This project was launched with the United Nations Capital Development Fund (UNCDF) providing \$946,398, Nicaragua government \$26,250 for the project. This bridge would cover the area including the northern town of Quilali and provide access to the agricultural region in the west. This bridge would provide the access to the market and urban services in Quilali. The Nicaraguan government saw this bridge as a key to the development objectives of the government in a zone emerging from civil conflict; facilitate the process of reconciliation of the previous warring factions in the area.

This region was of high agricultural potential and the bridge would enable its reintegration into the national economic and social sphere. This bridge when constructed would ease transportation bottlenecks, improve the regional and national market by opening access to the region's agricultural production, facilitate access to urban services to the communities in the east, north and south of the river Jicaro from Quilali and also would facilitate its rapid urbanization. The Nicaraguan Ministry of Construction and

¹⁵⁴ Much of this account is taken from *United Nations Capital Development Fund (UNCDF)*, [http:// www.uncdf.org/projects/eval/nic92c01.html](http://www.uncdf.org/projects/eval/nic92c01.html) (Accessed on 21 September 2001).

Transportation executed the UNCDF provided the engineering and construction financing. It. Local firms who were awarded the contract through competitive national bidding managed the actual design, construction and supervision. All skilled and semi skilled labor were locally recruited. Post - conflict reconciliation extreme care was taken to recruit all labor and subcontracts on an equitable hiring base on workers pre existing political affiliation under the guidance from municipal government. This project was completed on 27 June 1994 with a single lane, 3 span and 75 meter-long lorry bridge across the River Jicaro at Quilali.

This bridge had a positive impact on the local economic and social services. It helped reintegrate the populations displaced into the national economy. It eliminated the risks of river foot crossings, benefited about 26,270 inhabitants many of them living in subsistence poverty levels. This bridge saw the increase of the savings to the users who no longer had to travel long circuitous or unreliable routes. This project saw a remarkable growth in cash crop cultivation such as beans, corn and coffee. New settlements sprung up with increased agricultural production and improved health services saw an increase in preschool attendance. The salary opportunities led the local workers to prevail upon armed factions that were still in action to cease military activities as this project gave ample support to the reintegration of formerly armed opposition. This project of the bridge over the Rio Jicaro was the shining example, a physical demonstration of local reintegration.

Civil society organizations ranging from human rights and church groups to village based organizations worked to reconstruct the civil society and reestablish relationships shattered by the conflict. PRODERE covered municipalities, villages and hamlets. Basic infrastructure had been destroyed in those areas. Poverty became dramatic and land tenure was the major root cause of conflict. The guiding principle of PRODERE was the practical application of the provisions of the Universal Declaration of Human Rights of 10 December 1948.

The main objectives of the PRODERE program was to arrive at consensus on development, all the while promoting human rights, restoration of basic services as health, education and housing devastated by the conflict, reactivating the local economy throughout the local bodies, civil society organizations through a participatory decision making approach. These projects were aimed at reviving basic food production with financial and technical assistance to cultivate maize, beans, recuperate the abandoned coffee plantations in the municipalities. Through this program it built or repaired access roads to the production zones, health care was provided and schools were rebuilt. Arriving at consensus building, strengthening local capacities, a bottom-up participatory approach, striving for synergy and raising public awareness were the hallmark of the PRODERE projects. Direct financial assistance was given to the Local Economic Development Agencies (LEDAS) set up in Jinotega and Nueva Segovia. Bilateral intervention was funded by the Italian government in Granada and Leon.¹⁵⁵ 1000 enterprises in agriculture, cattle breeding, fishing, rice, wheat and bean cultivation were set up under the LEDAs. These micro enterprises covered Granada, Masaya, Carazo and Rivas in eastern Nicaragua. 30 garment and textile manufacturing enterprises, 70 in transport and training centers, 5600 job creation, aiding plantation cultivation and cattle breeding promotion in Cargenas and Granada, Milk production unit in Tisma. All these programs were channeled through the Program of Technical Assistance for Micro Enterprises (PAMIC), the National program for Rural Development and through the World Food Program, fishing promotion.¹⁵⁶ Other projects were initiated for Quilali. This was building a gravity system that draws water from the mountain source, which expands the water storage capacity of the system as well as distribution network and increased household

¹⁵⁵ Alfredo Lazate, Hans Hofmeyer and Maria Zwnberg, *Local Economic Development In Central America: The PRODERE Experience-1990-1995*, <http://www.ilo.org/public/english/employment/papers/prodere.htm> (Accessed on 20 September 2001).

¹⁵⁶ *United Nations Capital Development Fund- Nicaragua, UNCDF*, <http://www.uncdf.org/projects/countries/nic.html> (Accessed on 20 September 2001).

connections.¹⁵⁷ The PRODERE program reconstructed or rehabilitated 12 percent of all roadways, provided potable water and sewage disposal systems, rehabilitated or reconstructed or equipped schools and health infrastructures.¹⁵⁸

During the International Conference on Peace and Development held in Tegucigalpa on 24-25 October 1994 the Special Plan of Economic Cooperation for Central America launched in September 1988. This was in pursuant to the General Assembly Resolution 42/231 of 12 May 1988 for an initial period of 3 years.¹⁵⁹ This conference extended the PRODERE program for an additional period of 3 years by the General Assembly by its Resolution 45/231 of 21 December 1990.¹⁶⁰

Nicaragua made significant economic recovery in production by 3.2 percent. Short supply of water in reservoirs reduced the capacity to generate electricity and resulted in water rationing. Power plants generated more electricity from thermal sources increased production costs. UNDP acted as a technical Secretarial for the Support Group made up of representatives from Canada, Spain, Mexico, the Netherlands and Sweden. This support Group held intense discussions with the Nicaraguan officials, business, labor and religious and academic leaders, NGOs, local authorities, media, political leaders and National governments. These discussions sought to institutionalize the dialogue between the public officials and civil society to ensure democratic governance and support for the national development strategies.¹⁶¹

¹⁵⁷ *ibid.*

¹⁵⁸ *Statement By The Permanent Representative Of Italy* Am Francesco Paolo Fulci, Agenda Item 36, *International Assistance For The Rehabilitation And Reconstruction Of Nicaragua. Aftermath Of War And Natural Disasters* (New York, 25 October 1996), <http://www.undp.org/missions.Italy/statement/ga/2510.htm> (Accessed on 21 September 2001).

¹⁵⁹ *Special Plan Of Economic Cooperation For Central America*, UNGA Res/42.231 of 12 May 1988

¹⁶⁰ *Special Plan Of Cooperation For Central America*, UNGA Res/ 45/ 231 of 21 December 1990

¹⁶¹ *International Assistance To And Cooperation With The Alliance For The Sustainable Development Of Central America- Report of the Secretary General Mr. Kofi Annan*, 26 October 1995, UNGA Res A/ 50/534, <http://www.un.org/documents/ga/docs/50/plenary/a50-534.htm> (Accessed on 21 September 2001).

The international community advocated bilateral and multilateral debt cancellation of Nicaragua and Honduras and advocated substantial relief and reconstruction to support public health interventions, provide shelter and ensure short-term and long -term food security. By the end of April 1998, Nicaraguan debt stood at \$6.1 billion. It had the highest per capita debt at \$1,300 per person. Debt servicing payments in 1997 alone was \$254 million. Recurrent expenditure on health and education declined. Over half of the population was below the poverty line while two fifths of the poor children suffered malnourishment ¹⁶² The main cause of conflict arose when in 1990 the lame duck Sandinista government authorized a large number of urban and rural property seizures. Sandinista officials who were not eligible as agrarian reform beneficiaries were also holders of such lands.¹⁶³ The Peace Accords designated land to ex-combatants who were unsatisfied with the slow pace of reforms. The National Review Commission approved 2200 of the 6000 requests for the land usurped by the FSLN leading to conflicts with the occupiers of such lands. The Commission offered \$260 million in bonds to previous property owners.¹⁶⁴ Peasants who had never left the countryside poured into the already overcrowded urban centers and were sometimes sent off to places far from home. Returnees came back to the poorest parts of the country where the war had ravaged the few resources that had existed.

Flight of civilian population had left whole regions depopulated and unproductive for years. Scores of towns and villages simply disappeared never to be restored. The presence of unexploded mines discouraged productive activity. There was considerable weakness of the political and civil institutions and a widespread lack of confidence in the ability of these institutions to function effectively. Extreme poverty, sharp inequalities,

¹⁶² OXFAM International Briefing Paper. *Recovery For Nicaragua And Honduras*, November 1998, [http:// www.org.au/oxfam/advocacy/debt/mitch.recovery.html](http://www.org.au/oxfam/advocacy/debt/mitch.recovery.html) (Accessed on 23 September 2001).

¹⁶³ Central American Report, Volume 21, July 1996

¹⁶⁴ William Thiesenhusen, *Land Tenure In Development Cooperation-Issues In Latin America. Experiences And Recommendation For Development Cooperation-* 1996, [http: www.gtz.de/orboden/thiesen/thi5_c.htm](http://www.gtz.de/orboden/thiesen/thi5_c.htm) (Accessed on 10 September 2001).

scarcity of land for the poor, loss of faith in the political process, physical devastation and social disruption caused by the war, a declining international willingness to assist reconciling, returning refugees were the conditions in post-conflict Nicaragua. Fragile political arrangements combined with a weak and damaged economy, poverty and underdevelopment confronted the people of Nicaragua. The PRODERE program provided desperately needed economic assistance to empower communities and large groups of uprooted people. It also strengthened local authorities and bodies at the grassroots level and incorporated the poorest people from the worst hit regions into the development process.¹⁶⁵

PRODERE wound its operations on 31 July 1995. This program served as a model of innovation and influence for future repatriation operations. The PRODERE initiative managed to provide a forum for dialogue and consensus building on development issues. It facilitated key actors to participate in a joint search for solutions to common problems. It brought about improvements in infrastructure and to strengthen local organizations to bring about a lasting improvement in the living conditions of the communities shattered by the civil conflict. It promoted an environment sensitive to the state-civil society dichotomy. The success of the PRODERE/ QIPs could be applied to other regions, which are emerging from civil conflict. Such development projects facilitate the participation of the factions involved in the political conflict, which is critical to the process of reconciliation and reintegration. Durable solutions to the problems of refugees and displaced persons in the Central American region was intimately linked to the peace process, to development and to economic cooperation. The motivation grew out of political commitment to improve regional political and economic stability

¹⁶⁵ [http:// www.refugees.org/world/articles/central_america_wrs93.htm](http://www.refugees.org/world/articles/central_america_wrs93.htm) (Accessed On 15 September 2001).

and sought to incorporate solutions into a more comprehensive durable plan.¹⁶⁶

It looked like the country was firmly on the path of economic recovery and sustainable development. However the dangers of unexploded ordnance (UXO), land mines and anti-personnel mines that were planted in the war zones both by the Sandinista armed forces as well as the contras posed the greatest danger to the people and the economy.

De-Mining Operations In Nicaragua

De-mining, getting the land rid of land and anti-personnel mines became one of the most important aspects of peace building and reconciliation. Land mines were an ugly reminder of the conflict, which hurt, kill and maim people even after the conflicts, had ended and the hostilities are long over. The Armed Forces of the Sandinista government mined installations in the interiors of the country to prohibit access, possible sabotage or destruction by the rebel forces and also mined portions of borders to prevent the cross-border infiltration by the contras. The contras on their part mined strategic installations to disrupt the economic life of the country and to destabilize the Sandinista government. They also mined the border areas to protect their bases and hinder the government troop movement and cross-border pursuit.¹⁶⁷ Mines planted near key bridges, roadways and power sources and on agricultural land prevent the utilization of large areas of land for agricultural, ranching and productive purposes. Mines have rendered roadways, bridges and communications networks unsafe and unusable. Mines have placed large numbers of populations at risk to life and limb. As Major Sergio Ugarte of the Nicaraguan Engineer Corps put it, "de-mining in Nicaragua is a task of utmost importance, fundamentally humanitarian in nature which represents an important component of the

¹⁶⁶ UNHCR. *Consolidating Peace In Central America Through An Inter-Agency Approach To Longer Term Needs Of The Uprooted. Report On The Conclusion Of The CIREFCA Process*, UN doc. A/ ac.96/831, 31 August 1994.

¹⁶⁷ *The global landmine crisis* (Department of State), 1998, http://www.state.gov/www/global/arms/rpt_9809_demine_ch1.html (Accessed on 12 September 2001).

peace process, socio economic stabilization and the consolidation of democracy. It constitutes a task of primary importance for the army as well as for the government and the civil society as a whole".¹⁶⁸

Mines have become weapons of choice for the government as well as for the insurgent groups. They are cheap, easy to manufacture and use, difficult to detect and expensive and just simply too dangerous to remove. These weapons are irresponsible and indiscriminate against the civilian populations, generate fear among them, inhibit refugee repatriation, disrupt economic reconstruction and create chaos in fragile governments. Such conditions stunt development and jeopardize peace process. Efforts aimed at restricting or prohibiting their use reflected the basic customary principles of the laws of war particularly the principle of discrimination. Spearheaded by the non-governmental organization, the International Campaign to Ban Landmines (ICBL), strengthened by a series of resolutions passed by the United Nations General Assembly,¹⁶⁹ the international community called for states to agree on new prohibitions and restrictions on the use of such weapons.¹⁷⁰ During the Diplomatic Conference in Ottawa, convened from 3-5 October 1996, 50 states subscribed to the Ottawa Declaration calling for a global ban on anti-personnel land mines. The Convention was concluded by the Diplomatic Conference on an International Total Ban on Anti-Personnel Land Mines, held in Oslo from 10-19 September 1997, and the Treaty

¹⁶⁸ Elizabeth Berry Adams, *The History Of De-mining In Nicaragua*, <http://www.hdic.jmu.edu/hdic/journal/5.2/focus/nicaragua.htm> (Accessed On 12 September 2001).

¹⁶⁹ *Moratorium On The Export Of Anti-Personnel Land Mines*, UNGA Res. 48/75(K), 16 December 1993, *Moratorium On The Export Of Anti-Personnel Land Mines*, UNGA Res. 49/75 (D), 15 December 1994, *Moratorium On The Export Of Anti-Personnel Land Mines*, UNGA Res. 50/70 (O), 12 December 1995, *Convention On The Prohibition Or Restrictions On The Use Of Certain Conventional Weapons Which May Be Deemed To Be Excessively Injurious Or To Have Indiscriminate Effects*, UNGA Res. 50/70, 12 December 1995, *An International Agreement To Ban Anti-Personnel Land Mines*, UNGA Res. 51/45 (S), 10 December 1996.

¹⁷⁰ *Report: Anti-Personnel Landmines, Friend Or Foe? A Study Of The Military Use And Effectiveness Of Anti-Personnel Landmines*, (Geneva, ICRC, March 1996).

opened for signature during the Ottawa signing Conference on 2-4 December 1997.¹⁷¹

135,000 mines were laid in Nicaragua both by the Sandinista government forces and the contras. Unmarked mines lay dangerously near the border areas. At present 85,000 mines remain in 487 target areas which includes 372 electrical towers, 44 bridges, 58 minefields, with about 50,000 of the bulk located in remote areas along the Nicaraguan-Honduran border. There were 424 victims during the 1990-1998 period with 33 out of 743 communities deemed risk. The UNICEF, the International Committee of the Red Cross (ICRC), the Canadian Red Cross in cooperation with the Center for International Studies (CEI) and Nicaraguan Centre for Strategic Studies (CEEN) developed child-to-child program. 12-15 olds were recruited to spread mine awareness. About 300 students reached out to about 20,000 children and teenagers.¹⁷²

De-mining program was initiated in 1989. In 1990-1992 help from the Organization of America States team of experts cleared much of the mined areas and made these areas productive, repaired the infrastructure affected by the mines. In 1993 the Special De-mining Units (UEDS) began the process under the supervision of the Mission of Assistance for the Removal of Mines in Central America. (MARMINCA) of the OAS. A team of 27 experts destroyed 2,373 mines, 66 targets were de-mined and 27,643 meters were declared mine-free. During 1994-1995 with funds from the Ministry of Transportation and Infrastructure and the National Enterprise of Electrical Energy 60 men destroyed 18,053 mines, 192 targets were de-mined clearing about 143,878 sq. miles. In 1995-1996 with assistance from the ICRC, Nicaraguan Center for Strategic Studies, Italian NGO MOVIMONO, UEDS grew to 400. In this period 33, 783 mines were destroyed and 192 targets were de-mined and 422 sq. meters were declared mine-free areas.

¹⁷¹ See Maxwell Cameron, ET all Eds. *To Walk Without Fear: The Global Movement To Ban Landmines*, (Toronto, Oxford University Press, 1998).

¹⁷² http://www.maic.jmu.edu/Latin%20America/Latin_America.htm (Accessed on 12 September 2001).

These teams used probes, metal detectors, mine detecting dogs and large mechanical mine clearing equipment. Nicaraguan Red Cross estimated that nearly 50 people are killed or injured every year. Indigenous Miskitos still find them everywhere. This organization is located in Waspam, one of the heavily mined areas. Mountainous terrain renders heavy equipment inadequate.¹⁷³ Hence canine is used to track and detect mines and unexploded ordnance in inaccessible areas. These dogs are used in magnetized areas of Cerro el Variador in Nicaragua where the mine-detecting dogs detected land mines, UXO and anti-personnel mines.¹⁷⁴ The Marshall Legacy Institute is aiding the National De-mining Commission of Nicaragua to establish community based awareness programs to prevent land mines incidents and to promote rehabilitation of mine victims.¹⁷⁵

Based in Managua the Assistance Program for De-mining In Central America, a partnership between the Organization of American States, the Inter-American Development Bank and the mine clearing personnel from the mine affected countries aids in mine clearing operations. The OAS through its unit Promotion of Democracy (UPD) manages the program of identifying, obtaining and delivering resources. According to Nicaraguan army de-mining operations is expected to be completed by 2004.¹⁷⁶

Since 1993 \$500 million was given by the United States under its United States Humanitarian De-mining Program in the Americas to global mine action initiatives including research and development.¹⁷⁷ As of April 2001 85,000 mines have been cleared, 15,000 in March 2001 alone. Nicaragua is a signatory to the Ottawa Convention to Ban Anti-Personnel

¹⁷³ [http:// www.redcross.org/news/in/entlamer/010509demining.html](http://www.redcross.org/news/in/entlamer/010509demining.html) (Accessed on 12 September 2001).

¹⁷⁴ Jamie Perales, *Mine Detection Dogs In Central America. An Optimum Technology?* Organisation of American States <http://www.hdic.jmu.edu/hdic/journal/5.2.focus/jamieperales.htm> (Accessed on 26 September 2001).

¹⁷⁵ [http:// www.marshall-legacy.org/about_us/about_us.html](http://www.marshall-legacy.org/about_us/about_us.html) (Accessed on 14 September 2001).

¹⁷⁶ [http:// www.oas.org/assembly/GAAssembly_2000/GA_Demining_.htm](http://www.oas.org/assembly/GAAssembly_2000/GA_Demining_.htm) (Accessed on 13 September 2001).

¹⁷⁷ http://www.usembassy.it/file2002_07/alia/a1070908.htm (Accessed on 14 September 2001).

mines of 1998 and is incidentally the venue for the Third Meeting of the State Parties to the land Mine Treaty from 18-21 September 2001. It had announced its intention to destroy its remaining stockpiles amounting 96,000 during the Managua Meeting.¹⁷⁸ The Managua Declaration of 20 September 2001 called for efforts to convert the Western Hemisphere into an anti-personnel landmine free zone.¹⁷⁹ Recently the Secretary General of the OAS Luigi Einaudi announced on 15 March 2001 that Italy granted a \$100,000 to the OAS to support specifically a mine awareness education campaign.¹⁸⁰ As Mary Wareham the Human Rights Coordinator of the International Campaign to Ban Landmines (ICBL)'s Landmine Monitor Verification Initiative put it "it is far cheaper and simpler to destroy mines on the shelter than once they are in the ground".¹⁸¹ Problems of inaccurate maps, displacement due to natural processes and disasters, challenging topography were the conditions faced during the de-mining operations. Lack of adequate national infrastructure and the necessary funding impeded the operations.

Torrential rain and flooding with high winds experienced during Hurricane Mitch damaged the mine clearing equipment, scattered the debris across the mine fields and dislodged the mines and relocated them to previously mine free areas. The most affected departments in Nicaragua were Esteli, Jinotega, Madriz, Matagalpa and Nueva Segovia.¹⁸² Local residents in Mosquitia found in 1997 grenades, mortars and even rockets apart from land mines in a arms cache, located in a small military compound in Wespam. This discovery required the mass evacuation of the entire community. Such large-scale evacuation of mined areas required the same

¹⁷⁸ *Presentation On The Logistics For The Third Meeting Of States Parties Of The Mine Ban Convention*-Her Excellency Bertha Marina Arguello, Vice-Minister for Foreign Affairs, Geneva, 10 May 2001, [http:// www.concilleria.gob.ni/discursos/tercera_reunion.html](http://www.concilleria.gob.ni/discursos/tercera_reunion.html) (Accessed on 14 September 2001).

¹⁷⁹ *Managua Declaration, 20 September 2001, Meeting Of The States Parties To The Convention On The Prohibition Of The Use, Stockpiling, Production, And Transfer Of Anti-Personnel Mines And On Their Destruction*, APLC/MSP.3/2001/L.5/Rev.1, 20 September 2001.

¹⁸⁰ [http:// www.usembassy.it/file2001_03/alia/a1031506.htm](http://www.usembassy.it/file2001_03/alia/a1031506.htm) (Accessed on 14 September 2001).

¹⁸¹ [http:// www.icbl.org/prerelease/2000/nov6.phb3](http://www.icbl.org/prerelease/2000/nov6.phb3) (Accessed on 4 September 2001).

¹⁸² *Land Mine Monitor Report* (Human Rights Watch, New York) 1999, p.269

type of disaster preparedness response. The American Red Cross provided shelter, food and medical help. It took six different detonations to clear 2.4 tons of mines, mortars, grenades and other explosives totaling 564 pieces. This action and the evacuation brought to the community, which was just coming around from the conflict, bitter memories.¹⁸³

The Nicaraguan Army provided the much-needed medical and psychological care and the air medical evacuation for the victims of land mine disasters through the Organization of American States. At present the Inter-American Development Bank and the organization of American States and the Nicaraguan army are carrying out the de-mining operations. However natural disasters continue to arrest the process of development in the post-conflict period in Nicaragua.

Hurricane Mitch

All the efforts towards putting Nicaragua back on the path of sustainable development received a setback when Hurricane Mitch struck the Nicaraguan Eastern coastal regions. Between Octobers 26- November 4 1998 wind speeds of 180 mph, gusts over 200mph hit the most vulnerable coasts of Nicaragua. The Hurricane destroyed roads, communication networks, houses, and wells. Raging rivers washed away farmland caused extensive damage and destruction to agricultural and ranching and human life. Bean and Corn crops were destroyed. This immense destruction was attributed to years of land abuse, environmental neglect, social, political and economic factors, environment degradation and deforestation due to rapid growth of urbanization, which exacerbated the tragedy.¹⁸⁴

The Nicaraguan Government of Armando Aleman was given enough time and warnings to take up the evacuation of the surrounding communities. But did not heed to the early warning systems and did not initiate any action. On 28 October 1998 the Nicaraguan Institute for Territorial Studies had

¹⁸³ Geno Teofilo, *A Different Kind Of Disaster. De-mining In Nicaragua*. [Http://www.imsma.ethz.ch/action/nicaragua.asp](http://www.imsma.ethz.ch/action/nicaragua.asp) (Accessed on 14 September 2001).

¹⁸⁴ *Hurricane Mitch*, <http://www.acerca.org/ejd/results.3.htm> (Accessed on 16 September 2001).

warned the government of impending land and mudslides.¹⁸⁵ About 800,000 were affected by the Hurricane, 228 injured, 1848 were dead and 1287 were on the missing list according to the United Nations Disaster Assistance Committee/ World Food Program (WFP).

The Office for the Coordination of Humanitarian Assistance (OCHA) rushed 13.3 tons of goods donated by the governments of Italy and Norway by its flights from its warehouses in Pisa.¹⁸⁶ United Nations Spokesman Fred Eckhard announced that the WFP sent 100,000 tons of food, 50,000 oral rehydration salts for the children suffering from diarrhea and medical supplies.¹⁸⁷ The Palmerola Air Base in Honduras, which was built in the 1980s by the United States to fight its counterinsurgency battles in Central America, had become the nerve center for the United States military and humanitarian agencies to operate emergency humanitarian assistance to Nicaragua. This was the air base used by the Nicaraguan contras to receive and ship weapons and by the CIA to fly its spy planes and reconnaissance missions over Nicaragua and El Salvador. 20 military helicopters and four fixed wing transport planes were stationed to fly the emergency supplies to Nicaragua. France cut 80 percent of its \$69.8million that Nicaragua owed to it. European Union gave \$82 million in humanitarian aid and relief to Nicaragua to build destroyed infrastructure. American Red Cross dispatched 40 tons of water purification chemicals and antibiotics to stem the spread of water borne diseases.¹⁸⁸ United States Agency for International Development (USAID) sent \$75,000 in relief supplies, which included medicines and food. On 1 November 1998 it provided for the deployment of two U S Department of Defense UN- 66 helicopters and on CH-47 planes to assist in search and rescue efforts and for the delivery of supplies.¹⁸⁹

¹⁸⁵ *ibid.*

¹⁸⁶ *Central America-Hurricane Mitch, OCHA-1 -09 November 1998*, <http://www.stone.cidi.org/disaster/98b/0095.html> (Accessed on 16 September 2001).

¹⁸⁷ <http://www.cnn.com/WEATHER/9811/03/mitch.03> (Accessed on 16 September 2001).

¹⁸⁸ <http://www.abcnews.go.com/sections/world/Dailynews/Mitchaid981110.html> (Accessed on 15 September 2001).

¹⁸⁹ http://www.usaid.gov/hum_response/ofda/Mitch06fs.htm (Accessed on 6 October 2001).

Rivers in northern Atlantic coast in Esteli, Jiontega, Matagalpa and Chinandega were in spate. In Quilali a new baseball the Rio Coco destroyed stadium. In Wiwili 2,500 of the 2,800 houses were destroyed by the flooded Rio Coco. 70 Miskito Indian communities lost their homes in the thickly forest areas on the Atlantic coast. 70 bridges were damaged, and endemic diseases such as malaria, dengue, leptospirosis, cholera and myriad infections spelt the greatest dangers.¹⁹⁰ The La Casitas volcano located within the Cordillera Maribios, a 70 km volcanic chain that extends from the northern shore of the Lake Managua to the vicinity of Chinandega part of the San Christobal volcanic complex was the largest volcano in Nicaragua. Hurricane Mitch who began on 25 October 1998 by 27 October rainfalls measured 100 mm per day. It reached 500mm per day on 30 October 1998. Usually in October the rainfall would be around 328 mm. In 1998 October the rainfall was around 1984 mm, which was six times the normal average.

The crater of the La Casita volcano broke on 30 October and caused a major avalanche and mudslide¹⁹¹. The main source of the avalanche was at 200 m SW near the summit 60 to 80 m below the telecommunications tower. A plate measuring about 20m thick, 60 m high and 150 m long detached first and slid. The volume of the first rockslide was 200,000 cubic meters.¹⁹² Small blocs flowed towards the southeast to the villages of El Porvenir and Rolanda Rodriguez. There was however no evidence of former habitation in these two villages. These towns were completely destroyed beyond recognition and there was no information about casualties. Cadaver and dead livestock were seen lying on the bank; smaller hamlets, isolated residential places and farms were completely destroyed.¹⁹³ The town of Postoltega lay buried in the mud. The lahar and the boulders rolled over or bounced along the base of the mudslide, the noise was defining like thunder and the ground

¹⁹⁰ <http://www.101.ie/~lasc/NicaraguaMITCH.htm> (Accessed on 16 September 2001).

¹⁹¹ http://www.landslides.usgs.gov/html_files/landslides/mudslides.html (Accessed on 16 September 2001).

¹⁹² *ibid.*

¹⁹³ *ibid.*

shook with tremors akin to an earthquake. About 2000 people lay buried with the thousands more displaced. The Pan American Highway was disrupted due the destruction of numerous bridges.¹⁹⁴

There were 3,800 dead, 7,000 missing, and 2 million directly affected and 500,000-800,000 homeless and displaced. Survivors had to wait for days before the mud dried up to walk to the rescuers. 500 bodies were found washed up on the river near the town of Wiwili on 5 November and another 500 unidentified bodies were washed up on the pacific Shore. There was extensive damage and destruction to the infrastructure. Several villages were buried under the mudslides near the Casita Volcano. Critical shortages in food and water were experienced in flooded areas. There was \$1 billion damage, half a million homes were damaged and 750,000 lost their homes or possessions. Beans, sugar and banana crops were destroyed.¹⁹⁵ UNICEF made arrangements for the immediate shipments of 500,000satchets of oral re-hydration salts, which prevent and also treat diarrhea dehydration. It is also provided \$20,000 of medicines for those affected in Nicaragua. Food, clean water, milk and medicines were essential to survive. Dead bodies and the sewage contaminated the drinking water supplies. 800,000 including 350,000 were children and 200 schools were destroyed or severely damaged.¹⁹⁶ Many of the thousands of the displaced located in camps such as Managua, Ciudad Sandino. Vice-President Al Gore announced a \$1.5million medical aid and 12 more helicopters to help those already flying supplies to isolated areas.¹⁹⁷ The United Nations Office for Coordination of Humanitarian Affairs disbursed a \$153 million in emergency humanitarian assistance.¹⁹⁸ The World Bank gave short-term rehabilitation and emergency financing macro-economic and debt relief measures. It gave \$200 million for

¹⁹⁴ *ibid.*

¹⁹⁵ [http:// www.ncdc.noaa.gov/01/reports/mitch/mitch.html# DAMAGE](http://www.ncdc.noaa.gov/01/reports/mitch/mitch.html# DAMAGE) (Accessed on 16 September 2001).

¹⁹⁶ [Http://www.unicefusa.org/issues98/Nove98mitch.html](http://www.unicefusa.org/issues98/Nove98mitch.html) (Accessed on 16 September 2001).

¹⁹⁷ *Ibid.*

¹⁹⁸ *United Nations Honduras Situation Report - 3 December 1998. U N-Interagency Transitional Appeal*, <http://www.un.hn/mitch> (Accessed on 18 September 2001).

assisting projects to Central American countries devastated by Hurricane Mitch.¹⁹⁹ 11, 550 hectares of agricultural land was destroyed. 25 percent of the cropland was damaged or eroded. Economic losses were put at \$1.5 million. USAID provided \$22 million in assistance to Nicaragua²⁰⁰

Hurricane Mitch Reconstruction Program includes \$30.6 million for the rebuilding and expanding health care. Through the Proslaud Program full healthcare services were provided to 780,000 people, 40,000 families were provided household water filters. Through the Environmental health Projects \$9.5 million was invested in building of wells and sanitation systems. USAID Food Aid programs provided better health services, gave \$53.5 in agricultural assistance to restore livelihoods to 100,000 farmers through crop diversification, community irrigation systems and better farming methods. Repairing of 1,400 kilometers of roads in the rural areas, clearing of 1,200 kilometers of watercourses provided the much-needed employment to 26,000 laborers through the cash-for-work programs. 17,000 small loans were provided to micro-enterprises benefiting about 75 percent of the women in Hurricane affected areas. USAID gave \$ 16.6 million for the repairing of dikes and wells, \$4.5 million for the planting of saplings and repaired 675 classrooms in 222 schools.²⁰¹ According to the Ministry of Health there were 73,846 cases of respiratory infections, 23,812 cases of diarrhea, 1009 malaria, 938 cases of dengue, 554 leptospirosis and 428 cholera cases. 70 municipalities of a total of 147 suffered major damage to the physical infrastructure.²⁰²

One major repercussion of the massive hurricane, the flooding and torrential rain was the thousands of marked and unmarked mines were uprooted and carried them several kilometers downstream and deposited them at new locations. The mine markers and landmarks were destroyed by

¹⁹⁹ *The World Bank Response To Hurricane Mitch*, <http://www.worldbank.org/html/extdr/offrep/lac/mitch.htm> (Accessed on 18 September 2001).

²⁰⁰ <http://www.usaid.org/ini/mitchbackground2.htm> (Accessed on 19 September 2001).

²⁰¹ *ibid.*

²⁰² *Hurricane Mitch Reconstruction. USAid /Nicaragua Special Objective*, <http://www.hurricane.info.usaid.gov/sponic.html> (Accessed on 19 September 2001).

the gusts of wind and the floods. Thus setting the mine clearing efforts back to two years.²⁰³ United States helped the Nicaraguan officials locate the land mines. Searchers determined where the overflowing rivers might have carried them. 74,000 mines were yet to be destroyed. The Hurricane Mitch left such a trail of destruction and devastation that some mines turned up in farming fields, buried under the trash, mud and vegetation.²⁰⁴ Mario H. Castellon Duarte of Nicaragua stated that the humanitarian undertaking was on in diverse areas, which searched for the mines dislodged during the Hurricane Mitch. This has resulted in prohibitive economic, human, social and ecological costs. Such dispersing of mines impeded the use of precious agricultural land affecting job opportunities.²⁰⁵ Nicaragua lost about 12,000 heads of cattle. It requested a grant of \$3.4 million for the purchase of seeds, tools, and fertilizers, vaccines and drugs to assist livestock and the coordination of emergency rehabilitation of the agricultural sector. The small farmers who were among the poorest and the marginalized, denied their land rights, prolonged civil strife had cultivated in high-risk areas such as riverbanks and hillsides. They had little assets and little access to credit to buy seed and fertilizers, the transition from war to peace is a very difficult process as is the transition from relief and rehabilitation to sustainable development.

Principal organizations which address the issues and questions of emergency humanitarian assistance in natural, man-made and other emergencies are the Office for the Coordination of Humanitarian Assistance (OCHA) and the United Nations Development Programme (UNDP). The origins of the Office for the Coordination of humanitarian Assistance (OCHA) can be traced back to 1991 when the United Nations created the Emergency Relief Coordinator (ERC), to promote coherent response to emergency situation *vide* the General Assembly Resolution 46/182, of 19 December

²⁰³ Land Mine Monitor Report, 1999, p.271

²⁰⁴ <http://www.fields.org/hurricane.htm> (Accessed on 19 September 2001).

²⁰⁵ UNGA/9662 Press Release, 18 November 1999, <http://www.un.org/news/press/docs/1999/1999.1118.ga.9662.doc.html> (Accessed on 19 September 2001).

1991.²⁰⁶ This resolution provided the guiding principles for the provision of emergency humanitarian assistance. The Resolution *inter alia* states that any such assistance must be provided with the consent of the affected country and on the principle of on the basis of an appeal by the affected country; only the tacit consent of the government is required. In 1992 the Inter-Agency Standing Committee (IASC) chaired by the Emergency Relief Coordinator and composed of the heads of major United Nations humanitarian and development agencies was created to ensure effective coordination among the various UN bodies. Since mid-1997 a smaller body the Executive Committee on Humanitarian Affairs (ECHA), which the Secretary-General created in 1997. This committee is composed of heads of humanitarian and development agencies and also the UN departments on peacekeeping and political affairs. In the same year the Department of Humanitarian Affairs (DHA) was created to assist the ERC. However a smaller office replaced it renamed the Office for the Coordination of Humanitarian Affairs (OCHA).²⁰⁷

This Office for the Coordination of Humanitarian Assistance (OCHA) is established to meet in a timely and coherent manner the needs of those exposed to human suffering and material destruction in disaster and emergencies, reducing vulnerabilities, promoting solutions to root causes and facilitating the smooth transition from relief to rehabilitation and development. It coordinates the international humanitarian response including contingency planning. It assists civilian victims of conflicts and natural disasters by providing the much needed humanitarian assistance and protection. OCHA takes into account the humanitarian issues and concerns such as political, peacekeeping, development, human rights, and humanitarian issues. This includes access to the affected population, the humanitarian impact of sanctions regimes and plight of the internally displaced persons, anti-personnel land mines and the humanitarian impact of the unchecked

²⁰⁶ *Strengthening Of The Coordination Of Humanitarian Emergency Assistance Of The United Nations*, UNGA Res. A/ RES/ 46/182, of 19 December 1991.

²⁰⁷ B.S. Chimni, *International Refugee Law, A Reader* (New Delhi, Sage Publications/ UNHCR, 2000), Pp. 396-397.

proliferation of small arms. The Situation Report is the main tool for providing the international community with detailed information on the evolving disaster situation, including damage caused, actions taken, assistance needs and the updates of international aid being provided.²⁰⁸

The Inter-Agency Transitional Appeal for Relief and Immediate Rehabilitation was launched jointly by the UNDP and OCHA in Geneva on 3 December 1998. The main participating agencies of the United Nations are the Food and Agricultural Organization (FAO), the UNDO, UNESCO, UNFPA, UNHCR, UNICEF, WFP, WHO/PAHO, International Organization for Migration (IOM).²⁰⁹ However Roberta Cohen and Francis Deng point out that such a creation of a new agency would duplicate the many existing resources and capacities that have become involved with the internally displaced persons. The costs that would be incurred would be substantial and the new agency would arouse opposition from governments who believe that the problems belonged within the domestic jurisdiction of states.²¹⁰ They suggested assigning responsibility to an already existing organization such as the UNHCR.²¹¹ Other agencies which could lend support to the UNHCR could include the International Committee of the Red Cross (ICRC), the UNDP, WFP, UNICEF, WHO and IOM.²¹²

Nevertheless the OCHA is here to stay despite all doubts raised against it. To address the needs and issues pertaining to the internally displaced persons the Office for the Coordination of Humanitarian Affairs (OCHA) adopted the OCHA Guiding Principles on Internal Displacement in 1998.²¹³ This document combines in itself a whole gamut of rights and guarantees of persons, their protection and assistance during the

²⁰⁸ http://www.reliefweb.int/ocha_ol/ (Accessed on 3 January 2002).

²⁰⁹ *Central America: HM (OCHA-16, 22 January, OCHA Situation Report 16, 22 January 1999, <http://stone.cidi.org/disaster/99a/0016> (Accessed on 21 December 2001).*

²¹⁰ Roberta Cohen and Francis M. Deng, *Masses In Flight: The Global Crisis Of Internal Displacement*, (Washington DC, Brookings institution Press, 1998), p. 169.

²¹¹ *Ibid.* p. 185.

²¹² *Ibid.* Pp. 128-148 for the role these organizations could play in addressing the protection and assistance needs of the internally displaced.

²¹³ *Office For The Coordination Of Humanitarian Affairs: The Guiding Principles On Internal Displacement* (Geneva, United Nations, 1998).

displacement as well as during return, resettlement and reintegration. According to Roberta Cohen though this document is not legally binding, the principles reflect and are consistent with existing international human rights and humanitarian law. In restating the existing norms they also seek to address grey areas and gaps especially in relation to the protection and assistance needs of the internally displaced persons.²¹⁴ Another important development has been on the legal front. The 69th Conference of the International Law Association from 25-29 July 2000 adopted the London Declaration of International Law Principles on Internally Displaced Persons, combines the various streams of international law, human rights law, international humanitarian law, refugee law and the laws pertaining to the rights and obligations of refugees, aliens and stateless persons.²¹⁵

Most of the Third World Countries suffer from inadequate physical infrastructure, environmental degradation, mismanagement, territorial occupation and land abuse as well as the concentration of populations in disaster sensitive regions. These causes are further exacerbated and influenced by pressures of chronic poverty, social and economic exclusion, rapid urbanization, civil conflict and economic transition. Into this scenario disaster reduction has become an integral component of the United Nations Development Programme's overall planning framework. UNDP seeks to reduce the incidence and impact of complex emergencies and disasters and to accelerate the recovery process towards sustainable human development. It incorporates into itself the functions of disaster prevention, mitigation and preparedness relating to national capabilities. The UN General Assembly at its 52nd Session decided to transfer to the UNDP the responsibility to the Emergency Relief Coordinator, under its UNDP Program for Reform in 1997,

²¹⁴ Roberta Cohen, *The Guiding Principles On Internal Displacement: A New Instrument For International Organizations And NGOS*, Forced Migration Review (Refugees Studies Center, University of Oxford), No 2, August 1998, p. 31.

²¹⁵ *London Declaration of International Law principles on Internally Displaced Persons*, 29 July 2000, http://www3.oup.co.uk/reflaw/hdb/Volume_12/Issue_04/pdf/120672.pdf (Accessed on 20 October 2002), See Also Luke T. Lee, *The London Declaration On International Law Principles on Internally Displaced Persons- Its Significance and Implications*, Journal of Refugee Studies, Volume 14, Issue 1, March 2001, Pp. 70-78.

for natural disaster mitigation, prevention and preparedness capacities. The UNDP established Disaster Reduction and Recovery Programme (DRRP) as a component of the Emergency Response Division (ERD). UNDP strives to mainstream disaster reduction into development policy strategies, plans and programmes. One of its mandates is to accelerate sustainable post-disaster recovery, inclusion of disaster reduction measures into rehabilitation and reconstruction in a holistic approach.²¹⁶ When the emergencies and natural disasters occur the UNDP Resident Representative coordinates the relief and rehabilitation efforts at the national level. Recovery activities are integrated with the relief operations. Humanitarian aid and development are thus linked bringing the earliest possible resumption of sustainable development to the troubled area. Rehabilitation efforts and projects aim to alleviate poverty, which is often the root cause of civil strife.²¹⁷

The UNDP visualized a 2-year rehabilitation program with initial seed money of \$1.2 million of its own funds. The principal objective was to help the municipal governments and victims of Hurricane Mitch to build housing in small outlying virtually unassisted communities thereby benefiting the poorest of the poor communities, especially the subsistence farmers in El Derreumbada and the coffee plantation workers in Dplitio.

Camelo Angulo, the UNDP's Resident Representative in Nicaragua stated, "Mitch hit the hardest in what had been a war zone for over a decade and reconciliation is still incomplete between the once revolutionary local organizations, the peasants and a government they view as an adversary. Working together to deal with the emergency was a meaningful experience that taught us a lot". The UNDP's priority areas were housing, reactivation of production and basic social services such as drinking water. It pooled its efforts with a dozen other NGOS already working in 25 selected municipalities. With an additional budget of \$3.3 million for 2 years 3000

²¹⁶ *The Role Of UNDP And Development Activities In Crisis As Well As Pre-Crisis Situations, Executive Board, CRP, 10 October 1997, <http://www.undp.org/erd/archives/brochures/drrp.index.htm> (Accessed on 23 December 2001).*

²¹⁷ *Http:// www.un.org/ha/general.htm#ocha (Accessed on 23 December 2001).*

houses were envisaged to be built in 142 communities benefiting about 18,000 victims. UNDP's project coordinator Marcelo Ochoa put it, "the artistic part was the bringing together mayors, contractors, state, water utility, INIFOM, NGO workers, community leaders, and beneficiaries to hammer out plans and coordinate implementation".²¹⁸ UNDP's Administrator stated that the UNDP was laying the ground for a shift in the months ahead from relief to comprehensive rehabilitation and reconstruction.²¹⁹ As Nicola Harrington the UNDP's Deputy Resident Representative summarized that the only thing that was certain was that recovery and reconstruction would take a very long time.²²⁰ UNDP was also involved in the clearing and rehabilitation of roads in Quilali, Rehabilitation of aqueducts in Mozonte and in roofing of houses in Santa Maria. Repairing of communal wells in San Jose de Cusmapa, irrigation in La Sabana and maintenance of roads in Yotogalpa and Wiles in Totogalpa all costs a total of \$205,000.²²¹

The Department of the Food and Agricultural organization (FAO) assists in implementing land tenure practices in the Atlantic Coast. The Forestry Department helped rehabilitate the forest areas to generate employment in rural areas and improve the watershed and the denuded lands. The FAO's Special program for Food Security is an important part of the long-term sustainable reconstruction of agriculture through crop intensification, water control and diversification and constraints analysis.²²² Such disasters as Hurricane Mitch were attributed to the social, political and economic factors. Continuous development efforts and exploitation of the land, running soil with monoculture crop and the use of pesticides. People

²¹⁸ Judy Butler, *Nicaragua's Recovery From Disaster*, <http://www.undp.org/dpa/choices/2000/september/p.20-21.htm> (Accessed on 23 December 2001).

²¹⁹ *UNDP Administrator Says Hurricane Mitch Washed Away Years Of Development In Central America*- 6 November 1998, New York, <http://www.undp.org/news/pressrel.9981106e.htm> (Accessed on 23 December 2001).

²²⁰ *Ibid.*

²²¹ *Central America Hurricane Mitch (OCHA- 17: 4 February 1999)*, *Central America - Hurricane /Tropical Storm Mitch*, OCHA Situation Report No 17, 4 February 1999, <http://stone.cidi.org/disaster/99a/0016.html> (Accessed on 23 December 2001).

²²² *Countries Hit By Hurricane Mitch On Long Road To Recovery*-22 January 1999, <http://www.fao.org/NEWS/ 1999/ 990102-e.htm> (Accessed on 19 September 2001).

were forced to move to marginal areas by the rich landowners. Which led to land clearing and deforestation. Cultivation of export commodity crops such as coffee, sugar, tobacco and cattle pushed the agricultural frontier to the eastern rain forests. Prior to Hurricane Mitch 300,000 hectares were lost due to deforestation alone. 80 percent of the water sources were contaminated due to mining in the Atlantic region, as also from coffee and the Pacific regions were due to petrochemicals related to agricultural practices. Rivers had dried up due to years of land abuse and deforestation, which in turn led to acute scarcity of water. In 1998 alone there were 15,000 bush fires in the forested areas and agricultural areas. These fires destroyed the vegetation under large trees and when Mitch saturated the ground with water many of the trees were swept away. The tree cover was eliminated when cotton was planted. Intense use of agricultural chemicals reduced the capacity of the soil to hold plant life. The lack of trees next to rivers could not hold the banks together. The poor people were forced to move to agricultural frontiers or to marginal lands such as mountainsides. The tree cover was denuded due to cutting down of trees for firewood led to further deforestation of land, soil and forests.²²³

On 28 October 1998 the Nicaraguan Institute for Territorial Studies (INETER) had warned the Nicaraguan government of impending landslides and mudslides, as the conditions were unstable. In the village of Posoltega on 29 October 1998 Mayor Felicita Zeledon alerted the media of the unstable conditions. President Aleman called her an alarmist. When Zeledon told the media that she feared that 1000 people were estimated to be dead President Aleman called her a liar. The government of Nicaragua had ample time to undertake evacuation operations but failed to take the necessary steps. National Assembly Congress and member of the Environment Committee Jose Cuadra blamed Congressman Eduardo Callejas of building 11 telecommunications towers on the top of the La Casitas volcano. He was also

²²³ Orin Langel, *Special Report: Hurricane Mitch In Nicaragua*, http://www.acerca.org/ejd1_results1.html (Accessed on 19 September 2001).

building a road to the top of the mountain. This was the main reason for the crater breaking down.²²⁴ The Hurricane Mitch repeated a slice of history for the Nicaraguans. Just as the 25 December 1972 earthquake, the aid that was misappropriated by Anastasio Somoza, which hastened his demise by the ensuing protest. Caught in similar circumstances President Armando Aleman was accused of excluding the regions, which were supportive of the Sandinistas in the aid distribution that followed Hurricane Mitch.²²⁵ Hurricane Mitch represented an unrepeatable opportunity a dramatic, photogenic natural disaster.²²⁶ This Hurricane could have been used to put Nicaragua back on the agenda at least for its disproportionately heavy debt burden. However the disadvantage of photogenic natural disasters are that they are soon forgotten and Nicaragua once again slid back into oblivion and put on the back burner of the international community's agenda.

Effective disaster management and rehabilitation was impeded by the absence of preventive organization, alert communication, the inability of the government and the civil society to safeguard lives and property. Elementary basis of state presence such as the civil defense structures such as police, fire brigades, health clinics, minimally empowered local bodies simply did not exist or were grossly understaffed. They had absolutely little or no means of communications with the capital and the Central authorities, which is true of most of the third world polities. Gaps between emergency relief and long term development assistance have very frequently resulted due to the institutional differences and divergence between the organizations that provide emergency humanitarian assistance and those that are mandated to secure long term sustainable development.

Relief organizations should respond immediately to the emergencies and assign priority to the urgent needs of the people affected by the natural calamities and disasters. The development organizations have to plan long-

²²⁴ *ibid.*

²²⁵ P. Gunson, ET all, *Apocalypse Now In Fragile Democracies*, Guardian Weekly, 15 November 1998.

²²⁶ *Debt Relief For Central America* (Editorial), The Economist, 14 November 1998.

term strategies that must be conducted on a regional and national level. Such strategies are more often absent during periods of conflict or political instability. The transition from war to peace is a very difficult process as is the transition from relief and rehabilitation to sustainable development. The CIREFCA and the PRODERE process played an important role in consolidating peace in the war torn countries of Central America and to a certain extent bridged the gap between relief and development. As one Nicaraguan put it "The armed struggle had its time and it had its effect. But the struggle of the people continues. We have gone from fighting in the trenches to fighting for development".²²⁷ This statement sums up the efforts of post-conflict societies to rebuild, reconstruct, rehabilitate, reconcile and reintegrate their economies, societies and polities raved by the prolonged civil conflict.

As the United Nations Secretary General Mr. Kofi Annan put it, The humanitarian needs of the refugees, the internally displaced persons and other war affected persons should remain within the wider spectrum of regional and country-specific political, socio-economic and institutional stability. There must be effective guidelines to deal effectively with environment or natural disasters, civil unrest and conflict or a related refugee outflows and internal displacements ²²⁸. He also called for the unfinished political and human rights agendas of the peace process and the reconstruction agendas to be put on the top priority of the international community. This was especially following the loss of life, devastation and ruin brought about by the hurricane Mitch.²²⁹

On another occasion the United Nations Secretary General Mr. Kofi Annan stated that the issues of relief and rehabilitation must be considered at

²²⁷ [http:// www.unhcr.ch/issues/regional/M09903.htm](http://www.unhcr.ch/issues/regional/M09903.htm) (Accessed on 19 September 2001).

²²⁸ *Strengthening Of The Coordination Of Emergency Assistance Of The United Nations - Report Of The Secretary General*, ECOSOC A/55/82-S/2000 /61 OF 30 May 2000

²²⁹ *Consultative Group Meeting For The Reconstruction And Transformation Of Central America*, Address of Mr. Kofi Annan, United Nations Secretary General to the Inter-American Development Bank, Stockholm, 25 May 1999, [http:// www.iadb.org/regions/re2/consultative_group/speeches/kofi_annan.htm](http://www.iadb.org/regions/re2/consultative_group/speeches/kofi_annan.htm) (Accessed on 19 September 2001)

the outset and development tools applied at the earliest. This was to bridge the gap between the relief and development. He emphasized that the gravest threat to the transition to sustainable development is a renewal of conflict, which could be avoided with the successful disarmament, demobilization and the reintegration of former combatants. Development activities had to be taken up at the earliest so that the vulnerable masses of refugees, returnees, externally displaced and internally displaced persons and the former combatants achieve self-sufficiency, security and sustainable development and effectively reintegrate into the national mainstream.²³⁰ Thus while the challenges of development could pose one set of problems, the civil conflicts and natural disasters only compound those problems and tend to destroy the fruits even of a limited development. The frequency of such conflicts, natural disasters and the vulnerability of the local population continue to challenge the international community in one form or the other.

²³⁰ *United Nations Secretary General Report On Emergency Humanitarian assistance 18 June 2001, E/2001/85, A/56/95 E/2001/85, <http://www.un.org/esa/coordination/ecosoc/docs/2001/e.200185.pdf> (Accessed on 15 October 2001).*