FINAL
MSF IC Meeting Minutes,
June 11,12 1999: Amsterdam, Holland

IC Members Present: Fiona Terry (President, MSF Australia), Clemens Vласих (President MSF Austria); Tine Dusauchoit (President MSF Belgium); Michael Schull (President, MSF Canada); Jens Hillingsoe (President MSF Denmark); Phillippe Biberson (President MSF France); Gundula Graack (President MSF Germany); Odysseas Boudouris (President, MSF Greece; chose to be present only for the opening discussion of Item 3); Bart Meijman (President MSF Holland); Joe Pianpiano (President MSF Hong Kong); Alessandra Redondi (Board Member MSF Italy); Dominique Leguillier (Board Member, MSF Japan); Romain Poos (President MSF Luxembourg); Morton Rostrup (President MSF Norway); Miguel-Angel Perez Gomez (President MSF Spain); Johan von Schreeb (President MSF Sweden); Olivier Dechevrens (President MSF Switzerland); John McGill (President MSF USA); Eric Vreede (MSF U.K.); James Orbinski (President, MSF IC).

IC Member Regrets: None.

Executive Committee Members Present: Austen Davis (General Director MSF Holland); Karim Laouabda (General Director MSF France); Alex Parisel (General Director, Brussels Operational Centre); Eric Stobbaerts (General Director, MSF Spain); Vincent Faber (General Director, MSF Switzerland); Jean Marie Kindermans (MSF International Secretariat).

Guests: GD’s from all sections were invited for Item 1.
   Kostas Papaioannou (MSF-Gr) - opening of Item 3.
   Robert Muller (MSF UN Liaison Office, Geneva).

Translator: Tim Fox

Minutes: James Orbinski and Beate Gerlings

General

This MSF International Council (IC) meeting was opened by James Orbinski, who emphasised several points. The IC is to distance itself from day to day executive and operational issues. Its primary responsibility is to promote and protect the principles and values of the MSF movement, while taking into consideration individual sectional views. The purpose of the IC is to serve as a legislative counter-balance to the executive functions and operations of the MSF movement, and to preserve and encourage cohesion and initiative within the MSF movement.

Item 1: General Discussion on Strategies, principles and objectives in Kosovo and the Balkan region.

MSF’s planned activities in the Balkans region surrounding the Kosovo crisis were presented by Wilna van Arts (OD For MSF Holland) and reviewed in light of the recent UN Security Council resolution and the international security and humanitarian response. MSF operations at this time in Kosovo were broadly presented. At this time, MSF should be present in Kosovo to:
1. provide medical humanitarian assistance if required, witness the humanitarian situation of both Serbs and ethnic Albanians; and
2. to monitor the relationship between humanitarian UN and military activities, and to be prepared to speak out if required.
3. Given that there will be a large number of NGOs present, MSF will adjust its presence accordingly, always looking for our value-added.
4. The internal MSF co-ordination structure will be under constant review.
5. MSF will continue to try to gain entry into Serbia, though Belgrade continues to refuse MSF’s presence.
The principles by which MSF will attempt to operate in the region were discussed. Key among these was MSF’s independence relative to UN and other actors, and the importance of financial independence as enabling other forms of independence. The previous MSF decision to not accept institutional funding from NATO member states because they were party to the conflict was endorsed by the IC, and is to be reviewed after a peace deal had been reached for Kosovo. The IC urged the Executive Committee to exercise caution in reversing this decision. The experience of Somalia in 1993 was noted, where when military and political issues became dominant, the US government pressured humanitarian NGOs to leave Somalia, using the fact of strong institutional funding as leverage. The question of availability of private funds within the movement stands apart from these considerations. However, there is a general recognition that more than ample private funds exist within the movement, and these are being inventoried.

As with the potential in Somalia 92-93, we must guard against becoming a de facto sub-contractor for NATO and the UN. It was recognised that MSF would like to be present in Kosovo, but clarity around our independent role, the scale of our operations in proportion to need, and our responsibility to witness if required, were stressed. As well, we must be prepared to recognise that there may not be a role for MSF, and in this case we must be prepared to withdraw. Some issues to be considered are summarised below:

1. Independence of access and action in Kosovo and the FRY. MSF should ensure that it has the ability to independently assess the needs of the population; retain unhindered access to the population, especially the most vulnerable; conduct, monitor and evaluate the distribution of aid commodities; and obtain security guarantees for expatriate and local staff. MSF should co-ordinate with other international and local actors, but avoid being co-ordinated by them. Reliable local interlocutors should be identified as soon as possible.

2. All avenues should be explored for autonomous access to the FRY. Although appreciative of the importance of conducting an exploratory mission in Kosovo as soon as possible, there is some concern that this was only possible under the auspices and protection of the NATO forces.

3. MSF should avoid undertaking any action which could be manipulated by a party to the conflict. This includes acts which may bestow legitimacy on President Milosovich or any other indicted war criminal.

4. MSF should identify a bottom line, beyond which MSF will not be prepared to go in relations with NATO or other forces; in terms of conditions of access, and with regard to the unintended negative consequences of aid.

Item 2: Farewell to Lex Winkler

Lex Winkler was honoured with a parting gift and champagne for his 15 years of work with MSF. He will be missed!
Item 3: MSF Greece and the Breakdown of the MSF Greek- Swiss Common Operational Centre Agreement

Because he is implicated in these issues, James Orbinski asked Michael Schull to chair this item. Odysseas Boudouris arrived for the opening part of this discussion with a guest, Kostas Papaioannou. Odysseas refused to participate in the debate around these issues, and instead wanted only Kostas to make a statement from the Board of MSF Greece to the IC. Before Kostas gave his prepared statement, Odysseas was reminded that he had a responsibility to participate in the debate at the IC.

According to the statement given by Kostas, the board of MSF Greece considers the main issue to be the isolation of MSF Greece from the international MSF movement, which comes from discussions with James Orbinski and the report of Morton Rostrup and Stephan Oberreit. The report outlines 5 options and favours that MSF Greece should not have operations outside of Greece. MSF Greece will not accept loss of operations. MSF Greece will not participate in the discussion as there is no clear accusation, and it is not clearly stated in the agenda. The Board of MSF Greece will leave a series of questions and remarks in the form of a written submission (see Annex 1), and then leave the IC meeting but will be available to discuss these. Odysseas was then asked to define the key issues of the statement, which he emphasised was procedural in that he heard from James Orbinski orally what would be debated and has not had time to prepare arguments. This was countered by James Orbinski who reminded Odysseas that he has a responsibility and opportunity to explain the actions of his section and offer other options to the IC; that any option, including doing nothing is open to the IC; and that Odysseas and his board had been informed by letter on May 6, 1999 of the gravity and consequences of the situation. This was in addition to numerous phone calls from James Orbinski to Odysseas Boudouris since then, and in the extraordinary general assembly in Greece on June 2, 99 by Jean Marie Kindermans, as well as in Board meetings with MSF Switzerland, and at the MSF France General assembly. Odysseas and Kostas then left the meeting after Odysseas was again reminded that he has a responsibility and is welcome to participate in the debate now as it is occurring, and that contrary to his request, he will not be contacted by cellular phone.

Morton Rostrup then presented a 15 minute overview of the Fact Finding Mission report (see attached). He emphasised that the options and recommendation were those of the Fact Finding team (Morton Rostrup and Stephan Oberreit), and that the IC would have to make its own determination as to what possible options existed and what action, if any, to take. Morton emphasised his view that the Greek section wanted to carry out this mission to the F.R.Y. whatever the conditions or risks, and that this was imposed on the MSF Movement as a fait accompli without regard for the range of consequences that followed. Finally, he emphasised that although some aspects of the action and frustration of the MSF Greece section are understandable given the history of the Greek section in the movement, they are not acceptable due to, in order of priority:

1) Violation of MSF’s humanitarian operational principles;
2) Violations of operational decisions and TOR made by the Executive Committee;
3) Lack of international co-ordination and co-operation;
4) Lack of transparency.
The report, the options it outlines, and its main recommendation were discussed. The main recommendation is as follows (see Annex for full report):

Under pressure from its own society, the MSF-G political interpretation of the Kosovo crisis and also the interpretation of MSF humanitarian principles are very different from the rest of the movement. MSF G chose not to debate these inside the MSF movement despite ample forums for doing so. It also chose to ignore and over-ride the MSF operational framework for MSF operations in the Balkans region. While MSF sections are based in their civil societies, they are not to be a simple reflection of societal views, but are meant to be a “lens of humanitarian principles” through which those views can be explored and expressed. That lens is continually “polished” by debate within MSF, and should strengthen each section in taking risks in their own societies. In choosing to avoid debate within the movement around the application of humanitarian principles in a very complex situation - the Balkans - MSF Greece went its own way with its own interpretation and application of humanitarian principles. It also broke away from the framework that allows this essential debate to take place, and finally, it did this in a non-transparent way, damaging the trust that is essential to an international association. Therefore, we recommend to the IC that:

1) The ongoing and unilateral MSF Greece exploratory mission inside F.R.Y. must be stopped immediately;

2) MSF-G continues within the movement, but is not allowed to run operations outside Greece. It can maintain its in-country programmes, but will function as a partner section of another operational centre. All programs run by MSF Greece outside of Greece must be handed over to an MSF Operational Centre within two weeks.

3) If either of these are not met within the prescribed time, MSF Greece will be taking its final step away from the MSF movement, and this departure will be accepted by the MSF movement.

The five and a half hours of discussion that followed, emphasised the issue of operational principles, and if and how MSF Greece’s unilateral mission to Kosovo violated these. The main conclusion was that independence and impartiality were either sacrificed, ignored or naively applied. The discussion also emphasised that:

1) the application of humanitarian principles in a particular situation is never easy, as the individual humanitarian principles can often contradict one another;

2) therefore there is a need to always nuance these to a particular situation where choices as a movement have always to be made;

3) it is therefore essential that debate within and across the movement at all levels is central to determining a particular application of humanitarian principles.

4) that the TOR for an exploratory mission to Kosovo was explicitly stated by the Executive Committee on April 20, 99 that implicitly recognised and prioritised humanitarian principles in this context;

5) that transparency is central to the MSF movement;

6) that the minimal structure that exists to manage operations across the movement must also be respected;

7) that this was ignored by the MSF Greece section;

8) that MSF Switzerland considers the Common Operational Center partnership as now over; and

9) the history of MSF Greece in the movement and particularly their operationality and how this has been monitored poorly by the IC, and how each successive partnership with the French, Spanish and Swiss operational sections/centers since 1990 have failed.

10) the procedure established and followed to deal with the unilateral mission of MSF Greece to Kosovo and the breakdown of the Greek-Swiss COC was seen as having been fair at all times, however the timing of Thierry Durrant’s resignation as the operations director for the joint COC was at best, inopportune. This procedure was also seen as having provided more than adequate space for discussion and arbitration. MSF Greece has been informed at an early stage in writing and verbally of the risks they incurred with this action, and strong
efforts were made to discuss and arbitrate around this issue. MSF Greece itself has knowingly avoided responding to these normal and established means of communication.

After carefully considering the best interests of the Movement and the desire of the IC for the Greek section to remain in the movement, the following resolution was adopted with two abstentions (MSF Switzerland because it was not strong enough, and MSF Japan, because Dominique Leguillier argued that it was not a customary way of resolving an issue in Japan, and he wanted to reflect the spirit of the culture he represents):

Resolution:

The IC was presented with and accepts the report of the fact finding mission of Morton Rostrup and Stephan Oberreit on "The MSF Greece Mission to the F.R.Y. And the Breakdown of the MSF Greek-Swiss Common Operational Centre Agreement". The IC deeply deplores the explicit decision of MSF Greece not to respond or participate in the debate at the IC meeting of June 12th, 1999, in Amsterdam. The International Council of MSF resolves that:

Given:
1. The unilateral MSF Greece mission into Kosovo lacked the independence necessary to facilitate an objective evaluation of the needs of the population and that unacceptable conditions of access were agreed to by MSF Greece which compromised the mission and undermined future attempts by any MSF section to enter into the FRY;
2. that the actions of MSF Greece were carried out without respecting prior decisions of the IC as to how MSF Greece would carry out field operations;
3. that the actions of MSF Greece were carried out with a total lack of transparency, were deliberately misleading to members of the IC, and deliberately avoided international debate and co-ordination, and
4. that the actions of MSF Greece violated the specific decisions taken by the Executive Committee with regard with the objectives and conditions necessary for a MSF exploratory mission into Kosovo,

the IC considers that the Common Operational Center between Greece and Switzerland has ceased to exist and therefore MSF Greece can no longer carry out operations outside of Greece, effective immediately. The IC wishes MSF-Greece to remain within the MSF-movement, so long as they accept the responsibilities and privileges that go with membership as a partner section. Should MSF Greece refuse to comply in writing with this decision by June 28th, 1999, the IC considers MSF Greece to have forfeited their membership in the IC and to have excluded itself from the MSF-movement. In that case, the IC and all its sections will cease all formal collaboration with MSF-Greece and demand that MSF-Greece ceases all use of the MSF logo and the name "Médecins sans Frontières" in any language.

Item 4: Removal of Odysseus Boudouris as VP of MSF IC

Odysseas’ appointment as VP of the IC was for 12 months, ending 28 June 1999. Since he has declined to stand for reappointment for a second year, this issue need not be considered.
**Item 5: Temoignage Case Binder**

James Orbinski briefly reviewed progress to date on the Temoignage Case Binder, endorsed by the IC in November 98. The second proposal was circulated prior to the meeting to all IC members, and its general contents and purpose reviewed. The Temoignage Casebinder project will proceed as outlined in the Proposal, and a co-ordinator will be appointed by the editors, Fiona Terry and Francoise Saulnier. A budget will be prepared and given to Jean Marie Kindermans. The project should begin by the end of July, and be completed by March or April 2000.

**Item 6: Sudan Evaluation and ET Update**

Jose Antonio Bastos presented his report on MSF’s intervention in South Sudan from January to August 1998. Catrin Schulte-Hillen and Steve O’Malley also presented their report on ET (both the Sudan Evaluation and the ET report are annexed). The discussion on Sudan emphasised that:

1) While MSF’s presence saved many lives during the 1998 famine, an early and timely diagnosis of the famine was missed because of a co-existence of both a long-term and emergency approach to humanitarian assistance in South Sudan, which is a chronic emergency;
2) once the famine was identified, MSF’s lobby campaign was successful;
3) but MSF’s collective operational capacity was not maximised because of poor co-ordination among MSF OCs;
4) that a similar famine scenario occurred in 1988, and that we are still using old approaches to old and recurring problems;
5) that the Sudan Evaluation has been extensively presented and discussed at all OCs;
6) that human resource constraints in emergencies like these require a prioritisation mechanism at the GD level.

The ET report emphasised the following:
1) The report is still being reviewed at the OD and EC levels;
2) the central conclusions of the evaluation, which where:
   **General**
   - Lack of common understanding of MSF’s role
   - Lack of a future vision for movement
   - Structural differences
   - Size of the movement
   - Different perceived roles of the different operational centres
3) The Main recommendations, which are:
   **General**
   - Creation of a common understanding of MSF’s vision and role
   - Identification of the main principles to be safe-guarded
   - Strategic planning concerning the future of the MSF movement
Specifically related to emergency management

- Definition of clear structures and processes for the management of emergencies
- Definition of decision-making processes
- Clarification of the MSF communication strategy
- Elaboration of a “menu” of co-ordination/collaboration models
- Reinforcement of the DirOps team and the core group as an emergency management entity
- Creating time and space, both in the field and in HQs, for debate in order to develop a common understanding of MSF’s role in a specific emergency

4) Feed-back from the international OD meeting, which focused on:
   - agreement with the general recommendations;
   - agreement with ultimate responsibility with OD’s;
   - still discussion whether within section one OC should be responsible;
   - MSF-H to try to avoid rotations in representation on international platforms;
   - Harmonisation of E-desks is not possible for all sections;
   - Menu/modular system to be worked out;
   - Declaration of good intentions re. decision-making.

In view of the two reports which were presented to the IC (refer also to the Sudan evaluation under item 6.) and the current emergency MSF is involved in, it is felt that it is urgent to have an effective tool to deal with emergencies. It is recognised that MSF is becoming such a huge machine that delay in response is unavoidable, and that the co-operation among OD’s has much improved lately. But the IC is concerned that the ET report was not yet fully accepted by the OD’s and that there is no feed-back yet from the GD’s: the IC would like to know whether they feel that the menu of 5 models is workable or whether they would propose modifications or an alternative structure. After discussion, the IC made the following resolution:

The IC recognises the very difficult circumstances and applauds the very hard work of MSF field staff that contributed to alleviating suffering and saving many lives in South Sudan. However, the IC expresses great dismay at the serious shortcomings of the response of the MSF movement to the crisis. The IC sees the open and constructive manner in which the report was received and discussed by all sections as a very positive signal in the midst of a complex problem.

Furthermore, the IC endorses the ET-report by Catrin Schulte-Hillen and Steve O’Malley and its principles designed to maximise a rapid, coherent and co-ordinated response to emergencies by the MSF-movement. The IC is confident that the Executive Committee will seriously study the report’s recommendations, and asks for a written report to be delivered at the IC November 1999 meeting regarding progress towards its implementation.

Item 7: Executive Committee Report

Vincent Faber gave the Executive Committee report for the last six months on behalf of the Executive Committee. The Executive Committee has met five times during this period, and the group is working well together, although team-building is on-going process (in the last year, all 5 GDs are new). There were also two meetings of all Operations Directors and the Executive Committee (March 2,3: to review the Sudan evaluation, operational differences and tensions within the movement, and May 27 to review the ET evaluation and recommendations), as well as a meeting of all 19 General Directors (June 10,11). These meetings have opened a necessary space and dialogue within the Movement, particularly as turn-over at all levels has been so high in the last two years. Overall, the movement is seeking a new “role” and a new approach to “how” to be MSF. The Executive Committee feels that there is a confidence, respect and open dialogue in the organisation around a real willingness to be together as an international movement. The principle decisions, projects and issues of the last six months were reviewed. These are:
1. regarding co-ordination at an international level with external humanitarian actors, our general position is to “co-ordinate with, and not be co-ordinated by” external actors or agencies, or initiatives. In relation to the SPHERE project, for example, we will not sign onto the project beyond our current participation. With regard to the SCHR, we will maintain a critical participation that will be under constant review.

2. In South Sudan, we achieved a consensus on the foundation of a position regarding MSF, OLS and the SRRA, but there were disagreements on the form the message took and the strategy used to communicate it.

3. The Kosovo crisis demanded that we confront apparently different points of view that in fact were similar, leading to a generally shared perspective on co-ordination, financing and testimonial.

4. For the great Lakes Region, GLIDO was stopped, and minimal co-ordination is being maintained.

5. We are committed to finding an alternative system to ET, and the ET evaluation is part of this process which is hopeful because the ODs have a new, positive dynamic.

6. The common operational policy has not yet been finalised.

7. The March 2,3 meeting was very positive, as differences in perspective were aired in an open way. This was seen as a major team-building exercise, and there is a sense that we now have a reinforced team, that is stronger and more confident in each other. The meeting emphasised the following points:
   - the operational policies of the 5 OC’s are virtually congruent;
   - all OC’s are focusing on stabilising growth and budgets while increasing the quality of projects;
   - human resources (availability, training, quality and retention) is the common constraint of all OCs:
   - there are differences in perception on our testimonial mandate: internal lobbying versus public witnessing;
   - Different structures at the OCs is hindering co-ordination;
   - Reform of the “Partner Section - OC” relationship is required;
   - The need to “appropriate” projects by each of the OC’s was recognised;
   - The “message, method and means” of communication needs to be reviewed.

8. Other points raised include:
   - The MSF Supply project is proceeding, though MSF-H is not yet participating;
   - a Regional information officer in Bogota has been established;
   - Creation of a post for International Information Co-ordinator (to feed the network);
   - Formation of working group, with the partner sections, on an information management programme.

Jean Marie Kindermans gave a report of the General Directors’ (19) meeting which took place in Amsterdam two days prior to this IC meeting. This was this was the first such meeting, and it will occur two times each year, several weeks before the IC meeting. The responsibility of this forum will be to organise, orchestrate and vitalise debate and interaction between sections. To promote transparency, minutes will be circulated quickly, and the Executive Committee will prepare a regular comprehensive overview of issues within the movement. This first meeting focused on 1) access to operationality for partner sections, 2) internal and external Communications and 3) Finance within the Movement. Working groups were established on each of these issues, to join the existing working group on Brand Name. A final issue discussed was that any new approach to emergencies for the movement must include a formula for managing partner section funds.
Item 8: MSF’s Financial Independence

Progress to date on this item was reviewed. Not all Council members had received the consultancy proposal, which was prepared on the request of the IC Commission on Financial Independence (ICFI). However, the purpose and direction of the document was generally accepted. There is consensus on the urgent need for an in-depth review of international finance and governance issues, and the need for an external and independent consultant to guide this process. The ICFI has reached internal consensus on these issues, it has not yet reached internal consensus on next steps. MSF-F feels that the process (including the appointment of the consultant) should be driven by the financial directors of the Operational Centers, and not the ICFI. Not only would they be better qualified to make such a selection, but their ownership will also ensure their commitment to the project. This issue will be discussed within the ICFI. The Council is concerned about the cost implications of the proposal at hand, although it realises that the required expertise may be difficult to find elsewhere, and asks the ICFI to take this into account.

Item 9: Mini AG Update

Tine Dusauchoit presented an overview of this years’ MAGs (see Annex). The MAG report was also discussed (see Annex*). She highlighted the following questions that will need review:

1) what is the purpose of the MAGs?
2) to what degree is the organisation of MAG’s equally shared among OCs?
3) is the output of MAGs equal to the input?
4) Are resolutions to AGs an effective way of channelling the output of MAGs?
5) How do we follow up resolutions directed to AGs and the international movement as a whole?

Discussion emphasised that the MAGs will need to be redesigned, but that annual country based meetings are highly valuable both for cohesion in the field at the country level and to the movement as a whole. If they did not exist they would have to be invented in one form or another. Based on the discussion, Tine will prepare a set of recommendations for the September Restricted Committee meeting concerning the questions she posed. This will include the possibility of renaming the MAG to “National Field Meetings”, a means of distinguishing between specific national issues and issues common to the whole movement, and a means of directing resolutions and follow-up from the meetings.

Item 10: Representation at the IC

Further to discussions regarding the participation in the IC meeting, it is reiterated that boards can only delegate an alternate Board representative other than the President of the section board in exceptional circumstances. An explanation on these circumstances should be submitted to the International Council President, and the final decision is at the discretion of the International Council President. The reasons for this are explained in the minutes of the November 98 IC meeting (item 10b). Representation at the IC other than those stated above (e.g. member of the Executive) will not be accepted.
Item 11: MSF in 2000

James Orbinski presented an overview of the history of MSF, the current external global climate that MSF operates in, the current challenges within MSF, and in his view, the central questions of MSF’s vision, identity and role in the coming years. He also briefly reviewed the need for, and a tentative proposal to initiate, a strategic review within MSF. The IC recognised that addressing these questions is an ongoing process and that no definitive answer that is “fixed in stone” can be expected. However, The IC recognised these as important issues, and agreed that they be pursued in the coming year in various debates and fora.

Item 12: Review of MSF International Council President’s Role

The IC asked Miguel Angel Perez to select one other IC member, and together conduct a review of the IC President’s role. A draft Terms of Reference will be circulated for comment, and the review completed by mid July 99.

Other

Financial accounts for the International Office were signed by all IC members for 1997, and 1998 as per Belgian registration requirements. The Accounts for ’96 were signed by the Operational Centre Board presidents only, as there was no IC structure at that time. The minutes of the last IC meeting were also signed.

Because of the necessary amount of time devoted to the MSF Greece issue on June 12, 1999 and the fact of Europe-wide elections on June 13, 1999 several important items were dropped from this agenda.

Next IC Meeting Dates:

November 26,27,28, 1999 - Brussels
June 9,10,11, 2000 - Paris

Note re Annexes:

Because of the length of the reports referred to in the minutes, they are not attached here as Annexes. They are available from each section president, or through the International Office. The only exception is the submission of the board of MSF Greece to the IC. This is Annex 1.
Annex 1: Submission of the Board of MSF Greece to the MSF IC.

Quelques questions substantielles… proposées à la réflexion du CI de juin 99

1. Est-il acceptable que, dans un mouvement qui se proclame international et dans lequel les différents membres sont censés participer à égalité de droits et de devoirs, l'opérationnalité (qui est la seule raison d'être de MSF) soit le privilège exclusif de quelques membres? Y a-t-il, au sein du CI, deux catégories de membres?

2. Il y a 3 ans, le diagnostic du président du CI était le suivant: "Au niveau international, la participation des différents MSF est confisquée par les grandes sections au nom d'un principe de cohérence appelé à tort "opérationnalité" et qui n'est autr qu'une concentration de pouvoir." Le CI de Janvier 97, ayant défini l'opérationnalité comme le pouvoir décisionnel sur les missions, avait décidé que toutes les sections devaient avoir accès à cette opérationnalité. Quels sont les pas concrets qui ont été réalisés depuis, afin d'atteindre cet objectif?

3. Pourquoi les nouvelles sections n'ont-elles toujours pas déterminé clairement si elles souhaitent être opérationnelles (en présentant le cas échéant leurs propositions concrètes) ou bien si elles souhaitent s'en tenir à un rôle de soutien financier, de pourvoyeuses de ressources humaines et de relais de témoignage?

4. Les donateurs des nouvelles sections sont-ils informés que leurs donations sont utilisées pour des missions sur lesquels ces sections n'ont pas de pouvoir décisionnel? Quels sont les problèmes éthiques soulevés par cette situation?

5. Quels sont les efforts que les Centres Opérationnels ont déployés pour se trouver aux côtés de la population serbe? A partir de quel moment ces CO ont-ils commencé à deployer ces efforts? Les sections belge, française et hollandaises ignoraient-elles que les autorités yougoslaves, ne donneraient pas de visas à des ONG venant de pays en guerre contre elles (ONG qui de surcroît estiment que les bombardements sont un acte de guerre normal, sur lequel elles n'ont pas à se prononcer)? Ces sections pensaient-elles réellement que le fait d'utiliser des volontaires d'autres pays suffirait à résoudre la question? Pourquoi des demandes de visas n'ont-elles pas été présentées par des sections de pays neutres (comme la Suède par exemple)?

6. La section Suisse a-t-elle réellement déposé des demandes de visas comme cela a été affirmé par son Directeur Général? Pourquoi a-t-elle renoncé à toute implication sur la simple indication d'une "lettre d'invitation" adressée à la section belge par un service d'un ministère serbe? En effet, selon la décision du CE, l'implication de la section belge concernait la Serbie à l'exclusion du Kosovo, qui devait être pris en charge par la section suisse (An exploratory mission will try to go inside Kosovo under the Geneva operational centre. The Brussels operational centre will try to return to Belgrade). A supposer que cette "lettre d'invitation" ai pu réellement faire croire aux belges que leur entrée en Serbie est imminente, en quoi cela changeait les plans des suisses (puisque un effort des deux sections était - à juste titre – prévue par le CE)? Qui a eu communication de cette lettre, providentiellement apparue exactement au lendemain du CE? Les belges et les suisses ignoraient-ils qu'entre une lettre et des visas il y a tout un monde? La section suisse ayant renoncé à intervenir au Kosovo et les belges étant chargés de Belgrade, quelle section était-elle appelée à intervenir au Kosovo?

7. Le CE a exclu la possibilité d'une aide immédiate (This mission will not be the beginning of a mission or distribution, no equipment for the exploratory mission). Cependant, les besoins, après un mois de bombardements intenses étaient évidents et pouvaient être confirmés par différentes sources (dont le personnel local de MSF). La position consistant à exclure d'emblée toute aide rapide ne constitue-t-elle pas un cas de non-assistance à population en détresse urgente? Étant donné les
différentes difficultés, savions-nous combien de temps prendrait l'envoi d'une deuxième mission? Concernant la question des principes, est-ce la première fois que MSF envoie une aide humanitaire, conjointement à une explo, dans un conflit où l'espace humanitaire n'est pas garantie d'avance (voir Rwanda, Gorazde etc.)? Par ailleurs, le CE ignorait-il qu'aucun visa ne serait délivré pour une mission sans aucune aide, fut-elle symbolique? Le CE ignorait-il également que la démarche pragmatique de la section belge avait conduit Alex Parisel à promettre aux autorités serbes un full charter en "échange" de cinq visas?

8. Est-il exact que la section Française a essayé de pénétrer au Kosovo depuis le Monténégro en collaboration avec l'UCK? Si oui, le CE était-il au courant? En a-t-il discuté? Était-il d'accord? MSF-France a envoyé des "observateurs" en Albanie et en Macédoine. Était-ce en accord avec les décisions du CE? Quelle était la mission de ces observateurs? Quelle information en a été donnée aux autres sections?

9. La section hollandaise, basée à Skopje, a essayé de pénétrer au Kosovo à partir de début mai avec l'argument qu'il était capital d'être au Kosovo avant l'entrée des troupes de l'OTAN. Cette décision a-t-elle été discutée au CE? Quelle information en a été donnée aux autres sections?

10. Est-il exact que certains Centres Opérationnels ont renoncé à dénoncer la situation crée par les bombardements contre la population serbe au motif que cela affaiblirait le témoignage sur la situation des kosovars albanais?

11. La réunion du CE du 20 avril avait défini une mission explo en Serbie dans ces termes: "renewing contacts with the Serb society, in order not to isolate the Serb population which could lead to more nationalism and radicalisation; getting a better understanding of the situation; possibly have operations for Serb population (not of great magnitude) in Serbia;" Comment se fait-il que l'objectif fondamental d'une mission explo, qui est d'évaluer les besoins, ne soit pas mentionné? Comment se fait-il qu'en lieu et place de cette mention, le CE prédetermine que toute action éventuelle devra être de faible amplitude?

12. Pourquoi en deux mois et demi d'une guerre en plein centre de l'Europe et d'une crise humanitaire sans précédent, ni le CI ni le Comité Restreint n'ont été appelés à se prononcer, fut-ce par voie de téléconférence (comme cela a été demandé par l'un des vice-présidents)? Quelle possibilité d'expression ont pu avoir les 14 sections ne participant pas au CE? En quoi les positions de ces associations ont pu influencer la conduite des opérations au cours de ces deux mois et demi?

13. Rony Brauman a signé un article qui s'aligne sur les positions politiques les plus extrêmes concernant ce conflit (intensification des bombardements, intervention terrestre, armement de l'UCK, sécession du Kosovo). Sa signature mentionne une qualité de "Président d'honneur de MSF", qualité démentie oralement par MSF-France. Cependant, Rony Brauman est membre de la Fondation MSF et sa qualité essentielle reconnue par le public est d'être un MSF émérite (au titre de quoi la presse lui ouvre ses colonnes). Quelle sont les mesures qui ont été prises afin de lever la grave confusion qui s'est produite?

14. Il a été suggéré que MSF-Grèce ne s'est pas distanciée de l'opinion publique de son pays (nous avons en fait amplement prouvé le contraire). N'est-il pas légitime de demander en quoi les sections belge, française et hollandaises se sont différenciées des opinions publiques, des médias et de leurs gouvernements respectifs?

15. Qu'a fait MSF pour dénoncer le détournement par l'OTAN de la notion de droit humanitaire et pour ne pas apparaitre comme la couverture morale de son action?

16. Que signifient pour le CI les principes "d'esprit de neutralité" et "d'impartialité" dans le cas de la guerre OTAN-Serbie?
End Of Minutes