Fact Finding Mission
Regarding

The MSF Greece Mission to the F.R.Y.

And the Breakdown of the MSF Greek- Swiss
Common Operational Centre Agreement

REPORT

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PART III : CONCLUSIONS

1 - Resume of Findings

The Greek section wanted to carry out this mission to F.R.Y. whatever the conditions and the risks. The reasons are multi-factorial (political positioning, operational ambition, Greek society pressure, “exclusive” opportunity through the Greek government mediation, ...). They knew they could only do it alone and that no visas would be issued for non-Greeks. So they prepared it in secret and imposed it on the movement disregarding the consequences in terms of:

- political impact on the movement
- endangering other sections access
- breakdown in trust & communication

Outcome of Crisis, Scenarios and Recommendation

The actions of MSF-G are in our opinion not acceptable due to:

1) Violation of humanitarian operational principles,
2) Violation of decisions made by the Executive Committee,
3) Lack of international co-operation and co-ordination
4) Lack of transparency.

We see five alternative scenarios as outcomes of this crisis. These are:

1) MSF-G continues within the MSF movement as a 6th independent operational centre.
2) MSF-G continues within the MSF movement as part of a new common operational centre.
3) 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.
4) MSF-G is suspended from the movement (with clear conditions for re-entering the movement which would lead to 1) cutting CC-mail and logistical & technical support with all sections and 2) informing partners (UN, ICRC, donors) of the situation.
5) MSF-G is excluded from the international MSF movement.

In our opinion MSF-G has proved itself incapable of running operations abroad within the MSF international framework. Thus, we will not recommend alternative 1 or 2. A question that has already been asked by the movement in recent years is «do the populations in danger need another MSF operational centre or is it the MSF structures that want to become operational? ». This has been answered in that MSF needs to optimise its current network and organisation (5 O.C., more than 20 sections & offices, 80 capitals with MSF co-ordination teams, 100’s of missions scattered around the world). Our goal is to stabilise and strengthen what already exists, and our priority must be to better utilise the existing competencies and the scarce human resources. At this stage, more growth, expansion and dilution would be more dangerous to the quality of the programs and the identity and specificities of the MSF movement.
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.

END of Fact-Finding Mission Report
Terms of Reference

Dear Morten and Stephan:  

May 18, 1999

Firstly, thank you for accepting this important but difficult task. I am asking you to act as representatives form the MSF movement to meet and review with members of the board, staff and association of MSF Greece and specific people at MSF Switzerland (Olivier Decheverens, President of the Board, other available board members, Vincent Faber, General Director of MSF Switzerland, and Thierry Durrant, Operations Director of MSF Switzerland). You will also need to meet with Jean Marie Kindermans, the International Secretariat.

The purpose of the meetings will be to review the events of the last two weeks, particularly as they pertain to: 1) MSF Greece’s unilateral mission to Kosovo and Belgrade, and 2) The failure of the MSF Greece partnership agreement with MSF Switzerland. This review will be summarised and given to me for review, and then presented at the IC in June 1999. The specific tasks to be accomplished in the meetings, are:

A) Provide a chronology of events;
B) Define the issues relevant to the MSF Movement that emerge from these events;
C) Listen to the MSF Greece version of these events;
D) Listen to the MSF Switzerland version of these events;
E) Obtain an explanation and justification for MSF Greece’s and MSF Switzerland’s actions; to
F) Assess the degree to which the actions taken by the MSF Greece section reflect a common position of MSF Greece.
G) Identify options for action to the IC, and if possible, make a recommendation for action.

These TOR are intentionally very general, allowing you as much flexibility as may be required. If you have any questions at any time, please do not hesitate to contact me at 32-47-777-4328.

Best Regards,

James Orbinski
President, MSF International Council

Methodology:

The Terms of Reference and dates for the mission was finally decided on the morning of the 18th of May 1999. The review was done through document analysis & interviews. The limits of this reviews are due to time constraints, the limited number of people interviewed, a partial lack of written documents and the inevitable defensive attitude of the MSF in Athens vis a vis our visit.
The people interviewed were:

**Geneva**: Olivier Deschevrens (President), Karim Errassas (Board member), Vincent Faber (G.D.), Thierry Durand (O.D.), Christine Chevalier (Med dept).

**Athens**: Odysseus Boudouris (President), Demetrios Pyrros (Board member), Kostas Papaioannou (Board member), Kostas? (MSF-accountant & Board member), Stories Papaspyropoulos (Honorary President), Nikos Kemos (G.D.), Demetrio Richter (suspended Board member & O.D.), Panos Katrakis (Program manager), Christine Gayral (Assistant Program Manager), Theodora Fetsi (H.R.), Hareklea Kaltezioti (H.R.), Marili Vrodissi (Administrator), Joanna Bouloum (fundraising), Antonis Rigas (log of current explo team).

**Main figures For MSF-G**

**Financial figures** (sources: Nikos Kemos):
- 100,000 donors (out of a population of 10M)
- budget of 1.100 M GD (+/- 22 M FRF or 3.7 M USD)
- 97% of private funds
(MDM-G has a budget of 750 M GD with 80% institutional funds of Greek government & ECHO)

**H.R. figures** (sources: Theodora Fetsi):
- 15 office staff
- 7 expatriates in the 3 missions run by MSF Greece (Georgia, Armenia & Gaza)
- 20-25 permanent staff in Greece for projects in Greece
- 4 Greek expatriates placed in field with other MSF Sections

**PART I: CHRONOLOGY OF EVENTS**

This attempt at a chronology is based on the existing « paper trail », as well as on the recalling of events of the persons interviewed. Inevitably, there are a number of gaps, contradictions and approximations.

**November 1990**: creation of MSF-Greece, under MSF France
June 1992: Probationary period extended to June 1994, under MSF France

**June 1994**: The IC discusses the Greek section. Four sections were in favour of creating a seventh independent operational section (CH, S, F, Lux) while two were against (B and H). The last two used their veto. It was decided that MSF G should be integrated with one of the existing Operational Sections. This resulted in a vaguely defined collaboration with MSF Spain.

**March 1998**: decision of the International Council (I.C.) concerning a framework for the Common Operational Centre (C.O.C.) of Geneva & Athens. “The boards of each section are to remain fully autonomous with regard to national issues... but for issues related to the operational centre they have to share responsibility through a (joint) O.C. Board. Both boards
of both sections combine to nominate the General Director and the Operations Director of the operational centre and delegate authority on daily operational matters to them. As a member of the Executive Group the General Director is accountable to the I.C. in addition to the board of the operational centre. The Partnership between the Greek section and any one operational centre will be evaluated after one year. Amendments to the rules described above can only be made with the agreement of the International Council or the Restricted Committee, after proposals by both sections. In case of failure of the partnership, it is the responsibility and right of the IC to decide about next steps within the overall framework of MSF Operationality.”

**April 1998:** The board of MSF-G nominates Thierry Durand as O.D. of MSF-G; no job profile is done. The Board of MSF-CH agrees T. Durand can act as common O.D. while a commission Greco-suisse elaborates the status of the C.O.C.

**24th of March 1999:** Nato bombing starts in F.R.Y.

**28/3:** Odysseus Boudouris calls J. Orbinski. Odysseus expresses need for MSF Greece to be involved in Balkan Operations.

**28/3:** J. Orbinski speaks with Jean Marie Kindermans, Lex Winkler, Karim Laobouda, Alex Pariis, Eric Stoebarts, Vincent Faber, Olivier Deschevrens, and Phillipe Biberson to ensure that MSF Greece expatriates are incorporated into MSF missions to the Balkans.

**29/3:** J. Orbinski calls Odysseus to confirm that MSF Greece expatriates will be incorporated into MSF missions.

**29/3:** MSF-B evacuates team out of Pristina.

**30/3:** MSF-B evacuates its last expatriates from Belgrade. MSF B maintains regular contact with its national staff in Belgrade.

**31/3:** J. Orbinski calls Odysseus Boudouris to again confirm MSF Greece expatriates’ participation in Balkan Missions, and to describe MSF co-ordination mechanisms.

**1/4:** letter of the Board of MSF-G to James Orbinski & Jean Marie Kindermans (letter dated 30/3, but mailed evening of 1/4). The Board is asking for clarification of the coordination of MSF’s action in Kosovo: «It is also necessary for the Greek section, which is de facto implicated in the crisis, to have an active role.» (See Annex 1).

**2/4:** letter of J. Orbinski to the Board of MSF-G (See Annex 1). States that a clear procedure for co-ordination is in place and that «in Kosovo proper, there is an active effort to re-enter via Belgrade or surrounding regions». Reminds them of the active participation of MSF-G through expatriates in Albania & Macedonia. Letter states also that «As well, all sections are deeply aware of the need to remain focused on our humanitarian objectives and to avoid these being used by any party to the conflict for their own political purposes.» Notes that he (J. Orbinski) is available anytime for discussion or clarification of any concerns. There is no reply to J. Orbinski’s letter.
9/4 : MSF-CH board in Geneva. Sotoris Papaspyrouspoulos presents the MSF-G proposition for a common board of the Common Operational Centre. An equal number of members (2 or 3) from the two boards; a 5th (or 7th) member is then chosen by them out of the remaining members from the Swiss board.

13/4 : MSF-B introduces a first visa request with a letter of invitation for S. Koryak (Ukrainien) at F.R.Y. Budapest embassy. In all, MSF-B & MSF-S tried to get 7 people in F.R.Y. but the various attempts failed: Johan Von Schreeb, Swede (request on 23/4), Irene Johansson, Swede (end of April), Eric Stobbaerts, Swiss (request on 22/4, refused on 5/5, requested again on 11/5), Lex Winkler, Dutch, Alice Croizier, Swiss (request 11/5), Graziella Diap, Argentinean (request on 11/5).

15/4 : MDM-G launches a mission to Kosovo. They get a lot of media attention in Greece.

Between 15 & 19/4 (?) : Official announcement of an agreement between the Greek ministry of foreign affairs, Nato and the F.R.Y. government to allow Greek NGO entry into F.R.Y for humanitarian assistance. According to some Greek Board members, the Greek MSF office then « applied again for visas ».

18/4 (?) : O. Boudouris returns from Albania.

18-19/4 (?) : after O. Boudouris return of Albania: T. Durand recalls talking on the phone with O. Boudouris who told him of the Greek Board decision to go to Kosovo. As T. Durand refuses this option, O. Boudouris proposes an « observatory mission » done by members of the Greek Board.

20-21/4 : T. Durand recalls announcing to O. Boudouris his decision of resigning as O.D. of Athens.

21/4 : MSF-G receives a list of medicines needed from the Pristina hospital.

21/4 : letter of V. Faber to the Executive Committee. Preparation letter for the next day meeting:

« ..., une région entière, au cœur même de la crise, reste encore dans un black out total : la Serbie, et surtout le Kosovo lui-même ». The reasons are lack of access and absence of a humanitarian space. However, the absence of humanitarian space needs to be checked. He therefore proposes to send an expco mission under the C.O.C. Geneva/Athens. He also mentions the strong pressure of the Greek sections concerning going into F.R.Y. on their own: « Le risque est aujourd’hui réel que les Grecs choisissent d’intervenir malgré l’opinion de tous, fût-ce au prix de l’anéantissement du partenariat que nous essayons de bâtir entre Athènes et Genève (au mieux) ou d’une crise internationale au sein du mouvement (au pire) ». He expresses his disagreement with Odysseus political analysis of the crisis, but feels it is feasible to launch a common mission with Greek and Swiss nationals if the Executive Committee agrees.
21/4 : T. Durand announces at the Geneva Directors committee that he no longer is O.D. of MSF-G.

22/4 : Executive Committee (Exe Com) meeting (G.D. of the 5 operational centres) (and not 20 as written in the minutes). 
Extracts of the minutes:
« An exploratory mission will try to go inside Kosovo under the Geneva operational centre. This mission will include Swiss and Greek volunteers, and will not be the beginning of a mission or distribution (no equipment for the exploratory mission). MSF will be ready to explain that there is no humanitarian space in case of this likely outcome of the mission. The Brussels operational centre will try to return to Belgrade with the objective of: 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 operation for Serb population (not of great magnitude) in Serbia; monitor events in Kosovo. » .... The Geneva/Greek partnership is in a bad way, as T. Durand has resigned from his position as Operations Director of Athens. This will be discussed apart and will be transmitted to the I.C. ».

22/4 18h30 : V. Faber (from Brussels airport) calls O. Boudouris to inform him of the Exe Com decision concerning an expro mission to Kosovo.

22/4 evening : O. Boudouris recalls calling T. Durand about the Program Manager position in Athens. It’s during this discussion that he recalls being told by T. Durand of his resignation.

23/4 morning : V. Faber informed the Geneva staff of the will to organise an expro mission under the C.O.C.

23/4 : During the DirOps teleconference at noon, V. Jansens announces that MSF-Brussels has received from Belgrade a nominative invitation for MSF to go to Belgrade as well as a approval of the list of expatriates.

23/4 : During the afternoon, T. Durand and V. Jansens talk on the phone and agree to give priority to the MSF-B contacts in order to avoid any confusion and be able to negotiate clearly on the terms of the mission with the Belgrade authorities. The attempt through Geneva is therefore dropped.

23/4 afternoon: Some time later (?) he was informed of the contacts of MSF-B with the MoH of Belgrade to receive invitations for the visa procedure. He agreed to give this option priority and to put on hold the greco-swiss mission. But he did not inform Athens of this decision.

This resignation has immediate effect and is motivated by three main reasons:
- the distance does not allow impregnation
- the impossibility to find a Greek program manager and the failure of « non Greek transplants »
- Athens does not have any added value in running programmes abroad
between 23 & 25/4 (?): Greek Board meeting where the resignation of T. Durand, the C.O.C. and Kosovo are discussed.

24/4: V. Faber calls some of the members of the restricted I.C. to find a transitory solution for the O.D. post of the C.O.C.

25/4 13h36: letter of O. Dechevrens to (?) all members of the Swiss Board, including Greek members. Explaining situation with MSF-G, the C.O.C. and T. Durand’s resignation.

26/4: Telephone conversations begin between MSF Greece and director of Pristina Hospital (F.R.Y.) regarding medical aid to Pristina Hospital (reported in Sitrep 21/5/99 from MSF Greece).

26/4: J. Orbinski calls O. Boudouris. Orbinski reafirms that operations from Greece must be via the C.O.C. agreement with MSF Swiss. Orbinski affirms that in light of resignation of Thiery Durrant that Vincent Faber (G.D. of MSF Swiss) is responsible for overseeing operations from the C.O.C. until a deputy O.D. is nominated, or until a new O.D. with responsibility for MSF Greece is appointed.

26/4: letter of O. Boudouris to T. Durand.
Acknowledges and accepts the resignation. He does not find in the letter the reasons for the time chosen for it and the immediate character of it. He asks if there are any other reasons.

26/4: letter of O. Boudouris to O. Deschevrens & V. Faber.
Asks for their position concerning T. Durand’s resignation for the next day because of a extraordinary Greek board meeting due in coming days.

29/4: letter of V. Faber to O. Boudouris.
Examines the situation & future of the collaboration and states « Athènes ne peut pas unilatéralement décider d’apponter son propre DirOp immédiatement, et décider seule des orientations de son opérationnalité. Sauf à choisir volontairement de le faire en opposition ouverte aux résolutions du C.I. de mars 98 qui ont constitué le C.O.C. » Then, « Je propose donc clairement de prendre moi-même ad interim et transitoirement le relais de Thierry, dans une fonction « light » (je n’ai ni le temps, ni le désir, ni les compétences d’agir comme un véritable DirOp) et ce jusqu’à tant que nous ayons statué sur l’avenir à plus long terme ». He is the one to decide on opening, closure & reorientation of projects, as well as the co-ordination of support departments (this proposition has the support of O. Dechevrens, J. Orbinski & JM. Kindermans).

29/4: J. Orbinski calls Odysseus Boudouris to reconfirm previous discussion on 26/4 re Vincent Faber as now responsible for overseeing operations in the C.O.C.. Odysseus does not disagree, and Orbinski invites Odysseus to call next week. Odysseus states that he will be “on vacation” next week.

30/4: publication of the MSF report « Story of a deportation »

30/4: Board meeting of MSF-Paris : O. Boudouris does not mention anything about a possible mission to F.R.Y. (or about the problems with MSF-CH).
Between 1 & 3/5 (?): Greek board meeting during which V. Faber’s proposition is discussed, D. Richter is suspended from the Greek board and then nominated and appointed as Greek O.D. The launching of the F.R.Y. mission is decided. These decisions are not made known to the rest of MSF until 5/5/99 by Nikos Kemos.

3/5: article of O. Boudouris « Non a tous les apprentis sorciers » and answer of V. Faber « Notre humanité face à la crise des Balkans » in Moustique.
4/5: MSF-S has a meeting with the F.R.Y. embassy in Madrid to negotiate visas.

4/5: The Greek team receives visa for F.R.Y.

4/5: letter of O. Boudouris to V. Faber.
In his answer to V. Faber’s letter of 29/4, he states that:
- the legitimacy of Greek operationality is not in question
- there has been some « non-greek transplant successes » (Nanette & Christine)
- the slowness of the legislative build up is more due to the Swiss than the Greeks

He announces that the Greek Board cannot accept his proposition of being O.D. for various reasons (no need of a « light » O.D. at this time) and has nominated Dimitri Richter O.D. for the Greek section. He proposes that V. Faber carries on representing the C.O.C. at the Exe Com.

5/5: V. Faber remembers calling O. Boudouris who told him he was in a taxi on his way to the airport (but did not mention he was on his way to Skopje). When V. Faber asked if he would be at the board meeting of the 7/5 in Geneva, O. Boudouris answered « I will do my best ».

5/5 12:28: letter of V. Faber to O. Boudouris (copied to Exe Com)
« ... Je t’alerterai toutefois sur le fait que la légitimité de l’opérationnalité grecque n’est pas aussi acquise - et surement pas aussi unanimentement - que tu veux bien le croire ... La seule légitimité opérationnelle dont vous disposez, c’est celle qui s’inscrit dans le cadre du centre commun. »
He refuses any responsibility for the Greek section operations and considers their decision as a « casus belli ». He regrets the way T. Durand’s resignation was done but he supports it. He concludes by warning against any unilateral operational choice regarding Kosovo.

5/5 12:29: letter of N. Kemos to « everybody ».
Announces the nomination of D. Richter as O.D. of MSF-G.

4-5/6: Orbinski consults with members of Restricted Committee.

6/5: response of V. Faber to « everybody » to N. Kemos’s message
He states his opposition to the appointment of D. Richter. He asks the whole movement to refrain accepting the validity of this appointment.

5/5: D. Richter calls V. Faber to inform him of the launching of the mission and asks if MSF-CH want to participate. V. Faber answers that the mission is not in line with the decision of the Exe Com.
5/5 12:59: letter of V. Faber to D. Richter. After having been told on the phone by D. Richter of the launch of the Greek section’s Kosovo mission, he states by writing that he strictly opposes the explo mission and the self proclaimed appointment of an O.D. in MSF-G.

5/5 22:06: letter of O. Boudouris to J. Orbinski (sent from MSF Greece) He informs J. Orbinski of the possibility for MSF-G to enter the F.R.Y. due to the agreement between the Greek foreign ministry, Nato & the F.R.Y. government. «Mais nous voulons le faire en coordination avec les autres sections, comme je l’avais dis à plusieurs reprises à Thierry & Vincent ». He adds: « J’ai demandé à notre nouveau Dir Ops de se mettre en contact avec les autres sections opérationnelles ».

6/5 16:31: letter of J. Orbinski to O. Boudouris He states that the comments of O. Boudouris are unacceptable. MSF-G must maintain it’s integration with MSF-Switzerland. Both the launching of an exploratory mission and the appointment of D. Richter are unacceptable.

6/5 (late afternoon): J. Orbinski calls Odysseus Boudouris who is in Skopje, Macedonia. Tells Odysseus that a unilateral mission outside of existing operational frameworks for the Balkans is unacceptable both operationally and politically, and tells Odysseus that further actions risk severest of sanctions. Odysseus Agrees to put mission on hold until international MSF expatriates can join the team. Orbinski notes in the conversation that it will take several days to get Visas through MSF Greece applying to the Yugoslavian embassy in Greece. Odysseus agrees.

6/5: letter of J. Orbinski to O. Boudouris and N. Kemos He states 5 points that makes the appointment of DirOp and the launching of an unilateral mission into F.R.Y. unacceptable, referring to violation of the spirit of MSF, the IC decision, the existing framework for managing the operationality of the MSF-G section, and the existing transparency of operational management between the operational centres. If MSF-G does not come back from their decision extreme sanctions may be taken (see Annex 2).

6/5 17:55: letter of W. Kok to various people responsible for operations in the Balkans. He has information from HoM of MSF-H in Macedonia about the MSF-G convoy which was allegedly to leave next day. The purpose of the mission, the convoy composition, the team, and the itinerary were given. Furthermore he stated that « MSF-Holland has made it clear that it disagrees completely with the approach chosen by MSF-Greece. »

6/5 20:12: letter from J. Orbinski to O. Boudouris, D. Richter, V. Faber He refers to the telephone conversation two hours before with O. Boudouris during which they agreed to halt the explo mission of MSF-Greece, to seek visas for Swiss expatriates in order to launch an international mission according to the Exe Com criteria. O. Boudouris recalls the conversation differently; he told J. Orbinski that the Greek mission would wait if it was sure that expatriates from another nationalities had visas and could join them.

6/5 19:00: V. Faber calls D. Richter for stopping the mission. D. Richter answers it will be very hard to stop, but he will try to contact the Board about it.
6/5: Orbinski calls O. Boudouris again in Skopje Macedonia, after being informed of V. Faber’s call with D. Richter. O. Boudouris tells Orbinski that while he (O. Boudouris) accepts their previous discussion, the responsibility for stopping the mission is not his (O. Boudouris), but that of the executive of MSF Greece. Even though he is part of the mission and the president of MSF Greece, Odysseus Boudouris tells Orbinski that he could not guarantee that the terms of their previous agreement by telephone could be respected.

7/5 00:06: letter of V. Faber to D. Richter
Referring to the phone call, he confirms D. Richter in writing that the unanimous position of the Exe Com is to put the unilateral explo mission of MSF-G on hold until it can be internationalised under the control of the C.O.C. and run according to the T.O.R. of the Exe Com of April 20th.

7/5 02:17: answer of D. Richter to V. Faber
He tried to discuss the Exe Com decision with the Greek board, but it was not possible. He could not turn back the mission at this time. « This would not be correct versus the members of our association ... I believe it would be wiser at the moment to let this mission be completed and at the return of the team, we can plan the idea of a new international mission ».

7/5: Morning. Unilateral MSF Greece mission crosses into Serbia.

7/5: letter of O. Boudouris to O. Dechevrens
He announces that he will not be able to participate in the board meeting in Geneva since he is on stand by with the Greek mission at the border between Macedonia & Kosovo. He refers to the possible access due to the agreement between the Greek ministry of foreign affairs, Nato and the Serbs. « En accord avec les orientations du Comité Executif, nous souhaitons mettre à profit cette possibilité et ouvrir cet eventuel couloir humanitaire aux autres sections ».

7/5 14:16 letter of D. Richter to « everybody »
He informs that the explo mission has entered Kosovo that day at 11:25 with a team of 4 Greek expatriates. The team also has with it 18 tons of medical supplies destined for the Pristinia Hospital requisitioned on 21/4/99.

7/5: letter of V. Faber to « everybody »
He confirms that the Greek explo mission is going ahead. He states that « it is now up to the I.C. to decide on the appropriate actions that ought to be taken ».

7/5 16:09 letter of JM. Kindermans to « everybody »
Gives general orientation vis à vis the unilateral Greek mission. « We do not know what contacts have been made nor the kind of positioning they are ready to take. Besides the rejection of our common rules for operations, you can understand the difference of the approach it reveals and the potential dangers for the overall coherence of our operation and our positioning in the region it reveals... there is no public comment on this issue at this time. »

7/5 17:46: letter of J. Orbinski to I.C. members
General information of the development of the last days.
7/5: sitrep sent by T. Antypas (Program Manager for the F.R.Y. mission in Athens)
Gives some information about the trip, the first visit to the hospital (where «almost 40% of
the patients are Albanians»), the T.O.R. of the mission:
1: Assessment of the health facilities
2: making contact with the Yugoslavian system in order to insure the immediate delivery of
the supplies
3: To open communication channel with the Yugoslavian health system & the authorities
4: «To respond, as Greek Section, to the demands of Greek society that wants our association
to give the certain aid we have provided to Skopia and Albania in Yugoslavia also».
And various other information concerning the security and plans of the mission.

7/5 evening: Board meeting of MSF-CH
No Greek board member present, although invited, for a Greek-Swiss commission. The Swiss
board drafts a proposal for solving the problems of the partnership between Geneva & Athens
(the proposal was sent on the 9th of May).

8/5: sitrep sent by T. Antypas
Some general information given by the team on Pristina

9/5: letter of O. Dechevrens to the board of MSF-G
Proposal for a partnership between MSF-CH & MSF-G within the framework of the Common
Operational Centre addressed to the Greek Board by the Swiss Board.
1) To nominate a highly qualified Programme Manager that could handle the operations under
the Geneva based O.D.
2) V. Faber will guarantee the Greek operationality
3) The budget & operational plan examined by a common executive board
4) Evaluation of the C.O.C. in 6 months
5) The C.O.C. will be presented to the I.C. in June
6) MSF-CH will immediately stop the collaboration within the C.O.C. and transmit the file to
the IC for the following reasons:
   a) if the Greek board refuses this proposal
   b) if the unilateral decision to nominate an O.D. in Athens is maintained
   c) if the activities of MSF-G in Kosovo are carried on after the end of the exploratory
mission, according to the details described above.

9/5: sitrep sent by T. Antypas
Team left Pristina for Belgrade

9/5: letter of T. Dusauchoit to I.C. members
Considering the conditions of the Greek mission to F.R.Y., the board of MSF-B is calling for
the immediate suspension of O. Boudouris as vice-president of the I.C.

10/5: answer of N. Kemos to O. Dechevrens
Since all members of the board are out of Greece, the answer to the proposal of MSF-CH
board will have to wait for a few days.

10/5?: letter of J. Orbinski to JM. Kindermans. Analysis of the consequences of the Greek
mission and of how to deal with them. Suggestion of sending a delegation to MSF-G.
10/5: Sitrep sent by T. Antypas
General comments on the situation in Belgrade

11/5: Sitrep sent by T. Antypas
Few comments on Belgrade Hospitals and announcement that two expatriates will after all remain behind for a few more days «for the purpose of data collection and the precise reporting of needs (mainly health needs, but logistic also)».

13/5: Regis Debray’s article in Le Monde
«Nos ministres ne pourraient-ils interroger là-bas des témoins à la tête froide - médecins grecs de Médecins sans frontières, ecclésiastiques, popes ?»

14/5: MSF-G press conference in Athens
AFP: MSF-G doute de la volonté de l’OTAN de respect des « couloirs humanitaires »

14/5: letter of JM. Kindermans to «everyone»
Informs of the communication line after one outcome of the mission was the questioning of the reality of ethnic cleansing. «MSF is maintaining the conclusions of its report «story of a deportation», qualifying what happened as crime against humanity.»

14/5: Letter of J. Orbinski to O. Boudouris & N. Kemos
Informs them of the fact finding mission to come as soon as possible to clarify:
1) MSF-G’s unilateral mission to F.R.Y.
2) the MSF-G partnership agreement with MSF-CH

14/5: ? answer of O. Boudouris to J. Orbinski
Agrees for dialogue and announces that there will be an extraordinary General Assembly on June 2nd to discuss: «le retrait unilateral de MSF-CH du C.O.C. avec ses différentes conséquences et l’implication de MSF dans la crise du Kosovo». He invites J. Orbinski, JM. Kindermans and the five presidents of the Operation Centers.

15/5: Orbinski decides to send Fact-Finding mission to MSF Greece. Letter to Restricted Committee re TOR.

17/5: open letter of O. Boudouris to T. Dusauchoit and members of the I.C.

18/5: letter of O. Dechevrens to O. Boudouris & members of the Greek board
He puts a formal end to the collaboration between the two sections on the basis that:
- there has been no response to his proposition dated May 9th
- the Greek section is continuing its action in F.R.Y.
He opposes O. Boudouris statement that the Swiss section unilaterally pulled out of the partnership.

18/5 evening: arrival of Fact-Finding Team in Geneva for meetings.

19/5 evening: arrival of Fact-Finding Team in Athens for meeting with board members and office staff of MSF-G (leave on 23rd noon).

21/5: Preliminary report of the exploratory mission in Kosovo & Serbia by MSF-G
28/5: submission of Draft report to J. Orbinski.
5/6: Final Report circulated to IC members.

**PART II : PRESENTATION OF THE ISSUES**

**1 - DEFINITION OF THE CRISIS**

In general, the chain of events have run in three parallel lines:

1) *the structural line* which finally ended up in a break down of the co-operation between MSF-CH and MSF-G offices;
2) *the board line* which also ended up with a break down between the two sections and
3) *the external events* in the Kosovo crises and local factors within the Greek society.

The different events influenced each other. The Kosovo crisis combined with an imperative attitude among the Greeks to also act on the Serb side of the conflict, which changed the priorities in the Greek office. MSF Greece then started to prepare for a Kosovo explo-mission independent of the C.O.C and the other MSF operational centres. A lack of transparency and insufficient communication resulted in increasing problems between MSF greece and MSF Swiss.

With the resignation of the DirOp, the crisis was almost complete. This structural crisis could not be met by a functioning governing body since no agreement was obtained on how to put together the board for the C.O.C. Quite the opposite, the structural problems resulted in a final break down of co-operation at the board level. The president of MSF Greece also ignored clear directives from the president of the IC on how operations were to be managed in the interim period between the resignation of the Dir Op and the appointment of a new one.

MSF-Greece, represented by the members of the board and the staff of the office that we talked to, expressed overwhelmingly their support for the MSF Greece mission in F.R.Y. There were some nuances in its justification, but on the whole there was unity and coherence in the Greek section over this issue. It is also quite clear that there is a strong leadership of O. Boudouris over the Greek section.

The « crisis » is not understood in the same way in MSF-Greece as it is by the MSF Executive Committee. For the Greek section, they had a moral obligation to use a narrow window of opportunity, and they argue that they respected MSF principles in doing so, and other sections ought to be glad to have MSF in F.R.Y (« because we are all MSF, aren’t we ? »). According to MSF-G, there was an apparent will of the movement to go into F.R.Y., but the Greeks were not convinced it was real. They argued that « With the biggest crisis in Europe since WWII and after 45 days of bombing, there was no positioning of MSF and only discussions over procedures ».

Therefore, for the Greeks, the « crisis » is based on internal politics, structural problems and bureaucratic behaviour; i.e. the « big 5 » cannot accept to be by-passed by a section becoming their « equal ».
MSF-G denies any violation of humanitarian principles or political problems with their mission in F.R.Y. They accuse the MSF movement for its lack of respect of humanitarian principles in the Balkan crisis and for the priority given to structural aspects rather than ethics & operations. For MSF-G there is an imperative to act on both sides of the conflict.

For the MSF Executive Committee, there is a responsibility to ensure that:

1) humanitarian assistance inside Serbia is not instrumentalized or used as propaganda by a government that is committing crimes against humanity;
2) that MSF’s presence - whether or not it is controlled or otherwise restricted - does not naively legitimise the apparent “humanitarian” intentions of the Yugoslav government; and that
3) these risks be prevented by ensuring that an exploratory mission made up of international expatriates attempt to enter the region with a Terms of Reference (22/4/99) that states:

- An exploratory mission will try to go inside Kosovo under the Geneva operational centre.
- This explo mission will include Swiss and Greek volunteers;
- and will not be the beginning of a mission or distribution (no equipment for the exploratory mission).
- MSF will be ready to explain that there is no humanitarian space in case of this likely outcome of the mission.

4) The Brussels operational centre will try to return to Belgrade with the objective of:
- 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;
- and monitor events in Kosovo.

The qualification of the « crisis » and position of the MSF movement has been summarised by J. Orbinski in his letter of 6th May to O. Boudouris & N. Kemos (see Annex 2).

Concluding definition of the crisis:

The causes of the crisis are multiple, paramount of which is a complete disagreement on the analysis of the Kosovo and Balkans context and the application of humanitarian principles there. Secondly, the absence of transparency of the Greek section over the preparation of this mission is considered unacceptable. Lastly, the disregard given by Greek section to the MSF decisions, rules and procedures that govern the application of humanitarian and operational principles is considered dangerous and reckless.

As a result of the unilateral Greek mission, the violation of humanitarian principles, and the manner in which the mission was carried out, there is a de facto suspension of the Common Operational Centre of Geneva & Athens, and a breakdown in communication and trust toward MSF G generally.
2 - DIAGNOSIS & ARBITRAGES

Difference of priorities & in interpretation of MSF principles

Over a number of issues, there are basic disagreements between the MSF movement and MSF-Greece. They rely essentially on the interpretation of MSF’s positioning and role in the Balkan crisis.

1) The perceptions of the victims and the aggressors in the conflict
The Greek section has repeatedly been putting back to back the victims (Albanian Kosovars and Serb civilians) as well as the aggressors (F.R.Y. government and Nato), cf. article of O. Boudouris in Moustiques of May 1999.

They expected clear statements from MSF against the bombing, and the fact they were never made, shocked them. In Greece, MSF-G condemned the Nato bombing publicly. Such a positioning was considered unacceptable for the other sections of MSF because of its lack of impartiality. It goes against the very essence of the MSF’s concept of humanitarian action.

Members of MSF-G insisted on not being ‘pro-Serb’. They were shocked by this accusation. Their proof is their continuous will to participate in operations for the benefit of Albanian Kosovar refugees. The limit of which was imposed by the movement on MSF-G.
« We are as pro-Serb as we are pro-Albanian or any other victims; and we are anti-Milocevic and anti-Nato ». 

2) Proportionality vs neutrality
The enormous difference in the needs of the Albanian Kosovars and Serbs was not expressed as an issue. MSF’s principle of acting proportionally according to needs was disregarded to the benefit of « neutrality ».

Members of the Greek section never mentioned the « traditional friendship » with the Serbs as a reason for wanting to send a mission to F.R.Y., but always referred to « humanitarian principles » and the necessity to be on both sides of the conflict.

3) Priorities of MSF Greece in F.R.Y.
When talking about the mission in F.R.Y., the Greek office staff and board members always referred to the victims « on the other side » or « of the bombing » except for two persons who also mentioned the possibility to check what was happening to the Albanian population in Kosovo. The priority of the MSF-G mission was therefore to bring humanitarian assistance to the Serb population. For the other sections, the first priority in F.R.Y. clearly was to assist the victims of the on-going deportation, although naturally, evaluation of the situation of the Serbian population would also be done.

4) Humanitarian space
No one in MSF could foresee what humanitarian space would exist in F.R.Y., but everyone agreed it needed to be evaluated. But by the Greeks taking 18 mT of surgical drugs & material
on the basis of requests made by people contacted in F.R.Y. was not a good start and was strongly criticised by the other sections.

**Pressure from Greek society, media and donors**

The « special relationship » between Greeks and Serbs was practically never mentioned by people in the Greek section to the Fact-finding Team. Greece was considered « neutral » in the conflict by members of MSF-G. The basis for the general Greek positioning was explained by its proximity and better understanding of the causes and consequences of the conflict.

One of the reasons for the Greek’s society bias for the Serbs was explained by one member of the office as based in the popularity of the Serb migrants (with many professional athletes among them), whereas the Albanian migration to Greece is much more massive, increasing unemployment among the Greeks and responsible for a huge crime increase through their mafia. Another explanation given was the traditional transportation route for Greeks to Europe through Yugoslavia which had created dependency and special contacts.

Right from the first days of the crisis, the Greek government proposed MSF money for programmes inside F.R.Y., but it was refused.

Generally, the people of MSF-G felt that « the Greek media are much more balanced on this crisis than other western media »; they saw the suffering of both sides of the conflict.

But we were also told that public opinion and debates on TV were split between « minority » and « majority » opinions. This was reflected by a public opinion poll: 90% against bombing, 60% against ethnic cleansing. MSF-G was in the « minority opinion » because of its position that was critical of the F.R.Y. regime and the fate of the Albanian Kosovars (Milocevic has the first and largest responsibility in what is happening). The «majority» opinion is that Milosevic and his regime are perhaps a problem, but the major responsible for the refugee crisis are Nato & its bombing. MSF-G sees itself as an opinion leader in Greece trying to broaden the comprehension of the situation in the Greek society.

Many people referred to the many calls the office got from journalists, donors and volunteers asking why MSF was not in F.R.Y. This was especially intensified after MDM-G’s first convoy to F.R.Y. (15/4). MDM-G was collecting any donation in kind on the main square of Athens; it had presence on TV & was making stronger declarations than MSF.

One person said: « There are people in MSF-G who wanted so much to go (in F.R.Y.) that they were pushing to put MSF in front of a «fait accompli».

**Position of MSF-G & speaking out**

Press:
MSF-G has condemned the deportation, even if this position has shocked a part of the Greek public opinion. They also have condemned the Nato bombing because it is multiplying the number of victims, it is a collective punishment, it is destroying completely an entire country, it worsens the situation of the Albanian Kosovars, it is limiting the chances of the Serbs &
Albanian of living together and it is increasing the risk of an extension of the conflict in the Balkans.

The message to the media was: «MSF is against people being thrown out of their houses, and the Nato bombing of innocent civilians»; thus, MSF-G was among the few in Greek society speaking out against the ethnic cleansing (cf. S. Papaspyropoulos' letter) «while MDM-G was on news with awful pictures of bombing saying 'massacres are going on because of the bombing'».

Concerning the MSF report «Story of a deportation», the answers given were vague concerning its communication to the media and the public.

On the return back from F.R.Y., the message was: «there is no dramatic situation in F.R.Y., there are enough medical staff and good capacity, but there are specific medical drugs needs due to the destruction of pharmaceutical factories and the embargo».

**Operational principles**

Considering the relative operational short comings of MSF at the beginning of the crisis and the absence of results in the request for F.R.Y. visas, the Greek section thought everything ought to be done to have access as soon as possible to Kosovo & Serbia. Some of the people in charge said they were not aware of the T.O.R. of the Exe Com of the 22/4 for the planned C.O.C. F.R.Y. mission.

The Greek government as a member of Nato, but with a neutral position in the conflict had negotiated to obtain for Greek NGO free access from the F.R.Y. government and security from air-strikes from Nato. Boudouiris had informed T. Durand about this deal but, according to the former, there was no reaction to it. There was then a dilemma, should MSF-G use this framework and their interpretation of humanitarian principles and launch a mission to Kosovo with a risk of increased problems with the MSF movement, or should they close down MSF-G. Not acting, would put MSF-G in a very unfavourable position in the Greek public opinion. They may have lost a lot of public support, donors and credibility.

MSF-G decided to go on their own; then there were negotiations, informal and formal contacts, propositions going back & forth until they got the visas and the permission to travel in F.R.Y. The fact of using a channel limited to Greek NGOs and negotiated by the Greek government due to its close relationship with the F.R.Y government, was not seen as a problem by the Greek section. «The initiative of the Greek government triggered the Greek section’s will to begin the mission... But there are no links with the government, we just used the opportunity» (office staff).

The fact that there were only Greek expatriates in the mission was admitted as being a problem by some members of MSF-G: most could not see the problem («we are all MSF»).

The reasons given for not having other nationalities were:
- there was no international co-ordination of the mission and the C.O.C. was on «ice» (resignation of T. Durand, V. Faber unacceptable proposition).
- the tripartite deal clearly stated it was only for Greek nationals
- none of the other sections actively approached MSF-G to ask for visas.
But all said that obviously, other nationalities should join the Greek team ASAP. Some even said that the F.R.Y. team should pull out if visas of non-Greek expatriates were refused. For the coming future, people suggested that visas should be applied for Russians, Ukrainians and other Slavs as a priority, then Swedes and Swiss, and then Nato nationals. Members of the Board presented the mission as a « Trojan horse » into F.R.Y. for the whole of the movement.

The fact that 2 expatriates stayed in F.R.Y. after the original explo, was justified by the necessity to further investigate the needs. The trip to Pristina & Belgrade was no problem, and since they could move freely, they thought the humanitarian space was sufficient to continue. The objective was to go to Nic, Novi Sad, Pec, Prizren.

The reasons for bringing in 18mT of drugs and medical material were due to the fact that they had reliable information on the needs and that it was essential in order to have visas. The delivery of the drugs and medical material was done directly to hospitals rather than in central warehouses of the MoH or Y.R.C (although we were also told that the delivery in Belgrade was first done in the central warehouse, from where the beneficiary hospital picked up itself the donation). The distribution list from the explo-mission, is however not yet available.

There were no media with the explo mission, although apparently a 5th visa had been obtained for a journalist that did not go in the end.

According to a member of the mission, the Greek flags on the cars were justified by a request of Nato in order to clearly identify the convoy. There were ‘blue tape strips’ put at the last minute before crossing the border.

Operational capacity & experience

Although it would require a more in depth study, the Fact-Finding team have strong reservations considering the operational capacity & experience of the office and the team who still is inside F.R.Y. (the medical expatriate is apparently a medical student with no field experience). MSF-Athens does not seem to have the capacity and experience to run operations (especially such sensitive ones as in F.R.Y.) on their own. This was also recognised by several people of MSF-Greece.

Comments of Fact-Finding Team

The actions of MSF-G were strongly linked to Greek public opinion and pressure from donors, volunteers and office staff. Furthermore, the actual possibility through a political agreement giving Greek NGOs exclusive access, the «success» of the MDM mission, and a special “convenient” Greek interpretation of MSF principles all pushed to an intervention even though they all knew that their action would not be accepted by the international MSF movement.

A lesson to be learned is the importance of « denationalising » offices and operational centres to limit « nationalistic » trends & response to a crisis. We also wonder how valid the following statement is made by one of the Greeks: « when a section’s country is implicated in
a crisis it needs to take an active part in the operation »: quite the opposite, we feel it
dangerous and contrary to MSF’s « esprit ».

We can also see how dependency on private funding in a country, where one context can
radicalise society, can be dangerous. « When you ask a society to sponsor you, you have to
listen to it » (a member of the Greek board).

The Greek section should have been ready to see its private donations drop, the rest of the
movement being able to support it financially. Instead they adopted a “convenient”
interpretation of MSF principles which was not compatible with the rest of the movement.
Furthermore, this was done without any open discussion with the other sections on MSF
values and principles.

3 - FRAMEWORK & AGREEMENTS

HISTORICAL DIMENSION

Needless to come back on the Greek section’s frustration of the last 10 years concerning their
operationality. According to MSF-G, they have been treated unfairly. Despite this, they feel
they have always followed the rules and respected the decisions.

According to Athens, since the beginning of the Kosovo crisis, the three main sections split
the operations disregarding MSF-G. This took place despite MSF-G’s requests to take part
actively in the Balkan operations. Yet they recognise that there has been a good collaboration
with MSF-H & MSF-B (expatriates in the field in Albania & Macedonia, and financial
contribution to the programmes), but less than what was hoped for. They always wanted to be
involved in the « war in their back yard » and in the region (cf. Krajina in 1995 & Albania in
1997). In order to do more and respond to the pressure of their public, they wanted to mount

Many members of the board expressed that they did not mind having a crisis with the rest of
the movement which would be an « acte fondateur » for their section. They referred to the fact
that all operational sections had to go through a crisis in order to become accepted by the rest
of the movement. People within MSF will forget about it and even if they may be excluded,
the Greeks hope to come back at a latter stage as a full operational centre. The board members
also stated that for the first time in MSF-G’ history they can now face an exclusion. In such a
case they will continue their work and keep their name.

The Relationship of MSF Greece With MSF-CH

In general, the attitude of the Greek section in the C.O.C. was to be an equal partner and
eventually the 6th operational centre. This lead to a major problem of « control » of the
operational aspects of the Greek section by the Swiss. This view is not shared by the Greeks
who said T. Durand had all the leeway to control operations and make the necessary arbitrages.

As far as the Greeks were concerned, it was the board of MSF-G that nominated T. Durand DirOps; indeed, there was no board of the C.O.C. to nominate the common DirOps. The Greco-Swiss commission composed of O. Boudouris, S. Papaspyropoulos, N. Kemos, O. Dechevrens, V. Faber, T. Durand, H. Lohr had met +/- 5 times since a year to work on the status and structure of the common governance of the C.O.C. acceptable to both boards. Despite the decision made by IC March 1998, no agreement on the composition of the common board of the C.O.C was reached. Thus, when the conflicts and problems occurred catalysed by the Kosovo crisis, no ruling body could intervene.

Various proposals went back and forth; the Greek insisting on an equal number of representatives from both sections on the basis of political equality. The Swiss insisting on the predominant operational weight of their section justifying more representation.

One of the propositions for a common Board was to include members of the Austrian board due to the fact that MSF-Austria is a partner section, but this was refused by the Greeks. During the last meeting of the commission on 19th of March 99, no particular problems were announced; comments were rather positive and the discussion was essentially on the composition of the common board.

The partnership had positive aspects, to the extent that the Swiss had spotted a number of short-comings in the human resources, finance and technical management of the Greek section which were being addressed and solved. A major problem was the post of Program Manager (R.P.) in Athens; Alice Crozier resigned after two months and no suitable candidates were found. Eventually, in January, T. Durand chose a Greek Program Manager. Unfortunately, tensions & conflicts arose between the manager and others. After a letter of warning of T. Durand on 22/3, the manager resigned, but said in a letter to T. Durand (31/3) he would stay until his replacement arrived.

The consequences of the resignation of T. Durand were interpreted differently: for the Greeks, it left a vacuum of procedures and to some extent, the end of the C.O.C.; for the Swiss, an intermediary solution could be found.

The Greeks criticised the fact that V. Faber had never come to Athens, not even after T. Durand’s resignation.

**Comments of the Fact-Finding team**

The decision by the IC in March 1998 was clear when it came to the appointment of only one operational director. The IC did not put any time limit as far as the establishing of a common board was concerned. Moreover, they did not suggest any composition of this board and they did not define any clear objectives. A closer follow-up from the IC should therefore have been done, already at the next IC meeting. In addition, the two sections should have informed the IC or RC about the problems reaching agreement on the composition of the common board. In this way IC or RC could have done arbitrage, or in worst case decide on the issue. To spend one year back and forth on such an important issues, is not acceptable.
The IC must also take criticism for spending 10 years on the MSF-G integration in the movement without reaching any viable solutions. Of course, some of the reasons for this failure was the continuous disagreement between the movement and MSF-G on the degree of operationality MSF-G should be granted. MSF-G expected clearly equality with MSF-CH in the common board, but this was rejected by the Swiss.

T. Durand resigned on the 23rd of April 99 to stop giving an alibi and a «smoke screen» to the Greek section & O. Boudouris. He preferred at the time not to mention the specific reasons because of the lack of evidence of what he anticipated and feared.

His decision was a surprise to many in the Geneva office, even to V. Faber who regretted the way it was done, although he was aware of the frustration and the problem of staffing with Athens. His sudden resignation accelerated to some extent the crisis. No real dialogue was tried to cope with the problems. No visits to Athens was done to clear the position. His resignation provoked MSF-G because they could not really see the exact reasons.

One board member thought it was the Kosovo crises (and the MSF-G preparations for an expho mission), but other reasons were mentioned as well. When V. Faber suggested that he could be an OpDir “light”, this was also unacceptable to the Greek board. Obviously they saw an opportunity to keep on planning their Kosovo mission without any formal interference from MSF-CH. This opportunity was very welcome.

MSF-G put their expho-mission into action despite clear directives from the International Secretariat, the President of the IC, the Restricted Committee and in opposition to the decisions made by EC. During this period another proposal on the composition of the C.O.C board from the Swiss president was sent MSF-G. MSF Greece did not respond to this proposal. The crisis was now complete. It could be stated that MSF-CH could have acted differently given more time. However, as it turned out the distances between MSF-G and the rest of the movement regarding such crucial points as humanitarian and operational principles, need of intersectional co-operation, and the transparency and interpretation of MSF values, was too large and any attempts on arbitrage would have been in vain. MSF-G was obsessed by their Kosovo mission, and MSF-CH was fed up.

4 - ATTITUDE & TRANSPARENCY

Mutual paranoia from the Swiss and Greek side

The Greek office staff and board were eager to know what MSF had planned to do in F.R.Y. (especially O. Boudouris), but they felt no clear answer was ever given despite phone calls and the letter of April 2,99 from J. Orbinski, and other contacts with persons in MSF. They say they felt left out of the operations.

The Swiss felt something was being prepared in Athens without them knowing or being informed. The sudden resignation of T. Durand was announced to other sections before the Greek board & office knew about it. O. Boudouris had talked several times with V. Faber between the 19th and 22nd of April, but nothing was said about it. This pushed the Greeks to think something was being decided behind their backs.
When the Greek mission to F.R.Y. was announced suddenly, the Swiss board members and G.D. tried to convince the Athens MSF people in charge to hold the mission. O. Boudouris would answer “it is an executive decision”, and D. Richter would qualify it as a political decision of the Board. The same response was given to J. Orbinski when he spoke with O. Boudouris on May 6.

But the real reason for not stopping the mission is that MSF-G was enthusiastic about it and did not want to lose credibility in Greece and with the F.R.Y. authorities.

**Lack of transparency**

MSF-G did not inform other sections about their explo-mission until the day before they actually left Athens, i.e. the day after the visa were obtained in Athens. Thus, it was impossible for other sections to participate although the Greeks then offered to have others join them. This total lack of transparency should not be acceptable within the MSF movement.

O. Boudouris said to the office staff and the Fact-Finding team that he tried to call without success T. Durand during the week prior to his resignation in order to inform him of the plans of MSF-G. However, we have not been able to track down any mails on this. It would have been natural to send a mail if a person is not reachable by phone.

The Fact-Finding team tried to define as detailed as possible the events the weeks before the DirOp resigned. At this time there were obvious preparations in the Greek office for a Kosovo mission even though this is denied by some people in the office. There is lack of important documentation and the information given is sometimes contradictory and confusing.

According to the report from the Kosovo explo-mission it took two weeks to get visas, i.e. they had to start the procedure before T. Durrant resigned. One member of the Board said he met with the Defence Minister of Greece regarding humanitarian assistance in F.R.Y. and Albania at an early stage. According to him they had already tried once to get visas, but the applications were rejected, but after the agreement between F.R.Y. and the Greek government was established (April 19th) he stated: “we applied again”. The visa procedure was reported to be complicated in their final report from the explo mission and this point was also repeated in a later sitrep from the remaining team inside F.R.Y. (Meeting with the representative of Minister of Foreign Affairs: “We emphasised the bureaucracy difficulties for issuing visas”).

The office could however not provide copies of visas, visa application forms, communication between the embassy and the office and the ministries and the office to verify one single version of the events.

Several people in the office told us about a Greek doctor with a French passport who they tried to get a visa along with the others. Her application was refused. But this attempt for a non-Greek was denied by others.
Moreover, a list of medicines needed from a Pristina Hospital was sent to Athens April 21, confirming our view that substantial preparations had taken place before the resignation of T. Durand.

Since we were not given the board minutes for April and May (we were offered the minutes from 1998), we cannot say when the board made the official decision to launch the Kosovo explo mission. According to some statements, it could have been after O. Boudouris returned from a visit to Albania, but O. Boudouris could not recall when this was or whether they actually had a board meeting at this time. He thought not.

In the report from the Kosovo explo-mission it was stated that they needed an invitation letter to get a visa. They received such a letter from the Faculty of Stomatology in Belgrade, but when we asked for this invitation letter, they told us that it did not exist. Instead we got a letter dated April 30 from Faculty of Stomatology thanking MSF for their kind offer. We could not obtain any information about the offer or the fax/letter sent to Belgrade before this reply letter.

O. Boudouris pretended not to know about any list of requests coming from F.R.Y. when one was sent to the e-mail of his private practise. The office collected 18 tons of surgical items and medicines. When they started this collection, is pretty unclear. Various versions were given.

We find it strange that there is such a lack of written documentation on the activity both in the office and the Board. What we have asked for, should be possible to obtain. The staff and board members have a surprisingly bad memory for dates of the different events. O. Boudouris played a role partly as executive being active in the preparations of the Kosovo mission, partly as President. This combination is not acceptable, as it creates confusion in roles and responsibilities.

**MSF-G Position concerning the Future**

Many Greeks insisted on the fact that the movement needs to accept that there are different societies and opinions represented in MSF. The C.O.C. was considered successful even if there were some differences in culture and organisation. Many people are for expanding and increasing this partnership in the future. The position of most members of the board was that MSF-G needs its own Operations Director (OD); V. Faber could continue to represent MSF-G in the Exe Com. Others said they were ready to discuss with MSF-CH about a common O.D., and that if the Swiss would refuse, they would be responsible for the breakdown of the C.O.C. Several people said that when they launched the F.R.Y. mission, they knew they took the risk of being excluded from the movement. They therefore expect this to happen, but feel it would be unfair and would have negative consequences for the movement.

**MSF-CH Position Concerning the Future**

The board of MSF-CH made a last proposition (cf. letter of 9/5) in order to attempt to « save what could be saved ». But on the whole, there is a major problem of trust and transparency. They are sorry it had to come to this situation. A lot of time and energy has been spent on this partnership and people are on the whole tired with the experience. In the office there is frustration and anger because of what happened. To renew the partnership, it would require a
radical change in attitude, « état d'esprit », and ways of working. It will therefore be practically very difficult. There is a strong feeling in the Swiss section that O. Boudouris bears a major responsibility in what happened.
Appendix 1:

Subject: Re[2]: IC email list
Author: Konstantina NIKOLOPOULOU at MSF-ATHENS Date: 4/1/99 5:54 PM

For: James Orbinski - President of the IC
      Jean - Marie Kindermans - Executive Comity

Copy: Members of the IC
Athens, 30th of March 1999

Dear friends,

The recent situation in Kossifopedio makes up a big and complex crisis which, unfortunately, does not seem to end soon. To respond with results in this humanitarian tragedy, MSF is necessary to act immediately and with co-ordination in International level. It would be unacceptable for our Organisation as a whole, the populations that are suffering to undergo once more the consequences of internal malfunctioning.

Therefore it is necessary to define without delay a clear procedure for the co-ordination of the different sections of MSF in the area of Kosovo. It is also necessary for the Greek Section, which is de facto implicated in this crisis, to have an active role. This concerns the circulation of the information, the funding and most of all the engagement of expatriates.

The AC of MSF - Greece

Subject: Reply to MSF Greece AC Letter
Author: James Orbinski at MSF-international Date: 02.4.99 17,33

Dear AC of MSF Greece:

Firstly, thank you for your letter of March 31, which I received this morning (see copy below). In your letter you rightly identify that the crisis underway in the Balkans is of major humanitarian and political significance, and that an effective and co-ordinated response is required of MSF at an international level. You also say that it is necessary to define without delay a clear procedure for the co-ordination of the different sections of MSF in the area of Kosovo.

Finally, you say that it is necessary for the Greek Section, which is de facto implicated in this crisis, to have an active role. This concerns the circulation of information, funding and most of all the engagement of expatriates.

A clear procedure for the co-ordination of the different sections of MSF is in place, and has been in place for over one week. At this time MSF Belgium, Holland and France are active in Albania, Macedonia and Montenegro with exploratory missions and operational activities. In Kosovo proper, there is an active effort to re-enter via either Belgrade or surrounding regions. MSF Switzerland is co-ordinating daily teleconferences among all operational centres (which have been taking place daily for over one week, and which will continue). MSF Spain is today
preparing a draft analysis regarding a possible public position that MSF can or should take regarding the ongoing humanitarian issues and crisis. This will be reviewed by all Operations Directors and General Directors when ready, and an appropriate decision made. Finally, there is a daily report of both the teleconference and joint situation report going to all offices of the MSF movement, including MSF Greece. Teams on the ground are also sharing information, resources and expatriates. Thus, there is at this time a clear, transparent and effective system of co-ordination for the movement in dealing with the crisis.

Regarding MSF Greece, and its need to have an active role: I spoke with Odysseus Boudouris (President of MSF Greece) on Sunday March 28, on Monday March 29, and on Wednesday March 31 to review MSF Greece’s perceptions. I discussed these with various section Presidents, General Directors and Operational Directors. At this time MSF Greece has an active role with three expatriates working with MSF Belgium in Albania, and two expatriates who are today conducting an exploratory mission in Skopje under the auspices of MSF Holland.

All sections of MSF - as a humanitarian movement- are defacto implicated in this crisis. All sections in the movement are looking for ways to place both private and institutional funds that are available to them. As well, all sections are deeply aware of the need to remain focused on our humanitarian objectives and to avoid these being used by any party to the conflict for their own political purposes. This is, as always, a difficult challenge.

I trust that this letter adequately addresses the questions that you raise. I am available anytime to discuss these or any other issue further. I can be reached any time at 32-(0)47-777-4328.

Sincerely,

James Orbinski
President, MSF International Council

Annex 2:

May 6, 99

Dear Odysseus and Nikos:

By telephone this afternoon I discussed the issues outlined in this letter with Odysseus, who is in Skopje, Macedonia. I was informed yesterday that following the resignation of Thierry Durrant, and despite the assumption of his duties by Vincent Faber, MSF Greece has appointed its own operations director. I have also been informed by e-mail today from Odysseus that MSF Greece is making efforts to launch a unilateral exploratory mission (in Kosovo). This is without the approval of MSF Switzerland’s General Director, Vincent Faber. Both actions are unacceptable on five points.

1) Globally, MSF Greece’s actions contravene the spirit and character of the MSF Movement which is central to the cohesion and coherence of the Movement.

2) MSF Greece’s actions contravene existing MSF International Council Resolutions that govern the operational activities of MSF Greece. Essentially, these conclude that all
operational activities of MSF Greece must be under the responsibility of a Director of Operations of a common operational centre. In this case, given that Thierry Durrant has resigned, this means that responsibility now falls under his immediate superior, the General Director of MSF Switzerland. Any operational actions not under his supervision are not acceptable.

3) MSF Greece’s actions defacto create a sixth operational centre in the movement. This is not acceptable as the number of operational centres in the MSF Movement is strictly limited to five.

4) MSF Greece, in seeking to unilaterally launch an exploratory mission of any kind without the approval of the operations director, or in this case his superior, contravenes the existing framework for management of operationality for the Greek section.

5) MSF Greece’s actions in seeking to launch unilaterally an exploratory mission in Kosovo or surrounding region has broken the transparent, collaborative and co-operative system of operational management between the five operational centres. This system has been established for Kosovo and surrounding region - a region where humanitarian issues are complex and require clear operational collaboration. Particularly, in Kosovo, the Executive Committee decided on April 20, 99 that an exploratory mission will attempt access to Kosovo under the Geneva Operational Centre, and that this mission will include Greek and Swiss volunteers, and will not be the beginning of a mission for distribution of humanitarian assistance (therefore no equipment or supplies for the mission). The mission is to explore the viability of humanitarian space in Kosovo, and is to be prepared to make a public statement on this after consultation with the Executive Committee. A unilateral exploratory mission outside of this agreed framework for the MSF Movement is unacceptable. This framework guarantees a coherence to the MSF Movements’ approach to operations and communications for the Balkan crisis.

In pursuing this course of action, MSF Greece’s actions have not been transparent, are directly in opposition to the spirit of the MSF Movement, and are directly in opposition to the existing International Council resolutions to integrate MSF Greece’s operations. May I remind you that the MSF Movement has made strong efforts to address the issue of MSF Greece’s operationality, and these have until now been pursued openly and transparently. These current actions by MSF Greece break existing rules that MSF Greece agreed to, and amount to actions that are both structurally and politically unacceptable to the MSF Movement.

In pursuing these actions, MSF Greece is itself walking away from the MSF Movement. I strongly urge you to come back.

To come back to the MSF Movement, MSF Greece must cease immediately all unilateral exploratory missions. This means in Kosovo and in any other location that is not now expressly approved by the MSF Switzerland General Director.

In addition, MSF Greece has two options. It can accept the proposal for operational management that MSF Switzerland has prepared. Or it can ask that the IC to revisit the means by which MSF Greece’s operational interests are incorporated into the MSF Movement.
If MSF Greece does not immediately cease unilateral exploratory missions, and does not choose one of the above two options, this will mean that it is walking further away from the MSF Movement, and that the most severe of sanctions by the MSF Movement will have to be considered.

I have discussed this issue with all members of the Restricted Committee, including Odysseus. All members of the Restricted Committee except Odysseus, are in agreement with the full position and conclusions I have outlined above.

Please inform me immediately of your decision. I can be contacted by telephone at 32-(0)47-777-4328.

I do hope that MSF Greece will choose to remain in the MSF Movement, as there are valuable contributions that the MSF Greece section has made, and can make to the MSF Movement. Indeed, MSF Greece’s insights and participation in operational issues is recognised as extremely valuable. This is particularly true for humanitarian issues arising in the current Balkans crisis. Any insights, on any operational or other issue are always welcome, and there are ample fora to express these (i.e.: at the IC, at the RC, at the boards of other sections where you have representation, through the joint operations of MSF Switzerland and MSF Greece). However, participation must be within the framework and transparent spirit of the MSF Movement.

Sincerely,

James Orbinski MD
President, MSF International Council

PS: Please circulate this letter to all office staff, field volunteers, association members and board members of MSF Greece.

END OF REPORT