Humanitarian Policy Group

HPG Research Report

Resetting the rules of engagement

Trends and issues in military–humanitarian relations

Researched, written and published by the Humanitarian Policy Group at ODI

Edited by Victoria Wheeler and Adele Harmer

About HPG

The Humanitarian Policy Group at the Overseas Development Institute is dedicated to improving humanitarian policy and practice. It conducts independent research, provides specialist advice and promotes informed debate.

Contents

Abstract

The relationship between humanitarian and military actors has changed considerably in the past decade. Military functions have expanded beyond traditional war-fighting to encompass a range of tasks related to humanitarian goals, including support for humanitarian and rehabilitation efforts and the protection of civilians. As a result, interaction between the military and humanitarian aid providers has grown, raising difficult questions about the relationship between the two.

The military's role in providing humanitarian assistance and protection to civilians in crises is not a recent phenomenon. One of the largest relief efforts in history, the Berlin Airlift, took place over half a century ago, in 1948. Since then, military forces have regularly been involved in crisis responses in countries as diverse as Afghanistan, Bangladesh, Indonesia, Iraq and Sudan. In addition, the Red Cross tradition and the foundations of international humanitarian law are both based on a deal brokered between civilian and military actors in the mid-nineteenth century.

Relations have, however, changed considerably in the past decade. International responses to complex emergencies have increasingly called on peacekeeping and military-led missions, alongside the more regularised military responses to natural disasters. Increased interventionism on the part of the UN, regional organisations and the major Western powers in response to internal conflicts has led to new challenges to military and humanitarian interaction. These challenges are shaping relations between humanitarians and state and private military forces in new ways.

Changes in the relationship between military forces and humanitarian organisations pose important questions for both communities. Constructive common ground and agreement on core issues of responsibility and competence is needed. This will call for strategic engagement between humanitarian organisations and defence establishments, to reinforce humanitarian principles, improve both communities' understanding of each other's comparative expertise, and seek agreement that the core objective of humanitarian action is to save lives and maintain basic human dignity in the face of widespread threats to human survival – regardless of a population's strategic value.

Executive summary

This HPG Report explores the changing nature of the relationship between military and humanitarian action in crisis states. It is the fourth in an annual series produced by the Humanitarian Policy Group that seeks to analyse key trends in the humanitarian sector. Two factors underpin this year's choice of subject. First, there has been renewed debate within the international community over the role of military forces in the response to humanitarian crises. Second, there is continued concern among humanitarian actors about efforts by governments and the UN to develop integrated, coherent policy approaches to international conflict and instability, combining military, political and aid instruments. Many in the humanitarian community remain wary of policy coherence, and fear that the pursuit of wider political and strategic objectives threatens the humanitarian imperative to save lives and relieve suffering, and to do so impartially.

The military's role in providing humanitarian assistance and protection to civilians in crises is not a recent phenomenon. It has, however, undergone significant changes in the past decade or so. Three trends can be discerned. First, military forces – public and private – have become increasingly engaged in activities and policy areas of humanitarian interest. Second, there have been corresponding structural and organisational changes within Western militaries and government bureaucracies in an attempt to combine civilian and military interests and assets in crisis response. Third, there has been increasing reliance on UN and regional missions to respond to international crises.

Key trends

The increased military engagement in crisis response
The structural drivers behind increased military involvement in aid delivery and reconstruction efforts include post-Cold War realignment, military downsizing and a search for new roles as 'forces for good' or 'humanitarian warriors'. Concurrently, growing policy linkages between human and inter-state security meant that poverty, disease and conflict-related population movements, along with a host of other 'soft' security threats, were increasingly seen to be contributing to international instability – and, consequently, issues with which the UN Security Council, regional security bodies and national security planners should be concerned. More recently, the 9/11 attacks, the US-led 'war on terror' and a shift to countering the proliferation of weapons of mass destruction have seen major US-led military interventions in Afghanistan and Iraq, as well as a number of smaller counter-terrorist operations elsewhere. There has also been an expansion in the number, size and mandates of UN peacekeeping missions, and in missions directed bilaterally by governments. Private military forces have become increasingly common actors in crisis environments, notably in Iraq. Meanwhile, the roles of military forces have expanded beyond traditional war-fighting to encompass a range of tasks related to humanitarian goals, including support for humanitarian and rehabilitation efforts and the challenging area of protecting civilians under threat from violence.

The 'civilianisation' of crisis response
The second trend has been the increasing 'civilianisation' of crisis response. Governments, in the US and the UK, for example, have invested in structures to combine civilian capabilities with military assets to plan for and respond to crises. This includes national and regional plans to deploy civilian personnel alongside military assets in post-conflict stabilisation efforts. These structural changes have been matched by a growing emphasis on developing civil–military cooperation (CIMIC) skills and capacities in military bodies. Investment has increased in CIMIC policies, and more senior CIMIC specialists are acting as high-level advisors to military commands.

The expansion of regional capacities
Regional organisations have all become active military players in international crisis response, and may in future be increasingly relied on to respond to crises that national military forces are unwilling to undertake bilaterally. Both the European Union (EU) and NATO have engaged in peacekeeping and policing operations in the Balkans, and in 2003 NATO took command of the International Security Assistance Force (ISAF) in Afghanistan. The African Union (AU) has a constitutional commitment to intervene in a member state in the face of war crimes, genocide or crimes against humanity. The AU mounted its first large-scale peacekeeping mission in Burundi in 2003, and has deployed several thousand troops to the Darfur region of Sudan.

Key challenges

The increased engagement of the military in policy and operational areas of humanitarian concern raises a number of key questions. Three in particular stand out:

* What does the promotion of combined military, political and humanitarian efforts mean for the integrity of humanitarian principles?
* What should the military role be in the protection of civilians from deliberate harm?
* What impact will the growing use of private military firms in providing security for assistance efforts have on humanitarian action?

Humanitarian principles, 'hearts and minds' and integrated missions

'Hearts and minds' tactics – the exchange of material rewards for information, cooperation and political support – have a long history in military practice. For military planners, these activities are deemed to have force protection benefits. However, they remain deeply contentious from the perspective of the impartiality of humanitarian assistance. In Afghanistan, the military's delivery of assistance in civilian clothing and the conditionality placed on military aid in return for intelligence have been particularly controversial. These practices are seen as challenging the distinction between humanitarian and military action required by international humanitarian law (IHL), a distinction viewed as integral to the safety of humanitarian workers.

The risk of being associated with a potentially unwelcome military force, and thereby losing the protective patina of neutrality, has been a consistent theme within the humanitarian community for many years. At the same time, however, humanitarian agencies have themselves been inconsistent in maintaining the distinction between military and humanitarian action. For example, concern has been expressed over the use of military transport assets in situations where it was unnecessary, despite clear guidelines stating that agencies should only call on the military in exceptional circumstances of insecurity or inaccessibility.

The challenges of securing independence and neutrality also loom large in debates over association with UN integrated missions (missions in which all UN functions – military, political/developmental and humanitarian – report directly through one Special Representative of the Secretary-General (SRSG)). 'Integrationists' argue that such an approach results in less duplication of effort and better-informed and more strategic approaches to operations. While some in the humanitarian community accept this and see the opportunities to influence the development of mandates and strategic mission planning, and to improve the skills, capacity and resources devoted to issues such as civilian protection, others argue that integration subordinates humanitarian principles to the political or military priorities of a mission, with concomitant implications for humanitarian access and the safety of aid workers. An equally fundamental question is whether integration will produce better humanitarian outcomes. Little data exists to systematically prove (or disprove) the benefits of integration in terms of saved lives, improved welfare or enhanced access to affected populations. This prevents progress on either side of the debate.

Protection – a shared policy goal?

Efforts to protect people facing violent threat present one of the most difficult shared policy agendas between humanitarian and military actors. Concepts of the military role in protection are new and evolving. However, it is possible to identify a distinct move away from conceiving of protection in terms of restraint in the use of force during war (according to the laws of war) towards a more active concept which sees civilian protection as a principal aim of the intervention. Since the late 1990s, the UN Security Council has shown increasing willingness to mandate peacekeeping missions to use force to protect civilians under imminent threat of attack. This is a significant change in the object of protection, albeit a more difficult concept against which to measure success.

At a practical level, there is little agreement over what constitutes effective protection by third-party military forces, and little evidence to inform the discussion. It is unclear how operational measures affect efforts to strengthen local legal and governmental processes to protect civilians in the long term, and how far member states are prepared to support the UN in taking an increasingly 'non-neutral' stance towards belligerents that target civilians. Humanitarian agencies remain cautious about third-party military intervention to protect civilians. On the one hand, some see it as the only mechanism to deter violence directed at civilians. On the other, many see the use of force as exacerbating levels of violence and risk.

Humanitarian action and private military interests

A third area of concern relates to the expansion of private security provision in conflict zones. The use of private military firms (PMFs) has been particularly striking in Iraq, though it is evident in many other theatres. Here again, lack of evidence is a significant impediment to analysis: much evidence is anecdotal, and humanitarian actors, for political and management reasons, considerably under-report their use of PMFs to provide security for their operations and staff. Nevertheless, it seems reasonably clear that the humanitarian community's links with the PMF industry are expanding, both as clients and as inhabitants of the same war zones. At the same time, however, there are no standard guidelines as to how humanitarians should relate to PMFs, or what their various rights and responsibilities are. Humanitarian actors tend to contract firms in an *ad hoc* manner, which means that knowledge networks and principles of good practice remain limited.

Conclusions

There is evidence that the perceived 'humanitarian bid' by militaries may be overstated: commanders have little wish to see their forces lose basic war-fighting skills in the pursuit of other tasks, and in practical terms commitments in Afghanistan and Iraq have left the major military actors overstretched. Nonetheless, governments have, and will continue to have, a clear interest in being able to deploy combined civil and military assets to crisis situations.

National militaries will remain important in natural disaster response. Defence planners and commanders will continue to play important roles in setting strategic objectives and planning programme responses to crises. The reliance on regional and UN peacekeeping deployments to provide civilian protection will also continue to grow.

The increasing proximity of military and humanitarian actors implies a need for the two communities to find agreement on core issues of responsibility and competence. In doing this, investment is needed to gather evidence to show whether the military's delivery of assistance (a marginal activity compared to their core operations) is inimical to good outcomes for local populations – even in the short term. Equally, greater consideration of the actual contribution 'hearts and minds' operations make to force protection would be valuable, recognising that any assistance mission should be conducted in accordance with needs-based criteria. In addition, investment in understanding the full costs of military options in comparison with civilian alternatives in non-conflict circumstances would help inform government decision-making. At the very least, if military efforts are directed towards implementing relief or rehabilitation efforts, these should concentrate on areas of comparative expertise. This calls for an understanding of

exactly where these areas are. This could involve agreement that militaries focus on providing assistance that humanitarian agencies cannot (in security and large-scale infrastructure work, for instance), and that both communities work together more effectively to define respective roles and objectives in the protection of civilians.

For their part, in order to meet their core, traditional responsibilities and to respond to more complex contemporary trends, humanitarian actors need to acknowledge that the operating environment for humanitarian action has changed. At present, there appears to be a reluctance within the humanitarian sector to move beyond advocacy that insists on the preservation of 'humanitarian space', but which has not always been able to demonstrate its importance for the safety and well-being of local populations. Humanitarian agencies can no longer rely (if they ever fully did) on perceptions of neutrality to safeguard them, particularly in environments where they have become targets in and of themselves. In situations of such increased vulnerability, their relationship with, and influence over, those actors – private and public – that can provide security is of the utmost importance – not just for their staff, but also for the affected population.

Chapter 1
Resetting the rules of engagement: trends and issues in military–humanitarian relations

Victoria Wheeler and Adele Harmer, HPG

Several recent incidents have once again sparked debates over the relationship between military and humanitarian actors. These have included assertions by US administration officials in 2001 and 2003 that NGOs were 'force multipliers' in the war on terror; disputes between NGOs and UN officials over integrated missions in 2005; and the practices of some military actors in delivering aid in Afghanistan. Perceptions that the policies and methods of Coalition members in the pursuit of the global war on terror had increased insecurity prompted some NGOs and international organisations to decide against operating in Afghanistan and Iraq in 2003–2004. Clearly, the relationship between humanitarian and military actors in countries such as Afghanistan, Iraq, Sudan and the Democratic Republic of Congo (DRC) remains vexed.

This report is the fourth in an annual series produced by the Humanitarian Policy Group that seeks to analyse key trends in the humanitarian sector.[1] This year's review focuses on the changing role of the military in crisis response, and the doctrinal and policy debates surrounding their actions. This choice of subject reflects continued concern among humanitarian actors about efforts by governments and the UN to develop integrated, coherent policy approaches to international conflict and instability, combining military, political and aid instruments. Many in the humanitarian community remain wary of policy coherence, and fear that the pursuit of wider political and strategic objectives threatens the humanitarian imperative to save lives and relieve suffering, and to do so impartially.

Arguments are advanced broadly along four lines:[2]

- first, that a dominant focus on strategic foreign policy goals has resulted in the humanitarian agenda being subordinated to these goals, or hijacked in pursuit of them;
- second, that promoting combined military and humanitarian efforts associates humanitarian action with military strategies and political goals in ways that undermine humanitarian claims to impartiality and neutrality;

- third, that the blurring of the civil–military distinction can heighten insecurity both for humanitarian actors and for local civilian populations; and
- fourth, that military action in relief is often unjustifiably expensive; there are cheaper, more appropriate civilian alternatives.

While elements of these concerns are perennial, they have become more urgent. The role of the military has expanded over the past decade beyond traditional war-fighting to encompass a range of tasks that are (broadly) related to humanitarian goals. At the same time, perceiving their operations to be at risk and their neutrality to be threatened, humanitarian agencies have been re-evaluating their security and risk management practices, including their relations with military actors. Donors continue to question the impact and value of varied modes of relief provision on local populations' safety and well-being. Increasingly, humanitarian actors are being asked to demonstrate the outcome of their efforts in these terms. Military relief efforts are subject to relatively less scrutiny in terms of cost and local impact.

The development of policy coherence in international interventions and the impact of political and security interests on the nature of humanitarian action have been widely documented (see for example Macrae and Leader, 2000; Minear, 2002; Macrae and Harmer, 2003; Bellamy, 2005). However, analysis has rarely looked squarely at the responses of military planners and defence policymakers to these changes, or explored the challenges military forces confront in working alongside humanitarian actors.

This report seeks to fill that gap. It maps recent developments in the relationship between humanitarian agencies and military forces, focusing on state militaries (national and multinational) and private military forces. While it is recognised that this focus excludes the growing literature on non-state armed groups,[3] the concern here is with those states and organisations that possess the military capability to carry out international interventions. The aim is to highlight differences in national and regional

---

[1] Previous years' reports have focused on the changing relationship between humanitarian action and political responses to conflict-related crises; the implications of the global war on terrorism for humanitarian action; and the role of aid policy in protracted crises. These reports are: Macrae (ed.) (2002a); Macrae and Harmer (eds) (2003); and Harmer and Macrae (eds) (2004).

[2] For examples of these lines of criticism, see Terry (2002); Donini (2004).

[3] See for example Glaser (2005); Center for Humanitarian Dialogue (2003); Accord (2004). For the purposes of this paper, we distinguish between mercenaries and/or private military forces with publicly recognised and legitimated corporate or commercial status, and non-state actors deemed rebels, insurgents or freedom fighters.

capacities, and divergent approaches to military intervention and the provision of humanitarian assistance and protection. The report also explores the changing policy and operational approaches of humanitarian agencies in their engagement with military actors, and identifies shared and competing interests.[4]

As in previous years' studies, commissioned specialists analyse specific themes:

- Chapter 2, by Andrew Cottey and Ted Bikin-Kita, examines emerging patterns of military intervention and engagement in crisis response with humanitarian elements;
- Chapter 3, by Stuart Gordon, explores the changing role of the military in assistance strategies and structures, and the policies framing civil–military relations;
- Chapter 4, by Victoria Holt, looks at the potential role of militaries in civilian protection; and
- Chapter 5, by Peter Singer, describes the growing role of private military firms in humanitarian action.

This chapter introduces and synthesises the findings of these commissioned papers. It is divided into four sections. Section 1.1 briefly examines the history of military involvement in crisis response, and the increased visibility of state-directed military and security actors in the landscape of modern humanitarian action. It explores the major policy, doctrinal and institutional changes that relate to military action in humanitarian crises, and the 'civilianisation' of military responses. It also explores the implications for humanitarian action of an emphasis on integrated missions within the UN, and discusses the growing trend towards the regionalisation of military responses to crisis.

Section 1.2 explores the evolving debate between the humanitarian and military communities. In particular, it explores four areas that have enjoyed particular prominence in the recent discourse:

- efforts by humanitarian actors to revitalise rules of engagement with the military by revising and promoting guidelines and codes to govern their relations;
- concerns over the military's use of 'hearts and minds' activity and so-called 'Quick Impact Projects' for strategic purposes, the effect these are assumed to have on humanitarian actors' own local efforts, and questions over their actual strategic value;
- debates over third-party military involvement in the protection of civilians under threat; and

- the expanding role of the private military industry, in the provision of security for aid agencies, and in reconstruction and rehabilitation efforts.

Section 1.3 examines the potential for lesson-learning and highlights some innovations in civil–military relations, and changing security management practices. This includes a consideration of military learning and planning, and the value of structured military–humanitarian dialogue.

Section 1.4 concludes the chapter. It summarises the key trends and makes recommendations about how humanitarian agencies might position themselves to engage with these developments, and ensure that the objectives of saving lives, relieving suffering and protecting civilians remain a core focus of efforts in crisis response, including agreeing appropriate and effective roles within this. It also identifies areas where evidence remains weak regarding the cost and impact of different types of interventions, and proposes areas of future research to enable more effective and evidence-based decision-making and resource allocation by governments, the UN and other regional organisations.

1.1 The history and changing nature of military engagement in crisis response

The military's role in providing humanitarian assistance and protection to civilians in crises is not new. One of the largest relief efforts in history, the Berlin Airlift, took place over half a century ago, in 1948. Since then, military forces have regularly been involved in crisis responses in countries as diverse as Bangladesh, Afghanistan, Sudan, Indonesia and Iraq. The Red Cross tradition and the foundations of international humanitarian law were conceived on a battlefield in the mid-nineteenth century. Fundamental to these instruments was a deal between civil and military actors that relief should be provided to those in need irrespective of the war aims of belligerent parties.[5] The subsequent Hague and Geneva conventions and protocols seek to mitigate war's effects on civilians, prisoners of war and sick and wounded combatants. They both limit the means by which war can be waged, and oblige belligerents to ensure the welfare of populations under their control, if necessary by allowing access to impartial humanitarian agencies like the International Committee of the Red Cross (ICRC). Other more recent voluntary codes and statements of principle, including the *Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief*, have articulated the relationship between these actors from the perspective of humanitarian agencies, and have emphasised the independence of humanitarian action from political or military goals. Many humanitarian agencies also emphasise

---

4 The literature concerning military doctrine and approaches to humanitarian obligations is dominated by Western militaries – specifically the US, the UK, France, Canada, the Nordic countries and Australia. There is a dearth of analysis focusing on how non-Western militaries approach coordination with civil bodies, humanitarian principles and civilian protection.

5 See ICRC, *History of international humanitarian law*, http://www.icrc.org/Web/Eng/siteeng0.nsf/html/section_ihl_history; and *History of the International Red Cross and Red Crescent Movement*, http://www.icrc.org/Web/Eng/siteeng0.nsf/html/section_movement_history.

neutrality as a core operating principle of their action – most notably the ICRC.

The increasingly crowded field of crisis response has created new challenges for the military–humanitarian relationship. These are, broadly, three-fold: first, the engagement of military forces in activities and policy areas of humanitarian interest has increased; second, there have been corresponding structural and organisational changes within Western militaries and government bureaucracies; and third, there is increasing reliance on UN, regional and 'hybrid missions'[6] to respond to international crises, notably in Africa. More generally, there is a discernible policy trend towards trying to combine civil and military assets in crisis response, potentially including humanitarian action. This section discusses each of these issues in turn.

1.1.1 The increased military presence in policy and operational theatres of humanitarian interest

Over the past decade and a half, military actors have become increasingly engaged in operational and policy spheres of humanitarian interest. Governments regularly use their armed forces to respond to domestic natural disasters in conjunction with civil authorities. US military assets were deployed to New Orleans after Hurricane Katrina in August 2005, Pakistani troops have helped in the response to the earthquake there in October 2005 and the military in Bangladesh is regularly called on to respond to the effects of flooding.[7] Military forces also engage in international responses to disaster,[8] and some countries are looking to enhance their military's capabilities in this area.

Military engagement in the response to natural disasters is perhaps the least contentious aspect of the relationship between the military and the humanitarian worlds. In part, this is because military forces are held by governments to possess easily deployable capabilities and assets that other organisations do not, for instance in logistics, transport and security. Interventions in response to natural disasters are also considered to be relatively politically uncomplicated, and possess a clearer 'end state' than conflict-related crises. That

does not, of course, mean that they have no political objective, and these deployments are often regarded as useful in generating goodwill. US efforts after the Indian Ocean tsunami in 2004, for example, have been seen as part of a global 'hearts and minds' strategy designed to enhance US standing, not least in the Muslim world. Moreover, while military responses to natural disasters might be relatively straightforward, there remain concerns regarding the cost-effectiveness of such operations compared to civilian alternatives, and the way in which international forces respect and are prepared to be coordinated by the affected state and their national military forces. Such tensions were evident in the response to the tsunami in Aceh, Indonesia, in 2005 (HPG interviews, 2005). This can also be true of humanitarian agencies. In the international effort to respond to victims of the Pakistan earthquake in 2005, for example, humanitarians were initially reluctant to work with the national military, despite their central and effective role (Khan, 2005).

In addition to the military's 'traditional' involvement in responses to natural or sudden-onset disasters, the scope of UN peacekeeping has expanded, and there is a growing expectation that Western and allied military assets will be deployed for stabilisation and reconstruction tasks in post-conflict zones, and to provide protection for civilians under threat. Military roles have thus extended beyond traditional war-fighting to encompass a range of tasks related to humanitarian goals. As Cottey and Bikin-Kita show in their chapter, the number and size of UN peacekeeping operations have grown significantly, and their mandates, once restricted to monitoring peace agreements and ceasefires, have widened to include new tasks, such as demobilising combatants, facilitating elections and supporting the rebuilding of political institutions. In addition, a number of UN-mandated and coalition-led interventions were mounted in response to wars, internal conflicts and humanitarian disasters (in Iraqi Kurdistan in 1991, in Somalia in 1992–93, in Haiti in 1994, in Bosnia in the mid-1990s, in Kosovo and East Timor in 1999 and in Sierra Leone in 2000). Combinations of strategic interest and humanitarian imperatives drove each of these interventions. Each deployed military force to impose a settlement, protect civilians or facilitate the delivery of humanitarian aid. Each extended notions of peacekeeping beyond the traditional concept of policing agreed ceasefire lines.

A number of factors have underpinned the growing engagement of military actors in humanitarian spheres. These include post-Cold War realignment; military downsizing and a search for new roles as 'forces for good' or 'humanitarian warriors';[9] and perceived shortcomings in deployable civilian capabilities. Concurrently, growing

---

6 'Hybrid' refers to UN plus coalition or national contingents under separate command. See Jones (2003).

7 Attempts were made to determine the costs of military contributions to natural disasters over the past ten years. Comprehensive and comparative data is not routinely produced, however, and was unavailable without great expense. Some information was obtained from the UK MOD. Marginal costs for international relief operations to developing countries are recovered from the aid budget (for Operation Barron, to assist tsunami-affected populations in South-East Asia, £3m was recovered from the UK aid budget). Marginal costs include travel and subsistence, as opposed to ongoing infrastructural or personnel costs. Full operational costs were not available.

8 Between 1990 and 1996, for instance, the US deployed military assets and supplies – air transport, medical supplies, temporary shelter and food – in 34 instances overseas in response to earthquakes, typhoons, famines and floods. Pirnie and Francisco (1998). NATO has coordinated deployments in Ukraine in the wake of floods in 1998, and in Turkey after the earthquake in 1999. The UK has responded to 11 international disasters with air, navy, marine and land forces over the past ten years.

9 The term 'humanitarian warriors' is from Elliott and Cheeseman (2004).

Box 1.1: Explaining 'humanitarian space' in policy and operational terms

Humanitarian concerns about the blurring of distinctions between civil and military action are often framed in terms of *humanitarian space*. This concept is not, however, well-defined. Interviews with government and military professionals indicate that they often find it difficult to interpret the term practically, and that it would be helpful to understand both what precisely is meant by it, and why it is essential to the safety and well-being of affected populations. This is reflected, for instance, in a statement by the UN's Department of Peacekeeping Operations (DPKO) in May 2005, in relation to integrated missions:

> *DPKO welcomes the recommendation that humanitarian principles should be explicitly stated in mission mandates. This will help reduce concerns that a gradual convergence of UN activities into one mission would inevitably blur the line between humanitarian and military engagement and make it more difficult to uphold humanitarian principles of neutrality, impartiality and humanity. That said, there is a continued need to advance a clearer definition of humanitarian space.*

Given that there is no single definition of 'humanitarian space' (Sida, 2005), what are the core elements? There are two main senses in which it tends to be used.

In a geographic/physical sense: humanitarian space is often used to denote areas to which humanitarian agencies have safe and protected access, in order to provide urgent relief assistance. This is generally dependent on the consent and cooperation of the controlling authorities. It may also depend on protection by military forces, for instance through supporting or creating safe zones, protecting relief convoys and corridors, or helping civilians to reach places of sanctuary.

In relation to policy: in this sense, humanitarian space tends to refer to the scope for impartial and independent humanitarian action. It is achieved when sufficient policy emphasis is given to supporting the protection and assistance of civilians, according to international humanitarian law. For impartial relief actors, this means being allowed to operate freely, to have access to civilians in need (regardless of their 'strategic value'), and to pursue dialogue with all parties to a conflict.

A better formulation of humanitarian space, placing less emphasis on agencies *per se,* would be framed in terms of areas in which affected populations have safe and protected access to relief and other means of survival.

See Minear and Weiss (1995); Sida (2005); Terry (2002).

policy linkages between human and inter-state security saw poverty, disease and conflict-related population movements, along with a host of other 'soft' security threats, as contributing to international instability – and, consequently, issues with which the UN Security Council, regional security bodies and national security planners should be concerned (Abiew, 1999; Gow, 2000; Wheeler, 2001, High Level Panel, 2004).

Finally, the 9/11 attacks, the US led 'war on terror' and a shift to countering the proliferation of weapons of mass destruction (WMD) have seen major US-led traditional military interventions in Afghanistan and Iraq, as well as a number of smaller counter-terrorist operations in countries like the Philippines, Georgia and Somalia. Iraq and Afghanistan in particular have been seen as major flashpoints in the military–humanitarian relationship, with political and security concerns dominating aid decision-making (MacNamara, 2003; Minear, 2002; Macrae and Harmer, 2003). In 2003, Andrew Natsios, the former head of the US Agency for International Development (USAID), told an InterAction forum that aid agencies on contract with USAID should identify themselves in the field as recipients of US funding in order to show stronger links with US foreign policy goals (InterAction, 2003a). The pursuit of the war on terror is also seen to have contributed to difficulties in developing the necessary consensus within the UN to authorise interventions in Sudan in 2003 (Evans, 2004; Weiss, 2004; Bellamy, 2005).

1.1.2 Organisational and doctrinal changes at national levels

Gordon's chapter shows how a growing concern with state failure, and more recently with counter-terrorism, has encouraged the development of structures that combine civilian capabilities with military assets in planning and responding to crises. In addition, there has been renewed investment in civil–military cooperation (CIMIC) doctrine in some Western military organisations (in Australia, the UK, Denmark, Sweden and the Netherlands, for instance) and more senior CIMIC advisers are being deployed within operations. Lessons from the Balkans, East Timor, Afghanistan and Iraq are influencing these changes – what Gordon refers to as the 'civilianisation' of crisis response.

North American and European militaries in particular have developed specialist 'civil affairs' troops and structures, and have broadened the role of combat troops in these areas. As Gordon describes, these developments have been driven by two conclusions arising out of the post-conflict experiences of the 1990s: first, that the war-fighting capacity of a military force did not equip it for the kind of policing and civil administration tasks called for in post-conflict environments; and second, that this slowed progress towards stability, prolonging the need for an expensive and potentially unwelcome military presence. The failure of post-conflict planning in Iraq has further invigorated thinking in this area.

In the US, there has been a significant change in the Department of Defense (DoD) in planning for what the US terms 'stability operations'. Before 9/11, the US admini-

stration, chastened by past failures in Somalia and Haiti, was reluctant to engage the military in peace- or state-building exercises. In the run-up to the invasion of Iraq, however, the DoD was tasked with post-war reconstruction planning (a job some advisors resisted, arguing that it was the competence of the USAID or the State Department) (Council on Foreign Relations, 2005). Lessons from this and earlier NATO experiences in the Balkans have stimulated efforts to institutionalise lessons from civilian-led reconstruction exercises, and fuse these with DoD's planning capacities and logistic resources. Legislation passed in July 2004 established the Office of the Co-ordinator for Reconstruction and Stabilisation (S/CRS) within the State Department, which aims to improve cross-government planning and capacity for post-conflict rebuilding efforts. There are plans to second senior military advisors to USAID, and USAID has established an Office of Military Affairs, co-located with the Office for Foreign Disaster Assistance (OFDA), to second staff to regional military commands (Peacock, 2006). This model was seen as facilitating working relations between military and civilian groups in the Indian Ocean tsunami response in early 2005. In addition, there is an expectation that joint defence (air, land and sea) and cross-government instruments will combine efforts with NGOs in standard, nationally-led combat scenarios, as well as multinational interventions (US DoD, 2005).

The British government has taken similar steps to establish a cross-departmental planning capability, establishing a Cabinet group on post-conflict reconstruction and a cross-departmental Post Conflict Reconstruction Unit (PCRU). The PCRU involves the Foreign Office, the Department for International Development (DFID) and the Ministry of Defence (MOD). The UK government is also considering standardising the use of 'Civil–Military Humanitarian Advisers' (HUMADs) and Development Advisers (DAs) to support senior military commanders in the field. These structures are envisaged as providing a response capacity, though interviews with British and US officials, and Gordon's analysis, indicate that both the S/CRS and the PCRU are expected to consider preventive measures as well. While neither body has as yet developed significant institutional traction or programme funding, their existence is nonetheless indicative of a policy ambition to deploy civilian capabilities alongside military assets in post-conflict reconstruction. This aspiration will continue to affect the way humanitarian action is conceived in these environments.

These structural changes have been matched by a growing emphasis on developing CIMIC skills and capacities in military bodies. At the level of military operations, CIMIC occurs in three main scenarios – combat operations, peace support operations and natural disaster response. It involves a wide-ranging set of activities in support of a mission, and the precise mix is largely determined by the nature of the operation involved. For instance, approaches to local and international civilian organisations will differ depending on whether the force is an occupying power, and is continuing military operations to establish authority over a populace or territory, or whether it is part of a peacekeeping or post-conflict reconstruction effort, in which case levels of openness to civilian efforts and programmes are likely to be higher. CIMIC activities run from intelligence-gathering to evacuating non-combatants (generally co-nationals of the forces concerned), delivering relief, supporting or administering post-conflict civil bureaucracies and sharing information with civilian populations and organisations, including local authorities and international organisations such as the UN and NGOs.

Once the poor cousin of war-fighting, CIMIC is increasingly being seen as a part of military-led interventions, and CIMIC specialists are acting as high-level advisors to military commands.[10] Bangladesh, for instance, regards its CIMIC capabilities as an important quality of its forces (HPG interviews, 2005). For Western militaries, the growth in importance of CIMIC is part of the response to the perceived failure of military forces to handle the civilian aspects of post-conflict stabilisation. CIMIC capabilities are also expected to reduce military commitments by facilitating the transition to civilian administration. Thus, military involvement in rebuilding roads or hospitals is not primarily aimed at relieving suffering; rather, it is designed to support the objectives of controlling territory and populations – objectives which are invariably broader than meeting the needs of local people, in an impartial manner and according to greatest need.

Important differences in doctrine and operational preference shape the way national militaries approach CIMIC, and determine the extent to which they engage in assistance activities, and the degree to which they are responsive to humanitarian concerns. As Cottey and Bikin-Kita outline, US force structure and doctrine, for example, have not historically been greatly influenced by the need to prepare for peacekeeping, or by a concern with using military operations for humanitarian objectives. Rather, the US military is designed and trained to apply overwhelming force, and strongly emphasises force protection. 'Civil affairs' (as it is termed in the US) is a stand-alone activity, traditionally carried out by reservists or non-combat troops. Cottey and Bikin-Kita argue that many military planners remain concerned that developing further capacities in these areas would undermine the military's core function – fighting and winning wars.

In Britain, by contrast, the armed forces have more readily embraced peacekeeping and intervention tasks, and contributing to 'peace support and humanitarian operations'

---

10 HPG interviews (Stuttgart, Shrivenham, OCHA, DFID).

is one of eight core missions (UK MOD, 1998). Unlike US approaches, the UK has attempted to mainstream its CIMIC doctrine, making effective relations with the local community the responsibility of all levels of its military structure. The British military has also invested heavily in operational and doctrinal thinking to support military contributions to peace support operations (UK MOD, 2004).

Similar distinctions can be made in the way different countries conceptualise the relationship between humanitarian assistance and the overall objectives of the mission (see Box 1.2). Thus, US doctrine explicitly regards humanitarian assistance and the capacities of the NGO community as one of several tools US forces should use to

help establish stability and assist in the transition to local governance in post-conflict states (US DOD, 2004; US DOD, 2005). The concept of needs-based assistance is not mentioned. The UK, on the other hand, emphasises the importance of civilian leadership in the provision of aid, and stipulates that the military should only deliver humanitarian assistance in exceptional circumstances. Otherwise, the role of the military is to facilitate the delivery of aid by civilian agencies.

These different approaches are evident in different operational styles on the ground. In Afghanistan, the UK military tends to limit its activities to the provision of security and security sector reform, whereas the US has

---

Box 1.2: Selected national CIMIC doctrines[11]

France
Action Civilo-Militaire includes the provision of relief assistance by the military (particularly health services, for which there is dedicated capacity). Whether such action is undertaken depends on whether civilian agencies are able to operate. French doctrine also envisages a role for the military in protecting local populations under threat, when there is a mandate to do so.

Denmark
Danish policy emphasises that the military's involvement in CIMIC tasks will be part of an internationally coordinated framework, and will be in conjunction with civilian expertise; it will be of short duration, and primarily designed to provide security. It will not compromise humanitarian principles. In situations of insecurity, the military may be required to provide initial, specific assistance, such as re-establishing police capacity, but the Danish government discourages military engagement in areas outside of the armed forces' core competencies.

The Netherlands
Dutch policy sets out four objectives for CIMIC: first, to support the peace process and ensure security (force protection); second, to support the local population; third, to help build confidence that the peace operation is creating enough stability for reconstruction to take place; and fourth, to make a limited contribution to the reconstruction process. Small amounts of funding are made available to the military for CIMIC activities, which are approved by the local ambassador in consultation with an inter-ministerial group. NGOs are able to take part.

Sweden
Swedish policy states that a civilian lead is preferable in the delivery of assistance. Where armed conflict is in progress, or where there is a risk of conflict breaking out or being resumed, the military is encouraged to play a supportive role wherever

possible. In response to natural disasters, the military may provide assistance directly.

Canada
According to Canadian doctrine, 'CIMIC, when conducted in an impartial, neutral and independent manner in the eyes of national authorities and the local population, is a *force multiplier*'. However, the Canadians also acknowledge that some NGOs and international organisations will not 'promote or associate with any political ideologies, such as national objectives or interests'.

Bangladesh
Bangladesh has a long and proudly promoted history of contributing to UN peacekeeping missions. Typically, Bangladeshi forces are willing to use force where their mandate permits, particularly in protecting civilians; 'hearts and minds' tactics are also part of the Bangladeshi approach to CIMIC. Policy-makers in the DPKO note that South Asian military forces' skills in community relations are often more developed than other troop contributing countries, partly because of their domestic experience in responding to natural disasters.

Australia
CIMIC in Australian land warfare doctrine aims to 'fulfil military responsibilities under IHL relevant to civilian populations, minimise the impact of military operations on the civilian populace and interference with military operations of the civilian populace; coordinate with civilian agencies, coordinate with humanitarian agencies to meet the life sustaining needs of the population, and provide the commander with expertise in civil sector functions'. The Red Cross Code of Conduct and Sphere Project 'Humanitarian Charter' are acknowledged, and differing capacities and mandates of various humanitarian NGOs and UN coordination mechanisms are outlined. The doctrine states that 'Humanitarian assistance is aimed at ending or alleviating human suffering … Humanitarian assistance undertaken by the Australian Defence Force must always be conducted in consultation with the primary civil agencies responsible for humanitarian response'. This encompasses both host nation and international humanitarian agencies.

---

11 These countries were selected to illustrate a range of major military powers, and a selected range of troop-contributing countries to UN missions.

tended to more directly engage in the provision of assistance (see Gordon in this report; Hendrickson et al., 2005).

1.1.3 Regionalism and UN missions

Many of the primary examples of military intervention by Western states – chief among them the conflicts in Afghanistan and Iraq – involve situations in which important political, security or strategic interests are deemed to be at stake. Elsewhere, notably in Africa, the main Western military actors have not deployed significant ground forces. Instead, as both Cottey/Bikin-Kita and Gordon explain, they have tended to rely on the UN (dependent for the majority of its blue helmets on developing country troop contributors) or on regional organisations to respond. This suggests that, at least in areas regarded as secondary to the major preoccupations of Western capitals, the extent of the military's 'humanitarian bid' may in fact be overstated.

Developing regional capacities

The expansion of regional capacity has been most marked in the European Union (EU), the African Union (AU) and NATO.[12] Since the late 1990s, the EU has been working to give substance to its crisis management ambitions, and has engaged in a number of peacekeeping and policing operations. Under the Helsinki Headline Goal, the EU has set itself the target of deploying a self-sustaining force of 50,000–60,000 troops by 2010.[13] The EU is also promoting rapidly deployable niche capabilities to contribute to crisis response globally, including police, civilian administration experts and civil protection resources, such as specialist fire-fighting equipment and personnel and search and rescue teams. However, although a civil–military cell has been established within the EU Military Staff, attempts to define EU-wide policy governing civil–military relations in operations are stalled due to lack of consensus between the Military Staff and the European Commission's Humanitarian Aid Office (ECHO), and doctrine is still set by individual contributing countries. Meanwhile, despite some progress towards meeting the Headline Goal, the EU's ability to deploy military forces rapidly is hampered by political and procedural constraints, and it will be some time before the EU is in a position to make a major contribution to multinational crisis response (ICG, 2005a; Jakobsen, 2004).

Developments within NATO highlight the organisation's ambitions to extend its operations beyond the territorial defence of member states, to encompass peacekeeping, military-to-military support and – potentially – support to humanitarian assistance. During the 1990s, NATO took on peacekeeping and peace enforcement tasks in the Balkans, using airpower to enforce political settlements in Bosnia and Kosovo, and leading a 60,000-strong peacekeeping force in Bosnia, a 50,000-strong deployment in Kosovo and a smaller contingent in Macedonia. This trend has accelerated after 9/11, with NATO providing the majority of troops for the International Security Assistance Force (ISAF) in Afghanistan, and taking command in 2003. This is NATO's first operation outside Europe. Beginning in 2002, NATO has embarked on reforms designed to encourage its members to develop force-projection capabilities, and to establish a NATO response force.

Security cooperation within the AU is underpinned by its Constitutive Act and by the Common African Defence and Security Policy (CADSP). Constitutionally, the AU has gone further than any other regional organisation in enshrining a right of intervention (seen as justified in the case of widespread killing, genocide and armed insurgency with the aim of destabilising democracies). However, as Cottey argues, the CADSP, and the African Standby Force that it envisages, face substantial capability challenges in areas such as airlift and logistics, and in member states' individual force capacities to support the AU's ambitions. The AU mission in Darfur, for instance, has been heavily reliant on NATO transport aircraft, and NATO is also helping with command and control, training and operational planning.

UN integrated missions

Since the late 1990s, new UN missions have been launched in the DRC, Liberia, Côte d'Ivoire, Burundi, Sudan and Haiti. These missions are large compared to more traditional UN peacekeeping operations, are explicitly authorised to use force and are being established or undertaken in difficult circumstances of fragile ceasefires or continuing violence. Since 2000 and the publication of the Report of the Panel on United Nations Peace Operations (the Brahimi Report), there have been increasing calls for the integration of the political, military and humanitarian aspects of UN missions. 'Integrationists' argue that this offers greater unity of purpose, reduces duplication and waste, improves coordination and enhances accountability through streamlined reporting mechanisms. Amongst the humanitarian community, positions range from those who would prefer to keep the political machine of the UN mission at arm's length to those who participate in integrated planning and coordination activities. For many, the crux of the issue is whether integration means the actual or perceived subordination of humanitarian principles to the political or military priorities of a mission, and the implications for humanitarian access and the safety of aid workers that flow from this (Charney, 2004; Minear, 2004; Porter, 2005; Sida, 2005).[14] Perhaps equally fundamental is

---

12 While the Association of South-East Asian Nations (ASEAN) has expressed willingness to consider a role in coordinating regional disaster preparedness and responses, and played a limited role in the tsunami response, its capacity to engage more actively in responding to complex emergencies is limited, both technically and by its continuing commitment to non-intervention (Harmer and Cotterrell, 2005).

13 Endorsed by Joint Foreign Affairs and Defence Ministers' Council 17–18 May 2004.

14 See also Norway's statement to the UN at http://www.norway-un.org/ Norwegian Statements/Pleanry/Meetings/humanit.htm.

whether integration will produce better humanitarian outcomes.

There is little data to systematically prove (or disprove) the benefits of integration in terms of saved lives, improved welfare or improved access to affected populations. Moreover, integration is often achieved in name only: UN agencies continue to exercise a high degree of autonomy within 'integrated' structures, and accountability for budgets and security remains diffused across the system. In 2005, an independent study commissioned by the UN's Executive Committee on Humanitarian Affairs (ECHA) suggested a number of steps to improve integration, while simultaneously protecting the role of humanitarian action within UN missions. These included physically separating Office for the Coordination of Humanitarian Affairs (OCHA) field offices from the rest of the UN mission, emphasising humanitarian principles in Security Council mandates and holding the Special Representative of the Secretary-General (SRSG) and/or the Humanitarian Coordinator (HC) to account for ensuring that humanitarian principles are adhered to (Barth-Eide et al., 2005). These recommendations have been supported by the Secretary-General and through a Note of Guidance on Integrated Missions (UN, 2006).

1.2 Old debates, new terrain

Underpinning the debates and concerns within the humanitarian community over the structural, doctrinal and operational approaches outlined above are perennial concerns for the distinctiveness of humanitarian action, the acceptance of humanitarian actors by local authorities and local security actors, and the primacy of meeting people's needs irrespective of a population's strategic value. Being perceived as a neutral actor in a contested field is seen by many in the humanitarian community as integral to their operational success. Humanitarian actors, however, do not succeed in maintaining the perception of neutrality all the time. While many argue that this is the unfortunate consequence of association with Western policies and militaries in Iraq and Afghanistan (MSF, 2004; Crombé, 2005), it can at times also result from a more deliberate choice (Macrae, 2002a; Stockton, 2005; Gordon, 2005; Sida, 2005). For their part, military actors claim to be increasingly confused as to the appropriate means of engagement with humanitarian actors, especially when there has been *ad hoc* use of military assets (HPG interviews, 2005).

This section outlines some of the efforts that have gone into elaborating guidelines for humanitarian engagement with state military actors over the past decade, and how these guidelines have been applied. It explores recent debates surrounding one of the more contentious uses of military resources in aid delivery – 'hearts and minds'

strategies; the challenges presented by growing expectations for the military's role in civilian protection; and the opportunities for, and risks to, security management presented by the private military industry. Each of these topics presents unique challenges to current humanitarian security practices and to the positioning of humanitarian policy and advocacy in relation to other political actors.

1.2.1 Improving dialogue and maintaining the distinction between humanitarian and military action

Concerns to maintain the distinctiveness of the humanitarian enterprise have prompted humanitarian agencies to develop (or in some cases revitalise) and promote guidelines to govern their relations with military actors (see Box 1.3).

These guidelines start from the assumption that interaction with military forces, particularly to share information about humanitarian operations and general security conditions, will often be necessary to the delivery of humanitarian aid. They also assume that military help will only be sought *in extremis*. Often, in practice, the acceptance or hiring of armed escorts will only come at the request of the host state.

In addition, 22 donor governments have committed to a set of principles and good practice in relation to humanitarian action, including an affirmation of 'the primary position of civilian organisations in implementing humanitarian action, particularly in areas affected by armed conflict. In situations where military capacity and assets are used to support the implementation of humanitarian action, ensure that such use is in conformity with international humanitarian law and humanitarian principles, and recognises the leading role of humanitarian organisations'.[15] While this commitment could be expected to inform cross-government approaches to humanitarian action, including developing military doctrine, its impact in this area will depend on continued high-level political support.

Many humanitarian agencies and NGOs prefer the term 'civil–military relations' to 'CIMIC', in order not to presuppose integrative cooperation in all crises.[16] The Inter-Agency Standing Committee (IASC) (a forum for co-ordination and policy development representing key

---

15 For further details on the Good Humanitarian Donorship initiative, see the *Statement of Principles and Good Practice* (2003) – particularly articles 19 and 20 at http://www.reliefweb.int/ghd/Stockholm%20-%20GHD%20 Principles%20and%20IP.doc.

16 The UN uses the term CMCoord – Civil–military coordination. This emphasises the civilian lead in assistance and reconstruction, and military roles in support of that. It highlights the need for peacekeepers to understand humanitarian principles, but acknowledges tensions between political directives (eg. to place one faction under sanction) and humanitarian assistance. CMCoord is supposed to help resolve these tensions. See United Nations Humanitarian Civil–Military Coordination (UN CMCoord) Concept, 2005.

Box 1.3: Humanitarian guidelines on civil–military relations

ICRC and NGO (publicly available)
The Code Of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief (1994)

InterAction, *Guidelines for InterAction Staff Relations with Military Forces Engaged In, or Training For, Peacekeeping and Disaster Response* (revised, February 2003)

International Rescue Committee, *Guidelines for Interacting with Military and Belligerent Parties* (2003)

Steering Committee on Humanitarian Response (2004, Update), *Position Paper on Humanitarian Military Relations in the provision of humanitarian assistance*

VENRO, (2003) *Position paper: Armed forces as humanitarian aid workers? Scope and limits of co-operation between aid organisations and armed forces in humanitarian aid* (May 2003)

UN and inter-agency
OCHA, *Guidelines on the Use of Military and Civil Defence Assets in Natural Disaster Relief* (the 'Oslo Guidelines') (May 1994)

UNHCR, *A UNHCR Handbook For The Military On Humanitarian Operations* (1995).

OCHA, *Use of Military or Armed Escorts for Humanitarian Convoys* (draft) (December 2001)

UN, *Guidelines on the Use of Military and Civil Defence Assets To Support United Nations Humanitarian Activities in Complex Emergencies* (the 'MCDA Guidelines') (March 2003)

UN Department of Peacekeeping Operations, *Handbook on United Nations Multidimensional Peacekeeping Operations* (December 2003)

IASC, *Civil–Military Relationships in Complex Emergencies*, IASC Reference Paper (June 2004)

OCHA, *Guidelines for Humanitarian Organisations on Interacting with Military and Other Security Actors in Iraq* (20 October 2004)

humanitarian agencies), sees civil–military relations as 'the essential dialogue and interaction between civilian and military actors in humanitarian emergencies that is necessary to protect and promote humanitarian principles, avoid competition, minimise inconsistency, and when appropriate, pursue common goals'. Civil–military relations, in the IASC view, enables actors to meet their obligations under international humanitarian law (IASC, 2004). Basic strategies for managing relations with the military range from co-existence (including sharing information on populations in need and the location and type of humanitarian assistance) to cooperation (pre-planning joint activities and engaging military assets for security purposes). Cooperation is seen as a last resort – undertaken only when there are no other feasible options. In the tsunami response, some NGOs and military actors

cooperated to reach areas inaccessible to civilian transport, while some NGOs maintained their distance.

Despite the effort that has gone into developing guidelines for UN and IASC members on the use of military assets, there has been varied take-up amongst military and humanitarian actors and very little documented evidence of impact. Humanitarian actors have also been inconsistent in their use of military assets. In Liberia, for instance, agencies have been criticised for using military transport when there was no need (Sida, 2005). Practices like this tend to add to confusion within the military and undermine collective commitments to demonstrating independence and neutrality.

1.2.2 'Hearts and minds'
The use of hearts and minds tactics by Coalition forces in Afghanistan and Iraq has been particularly contentious. In Afghanistan, for example, some Coalition troops have delivered assistance while wearing civilian clothing, and aid has been delivered in return for intelligence. This both blurs the distinction between civilian and military action and places anti-humanitarian conditionality on aid. In addition, military forces have undertaken what are known as Quick Impact Projects (QIPs). These commonly involve digging wells or rebuilding schools and medical facilities. While these are less contentious and may accord with IHL, Gordon shows how they have been questioned, in terms of cost and their positive impact on local peoples' lives as well as in terms of their contribution to military objectives.

'Hearts and minds' tactics – the giving of material rewards in exchange for information, cooperation and political

Box 1.4: 'Breads and bombs'

In a discussion labelled 'bread and bombs', Calas and Salignon of MSF assess the US-led *Operation Enduring Freedom* in Afghanistan in 2001 (Calas and Salignon, 2004). They quote a speech by President Bush in 2001, in which he said: 'As we strike military targets, we'll also drop food, medicine and supplies to the starving and suffering men and women and children of Afghanistan' so that people 'would know the generosity of America and its allies'. US strategists acknowledged a broader concern with public opinion in the Islamic world. These airdrops, say the authors, were presented as an enormous humanitarian operation, but were no such thing – the concern was palpably not with the impartial provision of aid. The ICRC's clearly identified food warehouses were blown up, and aid convoys were suspended. The impact of the airdrops was in any case 'extremely marginal'. Aid agencies were called on to abandon neutrality and join with Western forces in what British Prime Minister Tony Blair called a 'military–humanitarian coalition', while the then US Secretary of State, Colin Powell, talked of humanitarian NGOs as 'force multipliers', part of the US 'combat team'.

support – have a long history in military doctrine and practice. Hearts and minds activities are seen to be an essential ingredient of what the military calls 'force protection'. Military involvement in QIPs began in the Balkans in the 1990s, and these tasks have since found a place in most statements of doctrine. The UK, for instance, states that QIPs 'should contribute to the creation of a more normal and therefore secure environment, and can shape local perceptions. As a result, such activity may well generate a positive Force Protection spin-off' (UK, 2003).

However, whether tactics such as QIPs or the Provincial Reconstruction Teams in Afghanistan increase the security and acceptance of belligerent forces is unclear, and the deliberate targeting of particular groups for political or strategic purposes is entirely contrary to the humanitarian principle of impartiality, a commitment that many donor governments claim to support (GHD, 2003). It also serves to blur the distinction between military, civilian and humanitarian functions. As Gordon puts it:

> QIPs themselves are unlikely to change individual Afghans' perceptions of the legitimacy or otherwise of the military intervention and are therefore likely to make only marginal changes to the attitudes of potential insurgents – and having little or no effect on those who have already made this choice. Furthermore, when military QIPs are delivered through NGOs or contractors the resulting reduction in interaction with the Afghan civilian community may in fact reduce the force protection benefits.

As Gordon argues, efforts are needed to ensure that QIPs do not detract from humanitarian assistance, that they meet the professional standards already established through CIMIC guidelines, and that they only cover areas where the military has a clear comparative advantage, for example in security sector reform or perhaps engineering and infrastructure works.

1.2.3 Protection – a shared policy goal?

In September 2005, the UN World Summit declared its recognition of an international responsibility to protect civilians from genocide, ethnic cleansing and crimes against humanity where their own states could not or would not do so (UN, 2005). The protection of civilians is perhaps where the question of the 'fit' between humanitarian and security agendas is most likely to arise, and where the achievement of humanitarian goals is most likely to be dependent upon military capacities. Yet it is also one of the areas where views as to how objectives can be achieved vary most widely, and where clarity of roles and responsibilities is perhaps weakest.

On the operational front, since the late 1990s the UN Security Council has mandated certain peacekeeping missions to use force to protect civilians under imminent

threat of attack (see Holt in this report; Holt, 2005). The UN has also authorised operations led by others with civilian protection aims, including the AU mission in Sudan, operations in Côte d'Ivoire in 2003–2004 led by France and the Economic Community of West African States (ECOWAS), and the French-led EU mission *Operation Artemis* in the DRC in 2003.

The military roles in protection implied by these mandates are new and evolving. There is a distinct trend away from conceiving of protection in terms of *restraint* in the use of force during war (according to the laws of war) to a more *active* concept, where civilian protection is a principal aim of the intervention, and where armed force is deployed to achieve this. In this regard, there has been a shift in military-led protection operations from protecting convoys and humanitarian actors (in the mid-1990s) to protecting 'people under imminent threat of physical danger' from 1999 onwards – a significant shift in the object of protection, and one which is difficult for third parties to achieve, particularly when populations are dispersed and sometimes difficult to distinguish from combatants. It is also a more difficult concept against which to measure success. In addition, as Holt shows, it raises issues over operational rules in theatre, and the extent to which protective missions may become parties to the conflict.

In her chapter, Holt explores issues surrounding the potential roles third-party military forces can play in offering this protection. She argues that, while the language of civilian protection is being used increasingly by governments, policy-makers and NGOs, the precise nature and shape of the military's contribution, and its relationship to other actors, is still unclear. Should forces be deployed to provide area security and access for civilian agencies, for example, or should they be deployed directly to protect civilians, or to search for and disarm potential belligerents? Of key concern to field commanders are questions of when and how the use of force should be justified. What are the rules of engagement? Equally, when can the lead role for providing physical protection be transferred safely to local authorities?

It is not clear how far member states are prepared to go in supporting the UN in taking on the more active, non-neutral, concept of civilian protection entailed in current discourse. As Holt shows, military investment in doctrine and operational capacity to protect civilians is some way behind the political rhetoric espoused in UN circles and in international debates (ICISS, 2001; UN Secretary-General, 2005; UN, 2005). There is little agreement on what a military role in civilian protection might look like, and how it should be resourced. Few national militaries have doctrine that reflects what their role might be (Holt, 2005;

MacKinlay, 2005) and operational experiences to date reveal different capacities, approaches and levels of preparedness amongst different troop-contributing countries. Lessons from recent missions with protection mandates to inform size, structure and sequencing have yet to be institutionalised (see Holt in this report; Oswald, 2005). Moreover, it is unclear how operational measures by militaries and other actors might affect ongoing efforts to strengthen law enforcement and governmental processes to protect civilians in the long term. While work has begun within DPKO to develop lessons and guidance, including on the use of force, this is likely to be a long process, and securing the agreement of UN member states will not be easy. Humanitarian agencies themselves are cautious about the implications of third-party military intervention to protect civilians from widespread violence. Some see it as the only way to deter or stop violence against civilians; others argue that the use of force tends to exacerbate, rather than reduce, levels of violence and risk. They are also sceptical of interventions described as 'protective' that appear ineffectual or increase civilian danger (see Terry, 2002; MSF, 2005).

As Holt shows, there is as yet not enough evidence to enable us to say with confidence that military intervention can succeed in protecting civilians from the effects of violence and conflict. Even assuming the political will exists to intervene with force, the effect is likely to depend on the context and on the scale, resources and mandate of the operation. The EU-led intervention in the DRC in 2003, for example, was widely regarded as successful in reducing levels of violence against civilians, but it was limited in scope and duration (United Nations Peacekeeping Best-Practices Unit, 2004; O'Neill, 2004). While the MONUC mission in the DRC has a mandate that specifically includes civilian protection, the challenges it faces are manifold, and the deployment has been criticised as insufficiently robust in some periods, and too robust in others. Troop contributions from member states have been inadequate, and there are concerns that the mission has in fact exacerbated insecurity in eastern DRC. Against this view, however, there is evidence that MONUC's deployment has made people in eastern DRC feel more secure (BERCI International, 2005).

In one sense, disagreements around the military's role in protection mirror debates within the humanitarian community over what the role of humanitarian (and human rights) actors should be in this area. Some agencies are clearer than others; the ICRC, for example, focuses on military obligations to protect civilians and prisoners of war under the Geneva Conventions. UNICEF and UNHCR have particular roles in child and refugee protection respectively, and UNHCR has been tasked with responsibility for the protection of internally-displaced people in complex emergencies (IASC, 2005). Both UNHCR and UNICEF, along with UN Office of the High Commissioner for Human Rights (OHCHR), have argued the need to work systematically with DPKO and other military actors to introduce and implement standardised protection training (IASC, 2005).

Other, non-mandated, humanitarian NGOs (and human rights agencies) have pressed for the use of force in the face of widespread violence against civilians. The International Rescue Committee has called for military action to protect civilians in Ituri in the DRC (IRC, 2005), and has suggested what the optimal size and structure of such a force might be. MSF has also been a public advocate for stronger action to protect, but less prescriptively (HPG interviews, 2005). The military often claims that the humanitarian community is acting inconsistently in calling for military intervention, and then refusing to coordinate with military actors. This highlights either a lack of awareness of humanitarian principles or safety concerns, or a weak understanding of distinctive roles pre-deployment. It may also indicate the continuing lack of priority given to the concerns of humanitarian agencies in some contexts.

1.2.4 Private interests and challenges to security management

A third area at issue is the growth of the private military industry, and its increasing links with the humanitarian world. As Singer discusses, there are significant concerns around the status of private military firms (PMFs), the added degree of confusion they are seen to add to distinguishing between civilian and armed actors in conflict and the challenges to international regulatory oversight that the actions of PMFs present.

As Singer highlights in this report, Iraq has been a test case for privatisation's possibilities. According to Singer's research, more than 80 firms are active in Iraq, employing over 20,000 personnel; in all, private entities have contributed more forces to Iraq than all of the non-US states in the US-led Coalition combined. In addition to supporting Coalition forces in the conduct of hostilities, many basic welfare services, such as reconstructing infrastructure, have been provided and protected by PMFs.

Iraq is a rare example of PMF dominance – partly due to the level of insecurity there, and, linked to this, the lucrative contracts on offer. The phenomenal level of private interest in Iraq is unlikely to be replicated in other less strategic environments. That said, Singer argues that the use humanitarian actors make of PMFs is growing, and that the industry itself is increasingly interested in securing contracts with them. There is, however, a lack of available evidence to demonstrate trends in contracts, or to track the use assistance actors are making of PMFs.

Singer discusses a wide range of contractual arrangements between humanitarian agencies, UN bodies and governments to argue that ties between humanitarian actors and private security providers have been significantly under-reported; far from a rarity, contracts between humanitarian actors and private military firms have taken place in nearly every notable war zone, from Afghanistan and Iraq to Bosnia and Kosovo. Singer's analysis shows how increased engagement can offer benefits for humanitarian agencies, for instance in improved security analysis and training for field staff. But it also raises important challenges, not least because of the lack of regulation of the industry, and agencies' reluctance to speak candidly about their use of private security.

Although it is likely that Iraq will prove to be an exceptional case, Singer's research nonetheless suggests a need for agencies to start looking more closely at the way they manage their security in high-risk environments. The under-reporting of the ties between humanitarian agencies and the private military business – stemming from policy and management concerns and a desire to maintain a distance between the humanitarian enterprise and armed actors – makes it difficult to monitor trends and collect and share experience, and potentially undermines incentives to develop appropriate guidelines for using PMFs and encouraging appropriate standards of behaviour in the industry.

1.3 Lesson-learning: pilots, models and innovations

This section examines recent attempts to enhance humanitarian–military dialogue, and to improve structured interaction in the field and in capitals. It also points to some areas for possible further work.

1.3.1 Strategic-level interaction
There are clear benefits in early and high-level engagement between humanitarian policy-makers and military doctrine staff in terms of improving community relations and assistance approaches, and enhancing respect for humanitarian principles. There are choices to be made about when, where and how to lobby military and political structures most effectively. Field-level structures and meetings in the midst of crisis can become little more than lobbying fora, and more durable mechanisms for policy debate and dialogue are needed.

Several countries are working in these areas. The UK's Ministry of Defence has established an NGO–Military Contact Group. The group is chaired by the British Red Cross, and includes representatives from DFID, the Foreign Office, the MOD's Joint Doctrines and Concepts Centre, which is responsible for developing guidance and policy for the armed services, and UK-based NGOs. It provides a forum for airing concerns, and has supported work in

areas of mutual interest; it has, for instance, funded a study on the differences in perceptions of security between peace-support operations, aid agencies and local populations (Donini et al., 2005), and has organised several accompanying conferences to discuss the study's findings. The capacity of NGO staff to devote resources to their participation in the committee is a constant challenge. In the US, discussions are beginning to take place regularly between NGO and military figures within the Pentagon at senior and operational levels, including on the structure, operational guidelines and comparative advantages of NGO and military contingents, and ways to promote humanitarian principles among combat commanders. The Australian Defence Force has asked the Australian Council for International Development for advice in the development of its Land Warfare Doctrine regarding civil–military co-operation, and there is regular informal contact between the defence forces, the NGO community and AusAID. In Norway and the Netherlands, NGOs and aid officials within the Ministry of Foreign Affairs participate in joint exercises and scenario planning for civil–military operations in crisis response, but have not formalised their interaction at the strategic level. Nonetheless, such exercises are seen to be useful ways to improve dialogue (Zweers, 2004).

1.3.2 Field-level interaction
As Gordon explains, North American and European operational approaches to CIMIC initially focused on theatre-level coordination mechanisms ('Civil–Military Operations Centres', or CMOCs). Other military-led structures include Humanitarian Assistance Co-ordination Centres (HACCs), Humanitarian Operations Centres (HOCs)/Assistance Centres (ACs) and Civil–Military Co-operation Centres (CIMIC Centres). Examples of these structures include the NGO–Military Working Group in Afghanistan and the Iraqi Assistance Centre (IAC). Gordon shows how over time these have developed from centres for information exchange between military and international civil institutions, with varying provision for host nation organisations and populations, to service-providing structures, facilitating the delivery of QIPs.

The Working Group in Afghanistan, for instance, is designed to help overcome difficulties and disagreements over issues such as NGO security and the appropriate targeting of military-led aid; meetings are attended by representatives of the UN Assistance Mission in Afghanistan (UNAMA), NATO and Coalition forces. The group has worked to agree an NGO code of conduct on safety and to establish secure channels of communication to the military through the Afghanistan NGO Safety Office (ANSO). While the formalisation of information-sharing protocols was not achieved, informal contact is thought to have improved (ACBAR, 2005). In addition, NGOs provide regular briefings to incoming members of PRTs about

their agencies' role, their approach to interaction with the military and their capacity and presence. As Gordon explains, one of the key problems with field-level structures like the Working Group in Afghanistan is that they do not engage humanitarian agencies early enough in the crisis to provide them with an opportunity to influence military responses and strategies. Conversely, there is a tendency for humanitarian agencies to see these bodies as forums for advocacy, rather than coordination or exchange.

One outstanding area – for humanitarian actors as well as the military, perhaps – is the need for local perceptions to be added to the civil–military discussion. Both the study commissioned by the UK's NGO–Military Contact Group and earlier research by Tufts University have shown that local communities often have very different perceptions of their safety and security than those conceived for them by outsiders, and that these perceptions are not being adequately taken into account in the planning processes of third-party military and civilian actors, even where these actors purport to be concerned with civilian safety and security (Donini et al., 2005; Feinstein International Famine Center, 2004). One key implication from this work is that assistance provided by clearly distinguishable humanitarian actors does not necessarily have greater value *per se* for local populations than assistance provided by other actors (including military actors). More important is the way in which aid is provided – with respect, consistently and with a commitment to local people's welfare.

1.3.3 Scenario-playing
Many military organisations have vast planning and other human resource capacities that enable them to develop and 'role-play' various crisis scenarios. Conducting joint exercises (between the armed services of different nations) is one of the principal ways in which military organisations improve their ability to work together, address technical issues and enhance understanding of cultures, hierarchies and disciplines (Cottey and Forster, 2004). Involving humanitarian agencies, individual organisations and coordinating bodies or umbrella organisations (such as OCHA, the IASC, the Steering Committee for Humanitarian Response (SCHR) and InterAction) could be a potentially important form of engagement that could acculturate senior and commanding officers to the humanitarian system, and its principles and objectives. This work could also help familiarise humanitarian agencies with the systems, methods and hierarchies of military organisations, addressing concerns that defence bureaucracies and command chains are opaque and daunting.

Some efforts have been made along these lines. Of 21 exercises carried out by NATO in 2003–2004, five involved peace-support operations, relief provision and humanitarian assistance. Of these, only two involved humanitarian agencies

(the ICRC and UNCHR) (IISS, 2004). National militaries, including in the UK, France, Sweden, Australia and Norway, are increasing their investment in joint exercises involving humanitarian policy or operational representatives, and the EU Civil–Military Cell has expressed interest in involving humanitarian officials in joint exercises in future. Anecdotal reports indicate that engaging humanitarian practitioners in the design of crisis scenarios improves their quality for military scenario planners (HPG interviews, 2005). There is a dearth of publicly available evaluations, however, to show how effective such exercises are in promoting respect for humanitarian operations and principles, and enhancing awareness of the comparative advantage humanitarian operators have in many areas of crisis response. While informal discussions through the UK's NGO–Military Contact Group in the UK reveals a willingness to develop and share evaluations on the part of military actors, this is yet to be implemented.

1.3.4 Changing practices in security management and potential PMF roles
The guidelines most humanitarian agencies follow reflect the *in extremis* nature of their use of armed security; many NGOs require high-level organisational approval to engage armed actors to provide security (private or not), and may only seek it if it is required by the host government.

Available evidence suggests that operational strategies to increase the safety and security of aid workers are changing, and are becoming increasingly diverse. Traditionally, security strategies have been drawn from a 'triangle' of options: protection, deterrence and acceptance (Van Brabant, 2001). The first component, protection, seeks to reduce vulnerability by 'hardening targets', and is probably the most common tactic among aid agencies. Professional security coordinators (some from PMFs) are hired to train staff in security procedures, and agencies invest in security equipment, such as thick-skinned vehicles, body armour, gates and alarms, communications equipment and explosive-proof materials. The second component of the triangle, deterrence, entails presenting a counter-threat, such as the presence of armed escorts or nearby military forces (both of which can be private). In the post-9/11 world, however, where association with Western interests is perceived as increasing the risk of attack, some agencies are moving to a greater emphasis on the third component of the triangle, acceptance, and seeking to blend in to the local environment, even as the UN and other entities invest more heavily in protection and deterrence measures (Stoddard and Harmer, 2006; HPG and CIC interviews, 2005).

Within the growing diversity of approaches to security, however, strategies are increasingly being designed to *manage* risk, while allowing operations to continue. Senior officials at the UN's Department of Safety and Security, for example, emphasise that their role is to provide an

'enabling' security environment for programming, not a restrictive one (HPG and CIC interviews, 2005). The key to this endeavour is the concept of risk *management* analysis and strategy. The centrepiece of the risk management framework in the field is the Security Risk Assessment (SRA), which takes as a starting-point agencies' programming priorities, and establishes the necessary security conditions to make these possible.

This does not necessarily suggest an increased role for the private security industry. However, if PMFs continue to 'reach out' to the humanitarian sector – for financial and public-relations reasons – there may be opportunities to benefit from this in policy and operational terms. It may be possible to promote standards in the use of PMFs, and best practices in contractual management to ensure that they do not detract from the security of other civilian populations or organisations (for instance by ensuring that they are not associated with belligerent actions elsewhere that might affect their acceptance within a particular conflict). In 2004, for instance, the ICRC began a programme of engagement with private military firms to disseminate international humanitarian law, and to explain the role of the ICRC and the aims and principles of humanitarian action. Several companies have responded positively by updating their codes of conduct and staff training packages, demonstrating responsiveness to humanitarian concerns. Others had already begun to do so, through their history of interaction with UN peacekeeping and IHL standards, and the requirements of government clients (for instance in the UK).

This growing differentiation of approach has contributed to confusion within military circles over the *modus operandi* of the humanitarian 'community'. Instead of a consistent position on the use of military assets, agencies' approaches to security provision vary between countries, within countries and sometimes within the same agency. On the one hand, such *ad hoc* approaches may well be considered effective by individual agencies and security planners, and may create a more secure environment. On the other, this makes it difficult for agencies to present a collective and consistent position with regard to the behaviour of the private military industry, particularly in relation to IHL, mirroring some of the challenges to increased engagement with national militaries.

1.4 Conclusions and recommendations

Recent developments in policy and doctrine regarding military engagement with civilian organisations and populations reflect important changes. Governments have a clear interest in being able to deploy combined civil and military assets to crisis situations, to stabilise countries in conflict, to support nascent post-conflict governments or to pursue counter-terrorist objectives. Where this increased activity has resulted in the humanitarian agenda being subordinated to, or caught up in, such goals, legitimate concerns have been raised regarding the military's role in policy and operational spheres.

In particular, the assumption by military commanders and security theorists that the independent capacities and independent action of NGOs in conflict settings are factors to be controlled, contained or exploited as 'force multipliers' is of deep concern. Yet at the same time, there are indications of an increasing respect within many Western militaries for the distinctiveness of humanitarian action. The evidence – in doctrines, and from interviews with military officials – suggests that the argument regarding the blurring of roles has in fact largely been won, in principle at least. A number of recent doctrinal statements acknowledge that humanitarian agencies have goals and operational practices that differ from those of military organisations, and may, for reasons of principle as well as for practical purposes, be unwilling to be associated with the military in the field. However, doctrine is often far behind the realities of field operations. Without clarity from the humanitarian community as to when and where NGOs will engage with the military on policy and operational issues, some in the military world are likely to continue to act on the assumption that goals are perfectly complementary, or that humanitarian concerns can be dismissed.

The findings of Cottey/Bikin-Kita and Gordon's work perhaps reveal the more important finding: that there is continued reluctance to permit Western armed forces to be drawn too far into the realm of assistance provision, at the expense of tasks more closely related to core war-fighting functions. Ultimately, military ambitions will be limited by the strategic objectives of the major military powers, and by the burden of existing commitments in places like Iraq. Therefore, the coincidence of areas of focus for Western militaries and those of greatest humanitarian need is unlikely to be high or sustained in operational terms in the future.

National militaries, particularly those from the affected state, will remain involved in natural disaster response, and defence planners and commanders will continue to play important roles in setting strategic objectives and planning programme responses to crises. Where there will be increased activity, in deployments of regional or UN peacekeeping forces in particular, there is an implied need for humanitarian actors and the military to find constructive middle ground and agreement on core issues of responsibility and competence. This should include agreement that militaries focus on providing assistance that NGOs cannot (in security and large-scale infrastructure work, for instance), and that both communities work together more effectively to define respective roles and objectives in the protection of civilians. It would be wrong to reject the military delivery of assistance out of hand – in some cases it may be the only option, and indeed may be part of the military's obligations under IHL. Many humanitarian agencies recognise and support this.

However, humanitarian organisations will need to continue to look for opportunities to engage strategically with defence establishments, to reinforce humanitarian values, improve the military's understanding of operational capacities and comparative expertise, and demonstrate where humanitarian action should be distinct from military action.

An equally important area of focus is the lack of rigorous evidence to show whether the military's delivery of assistance (a marginal activity compared to their core operations) is inimical to good outcomes for local populations – even in the short term. More work is needed to improve our understanding of the military's comparative capacities in assistance, and its ability to understand and incorporate local perceptions of security into the planning for military- or civilian-led protection and assistance programmes. Equally, more consideration of the actual contribution hearts and minds strategies make to force protection would be welcome, recognising that any assistance mission should be conducted in accordance with needs-based criteria. At the very least, if military efforts are directed towards implementing relief or rehabilitation efforts, these should concentrate on areas of comparative expertise. This implies understanding exactly where these areas are, and developing stronger, safer and more secure liaison mechanisms with humanitarian agencies in the field.

For their part, in order to meet their core, traditional responsibilities and to respond to more complex contemporary trends, humanitarian actors need to acknowledge that the operating environment for humanitarian action has changed. At present, there appears to be a reluctance within the humanitarian sector to move beyond advocacy that insists on the preservation of 'humanitarian space', but which has not always been able to demonstrate its importance for the safety and well-being of local populations. The tendency to define humanitarian space exclusively in terms of 'agency access' tends to obscure the issue of how people can best get the protection and assistance they require. Humanitarian agencies can no longer rely (if they ever fully did) on perceptions of neutrality to safeguard them, particularly in environments where they have become targets in and of themselves. In situations of such increased vulnerability, their relationship with and influence over those actors – private and public – that can provide security is of the utmost importance – not just for their staff, but also for the affected population.

It is beholden on all concerned with international peace, security and humanitarian action to find ways to guide decisions on when it is appropriate to use military forces and assets in efforts to relieve suffering and protect people from violence.

This paper's overall recommendations are as follows:

- All parties should continually reassert in debates over assistance strategies that the core objective of *humanitarian* action is saving lives and maintaining basic human dignity in the face of widespread threats to human survival – regardless of a population's strategic value.
- Humanitarian actors should invest in understanding the diversity of national military approaches and capacities in crisis response.
- Governments, the UN and military institutions should work at the highest professional level to standardise military approaches to civilian protection and assistance provision.
- Governments and their military organisations should invest in documenting the relative costs and impacts of different operational approaches to relief provision, in terms of civilian outcomes. This would aid in the design and delivery of assistance and protection missions.
- Governments should re-evaluate their military's involvement in QIPs – both to assess their actual contribution to force protection, and to ensure that they do not undermine humanitarian objectives.
- All parties should ensure ongoing joint attention from humanitarian and human-rights actors and military communities to designing and evaluating protection strategies that complement people's own efforts to protect themselves.
- Militaries should be prepared, trained, supplied and briefed in the use of force to save civilian lives when mandated to do so. For the humanitarian community, this may mean accepting that certain areas may become less safe for access, and indeed for civilians, at least in the short term.
- Governments should support more opportunities for military-to-military learning regarding CIMIC approaches and practices, particularly amongst major powers and major troop-contributing nations.
- Ongoing investment is needed in dialogue between NGOs, international organisations and the military. Given the developing role of regional organisations, there should be investment in efforts to communicate core humanitarian principles in the design of civil–military policies and operations – particularly within the AU, the EU and NATO. At the same time, there needs to be a recognition of the limits of such dialogue in the absence of increased investment in the human resources to support it.
- Humanitarian experts and military planners should design pre-planning crisis management exercises to familiarise humanitarian personnel with systems, procedures and contacts in military communities. In turn, these exercises should familiarise military commanders with humanitarian principles (particularly impartiality), the expertise in needs assessment and programme design within the aid community and the potential advantages humanitarians enjoy in community relations and local geographic and socio-political analysis.

- Humanitarian actors should continue to promote guidelines establishing rules of engagement between the military and humanitarian communities, tailoring each to suit particular contexts, and should demonstrate leadership in the field, in terms of sending consistent messages about the extent of their willingness to engage with militaries, and depend on their support.
- Humanitarian and other public actors (government and UN) should share more extensively their experiences in engaging PMFs – informally if necessary – to promote standards in their usage.
- Those governments committed to the Good Humanitarian Donorship (GHD) initiative should continue to promote GHD principles and good practice throughout all arms of government, including defence organisations, and with other donors and partners.

Chapter 2
The military and humanitarianism: emerging patterns of intervention and engagement

Andrew Cottey, University College Cork, and Ted Bikin-Kita

The growing presence of the military in the humanitarian landscape is one of the striking features of international politics today. Over the past decade, armed forces have been increasingly deployed in a variety of crises and conflict situations with major humanitarian dimensions. In the 1990s, this trend included a major expansion of UN peacekeeping operations, as well as a series of controversial 'humanitarian interventions' in Somalia, Bosnia, Kosovo, Haiti and elsewhere. Since the September 2001 terrorist attacks, the policies of the US and its major Western allies have increasingly been driven by the 'war on terror' and the linked challenges of addressing the proliferation of nuclear, biological or chemical weapons and so-called 'rogue states'. These concerns resulted in the major interventions in Afghanistan and Iraq, as well as a more general reorientation of the security and defence policies of these states. In parallel, however, there have been a number of less high-profile developments: a further expansion of UN peacekeeping since the late 1990s; a new emphasis on regional, rather than Western, leadership of peacekeeping and intervention operations, especially in Africa; and new forms of Western support for, rather than direct participation in, peacekeeping and intervention operations by other states and regional organisations. The central role of militaries in the international responses to the December 2004 Indian Ocean tsunami and the Pakistan earthquakes of October 2005 also indicates that providing humanitarian relief and assistance is increasingly viewed as an important role for armed forces.

Armed forces are involved in a wide variety of different tasks in contemporary crises and conflict situations, ranging from more traditional approaches to peacekeeping through policing and peace enforcement to warfighting, as well as traditionally non-military roles such as economic reconstruction and support for elections. As a result, interaction between the military and civilian actors, including humanitarian aid providers, has grown. This raises difficult questions about the relationship between the two sectors. While there are obvious arguments for cooperation, the differing priorities and cultures of different groups can cause tensions, the division of labour between them is often contested and close cooperation with the military can call into question aid providers' claims to neutrality.

This paper examines recent trends in military intervention and related military engagement in humanitarian crises. It focuses on four major Western states (the US, the UK, France

and Australia), core international security institutions (the UN, NATO and the European union (EU)), and Africa, the world's most conflict-prone region and the main focus of the new generation of peacekeeping operations. The aim is to identify emerging trends in military intervention and engagement in violent conflicts and humanitarian crises, and to explore the key foreign policy drivers behind these trends.

2.1 The military and humanitarianism: a complex relationship

The relationship between armed forces and humanitarianism is complex and problematic. The primary functional purpose of armed forces is the application of physical, ultimately deadly, violence (Huntington, 1957: 11). Militaries may to some extent therefore be seen as the antithesis of the humanitarian concern for human well-being or humane behaviour. Nevertheless, armed forces and humanitarianism intersect in three important ways.

First, there is a humanitarian concern with the conduct of war. For centuries, the *jus in bello* tradition has sought to impose limits on warfare. This tradition has shaped contemporary international humanitarian law, in particular the 1899 and 1907 Hague Conventions, the 1949 Geneva Conventions and the 1977 Additional Protocols, various elements of human rights law and treaties and conventions prohibiting particular types and particular uses of weaponry, for instance chemical and biological munitions and landmines.[1] The International Committee of the Red Cross (ICRC) is mandated to safeguard and promote international humanitarian law.

The second way in which armed force and humanitarian concerns intersect is around the controversial notion of 'humanitarian intervention'. The *jus ad bellum* (just war) tradition maintains that war may, under certain circumstances, be morally justified and serve humanitarian ends (Walzer, 1992). Critics contend that military intervention in the internal affairs of a state runs counter

---

1 Examples include the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to have Indiscriminate Effects; the 1993 Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction; and the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines, and on their Destruction. See Sassoli and Bouvier (1999); and Henckaerts and Doswald-Beck (2005).

to the principles of state sovereignty and non-interference, that the motives of intervening powers are rarely (if ever) purely humanitarian and that military force often causes more suffering than it alleviates; critics of NATO's intervention in Kosovo in 1999, for example, have argued that it prompted the Serbian authorities to escalate their war against Kosovo's Albanian population, while itself causing significant civilian casualties (Mandelbaum, 1999). Supporters, on the other hand, argue that the idea of humanitarian intervention is a major moral advance on the position that states should never use force to prevent or halt grave humanitarian crises inside other states, and that doing nothing – as in the 1994 Rwandan genocide – is sometimes a greater moral failure.

The third area of contact concerns the operational role of armed forces in supporting humanitarian action. Militaries have certain capabilities – in particular long-range air transport, logistics and engineering – which enable them to contribute significantly to humanitarian responses, in particular by delivering aid, evacuating victims and helping to rebuild infrastructure. They can also provide security, for instance for camps for refugees or internally displaced people (IDPs) and humanitarian convoys.

2.2 Changing patterns of military intervention

Traditionally, military intervention has been used to pursue a variety of national interests, such as territorial expansion, the defeat of political or ideological enemies and to secure control of economic resources. Since at least the nineteenth century, however, when conflicts in the Ottoman Empire prompted calls for military action to end or avert conflicts and humanitarian suffering, there has also been debate over whether military intervention can and should be used for humanitarian purposes (MacFarlane, 2002: 26–28). During the Cold War, competitive interventions by the two superpowers reflected relatively traditional national interest motivations. Parallel to this, however, UN peacekeeping emerged as a distinctive activity, and a small number of other interventions – by India in Bangladesh in 1971, by Vietnam in Cambodia in 1978 and by Tanzania in Uganda in 1979 – have been described as 'humanitarian interventions' (although they were driven by powerful national interests alongside humanitarian concerns).

2.2.1 The post-Cold War era
The 1990s witnessed a dramatic increase in military involvement in humanitarian crises. There were a number of reasons for this. The ending of the Cold War dramatically improved the prospects for major power cooperation in relation to peacekeeping and intervention, in particular in the UN Security Council. The number of UN peacekeeping operations increased significantly: up until the late 1980s, the UN had conducted 13 peacekeeping operations; between

1988 and 1996, 29 new operations were established.[2] The nature of UN peacekeeping also changed. Whereas earlier operations had been set up to monitor and reinforce ceasefires and peace agreements, now mandates widened to include tasks such as demobilising combatants, facilitating elections and supporting the rebuilding of political institutions. As a consequence, the UN peacekeeping missions of the late 1980s and early 1990s were much larger in scale and more challenging in character than in the past.

A succession of wars, internal conflicts and humanitarian disasters also resulted in a series of controversial military interventions: in Iraqi Kurdistan in 1991, in Somalia in 1992–93, in Haiti in 1994, in Bosnia in the mid-1990s, in Kosovo and East Timor in 1999 and in Sierra Leone in 2000. Although diverse, these actions had two defining characteristics: intervention in the internal affairs of the states concerned (usually without the consent of the state's government) and the use of military force to impose a settlement, protect civilians or enable the delivery of humanitarian aid. These interventions were mostly undertaken by *ad hoc* coalitions of states, regional organisations (as with NATO in Bosnia and Kosovo) and single countries (as with the UK in Sierra Leone). Major Western states – the US, the UK, France and Australia – played the central role.

A variety of motives underpinned these interventions, including stopping the spread of conflicts, preventing refugee flows, defending the credibility of major states and their institutions (such as NATO) and maintaining influence in the countries and regions concerned. These interventions were also motivated in significant part by a concern to prevent or end large-scale human suffering, suggesting an emerging practice of 'humanitarian intervention'. The international community's inaction in the face of the 1994 Rwandan genocide, however, starkly illustrated that the new practice of 'humanitarian intervention' was at best applied inconsistently, and that Western states were unlikely to intervene for purely humanitarian reasons. In response to UN Secretary-General Kofi Annan's call to 'forge unity' around the issue, the 2001 report of the International Commission on Intervention and State Sovereignty (ICISS) sought to formalise and provide guidelines for military intervention to stop wide-scale abuse of civilian populations, arguing that the international community had a responsibility to protect populations when their own states failed to do so (ICISS, 2001). As discussed in more detail below, the UN World Summit in September 2005 formally endorsed the concept of the responsibility to protect.

2.2.2 9/11 and the 'war on terror'
The 9/11 attacks and the US 'war on terror' have triggered important changes in the motives and aims of international

2 See UN Department of Peacekeeping Operations website, http://www.un. org/Depts/dpko/dpko/index.asp.

Figure 2.1: UN peacekeeping, 1995–2005
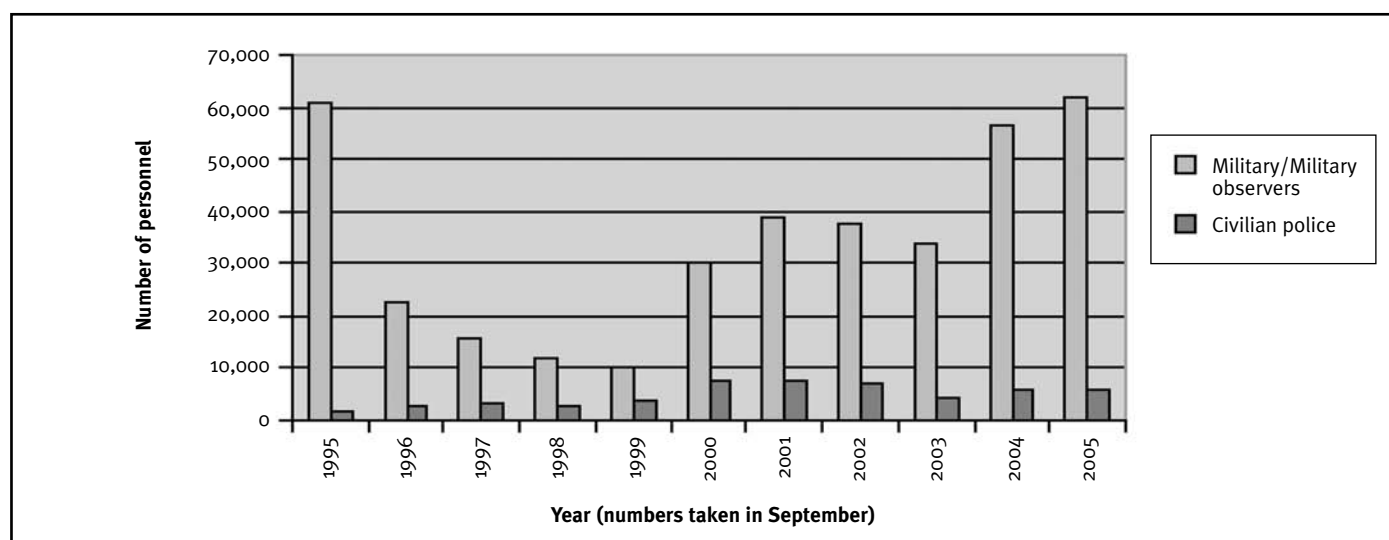
intervention. Countering terrorism, the proliferation of weapons of mass destruction (WMD) and so-called 'rogue states' have become the driving forces of American foreign and security policy, resulting in US-led interventions in Afghanistan and Iraq (Daalder and Lindsay, 2003). The US has also been involved in a number of smaller operations in places like the Philippines, Georgia and Somalia, either directly or via training and support for these states' armed forces. More broadly, the US is supporting counter-terrorism training in the Middle East, Central Asia, South-East Asia and Africa (Stevenson, 2004: 37–45). Key US allies, the UK in particular, have participated in the Afghan and Iraq wars, and have contributed to the reorientation of military and security forces towards counter-terrorism elsewhere in the world.

The interventions in Afghanistan and Iraq have resulted in the on-going and probably prolonged deployment of large numbers of troops by the US and its allies. In Afghanistan, US forces are operating against Taliban/al-Qaeda elements, while a UN-mandated International Security Assistance Force (ISAF) is deployed as part of international efforts to provide security and promote a political settlement (Cottey, 2003; Chesterman, 2002: 37–45). ISAF is commanded by NATO, and European states provide the majority of its forces. The US mission in Iraq combines a counter-insurgency war against Iraqi and external forces with efforts to support a political settlement. Although the US-led operation received a UN Security Council mandate in October 2003, the extent to which it should be viewed as a counter-terrorism operation, a peacekeeping or nation-building mission with a significant humanitarian dimension or a neo-imperial war against nationalist forces is deeply controversial.[3]

The interventions in Afghanistan and Iraq have prompted debate over how far they are likely to provide precedents for similar interventions by the US, its allies and/or other states. The 'war on terror', 'preventive war' and 'regime change' were clearly viewed by some of their US advocates as part of a longer-term shift in US strategy, whereby interventions like those in Afghanistan and Iraq might be repeated elsewhere. A number of factors are, however, likely to dissuade the US and its allies from undertaking similar operations. A single state is unlikely in future to become or provide the type of concentrated centre of Islamic terrorism that might make it a target for an Afghanistan-style military intervention to impose 'regime change'. In future, military force is more likely to be used as a tool of counter-terrorism or counter-proliferation in more limited ways: to target particular terrorist groups, training camps, cells or individuals, often with the support of the governments of the countries concerned but some-times – in failed states or where governments are unwilling to support such action – without that support.[4] While Iran remains a possible target for US military action, if any action is taken it is likely to be limited to airstrikes combined with small-scale special forces operations. Beyond this, North Korea's ability to respond with massive conventional force against South Korea, and the possibility that it possesses nuclear weapons, probably preclude US military action. There are few (if any) other obvious targets. More broadly, the capacity of the Afghanistan and Iraq interventions to tie down large numbers of US and British troops, and the difficulties and costs involved in stabilising these two countries, suggest that they are unlikely to set precedents for more large-scale 'preventive wars' or militarily imposed 'regime change'.

3 UN Security Council Resolution 1511 (2003), 16 October 2003, authorised 'a multinational force under unified command to take all necessary measures to contribute to the maintenance of security and stability in Iraq', and called on member states to assist and contribute troops to that force.

4 The US Proliferation Security Initiative (PSI, established in 2003), for example, brings together a core group of US allies and envisages cooperation in the interdiction of WMD or related materials or technology (for example, through the interception of ships carrying such items).

2.2.3 The UN, regionalism and Western support

While the 'war on terror' and the operations in Iraq and Afghanistan have been the main drivers shaping recent patterns of international military intervention, a number of other factors are also important. Chief among these is the continuing prevalence of a significant number of violent conflicts and associated humanitarian crises. In contrast to Afghanistan and Iraq, and the major 'humanitarian interventions' of the 1990s, the main Western countries have not deployed significant ground forces in these environments. Instead, three inter-related trends have emerged: a new generation of UN peacekeeping operations has been deployed since the late 1990s; there has been a new emphasis on the role of regional organisations in responding to such crises, in particular in Africa; and new forms of Western support for military action by regional states and organisations have emerged.

After the major expansion of UN peacekeeping in the late 1980s and early 1990s, there was retrenchment in the late 1990s, with fewer new operations initiated, and a reversion to smaller missions with more limited mandates. Since the late 1990s, however, UN peacekeeping has again expanded, with new missions in the Democratic Republic of Congo (DRC), Liberia, Côte d'Ivoire, Burundi, Sudan and Haiti. These missions are relatively large compared to more traditional UN peacekeeping operations, are explicitly authorised to use force and are being undertaken in difficult circumstances of fragile ceasefires or continuing violence.

With these missions, UN peacekeeping is venturing into difficult, and to some extent new, territory.

The second development has been a shift towards the regionalisation of military intervention, peacekeeping and related activities, such as training and military cooperation and assistance arrangements (Pugh and Sidhu, 2003). This reflects the more general development of new forms of regional cooperation since the 1990s, with renewed interest in institutions such as the Organisation of American States (OAS) and the African Union (AU), and the establishment of new arrangements like NATO's Partnership for Peace (PfP) and the Association of South-East Asian Nations (ASEAN) Regional Forum (ARF). Military cooperation and assistance programmes are in themselves not new, and have always to some extent had regional dimensions, but the emphasis since the early 1990s on multilateral regional cooperation and on activities relating to peacekeeping and military intervention is innovative. NATO and the EU have taken on peacekeeping and intervention tasks in the Balkans and in Afghanistan. In Africa, peacekeeping and intervention are seen as one of the central roles of the AU and regional groups such as the Southern African Development Community (SADC). African states provide the majority of troops for UN missions in Africa, and Latin American states, led by Brazil, account for most of the UN troops in Haiti (Gonzalez, 2004). Asian militaries worked together in providing humanitarian relief in response to the December 2004 tsunami.

Table 2.1: The new generation of UN peacekeeping operations

Country	Mission	UN Security Council Resolution establishing mission	Force strength (inc. civilians), July 2005
Democratic Republic of Congo	United Nations Organisation Mission in the DR Congo (MONUC)	UNSCR 1279, 30 November 1999; mission expanded by subsequent resolutions 2000–2004	16,402
Liberia	United Nations Mission in Liberia (UNMIL)	UNSCR 1509, 19 September 2003	15,965
Côte d'Ivoire	United Nations Operation in Côte d'Ivoire (UNOCI)	UNSCR 1528, 27 February 2004	6,458
Haiti	United Nations Stabilisation Mission in Haiti (MINUSTAH)	UNSCR 1542, 20 April 2004	7,665
Burundi	United Nations Operation in Burundi (ONUB)	UNSCR 1545, 21 May 2004	5,601
Sudan	United Nations Mission in Sudan	UNSCR 1590, 24 March 2005	1,419 (authorised strength 10,000)

Source: UN

Third, Western powers have made increasing efforts to support peacekeeping and intervention by other states. This support has been both direct and indirect. Direct support has included providing logistics such as air transport, funding and other forms of assistance; the primary example is NATO's assistance to the AU's mission in Darfur. Indirectly, Western powers have also helped other states to develop their own capacities to contribute to such operations. This has included national assistance and training programmes such as the US Enhanced International Peacekeeping Capabilities (EIPC) initiative, the PfP, which aims to strengthen the peacekeeping capabilities of NATO's partners in Eastern Europe and the former Soviet Union, and regional initiatives, in particular in Africa (Cottey and Forster, 2004: 51–68).

2.3 The major Western states

This section examines the policies of the four leading Western military powers, the US, the UK, France and Australia, as they relate to military intervention and peacekeeping. The capacity of these four states to project military power beyond their borders and to engage in the most militarily demanding operations far outstrips that of all other states; this means that, *de facto*, they have much greater influence than other countries on patterns of military intervention. The military predominance of the US, the UK, France and Australia rests not primarily on troop numbers, but on equipment and training, and their command, control, communications and intelligence infrastructure.

The US is the only country in the world with the capacity to undertake large-scale military interventions (involving 100,000 or more troops and associated air and naval assets and support) far beyond its national borders, as it did in the 1990–91 Gulf war and 2003 Iraq war. The UK, France and Australia have the capacity to deploy intervention forces of approximately 10,000 troops, in the UK's case 20,000 troops, and associated air and naval support at relatively short notice. One or more of these four states played the central role in all of the major military interventions of the decade up to 9/11, from the 1990–91 Gulf war to the UK's intervention in Sierra Leone in 2000. Other major powers, in particular Russia, China and India, have large militaries and the capability to intervene in immediately adjacent regions, but lack the capacity to project significant military strength far beyond their national borders. Other Western countries, such as Germany, Japan, the Netherlands, Spain, Canada, the Nordic states and New Zealand, can each deploy a few thousand troops for peacekeeping or intervention operations overseas, but would probably only do so as part of a multilateral operation led by one of the four major players, or undertaken by the UN, NATO or the EU. Many medium or small states, primarily from developing countries, have also made contributions to UN peacekeeping operations for many decades, but these have generally numbered in the hundreds of troops, or at most a few thousand. Many developing states have also intervened in neighbouring countries, as Rwanda, Angola and Uganda did in the DRC in the late 1990s, but lack the capacity to deploy forces further afield.

The primary factors shaping the policies of the major Western states are the 'war on terror' and the on-going missions in Iraq and Afghanistan. However, other issues are also relevant. In particular, there is a tension in Western policy between a narrow definition of security interests, which focuses on combat operations against direct threats such as terrorists, and a broader definition, which focuses on wider stabilisation efforts, including peacekeeping and nation-building. Second, there is a tension between the demands of high-end warfighting, which implies allocating more resources to technology and air and naval power, and the needs of peacekeeping and nation-building which, as Iraq has shown, require large numbers of ground troops. There are differences between the US and other Western powers over how to respond to these challenges. The US emphasises unilateralism and high-technology military power, whereas other Western countries place greater emphasis on multilateralism and peacekeeping and nation-building.

2.3.1 The United States

While the United States has a long record of more traditional national interest-style military interventions, it has historically been reluctant to engage in peacekeeping, humanitarian intervention or nation-building – the primary exceptions being in Germany and Japan after the Second World War. Since the 1990s, the US has wavered between enthusiasm for military interventions with humanitarian elements, and reluctance and retraction. The first Bush administration used airpower to protect the Kurds in northern Iraq after the Gulf war of 1991, and undertook the initial intervention in Somalia in 1992–93. The Clinton administration came to power advocating 'muscular multilateralism', including the use of force for humanitarian objectives. The US-led operation in Somalia was expanded in 1993, and the US intervened in Haiti in 1994 and Bosnia in 1995. In the wake of the humiliating US withdrawal from Somalia in 1993, however, the Clinton administration opposed intervention to halt the genocide in Rwanda in April–May 1994, and in May 1994 issued a Presidential Decision Directive (PDD-25) which stated that the US should only participate in peace operations if they served US interests and had Congressional and public support, clearly defined and achievable objectives and an 'exit strategy'. While US action in Bosnia in 1995 and Kosovo in 1999 arguably did not meet these conditions, PDD-25 nonetheless represented a significant step back from a commitment to use military force for humanitarian purposes.

The primary foreign policy concerns of George W. Bush initially focused on relations with the world's major states, in particular China and Russia. There was little sympathy for the use of the US military for humanitarian or peacekeeping

purposes. During the 2000 presidential election campaign Condoleezza Rice, Bush's then foreign policy advisor, argued that 'We don't need to have the 82nd Airborne escorting kids to kindergarten'. These views did not change with the 9/11 terrorist attacks and the 'war on terror'. In Afghanistan, Secretary of Defense Donald Rumsfeld argued that the US should not be engaged in nation-building, and the US refused to participate in the ISAF. In Iraq, a reluctance to plan for post-conflict tasks led the US to intervene with significantly smaller forces than many, including within the US military, believed would be necessary to ensure post-war stability (Fallows, 2004). The Bush administration's attitude to the laws of war – the reluctance to apply the Geneva Conventions to detainees in Afghanistan and Iraq, the scandal surrounding mistreatment of prisoners at the Abu Ghraib prison in Iraq and the use of extra-territorial prisons in Guantanamo Bay, Afghanistan and Iraq – also suggests a reluctance to be bound by humanitarian legal constraints.

US military force structure and doctrine have not been greatly shaped by a need to prepare for peacekeeping or military operations in pursuit of humanitarian objectives. During the Cold War, US defence policy was driven by a strategy of containing the Soviet Union and communism, with large ground forces forward deployed in Europe and Asia for this purpose. As defence spending and forces were reduced in the 1990s, the American defence policy debate revolved around what overall force structure was necessary to maintain the capability to simultaneously fight and win two major wars in Europe and Asia (the two-war strategy), while at the same time conducting a smaller-scale operation. Thus, although the 1990s saw US involvement in a number of peacekeeping and humanitarian operations, this was never a key driver of force structure planning or defence spending. In the wake of the 9/11 terrorist attacks, the goals of fighting terrorism and countering the proliferation of weapons of mass destruction became key drivers of US defence policy.

The recent Quadrennial Defense Review (QDR), submitted to Congress in February 2006, emphasises that the US is engaged in a 'long war' against terrorism (DoD, 2006). It defines four strategic priorities for US defence policy: defeating terrorist networks, defending the US homeland, shaping the choices of countries at strategic crossroads and preventing hostile states and non-state actors from acquiring or using weapons of mass destruction. Although the 2006 QDR was preceded by debate over how far the demands of Afghanistan and Iraq, homeland security and missile defence might force a fundamental rethinking of American defence policy (Shanker and Schmitt, 2005), the new QDR has not proposed a dramatic re-orientation of US force structures. It does, though, reinforce an existing shift towards expeditionary and special forces. This may enhance the United States' ability to contribute to humanitarian and peacekeeping missions, but it is far from clear that the country would be willing to use such forces in this way.

There is increasing recognition that the US lacks the military and civilian capacity to contribute to post-conflict stabilisation and reconstruction in places such as Afghanistan and Iraq (Dobbins, 2003: 108; Independent Task Force 2005). Yet developing this capacity is at most a secondary concern in US defence policy. Doctrinally, the US military is not well suited to peacekeeping and military operations with a humanitarian purpose.[5] US doctrine emphasises decisive action to defeat the enemy and 'force protection' – minimising the vulnerability of US forces to attack. This approach is not fitted either to providing protection for civilians in insecure environments, or to building confidence with local populations: in Iraq, for example, it has been said that 'Many Iraqis only experience American "security" when it zooms by in an armoured column with guns pointed out the windows' (Byman, 2005: 11). While America's antipathy to peacekeeping and military deployment in a humanitarian context may, in the short term, be compatible with a narrow definition of US interests, in the longer term weak states, instability and conflict in other parts of the world will exacerbate threats to the US. Thus, although the Bush administration and many in the US Congress remain deeply wary of peacekeeping and nation-building, there is growing professional and policy support for the argument that tackling the problems of weak and failed states is a central challenge for the US, and that it needs to invest more in the civilian and military capabilities necessary to meet this challenge (Independent Task Force, 2005; Commission on Weak States and US National Security, 2004). However, the public and political mood in the wake of the Iraq invasion means that the US is likely to remain a reluctant contributor to nation-building and military ventures with a humanitarian focus, except where direct US interests are involved, or the costs are relatively low.

2.3.2 The United Kingdom

After the US, the UK has probably the second greatest capacity of any state to project military power long distances beyond its borders. Britain played a central role in many of the humanitarian interventions of the 1990s, in particular in Iraqi Kurdistan, Bosnia, Kosovo and Sierra Leone. The British armed forces have been re-oriented away from their Cold War mission of defending Western Europe and towards peacekeeping and intervention. A key milestone in this process was the Strategic Defence Review (SDR) of 1998. Under the SDR, contributing to 'peace support and humanitarian operations' was identified as one of eight core missions for the British armed forces (UK MOD, 1998). British Prime Minister Tony Blair, in particular, has been described as a Gladstonian liberal interventionist, a believer in the use of military force in the pursuit of moral goals. During the 1999 Kosovo war, Blair asserted that the international community had both the right and the duty to

---

5 British and other European militaries generally view the US military's approach to peacekeeping and peace enforcement as heavy-handed, insensitive and often counter-productive – a view reinforced by developments in Iraq since 2003.

use military force to prevent or end massive human suffering (Blair, 1999). The British military has also been at the forefront of operational and doctrinal thinking on what it refers to as Peace Support Operations (PSO), seeking to create a viable middle road between traditional peacekeeping and high-end warfighting (UK MOD, 2004).

In the wake of 9/11, there has been a partial shift away from peacekeeping and humanitarian operations and towards counter-terrorism and warfighting. A new chapter to the SDR, published in 2002, argued that 'new elements and capabilities are needed to seize what may be fleeting opportunities to engage terrorists, to deal with them in remote areas and cater for their possible acquisition of CBRN (Chemical, Biological, Radiological or Nuclear) devices' (UK MOD, 2002). British defence spending has been increased, and new funding directed towards elements such as special forces, intelligence gathering and 'smart' weapons.

2.3.3 France

French defence policy maintains that the country faces no direct threats to its vital interests near its borders, and that 'the main security risk now lies in the regional conflicts that can jeopardise the quest for international stability' (French MOD, 1994: 19–20). In particular, political turmoil in former French African colonies is seen as directly affecting French interests. The French authorities also believe that threats are increasingly likely to be asymmetric (focusing on areas where Western powers are vulnerable, rather than traditional warfighting), such as the 2002 attack on a French oil tanker in Yemen. This strategic analysis has had a strong bearing on French military doctrine. According to Edouard Balladur, prime minister between 1993 and 1995, 'France's conventional forces must be able to contribute, if necessary by force, to the prevention, limitation or settlement of regional crises or conflicts that do not involve risks of extreme escalation' (French MOD, 1994). French doctrine revolves around the prevention and management of crises, dealing with conflicts at the lowest level of intensity (before they escalate) and putting few constraints on the use of force in peacekeeping.

This last element is probably the most significant doctrinal contribution to peacekeeping. The key concept is 'active impartiality': 'Impartiality is to be determined in relation to the warring parties' compliance with the mandate of an operation. The French consider the mandate a law, and believe that it is the military's role to act as judge and police in ensuring that all parties live up to the law' (Potgieter, and Gamba 1996). In peace operations, therefore, the French view is that force can be used to stop actions that put civilian populations in danger or violate an operation's mandate.[6]

---

[6] In 1995, Admiral Lanxade, French Armed Forces Chief of Staff, issued a directive – known as the Lanxade Directive – which argued that restoring peace should involve the active use of military force (impartially applied to any warring parties that violated a mandate or peace agreement); strict neutrality was not a policy option, if it compromised or endangered the position of the armed forces.

This doctrine was seen in action in late 2004, when French aircraft destroyed Côte d'Ivoire's entire (albeit tiny) air force in retaliation for the seemingly inadvertent bombing of French positions by Ivorian planes during an operation against rebels. There is also a discernable trend towards the convergence of French and US military doctrines, in particular on the issue of pre-emption: 'the possibility of a pre-emptive action may be considered … all the more so since transnational terrorist networks usually develop and prepare for action outside our territory' (L'Humanité, 2002).

The motives behind French participation in humanitarian interventions are not solely security-centred. Humanitarian action is an integral part of French culture and foreign policy, and reflects a larger ambition to maintain France's standing as a major power. Drawing on a tradition of military intervention that dates back to colonial and post-colonial expeditionary operations, and a record of humanitarian action in conflicts such as the Biafran war of the late 1960s and the work of agencies such as Médecins Sans Frontières, France was the lead nation in the adoption of UN General Assembly Resolution 43/131 in December 1988. This laid the foundation for a UN *droit* or *devoir d'ingérence*, i.e. a right or duty to intervene to provide humanitarian assistance in cases of natural or war-induced disasters – thus, as President Francois Mitterrand put it in a speech before the UN General Assembly in October 1988, making an 'exception to the rule of the UNSC's primacy in establishing the legitimacy of a mandate to act in a crisis'. French forces have, in recent years, engaged in complex interventions in Rwanda (*Operation Turquoise*, 1994), Zaire (*Operation Assurance*, 1997), Congo-Brazzaville (*Operation Pelican*, 1997), the DRC (the EU's *Operation Artemis*, 2003) and Côte d'Ivoire (*Operation Licorne*, 2003). These operations, and the maintenance of military bases in Côte d'Ivoire, Gabon and Djibouti, show that France continues to attach importance to maintaining its influence in Africa, and especially in its Francophone former colonies.

Since the early 1990s, the structure of the French armed forces has been redirected away from preparations for the defence of national territory and towards overseas deployment. The French government plans to develop the capability to deploy 26,000 troops (10% of current military personnel) simultaneously, with no time limits and in several theatres. Within the NATO framework, the target is 50,000 troops. These forces are to be supported by a second aircraft carrier, a fleet of 100 aircraft dedicated to out-of-area operations and new light armoured vehicles. Defence expenditure, currently 1.8% of French gross domestic product (GDP), will rise to 2.3% of GDP in 2008, a level comparable to the UK. The financial investment involved is substantial: €14.84bn per annum over six years (€88.87bn in total) (French MOD, 1996).[7]

---

[7] France is also investing in theatre-missile defence systems, and by 2010 it intends to have the capability to protect the sites of a force deployed in an external theatre against medium-range ballistic missiles.

Despite this, French force projection capabilities remain limited. A recent study argues that France would reach the limits of its capacity if it had 'to project more than 5,000 troops quickly … Rapidly projecting more, with hundreds of pieces of heavy equipment, is beyond France's actual capabilities … [the] capacity to project much greater force will be inadequate at least until 2015' (Grégoire, 2002).

2.3.4 Australia

Australia has a strong tradition of deploying military forces overseas. Australian forces fought in the First World War, the Second World War, the Korean War, the Vietnam War and the first Gulf War. Since 1945, Australia has contributed forces to over 40 peace operations. During the 1990s, Australia's role in peacekeeping and humanitarian operations expanded, with forces deployed in Cambodia, Bosnia, Somalia and Rwanda. In particular, Australia has emerged as the leading interventionist power in East Asia and the South Pacific. From 1998 to 2003, Australia led the regional Peace Monitoring Group (PMG) in Bougainville, committing over 3,500 military personnel. In 1999, Australia provided 5,000 troops (almost half the total) to the International Force in East Timor (INTERFET), and in 2003 the country led the Regional Assistance Mission to the Solomon Islands (RAMSI), contributing 1,800 military personnel. In the wake of the 2004 Indian Ocean tsunami, Australia undertook *Operation Sumatra Assist*, a military mission providing substantial assistance to Indonesia. The centrality of peacekeeping missions to Australian defence policy was confirmed in the country's 2000 defence white paper: 'the ADF [Australian Defence Forces] will continue to undertake a range of operations other than conventional war … Preparing the ADF for such operations will therefore take a more prominent place in our defence planning than it has in the past' (Commonwealth of Australia, 2000: 10).

In response to the September 2001 terrorist attacks on the US and the October 2002 Bali bombing, in which 88 Australians died, the emphasis of Australian defence policy has shifted towards counter-terrorism and counter-proliferation. Australian special forces participated in the intervention in Afghanistan, and over 2,000 Australian troops were deployed to the Iraq war. A 2003 update to the 2000 defence white paper confirmed the shift in policy: 'For the foreseeable future, any ADF operations are likely to occur within the context of regional contingencies, the War on Terror, efforts to counter the proliferation of WMD or to otherwise enhance global security and stability'. To support these new demands, the Australian government has decided to increase the size of its special forces, purchase additional, more capable troop-lift helicopters and expand its ability to respond to chemical, biological, nuclear and radiological incidents (Commonwealth of Australia, 2003: 24–25).

The new emphasis on counter-terrorism and counter-proliferation in Australian defence policy runs alongside the central role in regional peacekeeping and humanitarian operations that emerged in the 1990s. The ADF's 2002 Future Warfighting Concept, for example, argues that it 'will need to conduct a differing mix of warfighting, peacekeeping and humanitarian operations concurrently' (Australian DoD, 2002: 23). Australia is thus likely to continue to deploy troops and niche support capabilities within the Asia-Pacific region and, in coalition with its allies, further afield, but may face choices between warfighting and counter-terrorist operations on the one hand, and peacekeeping and humanitarian-oriented operations on the other.

2.4 Global and regional security architectures

This section examines the role of global and regional security institutions in peacekeeping, intervention and related humanitarian action, focusing on the UN, NATO and the EU. The UN is likely to remain the primary global framework for decision-making and action on international peacekeeping and military intervention. NATO and the EU are the primary regional organisations that have actually given substance to the rhetoric of the regionalisation of peacekeeping and intervention.

2.4.1 Return to the United Nations

The US willingness to go to war in Iraq in 2003 without the support of the UN Security Council appeared to threaten the marginalisation of the UN. The prominent American neo-conservative Richard Perle celebrated the death of 'the fantasy of the UN as the foundation of a new world order' (Perle, 2003). In fact, reports of the UN's demise have been greatly exaggerated. Facing increasing problems in Iraq, the US turned to the UN Security Council in late 2003 for a resolution endorsing the US-led military presence in the country. Although the UN's subsequent involvement in the US-led operation has in practice been limited, the Security Council has resumed its role as a key locus for international discussion and decision-making on responses to conflict.

As noted above, there has also been a major expansion in UN peacekeeping operations since the late 1990s, primarily in Africa. These new missions are relatively large compared to more traditional UN peacekeeping operations, multifaceted in character and authorised to use force ('all necessary means', in Security Council terminology) in order to implement their mandates (Berdal, 2004: 88–91). Most of these operations take place in unstable situations, characterised by fragile ceasefires or peace agreements, periodic if not endemic violence and more general state weakness or collapse. Developing countries, rather than Western states, provide the majority of forces for these missions. These operations are also providing a testing ground for the concept of integrated missions, with the peacekeeping, political, humanitarian and development components of UN activities integrated,

at least theoretically, into a single, more coherent and effective mission pursuing common goals.[8] These operations suggest, not the end of the UN's role in humanitarian intervention, but rather a move towards a new model which bridges the gap between more traditional UN peacekeeping and the more forceful Western-led humanitarian interventions of the 1990s.

UN Secretary-General Kofi Annan has argued that these operations 'will stretch, to the limit and beyond, the capacity of the United Nations to respond' (UN, 2004: 5). As with the larger and more complex peacekeeping missions of the 1980s and 1990s, the UN may struggle to achieve the manpower levels required. Equipment stocks, stored at the UN Logistics Base in Brindisi, Italy, are being depleted and have proved difficult to replenish. The relatively large size, complexity and character of the new missions means that they also require more sophisticated military capabilities, such as rapid response forces, tactical air support and transport, and advanced intelligence and command, control and communications systems, which can often only be supplied by developed states. The multinational makeup of missions often makes cohesive action difficult, and it is proving hard to give substance to the integrated mission concept given the different approaches and cultures of the UN's various components (Barth Eide 2005). There is a risk that associating the UN's humanitarian and development arms with the political-military aspects of peacekeeping and enforcement may undermine the former's traditional neutrality. Finally, the enforcement dimension of these mis-

sions raises major questions about the use of force. The UN has no doctrine for the use of force in peace enforcement operations. The conditions under which UN peacekeepers should use force remain uncertain, as does the manner in which they should do so, and this could easily become deeply contentious.[9] Whether this new generation of UN peacekeeping missions succeeds is likely to depend both on the willingness of member states to provide the necessary resources, and the ability of the UN and troop-contributing countries to fashion an approach to the use of force that bridges the gap between traditional peacekeeping and enforcement.

The new generation of peacekeeping operations is also making major demands on troop-contributing nations. The main contributors to UN peacekeeping are developing countries. EU members provide about 10% of UN peacekeepers, and the US just 1%. Most of the leading contributors to UN peacekeeping have long-standing records of providing forces for such missions. Nevertheless, the more demanding nature of UN peacekeeping, and the limitations of troop contributors' armed forces in terms of equipment and training, suggest that the UN is likely to continue to face significant operational problems in terms of rapid deployment, tactical mobility and policing.

The crisis surrounding the 2003 Iraq war also prompted wider debate about the UN's role and possible reforms to the organisation, culminating in the September 2005 World Summit of UN Heads of State and Government

Table 2.2: Leading contributors to UN peacekeeping operations, 2000–2005 (military and civilian police personnel)

2000 (Oct)	2001 (Sept)	2002 (Sept)	2003 (Sept)	2004 (Sept)	2005 (Aug)
1. India (4,469)	1. Bangladesh (6,048)	1. Bangladesh (5,437)	1. Pakistan (5,252)	1. Pakistan (8,936)	1. Pakistan (9,881)
2. Nigeria (3,441)	2. Pakistan (5,552)	2. Pakistan (4,763)	2. Bangladesh (3,926)	2. Bangladesh (8,219)	2. Bangladesh (8,812)
3. Jordan (3,400)	3. Nigeria (3,446)	3. Nigeria (3,411)	3. India (2,922)	3. Nigeria (3,588)	3. India (6,321)
4. Bangladesh (2,394)	4. India (2,852)	4. India (3,013)	4. Ghana (2,024)	4. Ethiopia (3,445)	4. Nepal (3,656)
5. Ghana (1,894)	5. Jordan (2,728)	5. Ghana (2,470)	5. Uruguay (1,800)	5. Ghana (3,320)	5. Ethiopia (3,424)
6. Australia (1,726)	6. Ghana (2,116)	6. Kenya (1,831)	6. Kenya (1,783)	6. India (3,044)	6. Ghana (3,320)
7. Kenya (1,219)	7. Kenya (2,080)	7. Jordan (1,766)	7. Nigeria (1,748)	7. Nepal (2,614)	7. Nigeria (3,175)
8. Pakistan (1,206)	8. Australia (1,580)	8. Uruguay (1,570)	8. Jordan (1,540)	8. South Africa (2,514)	8. Jordan (2,791)
9. Poland (1,096)	9. Ukraine (1,538)	9. Ukraine (1,426)	9. South Africa (1,414)	9. Uruguay (2,489)	9. Uruguay (2,435)
10. Nepal (1,034)	10. Portugal (1,134)	10. Nepal (1,098)	10. Ukraine (1,058)	10. Jordan (2,067)	10. South Africa (2,320)

Source: United Nations Peacekeeping – Monthly Summary of Contributors of Military and Civilian Police Personnel, UN Department of Peacekeeping Operations website, http://www.un.org/Depts/dpko/dpko/contributors.

8 The idea of integrated missions was developed in the 2000 Report of the Panel on United Nations Peace Operations (the 'Brahimi report'), which proposed the establishment of Integrated Mission Task Forces (IMTFs) to bring together all relevant actors in the planning of peacekeeping operations. The UN Secretariat has subsequently begun implementing the concept.

9 In March 2005, for example, Pakistani peacekeepers pursuing a militia band blamed for the death of nine Bangladeshi peacekeepers killed at least 50 in a clash in north-east DRC. Leaders of the ethnic group from which the militia was drawn accused the peacekeepers of 'looking for vengeance'. See Vasagar (2005).

(High-Level Panel, 2004: xi; UN Secretary-General, 2005). The summit took a number of major decisions in relation to the UN's role in peace and security:

- It endorsed the concept of the responsibility to protect, emphasising that the international community has a 'responsibility … to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity', and declaring the willingness 'to take collective action … should peaceful means be inadequate and national authorities manifestly fail to protect their populations'. The adoption of the responsibility to protect is a major shift in international law, setting a potentially very important benchmark for international action in future humanitarian crises.
- It created an intergovernmental Peacebuilding Commission to integrate international efforts at post-conflict peacebuilding. The commission was to be established by the end of 2005, supported by a Peacebuilding Fund and a peacebuilding office within the UN Secretariat. The Peacebuilding Commission may see increased UN involvement in a wide range of civilian and military post-conflict peacebuilding activities.
- It reached agreement on an initial operating capability for a standing police capacity for peacekeeping operations. Lack of police capacity has been identified as a significant weakness of UN operations.
- It resolved to create a Human Rights Council responsible for promoting human rights and addressing human rights violations. The mandate and details of the proposed council, however, remain to be agreed, and will have a major bearing on its effectiveness (UNGA, 2005).

There have also been widespread calls for reform of the UN Security Council, in particular for expansion of its permanent membership and changes in its voting procedures. The 2005 summit was unable to reach agreement on reform, but the issue was to be reviewed by the end of 2005, and may be revisited in 2006. Whatever the impact of institutional reforms, experience since the 2003 Iraq war suggests that, for all its flaws, the UN is likely to remain central to international humanitarian, peacekeeping and enforcement activities, as a locus for decision-making, a source of legitimacy and a framework for operational action.

2.4.2 NATO

Since the end of the Cold War, NATO has undergone a remarkable transition, from an alliance focused on the collective defence of its members' territory to an organisation engaged in a range of peacekeeping and intervention operations, as well as new forms of military cooperation with non-members. In the mid-to-late 1990s, NATO took on the tasks of peacekeeping and peace enforcement in the Balkans, using airpower to coerce the warring parties into political settlements in Bosnia and Kosovo, and leading a 60,000-strong peacekeeping force in Bosnia, a 50,000-strong

deployment in Kosovo and a smaller contingent in Macedonia (the EU has since taken over the peacekeeping missions in Bosnia and Macedonia). NATO can credibly claim to have played the central role in bringing the Yugoslav wars to an end. However, Bosnia, Kosovo and Macedonia all remain unstable, indicating that, while a large well-armed force can prevent an immediate return to violence, achieving a more lasting peace is difficult.

The 9/11 attacks prompted renewed debate on NATO's future. For the first time in its history, NATO activated the Article 5 security guarantee at the heart of the 1949 North Atlantic Treaty, under which an armed attack against one member is treated as an attack against them all, and member states agree to 'assist the Party or Parties so attacked by taking … such action as it deems necessary, including the use of armed force'.[10] NATO members have provided the majority of forces for the ISAF stabilisation mission in Afghanistan, and in 2003 the organisation took over command and control of ISAF – the Alliance's first operation outside Europe.[11] NATO has had some success in supporting the central Afghan government and bringing a degree of stability to parts of northern and western Afghanistan, but the situation in the country remains unstable, particularly in the south.

Since the early 1990s, NATO's military structures have gradually been adapted to the new tasks of peacekeeping and intervention. In the mid-1990s, NATO adopted the Combined Joint Task Force (CJTF) concept, a command and control framework for flexible 'coalitions of the willing' among NATO's members to engage in peacekeeping or enforcement operations, and established the Alliance Rapid Reaction Corps (ARRC), a multinational force for deployment in such operations. Further restructuring followed the 9/11 attacks, including a fundamental reorganisation of command structures, measures to encourage member states to develop the capabilities necessary for projecting military power beyond Europe and the establishment of a NATO Response Force (NRF) (NAC, 2002). The NRF is a high-readiness, multinational, combined ground, air and naval force, based on national contributions available on a stand-by basis. It is to be deployable within five days, and able to sustain itself for 30 days (or longer if resupplied). The NRF reached its initial operational level of 17,000 troops in October 2004, and will achieve its full complement of 21,000 troops by the end of 2006. Based on the principle 'first in, first out', the NRF may be deployed as a stand-alone force or as an initial entry force for a larger operation. Its missions may include shows of force and solidarity to deter aggression; evacuating non-combatants;

---

10 See The North Atlantic Treaty, Washington DC, 4 April 1949, Article 5, http://www.nato.int/docu/basictxt/treaty.htm.
11 The ISAF is mandated by the UN Security Council, but it is not a UN mission. Until NATO took over the mission in 2003 it operated under the *ad hoc* control of a series of lead nations (the UK, Turkey and Germany/Netherlands).

supporting consequence management in the event of an attack or disaster; providing support in a humanitarian crisis; crisis management, including peacekeeping; counter-terrorism operations; and embargo operations (NATO, 2005; NATO, undated). The NRF could thus play an important role in humanitarian action in crises. NATO's role in supporting humanitarian action was confirmed in late 2005, when the Alliance airlifted humanitarian aid to Pakistan following the earthquake there. The NRF's land component headquarters deployed on the ground in Pakistan.

In May 2005, NATO agreed to support the AU mission in Darfur. During the summer of 2005, NATO helped to airlift African troops into Darfur, as well as training AU personnel in command and control, operational planning and the use of intelligence, and helping to organise a headquarters exercise designed to strengthen the AU mission (NATO, 2005b; SHAPE, 2005).[12] NATO's role in Sudan suggests that providing support for other states and regional organisations to undertake peacekeeping operations is likely to be one future role for the Alliance.

The military capabilities of its members and its unique military planning and command and control structures give NATO a capacity to contribute to peacekeeping, enforcement and humanitarian military operations that is unmatched by any other international organisation. The creation of the NRF gives NATO the ability to undertake the most demanding operations, in particular to deploy a substantial force in crisis situations at very short notice. Through mechanisms such as the PfP, as well as more specific arrangements like the cooperation with the AU in Darfur, NATO can also help other states and regional organisations to develop their own peacekeeping capabilities and undertake peacekeeping operations. NATO's contribution to humanitarian military action is, however, likely to be constrained by a number of factors. NATO lacks the legitimacy of the UN; indeed, a more direct NATO role in Sudan was resisted by AU member states. NATO's members are also stretched militarily: in Afghanistan, for example, members have struggled to provide the forces to which they have in principle committed (Lindborg, 2004). The politics of NATO may also impose important constraints. European opposition to the Iraq war and US reluctance to hand over control, for example, prevented NATO from taking a lead role in post-war reconstruction in Iraq.

2.4.3 The European Union

Since the late 1990s, the EU has begun to establish itself as a military actor. In 1999, EU leaders agreed that the Union

should have a military role.[13] The EU established new institutions for the management and conduct of military operations:

*   a Political and Security Committee (PSC, more commonly known by its French acronym COPS), composed of national representatives at senior/ambassadorial level to exercise political control of military operations;
*   a Military Committee (EUMC) comprising the chiefs of defence of the EU members, to provide military advice and recommendations to the PSC; and
*   a Military Staff (EUMS, with approximately 70 staff), to provide military advice and manage military operations.

The EU also established the 'Helsinki Headline Goal' of deploying a force of 50–60,000 troops (approximately one military corps or 15 brigades) within 60 days, sustainable for a year and militarily self-sustaining in terms of command, control and intelligence, logistics and air and naval forces (Rutten, 2001). Although this force is sometimes referred to as the 'European rapid reaction force', like NATO it is based on national contributions from member states rather than being a truly supranational 'European army'. In 2004, the EU adopted the further goal of developing battlegroups of approximately 1,500 troops to be deployable within 15 days. Two or three such groups were to be established by 2005, and between seven and nine by 2007. Battlegroups may be formed by one EU member alone, a lead nation with other states contributing niche capabilities or multinationally.

The formally recognised missions of the EU are the so-called Petersberg Tasks: 'humanitarian and rescue tasks, peace-keeping tasks and tasks of combat forces in crisis manage-ment, including peacemaking'. The Petersberg Tasks were an open-ended formulation agreed in the early 1990s, but developments since then suggest that the EU is likely to be engaged in a relatively wide range of peacekeeping, peace-building and humanitarian tasks.

Since 2003, the EU has undertaken a series of military and civilian crisis management operations. As Table 2.3 shows, this has involved two moderately-sized military peacekeeping operations (in Bosnia and the DRC) and a number of smaller operations with an emphasis on civilian or police roles. A number of features are notable. The EU's takeover of the missions in Macedonia and Bosnia from NATO, and speculation that the EU may take over the larger operation in Kosovo from NATO in the next few years, indicates a strategic shift, with the EU replacing NATO as the primary vehicle for peacekeeping on Europe's

---

12 A group of former foreign ministers, including former US Secretary of State Madeleine Albright, has argued that NATO should go significantly further by deploying a brigade-sized element from the NRF to support the AU and seeking UN Security Council authorisation for a no-fly zone over Darfur which NATO would police. See Albright et al. (2005).

13 'The Union must have the capacity for autonomous action, backed up by credible military forces, the means to decide to use them, and a readiness to do so.' European Council, Cologne, 3–4 June 1999, 'Declaration of the European Council on Strengthening the Common European Policy on Security and Defence', in Rutten (2001: 41).

immediate periphery. The EU's operations in Georgia, the DRC, Iraq, Sudan and Aceh suggest that the EU is also likely to play a role in peacekeeping and crisis management beyond Europe. However, the relatively small scale of its operations to date suggests that, short of a direct threat to the Union's collective interests, the EU is unlikely to engage in any much larger operations. The emphasis to date on areas such as policing, justice and security-sector reform also implies that the EU is developing a specialised role in the civilian dimensions of crisis management and peacebuilding, rather than more traditional military forms of peacekeeping or peace enforcement.

2.5 Regionalism in an African context

Africa is a central focus for the evolving relationship between the military and humanitarianism: it faces a larger number of wars, violent conflicts and associated humanitarian crises than any other region of the world; almost all of the new generation of UN peacekeeping operations discussed above are in Africa; and the African Union and African regional groups, in particular the Economic Community of West African States (ECOWAS) and the Southern African Development Community (SADC), have taken significant steps in recent years to strengthen their ability to respond to wars and humanitarian crises with military means.

2.5.1 The African Union
Historically, African states have been reluctant to accept the principle of intervention in states' internal affairs for humanitarian purposes. Of the seven core principles affirmed in the 1963 Organisation of African Unity (OAU) Charter, four sought to prohibit any form of interference – let alone intervention – in the internal affairs of member states. The OAU thus lacked the political will for intervention, as well as the institutional framework and the military means.

By the 1990s, one in four African countries was experiencing intrastate conflicts with severe humanitarian consequences. The need for an indigenous response to the continent's crises – 'African solutions to African problems' – became urgent. An OAU Mechanism for Conflict Prevention, Management and Resolution was established in 1993, but was of no avail in the 1994 genocide in Rwanda. The inability of the OAU to respond effectively, and the UN's difficulties in responding quickly, boosted the role played by regional organisations such as SADC and ECOWAS. This contributed to the idea of a layered response to African crises: an initial response at the regional level, and if unsuccessful further action from the UN and the broader international community. The division of labour was clear: the UN passed resolutions, set up peace operations and funded them, and African countries supplied troops.

The inadequacy of the OAU's institutions led to its replacement by the AU in 2002. This was a turning-point in the history of collective security on the continent. While the AU's Constitutive Act, adopted in July 2002, reaffirms the sovereignty of states and the principle of non-intervention in their internal affairs, it also enshrines the principles of democracy and human rights, as well as 'the right of Member States to request intervention from the Union in order to restore peace and security'. In a ground-breaking move amounting to a conceptual *Aufhebung* in African politics, the Constitutive Act establishes 'the right of the Union to intervene in a Member State … in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity' (AU, 2001: Art. 3, 4).

In terms of security structures, the AU is a complex pyramidal system: at head of state and government level, the AU Assembly meets at least once a year; the AU Executive Council, composed of foreign ministers, also meets at least annually; a Permanent Representatives Committee (PRC) meets at least monthly; and a Peace and Security Council (PSC) meets on an on-going basis. Each member state has one vote in the Assembly, Executive Council and PRC. The AU Commission acts as the Secretariat of the Union, and includes a Commissioner for Peace and Security and a Peace and Security Directorate, incorporating a Conflict Management Centre and a Peace Support Operations Division. The PRC, the PSC and the Commission are based at the AU's headquarters in Addis Ababa, Ethiopia.

The PSC is the AU's 'standing decision-making organ for the prevention, management and resolution of conflicts … a collective security and early warning arrangement to facilitate timely and efficient response to conflict and crisis situations in Africa'. Somewhat akin to the UN Security Council, the PSC is an inner-core decision-making body of 15 AU members, with ten members elected for two-year terms and five for three-year terms. As in other AU organs, decisions are taken on the basis of consensus or a two-thirds majority. The PSC is mandated to undertake peace-making and peacebuilding activities, authorise peace-support operations, recommend to the Assembly intervention in respect of war crimes, genocide and crimes against humanity, institute sanctions against members, develop the AU's common defence policy and take 'appropriate action' if a member's sovereignty or independence is threatened by aggression (AU, 2002). The PSC is supported by a Military Staff Committee, made up of senior military officers, which advises and assists the Council on military requirements and the conduct of operations.

One important aspect of the AU's emerging security role has been increased interest in pan-African defence cooperation, the centrepiece of which is a planned African Standby Force (ASF). In February 2004, AU leaders adopted a Common African Security and Defence Policy (CASDP) which detailed potential common threats and called for collective responses to those threats and

enhanced defence cooperation (AU, 2004: IV(d-g)). In January 2005, AU leaders adopted a Non-Aggression and Common Defence Pact declaring any aggression or threat of aggression against a member to be a threat against them all, committing their states 'to provide mutual assistance towards their common defence and security vis-à-vis any aggression or threats of aggression' and agreeing to establish an African Peace Academy in order to develop an African peace doctrine (AU, 2005).

The planned ASF was mandated in the July 2002 Protocol establishing the PSC, and its modalities were further defined in a May 2003 Policy Framework document. The force's functions will include: observation and monitoring missions; peace support missions; intervention in 'grave circumstances'; preventive deployment, peacebuilding, including post-conflict disarmament and demobilisation; and humanitarian assistance (AU, 2002: Art. 13(3)). Engage-ment in and support of humanitarian action or assistance is viewed as a role for the AU: the PSC is mandated to 'take active part in coordinating and conducting humanitarian action' and the ASF 'shall be adequately equipped to undertake humanitarian activities' (AU, 2002: Art. 15). The force will be based on five brigades to be provided by each of the continent's five regions, modelled on the UN's Standby High Readiness Brigade (SHIRBRIG) concept, providing a total force of about 20,000 military, police and civilian personnel. Member states will provide national contributions to the ASF's regional brigades, based in their countries of origin, ready for deployment at short notice and self-sustaining for an initial period of 60 days. The ASF is planned to be operational by 2010, but this will depend on the ability of member states and the five regions to meet their commitments to the force. The CASDP and the ASF could be important steps towards a more effective African response to the continent's conflicts. However, they face substantial obstacles, in particular the ability of member states to provide the necessary forces.

Since 2002, the AU has undertaken a number of civilian and military crisis management and peacekeeping operations. This has included a small military observer mission to Ethiopia–Eritrea in 2002, and civilian political mediation and/or monitoring missions to Côte d'Ivoire in 2003, the Comoros in 2003–2005 and Somalia in 2004–2005. The AU undertook is first relatively large peacekeeping mission in Burundi in 2003–2004 (the African Mission in Burundi (AMIB)), when nearly 3,000 troops, led by a South African contingent of 1,600 soldiers, were deployed to support a peace agreement prior to the establishment of a larger UN peacekeeping operation.

The crisis in the Darfur region of western Sudan has emerged as a major test for the AU's peacekeeping ambitions. Some 200,000 people have died, and two million have been displaced. Following a ceasefire

agreement in 2004, the AU established a Ceasefire Commission of 130 military observers. In July 2004, an AU summit agreed to deploy an additional 300 soldiers (the African Mission in Sudan (AMIS I)) to protect the ceasefire monitors and, 'within the capacity of the force', the civilian population. The following October, the AU PSC agreed to expand the force to 3,320 troops and civilian police (AMIS II). AMIS II's mandate is to 'protect civilians whom it encounters under imminent threat and in the immediate vicinity … it being understood that the protection of the civilian population is the responsibility of the GoS [Government of Sudan]'. In April 2005, the PSC sanctioned a further expansion of AMIS II to 7,731 personnel. Although AMIS has provided protection to some civilians, attacks have continued. The mission has highlighted the AU's limitations (ICG, 2004, 2005b, 2005c; Wheeler, 2005). Its mandate is both vague and weak, providing neither an unambiguous role in protecting civilians nor the right to use force. Given Sudan's size, the AU force is too small to provide security over such a large area, with observers suggesting that at least 10–12,000 troops, and perhaps as many as 40,000-plus, are necessary. The AU and its member states also lack the capacity to deploy forces rapidly, or to move them quickly within the theatre of operations. The challenges faced by the AU's mission in Darfur were acknowledged in January 2006, when the PSC agreed in principle to a transition from AMIS to a larger UN mission. UN Secretary-General Kofi Annan declared it 'inevitable' that AMIS would be replaced by a larger UN mission with a stronger mandate (PSC, 2006a; PSC, 2006b; MacAskill, 2006).

2.5.2 African regional groups

The growth of cooperation within the different regions of Africa has been one of the most prominent security developments in the continent in recent years. As Table 2.4 illustrates, the main organisations giving substance to this aspiration in the area of peacekeeping have been ECOWAS and SADC.

The record of ECOWAS and SADC in peacekeeping, intervention and related humanitarian activity is mixed. Although established in 1975, ECOWAS did not play a substantial role in conflict resolution and peacekeeping until the 1990s. The ECOWAS Ceasefire Monitoring Group (ECOMOG), a multinational military force, was set up in 1990 in response to the war that broke out in Liberia in 1989. Nigeria dominates ECOWAS, commanding ECOMOG and providing the majority of its troops. While ECOWAS/ ECOMOG has had some significant successes in ending or containing conflicts in West Africa, its troops have been accused of using excessive force, abuse of human rights and criminality.

SADC was established in 1992, building on the earlier Southern African Development Coordination Conference (SADCC). Promoting peace and security are among the

Table 2.4: African regional groups

Group	Members	Date established	Military cooperation	Peacekeeping/intervention operations
ECOWAS/CEDEAO (Economic Community of West African States/Communauté Economique des Etats d'Afrique de l'Ouest)	Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, Togo	1975	Non-Aggression Pact (1978) Protocol for Mutual Defence Assistance (1981) ECOMOG (ECOWAS Ceasefire Monitoring Group) set up in 1990 Western African Regional Brigade as part of ASF	*Liberia (1990–1999):* implementing ceasefire, restoring peace; 20,000 troops *Sierra Leone (1997–2000):* implementing peace agreement; 15,000 troops *Guinea Bissau (1998–2003):* preventing a coup/rebellion, monitoring ceasefire and supervising elections *Côte d'Ivoire (2003):* monitoring ceasefire; 1,400 troops *Liberia (2003):* monitoring ceasefire and paving the way for UN mission; 3,500 troops
SADC (Southern African Development Community)	Angola, Botswana, DRC, Lesotho, Malawi, Mauritius, Seychelles, South Africa, Swaziland, Tanzania, Zambia, Zimbabwe	1992 Superseded SADCC (Southern African Development Coordination Conference)	Mutual Defence Assistance Pact (2003) Southern African Regional Brigade as part of ASF	*Lesotho* (Operation Boleas, *1998–1999):* preventing a coup following disputed elections *DRC (1998):* 3 members – Angola, Namibia and Zimbabwe – intervened to prevent rebel forces from overthrowing President Kabila
ECCAS/CEEAC (Economic Community of Central African States/ Communauté Economique des Etats d'Afrique Centrale)	Angola, Burundi, Cameroon, Central African Republic, Chad, Congo, DRC, Equatorial Guinea, Gabon, Sao Tomé y Principe, Rwanda	1983	FOMAC (Central African Multinational Force/Force Multi-nationale d'Afrique Centrale) 'Gabon 2000', regional peacekeeping exercise Non-Aggression Pact (2004) Central African Regional Brigade as part of ASF	
CEMAC (Central African Economic and Monetary Community/ Communauté Economique et Monétaire d'Afrique Centrale)	Cameroon, Central African Republic, Chad, Congo, Gabon, Equatorial Guinea	1994 Superseded UDEAC (Central Africa Economic and Customs Union/ Union Douanière et Economique d'Afrique Centrale)	Non-Aggression, Solidarity and Mutual Assistance Pact (2004)	*Central African Republic (2002 – Force Multinationale en Centrafrique (FOMUC)):* supervising political reconciliation and elections; 380 troops
IGAD (Inter-Governmental Authority for Development)	Comoros, Djibouti, Eritrea, Ethiopia, Kenya, Somalia, Sudan, Uganda	1996 Superseded IGADD (Inter-Governmental Authority on Drought and Development)	East African Regional Brigade as part of ASF	
AMU/UMA (Arab Maghreb Union/Union du Maghreb Arabe)	Algeria, Libya, Mauritania, Morocco, Tunisia	1989	Council of Common Defence (1990) North African Regional Brigade as part of ASF	

organisation's declared objectives. SADC's institutions and decision-making structures are relatively informal, and have been plagued by disputes amongst members. SADC members have participated in a number of joint peacekeeping exercises. The organisation intervened in Lesotho in 1998 to help prevent a coup and re-establish public order after disputed elections. It did so again in DRC in 1998, when President Kabila asked for its help to prevent rebels from seizing power. In the latter case, however, disagreement among SADC members meant that only three states (Angola, Namibia and Zimbabwe) sent troops, and the operation did not stop the DRC's descent into civil war. SADC includes a number of major, or potentially major, African states – South Africa, Angola, Zimbabwe and the DRC – and therefore has the potential to be an important regional grouping. To date, however, rivalry among its members and institutional weakness has limited its role.

Regional groups have a number of potential advantages as mechanisms for responding to conflicts in Africa. Regional states may have a strong interest in preventing, resolving or containing conflicts in their immediate neighbourhood. It may be easier to reach consensus within a smaller regional group than within the larger AU. Bigger states, such as Nigeria and South Africa, may act as drivers. Logistically, it is more feasible for countries to deploy troops within their immediate region. To date, however, African regionalism has been characterised more by rhetoric than by substance, with the declaration of far-reaching goals often not followed by action. In practice, African regional groups are often characterised by disputes between member states and fears of the aspirations of their larger members. Despite their shared membership of a number of regional groups, Rwanda, Uganda, Angola, Zimbabwe, Namibia and Chad intervened in support of competing sides in the DRC in the late 1990s, exacerbating a conflict in which an estimated four million people died.

Regional groups are viewed as a central part of the overall architecture of the AU, and are the basis for the planned ASF. In practice, however, the exact nature of the relationship between the AU and the African regional groups, and the extent to which it will become an effective partnership, is unclear. Disputes between members of regional groups, for example, may undermine the proposed regional brigades on which the ASF rests.[14] While the AU may give a boost to regionalism, overcoming the limitations of the various regional groups will remain a challenging task.

2.5.3 Challenges for national forces in Africa

The ability of the AU and African regional groups to undertake peacekeeping and intervention operations ulti-

mately depends on the capacity of African states to provide the required military, police and civilian forces. African states are already contributing the majority of forces for UN peacekeeping operations on the continent, as well as the various AU and regional missions. Nevertheless, African states face significant problems in sustaining existing missions and contributing to new forces such as the ASF. In 2004, African states had 2.2 million military personnel, but only about 22,500 of these (about 1%) were involved in peacekeeping operations (IISS, 2004). A small number of states provide the majority of African peacekeepers, including countries with long-standing records of contributing to peacekeeping (such as Ghana, Kenya, Morocco, Nigeria, Senegal and Zambia), but also South Africa and Ethiopia, which have made significant contributions in the last few years. Even these states, however, provide at most a few thousand troops for peacekeeping operations, and would struggle to provide more. The rest of Africa's states, including most of those with the largest militaries, make minimal or at best limited contributions. Beyond simple numbers, African countries face serious problems in terms of the quality and training of military personnel, equipment, logistics and finances. With the exception of South Africa and to a certain extent Nigeria, African armed forces lack the military capabilities to conduct and sustain a successful humanitarian or peace operation on their own.

Since the mid-1990s, African states have been seeking to expand their peacekeeping capabilities. These efforts have helped to underpin the new generation of UN and AU missions. Nevertheless, building up national capacities to contribute to peacekeeping is a slow process. South Africa (Africa's wealthiest country) and Nigeria (its most populous) are usually viewed as the most likely leaders for African peacekeeping. South Africa's post-apartheid governments have made contributing to peacekeeping and military cooperation in Africa, especially in South Africa's immediate neighbourhood, key defence policy goals.[15] Towards this end, the overall size of the armed forces is being reduced in order to redirect resources towards peacekeeping. Having deployed no military forces on peacekeeping or humani-tarian missions throughout the 1990s, over 2,000 South African troops are now involved in such operations, in particular infantry battalions deployed as part of the UN missions in the DRC and Burundi (IISS, 2004: 245). The South African experience indicates what can be achieved by redirecting defence policy towards peacekeeping, but also the relatively slow nature of this process given the resource constraints facing African states.

Nigeria has been the mainstay of the various ECOWAS operations in West Africa. It also makes major contributions to the UN missions in Liberia and Sierra Leone (approxi-

---

14 Rwanda and Sudan, for example, are both troop-contributing countries for the planned East African Brigade (EASBRIG) *Associated Press* (17 August 2004); see also VOA (2004).

15 See *Defence in a Democracy: White Paper on National Defence for the Republic of South Africa*, May 1996, http://www.mil.za/Articles&Papers/Papers/WhitePaperonDef/white.htm; and South African Defence Review, 1998.

Table 2.3: EU peacekeeping and crisis management operations

Operation	Country	Date	Mission/role	Force size
EU Police Mission (EUPM) in Bosnia-Herzegovina	Bosnia-Herzegovina	Jan 2003–Dec 2005	Support development of police	472 police 57 civilians
Operation Concordia	Former Yugoslav Republic of Macedonia	Mar–Dec 2003	Provide security to support peace agreement	357 military
Operation Artemis	Democratic Republic of Congo	June–Sept 2003	Provide stability and security in an area experiencing on-going fighting, prior to deployment of larger UN peacekeeping force	2,000 military
Operation Proxima	Former Yugoslav Republic of Macedonia	Dec 2003–Dec 2005	Support development of police	200 police
EU Rule of Law Mission to Georgia (EUJUST THEMIS)	Georgia	July 2004–July 2005	Support development and reform of criminal justice system	10 civilians, plus local staff
Operation EUFOR - Althea	Bosnia	Dec 2004–	Ensure compliance with peace agreement and support peace process	7,000 military
EU Police Mission in Kinshasa (DRC) - (EUPOL KINSHASA)	Democratic Republic of Congo	April 2005–	Support development of Congolese police	30 police/civilians
EU Advisory and Assistance Mission for Security Reform in the DRC (EUSEC-DRC)	Democratic Republic of Congo	June 2005–June 2006	Advise and assist on security sector reform	8 civilian/police/military
EU Integrated Rule of Law Mission for Iraq (EUJUST LEX)	Iraq	July 2005–July 2006	Training of judiciary, police and prison staff	Training takes place in the EU and in the region; EU liaison office in Baghdad
AMIS EU Supporting Action	Sudan (Darfur)	July 2005–	Advice, assistance, equipment, training and transport for AU Mission in Sudan	Small numbers of advisers and observers
Aceh Monitoring Mission (AMM) – EU jointly with Norway, Switzerland and ASEAN states (Brunei, Malaysia, Philippines, Singapore and Thailand)	Indonesia (Aceh)	September 2005–	Monitor and support implementation of peace agreement	226 civilians (130 from EU, Norway, Switzerland, 96 from ASEAN states)

Sources: Lindstrom (2004: 111–29); ESDP (undated).

mately 1,600 troops in each operation). The Nigerian case highlights some important problems. While Nigeria has naval, amphibious and airlift capacity that can operate within West Africa, these forces are not advanced and Nigeria lacks the capacity to transport its forces further afield in Africa. The Nigerian armed forces also have a poor reputation for human rights and corruption. Although Nigeria is now a (semi-)democracy, the military's long record of intervention in domestic politics does not provide an ideal model for international peacekeeping operations. The Nigerian case suggests that, as African states increase their capacity to contribute to peacekeeping, significant attention will need to be paid to issues such as civil–military relations, respect for human rights and corruption.

As noted earlier, Western states have since the mid-1990s been supporting the development of national peacekeeping capabilities by African states. This has primarily involved providing peacekeeping training for African militaries and sponsoring multilateral peacekeeping exercises. While these efforts have strengthened African peacekeeping capabilities, they have also highlighted a number of problems. Western governments have been reluctant to give equipment to African militaries, so major deficiencies in strategic lift and tactical mobility remain. Western military cooperation with African states is also bedevilled by competition for influence amongst Western countries, especially the US, Britain and France, and by conflicts among and within African states. After 9/11, Western, especially US, military cooperation with African states has been redirected towards counter-terrorism, detracting from the earlier emphasis on peacekeeping.

2.5.4 Africa: conclusion

The creation of the AU, the new generation of UN and AU peacekeeping missions in Africa and the emphasis on regional security cooperation all indicate an increasing willingness and ability on the part of African states to engage in peacekeeping and intervention. The experience of the last decade, however, illustrates the continuing and severe problems involved in putting this into practice. The institutional structures of the AU and the African regional groups are complex works-in-progress, and they often lack clearly defined roles, decision-making mechanisms and military command and control systems. Competition and disputes among African states and outside powers are likely to continue to hamper cooperative approaches to conflict management on the continent. African states face serious constraints in enhancing national peacekeeping capabilities, as well as major challenges in terms of civil–military relations, respect for human rights and corruption. Although the AU has now accepted that state sovereignty is not sacrosanct, there is no consensus on when military intervention may be necessary, and African governments remain deeply sensitive about external interference in their internal affairs. Given that the primary challenge is peace enforce-

ment, rather than traditional peacekeeping, disputes are likely to continue over the use of force. For all of these reasons, African states' ability to solve the continent's peacekeeping problems will remain limited in the short and medium term – hence the UN's continued heavy involvement in the continent, and the ongoing need for Western assistance in peacekeeping.

2.6 Conclusion

This chapter has examined trends in military intervention and military engagement in humanitarian crises, and associated shifts in national defence policies, multilateral security institutions and military doctrines. A complex pattern of engagement by different states and institutions in different crises around the world is emerging. Within this, however, a number of trends can be identified. In the 1990s, the major Western countries engaged in a series of controversial, large-scale interventions where humanitarian imperatives were invoked as part of the justification for action. Post-9/11, the priority of these countries, and especially the United States, has shifted to counter-terrorism, counter-proliferation and 'rogue states', resulting in the interventions in Afghanistan and Iraq. The unique circumstances of these interventions, and the challenges of post-war stabilisation faced by the US and its allies in both cases, suggest that further large-scale interventions of this type are unlikely, at least in the short to medium term. Future counter-terrorism or counter-proliferation operations are likely to be significantly smaller in scale and more limited in scope and duration. The major Western states, and especially the US, are likely to remain reluctant to deploy significant numbers of ground troops in situations where their direct interests are not perceived to be at stake.

Parallel to this, three further trends are discernible: a return to the UN; a shift towards the regionalisation of peacekeeping and intervention; and new forms of Western support for peacekeeping by other regional states and organisations. In the UN's case, a new generation of large peacekeeping operations has emerged, alongside the most serious debate on reform of the UN's structures since the organisation was established 60 years ago. These new-generation operations are taking the UN into the difficult territory of peace enforcement, challenging its capacity and its traditionally 'neutral' modus operandi. The recent agreement to establish a UN Peacebuilding Commission may result in increased UN engagement in a wide range of post-conflict peacebuilding activities.

Second, there is a growing trend towards the regionalisation of conflict management. This has gone furthest in Europe and Africa. In Europe, NATO and the EU have been involved in large-scale peace-enforcement and post-conflict stabilisation operations in the Balkans. Both organisations are now also beginning to engage beyond

Europe, with the NATO peacekeeping operation in Afghanistan and the EU's smaller missions in the DRC, Georgia, Iraq and Aceh, although the extent to which either organisation will be willing or able to undertake further large-scale operations is open to doubt. In Africa, the new generation of UN peacekeeping operations (for which African states are providing the majority of troops), a series of AU missions (in particular that in Sudan) and increased interest in African regional groups is giving at least some substance to the rhetoric of 'African solutions to African problems'. However, Africa confronts major political and practical problems in developing indigenous peacekeeping and conflict-management capabilities. Although similar trends are discernible in other regions, a variety of factors have made states less willing to endorse or engage in regional peacekeeping or intervention operations.

Third, given Western reluctance to deploy large numbers of ground troops in situations where major national interests are not deemed to be at stake, new forms of Western support for peacekeeping by other states and regional organisations are emerging. This has a number of dimensions. In some cases, as with the UK in Sierra Leone and the EU/France in the DRC, Western states have deployed forces in order to stabilise situations and pave the way for longer-term peacekeeping missions by other countries. In other cases, such as US support for the ECOMIL operation in Liberia and

NATO's assistance to the AU in Sudan, Western states and/or organisations have provided operational help to other countries and regional organisations. Additionally, Western states are assisting in the development of other countries' peacekeeping capabilities by providing advice, training and limited amounts of equipment, as well as sponsoring multilateral peacekeeping exercises. Although these various forms of Western support may be viewed as positive contributions towards the goal of developing indigenous regional peacekeeping capabilities, they also raise problematic issues to do with the division of labour and political control. There is also the more fundamental question of whether this is an adequate response to the problem of peacekeeping in general, and conflict in particular.

While military force should not be regarded as the first or only response to such situations, there is a powerful case that it can play a central role in preventing the worst abuses of civilians, ending some conflicts and stabilising post-conflict situations. The danger in the trends identified in this chapter is that there will be a major gap between the reluctance of Western states to deploy ground troops in many crises, and the ability of the UN and regional states and organisations to respond to these crises. The millions who have died in the DRC, and the on-going death and suffering in Darfur, indicate the likely consequences of this gap.

Chapter 3
The changing role of the military in assistance strategies

Stuart Gordon, Sandhurst Royal Military Academy

The 'Global War on Terror' and resultant shift in the international security paradigm have reignited debates over the ways in which states employ the military in the pursuit of strategic and humanitarian goals. In the wake of 9/11 some Western countries, especially the United States, have stressed the strategic and force-protection benefits of assistance and reconstruction as part of broader military strategies, most visibly in Afghanistan and Iraq. For the humanitarian community, the militarisation of emergency response raises important questions to do with the impartiality, efficiency and quality of assistance programmes. Consequently, there have been increasingly vocal calls for much clearer distinctions between the various strands of an international intervention. Humanitarian actors have long recognised the need to engage with all sorts of militaries, from regular armies to militias such as the Sudanese Janjaweed and the Sierra Leonean Revolutionary United Front. However, working alongside Western or UN forces who may also effectively be parties to the conflict has given rise to significant policy and operational challenges.

This chapter explores recent trends in the militarisation of international responses. It looks at the impact of the 'coherence' debate on the mainstreaming of civil–military coordination capacities. Based on this analysis, it then reviews two models of civil–military engagement: Provincial Reconstruction Teams (PRTs) and UN Integrated Missions. The key conclusion of the chapter is that, whilst political, military and humanitarian actors are increasingly required to 'interact', this does not equate to the 'integration' of responses. There needs to be much greater clarity about the objectives of humanitarian action, more predictability in the way states and international organisations respond to emergencies and more effective leadership in each policy area. This should be underwritten by a much clearer recognition that leadership and interaction do not entail the subordination of humanitarian and human rights principles to political imperatives.

3.1 The challenge of coherence

The invasions of Afghanistan and Iraq have dramatically increased the role of humanitarian assistance in the stabilisation of failed states. This has in turn led to an increasingly strident, albeit contentious, reassertion of the role of assistance in peacebuilding strategies, and renewed calls for greater policy 'coherence', particularly within the US and the UK.

The term 'coherence' has a variety of meanings. Development Assistance Committee (DAC) Poverty Guidelines, for example, define it as the 'systematic promotion of mutually reinforcing policies across government departments and agencies creating synergies towards achieving the defined objective'. Others stress its value in ensuring complementarity across policy responses (Lockhart, 2005). Picciotto et al. (2004) provide a broader interpretation, and identify four dimensions:

> the first, referring to the internal consistency within the aid programmes of donors; the second called 'whole of government' coherence, referring to the consistency between the aid and non-aid policies of a donor government; the third to the consistency between the aid and non-aid policies across donor countries (harmonisation); and the last to consistency between a donor government policy and the overarching strategy at a country level (also referred to as alignment).

Coherence is also pursued at different levels. Some organisations see it in terms of strategy-setting responses; both the UN and the European Union (EU) call for 'interlinkages between relief, recovery and reconstruction' (Lockhart, 2005). The UN has also sought to increase policy coherence in terms of planning and strategy, developing initiatives including peacekeeping mission planning structures and theatre-level 'integrated mission structures'. At the national level, Sweden has adopted legislation requiring a range of ministries (including defence, immigration, finance, agriculture, environment, education, social welfare, public health, industry and employment) to contribute to the related goals of 'equitable and sustainable development' (Lockhart, 2005). Canada's '3D' model of strategically coordinated defence, diplomatic and development responses also falls within this category. The Dutch government's approach combines diplomacy, political dialogue and pressure, security policy, trade, market access and development cooperation (Netherlands, 2003). Both the Canadian and Dutch initiatives are supported by central funding arrangements largely drawn from diplomatic and aid budgets, but designed to facilitate speedy responses in conflict-affected states. Similar arrangements have been developed by the UK, Australia and Norway. 'Coherence' has also been sought at the operational level; the US, for example, has tried to coordinate its responses in Iraq and Afghanistan through Reconstruction Groups.

3.1.1 Coherence and civilianising responses

The 'coherence' debate has highlighted the need for civilian as well as military responses to state failure, especially in the immediate post-conflict period. The US and the UK in particular are developing more civilianised structures for planning, coordinating and, to a significant extent, delivering immediate aid for key institutions and public services. The most visible aspects of these efforts are the State Department's Office of the Co-ordinator for Reconstruction and Stabilisation (S/CRS) and the UK's Post Conflict Reconstruction Unit (PCRU). The EU has also developed civilian crisis management capabilities. These initiatives were driven by two realisations, both arising from experiences in Kosovo: first, that the military's warfighting capacity did not meet policing and civil administration needs in post-conflict environments; and second, that this slowed progress towards stability. The failure of post-conflict stabilisation planning in Iraq has further invigorated thinking in this area.

The lack of civilian capabilities in the wake of conflict has contributed to a range of difficulties: frequent failures to engage early and effectively in crises; military and civilian ignorance of humanitarian principles and best practice; excessive or inappropriate military roles; the unpredictable engagement of different government ministries and poorly-managed transitions from military to civilian responsibility. New structures may ameliorate some of these problems and reduce the institutional unpredictability that has character-ised national and international responses. Nevertheless, significant challenges to implementation remain.

3.1.2 The US response

The development of US civilian-led 'stabilisation' capabilities is largely a response to perceived failures in Iraq. Iraq was clearly not without precedents: the US had faced similar challenges in Somalia, Haiti, Kosovo and Afghanistan, and had conducted six major nation-building programmes in little over 12 years. During several of these interventions, the international community confronted remarkably similar problems: the near or total collapse of state authority and institutions and a critical security vacuum, leading to loss of life and 'often extensive damage to infrastructure, and higher eventual costs for reconstruction and stabilization' (Dobbins, 2004).

In fact, it was precisely America's experience of nation-building in the past that contributed to its difficulties in Iraq. In Somalia, the US military became involved in supporting the delivery of humanitarian assistance and 'road and bridge building, well-digging, and the establishment of schools and hospitals'. Similarly, in Haiti the US military became directly involved in 'revamping the police, judicial, and prison systems as part of their primary task of establishing security' (Serafino, 2004). However, the perceived failure of both missions stigmatised US military involvement in missions

with significant nation-building components, resulting in what Dobbins (2004) describes as 'institutional resistance in the departments of State and Defense, neither of which regards nation-building among their core missions'. Dobbins concludes that this has contributed to a failure to institutionalise lessons.

Such difficulties have been compounded by an almost visceral dislike of the related tasks of peacekeeping, stabilisation and reconstruction among senior US military commanders. Often, their arguments are based on the idea that warfighting cultivates skills that are incompatible with peacekeeping, which emphasises restraint rather than overwhelming force. Similarly, in the context of Cold War reductions, peacekeeping was frequently viewed as an expensive diversion from core military missions, and as placing too great a burden on the army, degrading equipment and making it more difficult to retain personnel. As a result, the US has under-invested in the necessary capabilities; where they do exist (in civil affairs, for instance), they are relegated to the relative backwaters of reserve units or special forces commands with a fundamentally different ethos and interests.

The interaction between government departments has reflected this lack of institutional ownership, commitment or responsibility. Following the intervention in Somalia, the Defense Department (DoD) drew back from nation-building to the extent that the State Department often assumed functions more properly the DoD's, such as directing demobilisation and disarmament (Pascual, 2004). In Iraq, by contrast, the DoD has taken on responsibility for a wide range of civilian tasks in which the State Department enjoyed an obvious comparative advantage. In the absence of an enduring framework for the management of stabilisation operations, neither the State Department nor the DoD prepared fully in an institutional sense.

Within military circles, the debate over the nature of US involvement in nation-building has fed into the process of reconfiguring the military to deal more appropriately with the specifically military challenges posed by global terrorism, such as deployability and sustainability. In May 2004, the US Joint Chiefs of Staff approved a new national military strategy encompassing a fundamental reorganisation of the army, and stressing the interconnection of combat and stabilisation operations (Shanker, 2004). However, this is likely to meet continued resistance from a majority who view *warfighting* as essentially sufficient for *war-winning*. In the continued absence of sufficiently senior and institutionalised focal points within DoD generally, and in particular in the Office of the Secretary of Defense and the Organisation of the Joint Chiefs of Staff (Benshael et al., 2005), the strategy represents more of a plea for a change in ethos than a genuine attempt to institutionalise capabilities in civil relations and nation-building. Furthermore, DoD has

still to address 'a series of critical questions regarding the size and structure of the armed forces'. The US army in particular has been overstretched by extended deployments in Afghanistan and Iraq; despite a temporary increase in numbers, it is too small and lacks sufficient specialist troops (ibid.).

Serafino (2004) argues that these issues have informed broader Congressional debates relating to the suitability and desirability of using US troops in stabilisation missions, and what constitutes an appropriate division of labour between the US military, other government departments, allies and international institutions. A key component of this debate has been legislation designed to institutionalise post-conflict responses, particularly through the creation of the S/CRS in July 2004. The S/CRS is charged with managing 'resources, planning, and development of policy options to respond to failing, failed, and post-conflict states' (Serafino, 2004). Its specific mission is to:

> Lead, coordinate, and institutionalize US Government capacity to prevent or prepare for post-conflict situations, and to help stabilize and reconstruct societies in transition from conflict or civil strife so they can reach a sustainable path toward peace, democracy and a market economy (State Department, 2004).

The S/CRS is intended to be both a coordination structure and a vehicle for mobilising a wide range of civilian crisis-response capacities. However, it faces a number of challenges, not least lukewarm Congressional support and limited funding. Liberals in Congress feel uncomfortable developing capabilities that might encourage further foreign adventures, while conservatives have proved unwilling to support what might be an open-ended expense. There are also potential problems in terms of the S/CRS' relationships with the DoD and with the UN. Consequently, it has been questioned whether the S/CRS has 'the necessary capacity and bureaucratic heft to play a strong interagency management and external co-ordination role' (Benshael et al., 2005); arguably, a more far-reaching attempt is required to institutionalise responsibilities and capacities by creating appropriately senior focal points throughout government – including in the National Security Adviser's Office, the National Security Council, DoD, the State Department, the US Agency for International Development (USAID) and the Office of Transition Initiatives.

3.1.3 The UK approach
The UK has behaved in a similar way to the US, and for essentially the same reasons. Mirroring the S/CRS' emphasis on coordination, the UK is establishing a cross-departmental planning capability within the Prime Minister's Strategy Unit to develop 'long-term preventative approaches' for stabilising unstable states. The Foreign Secretary will also chair a new Cabinet Sub-Committee on Post-Conflict Reconstruction. In addition, the cross-departmental PCRU, involving the Foreign and Commonwealth Office (FCO), the Department for International Development (DFID) and the Ministry of Defence (MOD), will deal with responses in the immediate post-conflict period, particularly those which include military and civilian components. In due course, the PCRU is also likely to respond to broader reconstruction needs where there is no military response, and is expected to develop an emphasis on stabilisation rather than reconstruction. The PCRU is envisaged as providing a surge capacity of up to 400 civilian advisers able to deploy internationally to support the recovery of key institutions and public services in the wake of state failure or conflict. It is also likely to engage in limited forms of capacity-building.

Elsewhere within the UK government, DFID is seeking to create 'Civil–Military Humanitarian Advisers' (HUMADs) and Development Advisers (DAs) to support the senior British military commander in the field, and to advise military civil affairs/CIMIC staff officers. In purely practical terms, this system has worked well in Afghanistan and Iraq, although at times there were perceived tensions between HUMADs/DAs and the objectives of the military. However, at the very least the presence of a HUMAD/DA imparts a greater sense of technical competence to the framing and management of military 'hearts and minds' projects (which are frequently community-based relief or reconstruction projects organised and/or delivered by soldiers) and reconstruction projects, where these are implemented in sectors of civilian humanitarian and development expertise. Results are, however, dependent on the quality of the HUMAD/DA and the relationships that they, as outsiders in military units, are able to create. They are also likely to be appointed relatively late on, and may therefore find it difficult to influence the military planning process.

3.2 Coherence between humanitarian and military responses

As the proximity between humanitarian and military organisations has increased, many humanitarian agencies have sought to increase their peacetime interaction with military forces on the assumption that this will increase the military's respect for humanitarian principles and expertise. The profusion of civil–military guidelines and engagement in national humanitarian–military fora, such as the UK NGO–Military Contact Group, reflect this assumption (IASC, 2004). However, the 'new humanitarianism' (Macrae, 2002a) has led many senior Western soldiers to conclude that humanitarian assistance is not a politically neutral activity. Rather, it is a tool for terminating conflict, cementing peace, relieving suffering, providing a constituency to which unspecified military responsibilities can be transferred and easing the military's departure from conflict zones. This view has been reinforced by the collaborative and 'pragmatic' attitudes of

some NGOs. This, and a general ignorance of civil–military guidelines amongst militaries (and many humanitarians), has led to an exaggerated sense of shared objectives. In effect, most militaries have overestimated the extent to which humanitarian 'objectives' are linked to their own.

3.2.1 Changing military roles?

These trends have led to an apparent mainstreaming of CIMIC capabilities within many militaries and in NATO, UN and EU missions. North American and European militaries have developed specialist 'civil affairs' troops and structures, and have broadened the role of combat troops in these areas. North American and European operational approaches to CIMIC initially focused upon theatre-level coordination mechanisms; the industry standard became the 'Civil–Military Operations Centre' (CMOC) (US DoD 1996; 2001a; 2001b). These have become the primary means for institutionalising civil–military cooperation across the spectrum of military operations at the theatre level; seven have been deployed in Baghdad alone. Nevertheless, CMOCs are only one of a range of related military-led structures, including Humanitarian Assistance Co-ordination Centres (HACCs), Humanitarian Operations Centres (HOCs)/ Assistance Centres (ACs) and Civil–Military Co-operation Centres (CIMIC Centres).

Despite almost infinite variety in staffing, approach and services offered, these organisations have tended, at least in their earlier iterations, to share the idea that they are essentially vehicles for the exchange of information between NGOs, international organisations and the military, with varying degrees of provision for host-nation and civil community interaction. However, driven by 'force protection' imperatives and the paucity of national and international civilianised crisis management capacities, CMOCs and their relatives have increasingly engaged in the direct provision of 'services' and 'Quick Impact Projects' (QIPs) intended to facilitate peacebuilding, stabilisation and hearts and minds work. Favourite projects have included school and clinic reconstruction projects, and building village wells.

The role of QIPs

Although QIPs are increasingly associated with military-led projects, they are not an exclusively military phenomenon. Numerous agencies, including the International Organisation for Migration (IOM), UNHCR, USAID and DFID, use them as part of their recovery and stabilisation programming. Many donors provide QIP funding through their own militaries (as well as through civilian departments such as DFID) as part of dual-track force protection and stabilisation/development strategies.

Military involvement in QIPs began in the early 1990s, largely in the Balkans. They were viewed as providing force-protection benefits, whilst enabling soldiers, in the absence of civilian capabilities, to facilitate the restoration of essential public infrastructure, such as water and gas supplies (as in Sarajevo). Subsequently, most national militaries have developed QIP capabilities. QIPs are enshrined in several military doctrines; the British, for example, stress that they 'should contribute to the creation of a more normal and therefore secure environment, and can shape local perceptions. As a result, such activity may well generate a positive Force Protection spin-off' (UK, 2003). Generally, QIPs employ development ministry funds; in the US, they also use funding derived from the Department of Defense.

QIPs have proved controversial. Supporters highlight their perceived, but largely unmeasured, force-protection benefits; detractors stress the absence of a requirement for impartiality and their capacity to blur the distinction between military and humanitarian action. There are also criticisms of the military's competence in managing QIPs, particularly community-based projects. Largely as a consequence, in UN peace missions humanitarian staff are frequently given a greater degree of oversight in the QIP approval process (Eide et al., 2005). In the UK, DFID operates within constraints imposed by the International Development Act (2002), which specifically forbids the use of DFID funds 'for projects designed to support a "hearts and minds" campaign or for force protection purposes alone. DFID welcomes these and secondary benefits but to be eligible for DFID funds projects must first and foremost address a need and/or contribute to the promotion of stabilisation and recovery' (DFID, 2005). DFID's draft QIP criteria are that the project: meets urgent humanitarian and/or stabilisation and reconstruction needs; contributes to the resumption of normal life in post-conflict societies; promotes employment and boosting the economy; and visibly demonstrates the benefits of peace (ibid.).

Operational approaches have also begun to favour a greater degree of civilian oversight. For example, New Zealand military QIP projects in Afghanistan are supervised by the country's aid agency, NZAID, whilst UK doctrine suggests that the presence of a DFID humanitarian adviser in a military headquarters can contribute to meeting military needs, ensuring that humanitarian imperatives are accommodated and making effective use of funds (UK, 2003).

The draft DFID policy framework for funding military projects is based on need and specific circumstances (for example, the role of the military, the capacity of civilian organisations or stabilisation requirements). DFID encourages the British military to apply its guidelines irrespective of whether DFID is funding the QIP. It also seeks to limit military involvement to 'geographic and technical areas in which [the military] has a comparative advantage'. This is largely defined in terms of the direct provision of security, facilitating security sector reform and

logistics support or, in exceptional circumstances, the direct provision of assistance as a last resort.

Coordinating military QIPs with humanitarian programmes is likely to remain difficult. QIP funding is often provided bilaterally by governments, through their own military forces, and rarely in coordination with multinational or UN headquarters.

3.2.2 Typologies of military structures

There are a range of structures through which the military manages relations with the humanitarian community. Thus, the UK-based NGO–Military Contact Group has helped to encourage recognition of humanitarian principles in British military peace support operations doctrine. The Contact Group is perhaps the most developed and institutionalised of the small number of usually *ad hoc*, nationally-based groups that focus on policy and strategic-level dialogue. Whilst valuable, military participation is generally confined to the authors of military doctrine, and there is only limited scope to directly shape specific operational responses.

The Kabul-based NGO–Military Working Group handles strategic and operational issues specific to the Afghan theatre. The humanitarian community is able to deal with commanders responsible for CIMIC and civil affairs, whilst humanitarian participants seek to introduce respect for humanitarian principles generally, advocate on specific issues and deal with practical problems of information sharing and tactical responses to a range of issues. The US-led coalition's Kuwait-based Humanitarian Operations Centre (HOC) and, from April 2003, the Baghdad-based Iraqi Assistance Centre (IAC) have sought to fulfil similar roles in Iraq.

The principal failing of such field-level structures is that they often do not engage humanitarian agencies early enough in the crisis to provide them with an opportunity to influence military responses and strategies. This often generates considerable annoyance among humanitarians who try to use these bodies (often inappropriately) as forums for advocacy. Unsurprisingly perhaps, humanitarians often become frustrated at their lack of impact, and conclude that such structures obstruct and obfuscate, whilst also seeking to instrumentalise the humanitarian response. These structures are also frustratingly fluid. For example, in 2003 the IAC and the Jordan-based Humanitarian Assistance Co-ordination Centre (HACC) were both in operation, at different times, on different issues and with varying levels of success. The IAC dealt with issues as diverse as the procedures for opening Baghdad airport to humanitarian traffic, highlighting the problems facing Iraqi women and coordinating military needs assessment data.

3.2.3 The evolving profession of arms?

Changes in the military's roles in post-conflict environments derive from both 'demand pull' and 'supply push'

factors. The former are the result of political pressure to respond visibly to humanitarian crises, or to legitimise controversial deployments; the latter can arise from a commander's desire to keep his troops occupied. Equally, governments, in the absence of civilian capabilities, sometimes view their military contingents as the 'most secure vehicle through which to channel and target aid or even become involved in other civil aspects of peace building' (Payne, 2004); nearly £30 million of funding was provided through the UK military in the immediate post-conflict phase in Iraq. Furthermore, CIMIC is increasingly instrumentalised by commanders as a component of 'information operations' (psychological and media operations) and information-gathering, and is increasingly coordinated with combat operations. In part, this is being driven by changes in military doctrine, particularly the US and British military's adoption of an approach called 'Effects Based Operations' (EBO).[1]

EBO offers commanders a different approach to targeting. Rather than lists of targets in terms of enemy platforms, objectives are increasingly defined in terms of the effect to be achieved upon the enemy's 'systemic cohesion'. This generates considerable pressure on commanders to find ways of effecting change in the enemy's behaviour or attitudes (and those of the population from which it draws support) through identifying vulnerabilities and tools that can exploit them. Commanders are likely to view CMOC structures as providing access to non-military 'tools' (such as humanitarian organisations) that can effect attitudinal change within the enemy population. Although EBO is a product of theorising about high-intensity warfare, it has found immediate utility in post-conflict stabilisation and peace-support doctrine. The US sees EBO as useful across the spectrum of operational responses, from 'humanitarian relief operations' to high-intensity combat. For states anxious to maintain operational relationships with the US, familiarity with, and adoption of, US military principles is essential. This is likely to ensure the spread of EBO thinking to other allies. The implications of EBO for independent and impartial humanitarian action and the instrumentalisation of assistance are both profound and obvious.

Such threats to humanitarian independence are heightened by the general failure of military doctrines to adequately safeguard the concept of 'humanitarian space'. For example, NATO defines CIMIC as: 'The co-ordination and co-operation, *in support of the mission* [emphasis added], between the NATO Commander and civil actors, including national populations and local authorities, as well as international, national and non-governmental organisations and agencies' (NATO, 2003). This is frequently interpreted as emphasising

---

1 EBO is derived from air power theory, and criticism of the failure of strategic bombing to deliver a decisive war-winning capability with limited support from ground forces. The concept has fallen on fertile ground as Western militaries have attempted to derive increasingly sophisticated results from the application of military force.

the primacy of the mission, rather than the maintenance of humanitarian space. Similarly, whilst NATO's policy does not require its troops to engage directly in humanitarian action, it does not specifically preclude this, implying that, in any clash between the humanitarian imperative and the mission, the latter will prevail. NATO CIMIC staff are also developing mechanisms for generating 'collective strategies' for inter-agency planning with humanitarian agencies. Whilst this may be unrealistic, an institutionalised coordination mechanism that enables pre-deployment interaction at the strategy and mission formulation stage may go some way to removing the frustrations engendered by most military coordination structures.

NATO's mission-focused approach is largely echoed within national doctrines. The US employs the term 'civil affairs' to cover:

> activities that military commanders take to establish and maintain relations between their forces and the civil authorities and general population, resources, and institutions in friendly, neutral, or hostile areas where their forces are employed. Commanders plan and conduct CA activities to facilitate military operations and help achieve politico-military objectives derived from US national security interests (US DoD, 1996; 2001a; 2001b).

This involves the active shaping of the civil environment largely in support of a commander's mission, making provision for a role in governmental and administrative functions as well as basic service delivery, including the direct provision of humanitarian assistance if it is seen as necessary.

Despite the dominance of the mission within NATO, some member states have pursued slightly different approaches to CIMIC. France, for example, defines civil–military action as 'an operational function implemented by the armed forces in order to optimise their interaction with the civilian environment and to facilitate the accomplishment of civilian and military objectives in order to achieve the final end state' (French MOD, 2002). This implies that there may be separate 'civilian' objectives that have a legitimate status.

The particular need to emphasise the protection of humanitarian space is encapsulated in OCHA's virtual abandonment of the term 'CIMIC', adopting in its place the far less intrusive concept of 'Humanitarian Civil–Military Co-ordination', or CMCoord. OCHA defines CMCoord as:

> The essential dialogue and interaction between civilian and military actors in humanitarian emergencies that is necessary to protect and promote humanitarian principles, avoid competition, minimize inconsistency, and when appropriate pursue common goals. Basic strategies range from coexistence to cooperation. Coordination is a shared responsibility facilitated by liaison and common training (OCHA, 2003).

Within the UN, the importance assigned to the maintenance of humanitarian space varies. The headline definition adopted by the Department of Peacekeeping Operations (DPKO) downplays the possibility of military encroachment upon humanitarian space, and defines CIMIC in terms of a 'system of interaction' involving:

> exchange of information, negotiation, de-confliction, mutual support, and planning at all levels between military elements and humanitarian organizations, development organizations, or the local civilian population, to achieve respective objectives (DPKO, 2002).

Even sophisticated militaries fail to understand the humanitarian agenda, or to routinely apply the various civil–military guidelines that exist (IASC, 2004). These military failures are often matched by a failure among humanitarian organisations to promote the issues in a uniform way. This is partly a function of the way that multi-mandate agencies combine emergency-based, 'principled' assistance with developmental/state-building approaches. Furthermore, humanitarian staff frequently presume that cooperation with the military will lead to better assistance outcomes, the maintenance of humanitarian space and improved protection for the civilian population – almost regardless of the mandate under which the military is operating, and the point and level at which they engage in discussions with soldiers.

Despite these difficulties, much CIMIC activity is beneficial, and there is a clear need to differentiate between the appropriate and the inappropriate. Under the Fourth Geneva Convention and the Hague Rules, militaries have clear obligations towards the civil population. CIMIC activity which discharges these obligations, or which facilitates the work of other organisations in pursuit of them, is clearly beneficial. Equally, some CIMIC projects, such as a project distributing footballs to Iraqi children in Baghdad in May 2003, potentially have little or no impact on humanitarian agencies. It may be that militarised assistance, under civilian control, in circumstances where the humanitarian community cannot respond on the scale or in the timeframe required, is also beneficial. Most guidelines on humanitarian–military cooperation in conflict generally recognise the principle of civilian control, with military involvement in humanitarian assistance in extremis, and accept certain military responsibilities under IHL. However, the military's lack of familiarity with both the limits to military participation in humanitarian action and the military's specific obligations under IHL has been problematic, particularly in Afghanistan and Iraq. Equally, problems have emerged where the military is simultaneously engaged as a belligerent and as a major party in the state-building process.

3.2.4 EU military–civilian coordination modalities

The EU has perhaps been most successful in developing relations between the politico-military and humanitarian aspects of interventions. Coordination modalities focus on the internal coordination of EU agencies as a prerequisite for external cooperation with other institutions in the field. The former is referred to as Civil Military Coordination (CMCO). The latter falls under the conventional CIMIC label. Although this approach emerged before corresponding national approaches, the actual mechanisms for CMCO are complex and still under development.

Within the EU, CIMIC is distinct from CMCO, and is an externally-oriented function covering cooperation between an EU-led military force and external civilian organisations. In most respects, the EU's CIMIC doctrine appears to mirror NATO's, in particular in its emphasis on support to the military force (SMF), civil–military liaison (CML) and support to the civil environment (SCE). This is perhaps unsurprising given NATO's significant role in its development, and the need to ensure inter-operability between NATO and EU contingents. Nonetheless, while the EU has borrowed heavily from NATO, its operational experiences have not generated the same levels of controversy, reflecting the relative military simplicity of EU missions, which have broadly fallen under three headings: policing, military stabilisation and support for the rule of law. The EU's first operation, the EU Police Mission (EUPM), was essentially a police training mission in Bosnia. *Operation Concordia* in Macedonia was a military observation mission, whilst *Proxima*, another civil police mission, deployed to Macedonia with a mandate only marginally more challenging than the EUPM. *Operation Themis*, the EU's first rule of law of mission, was launched in Georgia on 16 July 2004, and was mandated to assist in reforming the criminal justice sector through monitoring and mentoring ministers and senior officials. With the exception of *Operation Artemis* in the DRC – a high-intensity but short military operation – the military missions in which the EU has engaged have presented few of the challenges currently associated with, for example, Afghanistan. In each case, the EU has deployed into comparatively stable environments in which 'humanitarian space' is not a particularly salient issue; where it was, as was the case in *Operation Artemis*, the EU force was widely viewed as being instrumental in providing it. Furthermore, these missions have enjoyed a clarity of purpose not available to NATO, serving to reduce the potential for controversy and overlap with humanitarian assistance activities.

Artemis provides a good example of this. It involved very few CIMIC 'projects', focusing instead on the creation of a stable environment and liaison with the civilian and humanitarian community, in particular in the provision of security and headline needs assessment information. Ellner (2004) has argued that the humanitarian community 'considered the management of civil–military relations to have been one of the particularly successful aspects of the operation'. The limited duration and nature of the mission did not test either the depth or the sustainability of the EU's military capabilities, while the reliance on French military structures did not compel the EU to test its CIMIC or CMCO approaches in the way that an operation of the complexity and duration of NATO's mission in Afghanistan would have done. In this sense, the more militarily complex and robust EU missions become, the greater the probability that individual nations, rather than the EU itself, will provide the operational military control and frameworks for detailed political direction.[2] While some of the same issues may emerge in future *Artemis*-type operations, EU interventions will potentially be far less militarised than those by the US or NATO, for example, and the Union's focus on a limited range of tasks may present fewer challenges in terms of humanitarian space.

3.2.5 Conclusion

The instrumentalisation of aid has brought the military and aid communities together in new ways, and has given rise to significant challenges. Militaries have recognised what they frequently describe as the 'civil' dimension, increasingly moving into the provision of services – for force protection, conflict legitimisation and EBO, as well as in efforts to stabilise post-conflict situations and resuscitate essential utilities. Nevertheless, military concepts of CIMIC see it as a largely externally oriented activity designed, at least at theatre level and below, to deal with local political authorities and international and national NGOs. Largely predicated on obtaining support for a military mission, its greatest weakness has been its limited or inappropriate contribution to any of the forms of 'coherence' outlined by Picciotto et al. (2004), namely securing internal consistency within the aid programmes of donors; consistency between the aid and non-aid policies of a donor government; consistency between aid and non-aid policies across donor countries; and consistency between a donor government's policy and the overarching strategy at a country level. CIMIC has tended to sit apart from these frameworks; at times, military CIMIC 'specialists' have pursued inappropriate, ill-informed or counter-productive policies. Humanitarian staff have been frustrated in their expectation that CIMIC would provide genuine scope for more strategic forms of cooperation. Partly as a response to the often vitriolic debates that have arisen, governments have invested both in enhancing CIMIC capabilities and military–humanitarian guidelines, and seeking to institutionalise civilian capacities. Conversely, however, the interventions in Iraq and particularly in Afghanistan appear to represent a very different trend, one in which military-led structures seem to dominate the provision of assistance.

---

2 Despite a tendency to take complex problems away from EU structures, the CFSP process did play a role in *Artemis*, with EU diplomacy obtaining the use of the Entebbe airfield in Uganda as a staging ground for the operation, and gaining consent for the deployment from Rwanda and Uganda – a precondition for France deploying the force. UN Peacekeeping Best Practices Unit, Military Divisions (2004: 12).

3.3 Provincial Reconstruction Teams: trends and challenges

3.3.1 Introduction

The dominant civil–military model in Afghanistan is the PRT, first unveiled by the US in November 2002 as part of the transition from warfighting to 'stabilisation and reconstruction' operations.[3] PRTs are responsible for a significant number of reconstruction and assistance projects (Sharp, 2004). Deemed a success by the military, PRTs may be exported to other theatres.

The first PRT began operations in Afghanistan in December 2002. The *PRT Working Principles Document* of February 2003 identified three areas of activity: security, central government support and reconstruction. In effect, the original mission was to support the extension of governmental authority and contribute to the provision of security. In addition, it was envisaged that PRTs would engage in relief operations in certain circumstances. PRTs comprise between several dozen and over 300 personnel. There is no single organisational model, nor do PRTs operate in consistent ways. Whilst there is significant variation in size and function, there tends to be a degree of structural commonality. Most PRTs comprise an HQ section, logistics, CA/CIMIC sections, military observer teams, civilian reconstruction staff (largely drawn from national development ministries) and the normal range of support capabilities – security, logistics, engineers and interpreters (Sharp, 2004).

PRTs have been controversial from the start. Humanitarian organisations resisted the immersion of assistance strategies within political and security frameworks, and the apparent usurpation of the coordination role of the UN's Afghan assistance mission, UNAMA. The PRTs' simultaneous engagement in supporting combat operations and providing assistance seemed to blur the distinction between humanitarian and politico-military responses (Stapleton, 2003b). Senior coalition military staff referred to the PRTs as 'coordinating' humanitarian actors although, in the face of sustained objections from the humanitarian community, most subsequently backed away from such statements.

Kleinman (2005) and Stapleton (2003a and 2003b) provide useful summaries of NGOs' objections to PRTs. Many argue that their assistance duplicates NGO services less effectively and less efficiently, competes for funding and, as a consequence of a lack of training and expertise, increases the probability of creating potentially harmful side effects of aid, and damages NGOs' relationships with locals. NGO critics conclude that the PRTs' apparently politically-driven approach to assistance is fundamentally

at odds with the principles upon which humanitarian assistance should be based, namely that it should be provided in an independent and impartial manner and on the basis of need alone. At the same time, some NGOs argue that the coalition and ISAF have failed to enhance security substantially, or to contribute to the strategic goal of extending 'governance'. Such criticism is not, however, universal, and NGOs as a whole have not adopted a consistent position on the PRTs. The picture is further clouded by the lack of objective evaluations of how PRTs have performed, and in particular their impact on humanitarian or security outcomes.

There are significant differences between the PRTs operated by NATO, and those run as part of the US-led *Operation Enduring Freedom* (OEF). These differences reflect the fact that the US operation is a combat mission, whereas NATO's ISAF operates under a peacebuilding mandate. The various NATO PRTs also show marked variations in other ways; they tend to reflect the nationality and personality of their commanders, as well as national security and reconstruction agendas. They also operate in very different locations, and face different security challenges. Variation is most marked in terms of the size and composition of the PRT, the impact of force protection measures (specifically the use of assistance in the pursuit of acceptance strategies and psychological operations), the balance between security and reconstruction efforts and the relative autonomy of the civilian PRT elements.

Table 3.1: PRTs in Afghanistan[4]

OEF PRTs (date activated)	ISAF PRTs (lead nation)
Asadabad (2004)	Maymena (United Kingdom)
Bamiyan (New Zealand, 2003)	Mazar-e-Sharif (United Kingdom)
Charikar (with South Korea, 2003)	Kunduz (Germany)
Farah (2004)	Feyzabad (Germany)
Gardez (2003)	Pul-I-Komri (Netherlands)
Ghazni (2004)	
Herat (2003)	
Jalalabad (2004)	
Kandahar (2003)	
Khowst (2004)	
Lashkargah (2004)	
Parwan (2004)	
Qalat(2004)	
Sharana (2004)	
Tarin Kwot (2004)	

---

3 US troops operate as part of the US-led *Operation Enduring Freedom*, and are engaged in combat operations against remnants of the Taliban and Al-Qaeda. At the time of writing, NATO troops were largely deployed in the north and in Kabul, and were engaged in a 'stabilisation' mission.

4 The marked disparity between the number of PRTs operated by NATO and by the US (as part of *Operation Enduring Freedom*) reflects the profound difficulties NATO has encountered in mobilising resources and troops from member states.

3.3.2 OEF PRTs

OEF PRTs have generated the greatest controversy, reflecting a greater insensitivity to humanitarian concerns (including implying that humanitarian assistance was conditional, particularly via leaflets dropped offering aid in exchange for information from local sources); the use of assistance strategies in support of 'hearts and minds' operations; and imprecision as to their role (Centre for Humanitarian Dialogue, 2003). The emphasis on the direct provision and coordination of assistance activities, rather than focusing on the conditions under which NGOs can operate independently, has also been controversial.[5] Whilst to some degree this reflects the more volatile environments in which OEF operates, it is also a function of the assumption that QIP 'hearts and minds' projects substantially enhance force protection. However, this has not been formally evaluated by the US DoD (US GAO, 2004: 20). An evaluation of its own projects by USAID in November 2003 found little evidence to suggest that Afghans consciously associated programmes either with the US or the Afghan authorities. Furthermore, whilst the scale of OEF projects has been significant, their quality and sustainability, particularly for community-based projects, have been less clear. The direct participation of troops in needs assessment and project management has created a sense that civilian staff have substantially less autonomy than is the case with ISAF PRTs.[6]

3.3.3 ISAF PRTs

The five NATO PRTs have been far less controversial, reflecting the greater transparency in their missions, the comparative stability of their operating environments and their separation from combat tasks. NATO defines the aim of PRT missions as to:

> assist [the Afghan government] to extend its authority, in order to facilitate the development of a stable and secure environment in the identified AOO [Area of Operations], and through military presence, enable SSR [security-sector reform] and reconstruction efforts (SACEUR, 2004).

This favours security over reconstruction, which is one of the major differences with the OEF approach.

The British and German PRTs represent points at each end of the ISAF PRT spectrum, with the Dutch and New Zealand PRTs somewhere in the middle. British PRTs generally do not engage in direct humanitarian assistance, and do significantly less 'development' work than others, focusing instead on supporting security sector reform and monitoring signs of civil unrest and fighting between local warlords. DFID enjoys significant autonomy. The agency prefers to fund projects which avoid core areas of NGO activity, and tends to consult more with UNAMA and the Afghan government when identifying projects than do other PRTs.

The UK military typically does not rely on QIPs or overt deterrent strategies for force protection, opting instead to develop relationships which lead to 'acceptance' and the provision of information on the environment. This approach involves smaller, more active patrols; less emphasis on the wearing of protective equipment; and teams living within communities and enjoying more autonomy than their German or US equivalents. Arguably, this allows for greater understanding of the environment, and may facilitate earlier and more proportionate interventions if relations break down. US and German forces, by contrast, rely much more on QIPs and technical security procedures. The German approach to PRTs is viewed as midway between the UK and the US. German PRTs have a clearly defined division of labour and a physical separation between their military and civilian components (comprising officials from the Ministry of Foreign Affairs and the ministries of Defence, Interior and Economic Co-operation and Development), and between their 'development' and 'security' roles. NGOs generally view the German approach positively.

3.3.4 The challenge of coordination

Differences between national approaches are common in coalition operations. However, this has at times proved to be a particular problem with the PRTs, and senior NATO and coalition staff admit to significant difficulties. Since January 2005 there have been comparatively rapid changes to the strategic framework applying to PRTs, largely driven by NATO's intention to extend their geographical range. Changes include a declared recognition of the diminished role of the military elements of PRTs in reconstruction; efforts to civilianise aspects of the PRTs' work, both in the OEF and ISAF; increasing attempts to encourage the Afghan government to take a lead in determining development priorities; the elaboration of exit and transition strategies; joint OEF/ISAF terms of reference and coordination structures; and a new mission statement, spanning both ISAF and coalition PRTs.[7] The PRT Executive Streering Committee (ESC), the principal coordinating body, states: 'The overarching goal of the PRT program is to fulfil the conditions for transition from an environment where international military forces are necessary to an environment in which ITGA [the Islamic Transitional Government of Afghanistan] and provincial government

---

5 Interview with Brigadier Nick Pounds.

6 Several US PRT staff suggested that the strict link between PRT priorities and combat operations weakened towards the end of 2004, largely out of a sense that the Taliban had been strategically defeated. Several senior ISAF and OEF commanders also indicated that they had moved into a 'consolidation and development' phase, and that PRT projects were increasingly emphasising larger-scale infrastructure and security sector reform (SSR). However, the QIP budget allocation for 2003–2004 was some $14 million more than in the preceding financial year (House Committee on International Relations (2004)).

7 This was agreed in mid-January 2005: 'Provincial Reconstruction Teams (PRTs) will assist the Islamic Republic of Afghanistan to extend its authority, in order to facilitate the development of a stable and secure environment in the identified area of operations, and enable SSR and reconstruction efforts.'

institutions are soundly established, fully functioning with PRTs in turn becoming unnecessary' (ESC, 2004). Although there have been concerns that statements like this imply further encroachment on UNAMA's role, or a premature and politically-driven relinquishing of responsibilities, steps to civilianise and 'Afghanise' the development process are generally positive.

3.3.5 Evaluating PRTs: Measures of Effectiveness (MOE)

It is enormously difficult to evaluate the effectiveness of PRTs. This is partly a function of the great variety of approaches. However, there is also a lack of consensus on Measures of Effectiveness (MOE) and an absence of compiled data. National defence ministries are unable to employ accounting mechanisms that adequately cost PRTs, while rapid troop rotations are another significant complicating factor.[8] To date, MOE have tended to be largely quantitative, focusing on such things as numbers of projects or amount of money allocated, rather than trying to gauge underlying effectiveness. During interviews, ISAF and UNAMA officials have discussed benefits in terms of broad statements highlighting the extension of an international presence, international money and some degree of oversight (international and governmental) to areas where there was no international presence before. Often, these discussions are accompanied by the caveat that, while PRTs are not a good solution, they are the only one available.

3.3.6 Security issues

The 'security' debate is perhaps the most controversial element of the humanitarian–military dialogue. Broadly, the humanitarian community perceives this as having three components: insecurity as a product of low troop numbers (the result of a lack of political will), which leads PRTs to act as a substitute for more robust and appropriate forms of deployment; a failure to deliver appropriate forms of security to local populations; and a belief that there is a direct link between PRT activity and the insecurity faced by humanitarian agencies (Save the Children UK, 2004).

Many humanitarians believe that the approach to security employed by the international community is insufficiently sophisticated to address the real security needs of the Afghan people: as a study by Tufts University puts it, the dominant perception of security 'does not necessarily reflect the experiences and perceptions of rural Afghans, many of whom report little to no conflict in internationally designated "hot spots" and yet are experiencing high levels of insecurity' (Tufts, 2004). The Tufts report noted that rural Afghans did not define security simply in terms of a cessation of fighting or of armed attacks. Rather, 'rural respondents perceive themselves to be secure if they are free

from physical violence or threat of attack *and* have essential elements of human security, including access to health care, education, and economic opportunities'.

Nonetheless, there is some evidence that, overall, the international military intervention has contributed to improvements in certain aspects of security. According to the Tufts research, 43% of respondents in Kandahar, where opposition to the international military presence was generally pronounced, reported that security had increased due to coalition activity, compared to 17% who thought it had got worse. This seems to imply that, while people are not necessarily happy about the presence of Coalition troops in their midst, they are experiencing some positive effects from it. Respondents also indicated that the coalition was preventing feuding between factions from breaking out into open warfare. This would appear to 'contradict the reports of insecurity caused by the return of local commanders and their militia. However, this may indicate that while people are concerned about skirmishes at present, they fear worsening insecurity if the Coalition departs' (ibid.).

Perhaps the most controversial element of the debate over PRTs is the suggestion that they have been a significant factor in the erosion of 'humanitarian space', thereby contributing directly to the increased targeting of humanitarian workers. According to a report by the Afghanistan NGO Safety Office (ANSO) and CARE in May 2005 (ANSO/CARE, 2005), 12 humanitarian workers were killed in Afghanistan in 2003.[9] In terms of perceptions of security among NGOs, 42% of respondents thought that the overall security situation had improved over the previous year, compared to 53% who thought that the situation had either remained the same, or had worsened. A larger proportion thought that the situation would worsen during 2005 as efforts to eradicate opium were stepped up, and elections to the Afghan parliament approached. The most important factors cited as contributing to improvements in security were strengthening the Afghan national army and police force, effective disarmament and demobilisation and a recognition of the importance of indigenous structures in rebuilding confidence in law and order.

Many donors and senior ISAF commanders, including a former ISAF PRT Director, are deeply sceptical that there is any link between the work of the PRTs and increased insecurity faced by humanitarian agencies in Afghanistan. They argue that Afghanistan's security problems are not new, and that Western humanitarian workers simply represent a soft and politically rewarding target for insurgents. Many humanitarian workers implicitly appear to share this conclusion. In the CARE/ANSO survey quoted above, only 5% of the 50 agencies interviewed identified 'blurring of lines between military and humanitarian actors' as a

---

8 US sources place the initial projected equipment-only costs for eight Joint Regional Teams (forerunners to the PRTs) at over $27 million, or $3,375,000 each (figures drawn from a presentation by LTC M. Stout USAR, Deputy Commander CJCMOTF Operations).

9 In 2004, this rose to 24 deaths; between January and May 2005, five aid workers had been killed.

significant factor influencing the security situation. A report by the Steering Committee for Humanitarian Response (SCHR, 2004) concluded that the targeting of humanitarian agencies could not be the exclusive result of PRT activity; rather, it was more likely to be a response to the work of humanitarian agencies themselves, which served to increase popular support for the Afghan government and its Coalition allies, and reduce support for the opposition. However, the fact that, according to statistics compiled by Dennis King (King, 2003), fatalities amongst humanitarian workers were higher in Afghanistan than in any other state, and that neither the UN nor international NGOs were directly targeted under the Taliban, even when Al Qaeda were present, suggests that a change specific to Afghanistan has occurred.

There are a number of possible causal factors: the incorporation of humanitarian action into strategic agendas; the partial failure of acceptance strategies; and the structural integration of humanitarian, political and commercial actors. Both the Coalition and the Taliban have, at times, sought to co-opt or to frustrate humanitarian and reconstruction work in order to further their own strategic objectives. Equally, culturally inappropriate behaviour on the part of elements of the humanitarian community has at times undermined community acceptance of their presence, whilst the exponential growth in the number of Afghan NGOs and businesses has also blurred the boundaries between humanitarian and commercial activity.

3.3.7 The quality of PRT development work

The final criticism of the PRT concept relates to the quality of reconstruction work. The principal NGO concerns are that, whilst the military can deliver on essentially 'technical' infrastructure projects, those which require community participation are dealt with as 'build and forget' projects. A range of contributory factors is often cited: the failure of the military to place appropriately trained specialists in charge (Interaction, 2003b); the absence of training in approaches which empower or promote the interests of minority groups or ensure equity of access to development resources; and political and budgetary pressure to complete 'numbers' of projects within particular time frames. There is also evidence that some PRTs have failed to plan projects appropriately or abide by government protocols.[10]

NGOs tend to take longer to complete projects and require greater commitment from the community. Consequently, PRTs are often more popular with governors and the local population, even if they trade speed for sustainability and effectiveness. They may also seriously undermine

relationships between NGOs and local communities, further weakening NGOs' own 'acceptance' strategies. Notwithstanding such difficulties, and given that it is difficult to generalise, there are also cases of effective communication between NGOs and PRTs through provincial coordination structures.

3.3.8 Conclusions

Undoubtedly, PRTs in Afghanistan have been more problematic than they needed to be, not least because of the inadequacy and lack of transparency of the policy framework within which they have operated. This, together with the absence of transparent MOE, has resulted in ambiguous missions and enormous variations in approach. Humanitarian language has been inappropriately used, and there has been a lack of clarity and realism in the relationship between the PRTs and the humanitarian community. At the same time, however, when carefully managed PRTs can make a limited but positive contribution to efforts to ameliorate violence, implement reconstruction and extend the authority of the central government in Kabul (Viggo Jakobsen, 2005). The operating principles employed by the UK seem to have been the most successful, with carefully targeted contributions to security, military involvement in humanitarian work only as a last resort and sympathetic patrolling. The UK has also taken care to place its PRT strategy within the broader development strategies of the Afghan government and DFID. PRT approaches are not, however, necessarily directly transferable; they reflect a particular military culture and habits of cooperation.

Internationally, there needs to be a fundamental re-evaluation of the contribution that 'hearts and minds' QIPs can make to military force protection. QIPs themselves are unlikely to change individual Afghans' perceptions of the legitimacy or otherwise of the military intervention, and are therefore likely to make only a marginal difference to the attitudes of potential insurgents – and are likely to have little or no effect on those who have already made their choice. Furthermore, delivering military QIPs through NGOs or civilian contractors can reduce interaction with civilian communities, potentially mitigating whatever force protection benefits may be available. The strategy of the British army during the Malayan insurgency of the 1950s, often identified as the epitome of the 'hearts and minds' approach, emphasised military interaction with civilians and intelligence-led strategy operations, rather than the direct provision of services.

3.4 Integrated missions: the UN response to 'coherence'

3.4.1 Introduction

The UN has also pursued coherence, largely as a consequence of increasingly critical evaluations of its responses to complex emergencies, member states' desire

---

10 In one example, a PRT assumed responsibility for a clinic in Paktia, dispensing free medicines in contravention of Ministry of Health protocols and making it difficult for medical NGOs, required to recover elements of their costs, to operate thereafter. That said, many of the criticisms of military-led assistance apply equally to other aid actors.

to see more consistent approaches to conflict resolution and the broader UN reform process. In particular, the UN has been criticised over its approach to managing the transition from war to peace (Eide at al., 2005). Within the UN, the DPKO has been the most enthusiastic supporter of the principle of 'coherence' through organisational integration. This is largely on the grounds that integrating mission planning and management processes promises to enhance efficiency. Organisational overstretch (Guéhenno, 2003), frustration with confused reporting lines and multiple logistics chains, repeated failures to capture best practice and the frequently *ad hoc* approaches to mission planning that result have only increased pressure for rationalisation, defined largely in terms of organisational integration. The most visible aspect of the UN's pursuit of coherence is the concept of the integrated mission. More recently, the High Level Panel on Threats, Challenges and Change (2004) has proposed creating a Peacebuilding Commission and a peacebuilding support office within the Secretariat. The underlying intention is to establish a forum through which donors, international financial institutions, UN funds, agencies and programmes can more effectively coordinate their efforts – both in terms of policies, and in terms of resources. The Secretary-General also intends to create a 'cabinet-style' decision-making structure in the Secretary-General's office. It has been suggested that this is a UN version of the 'whole-of-government' or 'joined-up' approach increasingly favoured by key member states (Eide at al., 2005).

3.4.2 The integrated mission concept

The specific origins of the integrated mission concept are in the *Report of the Panel on United Nations Peace Operations* of 2000 (the so-called Brahimi Report). The report's recommendations were intended to improve the design and operation of UN missions, although the concept of integrating political, humanitarian and military responses within the mission objectives largely emerged in the debates following the report's publication. The report itself referred only to the integration of planning at headquarters in New York, not to the integration of a mission's organisational structures.

The key organisational principle of the integrated mission structure (IMS) is the placement of the UN's humanitarian, development, military and political responses under the Special Representative of the Secretary-General (SRSG), with reporting lines generally routed back through the DPKO to the Secretary-General. It is argued that this structure has three principal advantages:[11] it facilitates a common strategic vision, harnessing collective system-wide action; it rationalises the use of resources and systems (procurement, services); and it allows for the overall direct management of the resources of the UN system. Critics argue that this approach subordinates humanitarian assistance to the

political elements of the response, and that there is no evidence that IMS works better than alternative models.

There is no dominant organisational model or definition of what an integrated mission should look like, or how it should operate (Eide et al., 2005). As a result, the concept has been applied in diverse ways. There are two principal versions: a maximalist version, and a minimalist version. In the former, OCHA has no separate identity, and the UN's humanitarian leadership is integrated fully within the overall mission structure (in Afghanistan, for example, this is within UNAMA). In its minimalist incarnation (for example the UN Operation in Côte d'Ivoire (UNOCI)), OCHA has a separate identity, and integration tends to mean an emphasis on coordination and information sharing, rather than a unified organisational framework.

Traditionally, UN Humanitarian Coordinators (HCs) have remained outside of peacekeeping mission structures, instead heading the country team of specialised humanitarian agencies. Integrated mission structures tend to place them within the peacekeeping mission organisation as a Deputy SRSG, reporting directly to the SRSG – who therefore effectively controls the humanitarian as well as the political and military strategies.

As UN mandates have increasingly reflected transition and peacebuilding strategies, the humanitarian community has raised concerns that integrated structures imply that humanitarian assistance is another tool of diplomatic leverage. A desire to sustain weak transitional governments, while marginalising rebel groups, could lead to pressure to withhold assistance to rebel areas, or to make assistance conditional on the outcome of aspects of the peace process. Broadly speaking, there are three camps:

- Those that view integrated structures as inevitably reducing humanitarian space, independence and impartiality.
- Those that argue that they enhance effectiveness through coordination and complementarity.
- Those that are supportive, but seek more effective mech-anisms and principles to manage the trade-offs between humanitarian and peacebuilding strategies (the inter-mediate position).

This diversity of opinion in part reflects the fact that it is becoming increasingly difficult to define the legitimate or practical boundaries of humanitarian action. The most significant difficulty has been establishing humanitarian and protection issues as shared mission objectives, whilst also ensuring that political priorities do not simply drive the humanitarian mission. This task is made more difficult by donors' reluctance to countenance the idea that the humanitarian and politico-military aspects of a UN mission should be kept separate. There also needs to be a

---

11 See Terms of Reference: Expanded ECHA Core Group Joint Study 'The Peacekeeping-Humanitarian/Development Interface'.

greater recognition that some peacekeeping activities, such as the protection of civilians and the provision of security, have significance to the humanitarian community and to the beneficiaries of humanitarian aid. Neither of these issues requires integration; rather, they call for interaction (i.e. communication) during the planning stage.

There is a clear requirement (demonstrated in the original mandate of MONUC, the UN mission in the Democratic Republic of Congo) to import a stronger sense of humanitarian objectives into the deliberations of the UN's senior leadership, and to better reflect these objectives in peacekeeping mandates. This would entail the Secretariat developing a greater capacity to draft resolutions and Secretary-General's reports with a greater and more explicit humanitarian focus. Donors also need to take more responsibility in defining explicit humanitarian objectives, and maintaining a focus on them. This will also require SRSGs/DSRSGs with more appropriate backgrounds (the independent study by Eide at al. (2005), perhaps wrongly, does not make this an explicit requirement), and operational accountability beyond the reporting lines that run via the DPKO and the UN's political department. This might enable SRSGs to look beyond the political and diplomatic imperative, and achieve a more effective balance between competing, but equally legitimate, interests.

A major component of the recommendations of the independent study is the strengthening of the core capabilities of the humanitarian pillar within UN missions. In particular, the study argued that the senior officials immediately responsible for humanitarian affairs needed 'clear guidelines and terms of reference that enabled him or her to protect humanitarian principles and secure humanitarian space' (Eide et al., 2005). The report also stressed the importance of leadership from the SRSG/DSRSG in overcoming the ambiguities and challenges of mandates and missions.

3.4.3 Operational challenges

The success of the UNAMSIL mission in Sierra Leone following its reinvigoration through a British-led inter-vention in 2000 provides some support to these ideas. The appointment of an experienced DSRSG, identified as both UN Resident and Humanitarian Coordinator; the physical separation of OCHA's office from the Mission HQ; and its mandate to coordinate a UN humanitarian response that was largely sub-contracted to non-governmental actors, were all significant factors. The UN missions in Liberia highlight the risk that the blurring of military and humanitarian roles compromises the independence (perceived and real) of humanitarian organisations. In Liberia, peacekeeping troops routinely engage in 'hearts and minds' activities, including small-scale food distributions, and ECOMOG has used humanitarian assets to provide security. Likewise, several NGOs have used military logistical and medical assets.

Security sector reform in Liberia, particularly disarmament, demobilisation and reintegration, has involved food distributions linked to the withdrawal of weapons.

The MONUC mission in the DRC raises a different set of issues, principally to do with the failure of a (minimally) integrated structure to sufficiently mobilise humanitarian resources, obtain humanitarian access or deliver effective protection. There was a substantial contraction of humanitarian space arising from the direct targeting of humanitarian workers (Stockton, 2005). In part, this reflected a view among the belligerents that humanitarian agencies themselves were not neutral or impartial, that humanitarian programmes had militarily disadvantageous consequences for certain parties, that some agencies were not concerned with alleviating the suffering of the poorest and that some were involved in corruption (Stockton, 2005). These factors undermined agencies' 'acceptance' strategies. In effect, in DRC (and in Afghanistan) the failure of 'acceptance' strategies can be attributed to factors apart from the general instrumentalisation of assistance, its specific manipulation by integrated mission structures or even, perhaps most surprisingly, the prevalence of generalised insecurity.

3.4.4 Conclusion

It is difficult to gauge the contribution that integrated mission structures make to operational effectiveness. Experiences differ markedly across the UN system and, as with PRTs, the variation in structures, the tendency to focus on limited technical benefits (such as the impact on information flows or logistics), and the lack of systematic measures of effectiveness make comparisons difficult. However, it is possible to make recommendations and draw some overarching conclusions. Eide at al. (2005) concluded that, notwithstanding the difficulties, there were benefits to integration: 'in those complex situations that require integrated missions, humanitarian assistance and space are better protected from within. That is to say, official engagement with uniformed peacekeepers is better than not having access to them'. However, the study also argued that there should be an institutional capacity to withstand the pressures on humanitarian space and principles that arise from within. In particular, the UN's humanitarian leadership needs strengthening, particularly at the level of the SRSG/DSRSG. Equally, there are benefits in maintaining a formal, separate role for OCHA, particularly in situations where there is active conflict involving the UN, or where political processes threaten humanitarian space. This may mean accepting that full organisational integration may not always be suitable. Integrated structures are clearly most appropriate where there is a viable peace agreement with a clear mandate for peacebuilding activities. In other circumstances, interaction, though not organisational separation, may be more appropriate. There appears to be little evidence to suggest that civilian protection, assistance or peacebuilding

strategies have been significantly improved through organisational integration.

3.5 Conclusions

Increased military involvement in reconstruction and post-conflict stabilisation reflects both the coherence agenda and the absence of civilian capabilities (both nationally and internationally) in these areas – leading to *ad hoc* structures and approaches. There is clearly a need to create more enduring and civilianised structures for managing multi-dimensional responses. These should be capable of embodying, protecting and reconciling competing, but equally legitimate, principles relating to humanitarian action, human rights and peacebuilding. They should also provide for an appropriate division of labour between civilian and military capacities. At times, this may require interaction, rather than the integration of responses. Furthermore, without retreating into humanitarian mini-malism or denying that humanitarian action takes place within a heavily politicised environment, there needs to be much greater clarity about its objectives. More broadly, states and international organisations must face the challenge of developing structures that make their organisational responses more predictable, whilst also providing sufficient capacity for leadership in each policy area – but particularly in relation to human rights and humanitarian action. This should be underwritten by a much firmer recognition that leadership and interaction do not entail the subordination of humanitarian principles to political imperatives.

Given the generally *ad hoc* nature of state and organisational (principally UN) responses to stabilisation operations, Western militaries have developed their own organisations – several of which have been problematic. Organisational theorists offer some fascinating insights into why these organisations have been so enduring, despite the absence of compelling evidence that they have had tangible benefits. Lipson (2002), for example, argues that, in situations of uncertainty or chaos, organisations may define success in terms of 'outputs', not in the form of deliverables, but in terms of mimicking previously employed institutions, particularly those used by high-credibility actors. In effect, in such situations templated, rather than 'optimal', responses may become the norm. This may explain the seemingly blind attachment to PRTs and QIP-based 'hearts and minds' approaches to force protection. PRTs designed along British lines may offer benefits, but the British approach to such issues as force protection and civil–military relations has evolved in response to a unique set of circumstances – three decades of operations in Northern Ireland – and may not be easily transferable. More easily replicated civilian-led structures may therefore be preferable.

There is a perception that the military has made a significant 'humanitarian bid'. In fact, there is some evidence to suggest the opposite. Despite the profusion of CIMIC doctrines and structures, the 'civil dimension' may be *insufficiently* integrated into military thinking. For example, there is broad consensus that the immediate post-conflict stabilisation planning for Iraq was poor, whilst the planning for combat operations was both effective and innovative. Brunsson (1993) offers some interesting insights into the factors that may have contributed to the marginalisation of the 'stabilisation' plan. His research into organisational behaviour leads him to conclude that organisations subjected to strongly conflicting pressures and values may create largely symbolic organisational structures which are frequently underwritten by alternative and unrelated *real* structures. These underlying structures tend to reflect the valued outputs. In the context of the invasion of Iraq, the US military's hostility towards 'peacekeeping' and 'nation-building' may therefore have led to the marginalisation of military stabilisation capabilities and planning; the real commitments were to the combat phase. Consequently, one may be forgiven for wondering whether the militarisation of post-conflict stabilisation operations has been more a case of smoke and mirrors than of imperial ambitions.

Chapter 4
The military and civilian protection: developing roles and capacities
Victoria K. Holt, Henry L. Stimson Center

Soldiers are deployed worldwide to help bring stability and peace to war-torn regions. Whether delivering supplies after the Indian Ocean tsunami, monitoring a ceasefire agreement in Sudan or helping a new government in East Timor, armed forces support operations that are distinct from the wars for which they primarily prepare. Increasingly, soldiers are also being asked to perform roles in protecting the civilians of other states. While it is assumed that the political ends of these missions should create environments with fewer threats to civilians, how far can military efforts go to prevent conflicts, support peacebuilding and serve humanitarian goals? More specifically, what role can troops play in *directly* protecting civilians?

These questions are driving new thinking about how to protect civilians from violent conflict, and the role third-party military forces can play in offering such protection. Wars between uniformed, identifiable armies over national boundaries or disputed territories have given way to intrastate conflicts involving armed groups, sometimes established along ethnic lines and unconfined by borders. Armed conflicts often inflict the greatest harm on civilians, who become displaced by fighting, are caught in the crossfire or are targeted by combatants. In addition to the direct impact of violent conflict, civilians may be exposed to deadly threats in their attempt to flee to safety – including exposure to disease, and lack of access to adequate food, shelter, clean water or healthcare. The primary responsibility to protect civilians lies with the state, which should limit violence against, and provide support to, its citizens. Yet the failure of states to protect civilians has led to the death and displacement of millions worldwide, prompting calls for international intervention.

Humanitarian concern with protecting civilians caught up in conflict is long-standing: its modern expression dates back to the work of Henry Dunant following the Battle of Solferino in 1859. It underpins the Hague and Geneva conventions and various other laws of war, which aim to set limits on the use of military force and prevent excessive harm to non-combatants. More recently, the International Commission on Intervention and State Sovereignty (ICISS) drew public attention to protecting civilians from harm in its 2001 *Responsibility to Protect* report, considering protection from mass killings, ethnic cleansing and genocide as grounds for military intervention, helping introduce discussion of 'civilian protection' to audiences beyond the humanitarian and human rights community (ICISS,

2001). The declaration by heads of government at the UN High Level Summit in September 2005 recognised collective obligations to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity.

Peace operations are often assumed to support these aims, but the link between threats to civilian populations and threats to international peace and security – the concern of the UN Security Council (UNSC) – is not always self-evident, nor is it explicitly made in the UN Charter. Indeed, the UNSC only began directing UN peacekeepers to 'protect civilians under imminent threat' in 1999. Although the Security Council has increasingly included civilian protection in peacekeeping mandates, this direction has not been accompanied by clear, defined expectations about the use of force, who should be defended and whom they should be defended against, and when the job should be considered done. While militaries are trained to operate in insecure environments and face threats, they are less accustomed to providing security to protect civilians in hostile environments as part of an international or third-party intervention.

This chapter surveys current conceptions of civilian protection, with a focus on those that envisage a role for third-party military forces in providing it, particularly within peace and stability operations. It explores the basic concepts behind a military role in providing protection to civilians, reviews key multinational organisations and national military actors and their capacities for such missions, and looks at some examples of field operations with military components involving civilian protection, and the specific challenges that these operations raise. Finally, the chapter outlines some of the lessons that can be drawn from these experiences, and how these challenges might be addressed. The analysis is based on interviews and a review of current practice in peace operations.[1] The topic is challenging in many ways: terminology is still being worked out, and there is no single definition of civilian protection within and across varied civilian and military communities. This lack of a common understanding of protection makes preparing for operations, and dividing responsibilities between military, humanitarian and other civilian actors, difficult.

4.1 Concepts and means

The language of civilian protection is being used increasingly by governments, policymakers and NGOs. Processes such as the worldwide consultations led by the ICRC over four years in the late 1990s; significant work by the UN Office for the Coordination of Humanitarian Affairs (OCHA); resolutions and statements by the UN Security Council;[2] the work of the ICISS; and inter-governmental processes such as the UN High Level Summit have all sought to develop consensus around an international obligation to protect civilians when their governments are unwilling or incapable of doing so, to agree on criteria that would trigger a response and to establish the operational parameters of that response for governments, the military and humanitarian and human rights agencies.

The consultations by the ICRC resulted in a wide definition of protection as 'all activities aimed at ensuring full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law (i.e., human rights law, international humanitarian law and refugee law)' (ICRC, 2001). It also offered a model of protection that envisaged layers of response, from action to prevent abuse to efforts to help in the process of recovery. At the UN, OCHA has developed an Aide Mémoire outlining various aspects of civilian protection, to assist the Security Council in its deliberations over missions that are intended in part to protect.[3]

In the wake of the failures of Srebrenica and Rwanda, and in response to the Secretary-General's calls in 1999 and 2000 to 'forge unity' within the international community on military intervention for protection, the ICISS report – *The Responsibility to Protect*, or 'R2P' – set out principles that would justify and compel military intervention to protect civilians in the face of mass killings and ethnic cleansing. These are right authority, just cause, right intention, last resort, proportional means and reasonable prospects. Intervention had to be 'defensible in principle' and 'workable and acceptable in practice'. Many have pushed for the UN to embrace the ICISS recommendations as a framework for action. In December 2004, for example, the Secretary-General's High-level Panel on Threats, Challenges and Change (UN Secretary-General,

2004a) recommended that the Security Council adopt the ICISS principles to evaluate the use of force, but stopped short of embracing them as grounds for *compelling* action. The debate was taken up by the Secretary-General's response to the Panel, *In Larger Freedom*, prepared for the September 2005 UN Summit. The Secretary-General embraced the responsibility to protect as an 'emerging norm', and stated that, 'if national authorities are unable or unwilling to protect their citizens, then the responsibility shifts to the international community to use diplomatic, humanitarian and other methods to help protect the human rights and well-being of civilian populations … including enforcement action, if so required' (UN Secretary-General, 2005: para. 135). The Summit document offered a robust embrace of the responsibility to protect, stating that the international community, through the UN, should be prepared to act when states fail 'to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity' (UNGA, 2005). While a trigger for such actions was not specified, many outside commentators viewed the statement as helping consolidate the norm of protection.

A central question concerns the means to act – including the use of military force to support a response – and the role of the UN, multinational forces and regional bodies in organising responses to conflicts in non-permissive environments, where there is hostility to intervention.[4] Modern UN peace operations have grown in size and complexity, raising the question of the peacekeeper's role in providing security and civilian protection, and other multinational organisations have developed a greater capacity for such operations.

Peacekeepers are at work in unprecedented numbers today, deployed as multinational forces and in coalitions of the willing, in UN missions and with regional and subregional organisations. The UN is leading 16 peace operations with more than 68,000 peacekeepers from 107 countries.[5] The scope of operations is also increasing. Since 1999, most peace operations have been established under Chapter VII of the UN Charter.[6] Other multinational organisations – the North Atlantic Treaty Organisation (NATO), the European Union (EU), the African Union (AU) and the Economic Community of West African States (ECOWAS) –

---

2 These resolutions include: S/RES/1265 (1999); S/RES/1296 (2000); S/PRST/2002/6 (2001); S/PRST/2002/41 (2002); S/PRST/2003/27 (2003); S/PRST/2004/46 (2004); S/PRST/2005/8; and SC/8419, (2005).

3 This, and various other Security Council documents on civilian protection, reveal a range of aims, concepts, strategies and operational parameters – encouraging peace and economic development, the prevention of conflict, the promotion of a 'climate of compliance' with international law, addressing the special needs of women, children and the displaced, putting a stop to the proliferation of small arms, ensuring the safety of humanitarian relief and humanitarian workers and their access to vulnerable populations, disarming, demobilising, reintegrating and rehabilitating ex-combatants (particularly the young), tackling 'hate media' and providing objective information about the UN (S/RES 1296), and mandating peacekeeping or peace enforcement forces to protect civilians 'under imminent threat of physical danger' (S/RES/1296, 2000). Where the military's role lies in relation to these aims remains the subject of ongoing debate.

4 The term 'non-permissive' is used here to refer to environments that are hostile to the forces deployed, but does not define the challenges facing civilians. The US military defines non-permissive environments as areas where 'hostile forces have control as well as the intent and capability to effectively oppose or react to the operations a unit intends to conduct'. See US DoD (2005).

5 UN data as of 31 September 2005; this figure does not include additional civilian personnel or UN missions led by the Department of Political Affairs.

6 Chapter VI of the UN Charter refers to the organisation's role in the settlement of disputes that threaten international peace and security (the authority for most UN peacekeeping missions before 1990). Chapter VII is cited for operations with more robust mandates, and where peacekeepers may use force beyond self-defence (the majority of UN-led operations approved since 1999, including missions in East Timor, Kosovo, Sierra Leone, Liberia, Côte d'Ivoire, Haiti and Burundi).

are developing their capacities for peace operations. The AU launched its first peacekeeping mission in Burundi in 2003, and is leading a second operation in Darfur. ECOWAS has completed missions in Liberia and Côte d'Ivoire, and Western forces are serving in the Balkans, Iraq, Afghanistan and Côte d'Ivoire under national, multinational, EU and NATO leadership. National militaries are evaluating their doctrine and training to enable their forces to meet the anticipated requirements of such peace and stability operations.

Civilian protection has shifted, from an obligation on militaries to temper their actions to a possible goal of an operation. With their participation in these peace and stability operations, military personnel have been directed to provide protection to civilian populations under threat of imminent violence. As discussed below, the UN has explicitly used 'civilian protection' language in mandates for operations in the Democratic Republic of Congo (DRC), Sierra Leone, Liberia, Côte d'Ivoire, Haiti, Burundi and Sudan. The UN has also used this language in authorising operations led by others, such as the AU mission in Sudan, the French-led and ECOWAS operations in Côte d'Ivoire in 2003–2004 and the French-led EU mission in the DRC in 2003. Implicit protection goals are part of the mandates of missions such as the International Security Assistance Force (ISAF) in Afghanistan.

What does civilian protection mean for these operations? They are not designed as 'R2P' interventions to halt genocide or ethnic cleansing. Yet many operate in areas where violent threats to civilians are real, and where peacekeepers may need to use force to uphold their mandates. AU troops deployed in Darfur, for example, are primarily there as ceasefire monitors in an environment where civilians face horrific attacks and insecurity. While praised for their efforts, these troops have a limited mandate to use force to protect civilians under imminent threat (when they are in the immediate vicinity and when it is within AU resources and capability to act), and have limited capacity to do so. The protection of civilians in Darfur remains the responsibility of the Sudanese government.[7] Peacekeepers may legitimately ask whether civilian protection is a primary goal of the operation (such that all organisational resources should be devoted to achieving it), or whether it is a specific task within a broader political process, and, if so, what priority it is assigned.

With the increase in the number and scope of peace and stability operations, Western nations, especially the US, the UK and Canada, are evaluating their national doctrine and training for such missions. Countries face a gap between peace operations with mandates to protect civilians and their military's preparation for such missions. The UN and other multinational organisations have not yet clearly defined what civilian protection means operationally for troop-contributing countries; the UN is just beginning to develop guidance in this area. National military doctrines rarely address civilian protection as an operational task or as the basis for a mission. Few training programmes guide peacekeepers on how to prepare for such operations. As a consequence, when there is the capacity to send capable forces into a conflict zone, these forces may still lack guidance and preparation for efforts aimed at protecting civilians.

4.2 Definitions and concepts of military roles in protection

The protection of civilians is a broad concept and does not always encompass a concept of military force. At least six approaches are identifiable that envisage a potential role for military forces in supporting civilian protection.

1. *Protection as an obligation within the conduct of war.* In a war, military forces are required to abide by the Geneva Conventions and other international laws of conflict. These instruments are designed to prevent excessive harm arising in the course of armed conflict to civilian populations and those who are *hors de combat*, and to allow for the provision of humanitarian relief by impartial humanitarian actors. They also place a responsibility on an occupying power to provide for the basic security and welfare of the civilian population.[8] This concept of protection was developed at a time when the dominant form of armed conflict involved armies – government or rebel – fighting each other, and is based on a fundamental distinction between combatant and non-combatant.

2. *Protection as a military mission to prevent mass killings.* As laid out by the ICISS, a civilian protection mission has as its central goal the ending or prevention of mass killing, ethnic cleansing or genocide, presumably in a non-permissive environment in which conflict is ongoing. In this scenario, military forces will take a lead role in intervening to create a situation where the mass killing is stopped. This is expected to require the threat or use of force. Such a scenario would apply to interventions in situations akin to the Rwandan genocide of 1994, and would most likely be driven by a lead nation within a coalition or regional response, and authorised but not led by the UN.

3. *Protection as a task within a UN-mandated peace operation.* Since 1999, UN peacekeeping missions have increasingly been

---

7 UN Security Council Resolution 1564 (2004) welcomes and supports the African Union mission acting under Chapter VII of the UN Charter. The AU Communiqué of 20 October 2004 includes the direction to 'protect civilians whom it encounters under imminent threat and in the immediate vicinity, within resources and capability, it being understood that the protection of the civilian population is the responsibility of the Government of Sudan'.

8 Under the Geneva Conventions, military obligations may also extend to protecting prisoners of war. This is not the focus of this analysis. Moreover, they prohibit the destruction of 'objects indispensable to the survival of the civilian population', such as crops and water supplies, and the destruction of cultural and religious monuments.

directed to protect civilians facing imminent threat (Holt, 2005: Annex I). In this view, 'civilian protection' is one task within the goals of a larger, presumably Chapter VII, operation, rather than the mission's singular aim. The various tasks of a mission could include providing support to law and order, escorting convoys, protecting camps, establishing safe havens, breaking up militias, demilitarising refugee/IDP camps, organising disarmament or intervening on behalf of an individual or community under threat.

4. *Protection as providing area security for humanitarian action.* In this view, military forces or peacekeepers provide space for activities that result in civilian protection. Military forces or peacekeepers establish and assure the wider security of an area, enabling relief, humanitarian and other organisations to provide for the temporary safety of civilians in that area. OCHA, for example, argues that protection results from humanitarian, human rights and peacebuilding work. Military forces may provide security, but the provision of security is not protection *per se*, as this involves a broader combination of political, social and legal factors.[9]

5. *Protection through assistance/operational design.* In this view, protection is a function of the design of relief and humanitarian programmes. The placement of refugee camps, water supplies and latrines, for example, should be such that the threat to vulnerable populations is reduced while they are under the care of others. Civilian protection, therefore, can be strengthened by the design of assistance programmes, and by an understanding of their impact. The potential military role would be to cooperate with or support means of further reducing threats to vulnerable civilian populations, such as offering physical presence to act as a deterrent (Oxfam, 2005; Slim and Bonwick, 2005).[10]

6. *Protection as the use of traditional force.* Traditional warfighting missions do not address civilian protection as a concept, but some military thinkers argue that civilians will enjoy better protection after force has been used to stop an enemy's actions. In other words, protection can result from the use of force in its more traditional application, by preventing combatants from causing harm. As one US Marine put it in an interview with the author, 'if you want to protect civilians, go kill the bad guys' (author interview, October 2004).

These categories are neither exhaustive nor exclusive, and there are overlaps between them and nuances within them. Additional views of protection see it as traditional 'civil defence', for instance protecting civilians from the effects of weapons of mass destruction or the impact of natural disasters; establishing law and order; offering military support to those seeking asylum; and providing support to individual human and political rights. This last category has received substantial consideration, ranging from the denunciation of political action in denial of rights to advocacy for legal protection. This definition of protection can extend to non-physical needs. As one recent handbook on protection puts it: 'The inner emotional experience of an individual is as important as their outward physical needs' (Slim and Bonwick, 2005: 31).

There are evident tensions over what protection means. Humanitarian work in its broadest sense is framed around the protection of civilians at many levels; militaries and peacekeepers may be asked to protect civilians in harm's way as part of an operation serving a broader political goal, rarely as the primary aim of their mission. This chapter understands protection as providing immediate or short-term security and safety to civilians.[11] Consideration is given primarily to the military's role in civilian protection within peace operations, primarily in a non-permissive environment where the use of force is likely to have Chapter VII authority (as in views 2 and 3, above).[12] Within this, the humanitarian perspective is considered in relation to military forces providing security and space for humanitarian action (as in view 4 and, to a lesser extent, view 5), and in relation to how militaries should conduct themselves during times of war, particularly as this applies in Iraq (view 1). This chapter does not examine in detail the specific argument that fighting a war properly will ultimately save lives (view 6), but it does recognise that current preparation by militaries for war-related activities relates to their capacity for conducting peace and stability operations, interventions for humanitarian purposes and other specific tasks associated with civilian protection.[13]

4.3 Who can act?

Since the end of the Cold War, military support to humanitarian missions, peace agreements and post-conflict security and peacebuilding has increased. The UN sent peacekeepers to a variety of operations, from Namibia and Cambodia to Mozambique and Haiti. The Security Council also authorised actions led by individual nations and multinational forces, such as the US-led interventions in Somalia in 1992 and Haiti in 1994, the French-led intervention in Rwanda in 1994, and the Italian-led multinational force in Albania in 1997. UN and NATO-led operations were also mounted in the former Yugoslavia. Other military missions have had humanitarian components,

---

9   Discussions with OCHA officials. For a discussion regarding IDPs in peace operations, see O'Neill (2004).

10 Oxfam's broad definition of protection goes beyond the design of humanitarian assistance to encompass advocacy and support for policies which lead to the deployment of peacekeeping forces and military action.

11 This is also presumed to be a temporary activity, until either the state or other authorities take on the role.

12 It can be argued that civilian protection can be upheld without Chapter VII authorisation. For a thoughtful analysis of the question of force in peacekeeping, see Finlay (2002).

13 There is lively US debate over whether training for peace and stability operations should be separate from training for traditional combat roles.

such as the interventions by ECOWAS in Liberia in the early 1990s and Australia in East Timor in 1999. Actions without clear UN authorisation have included NATO's initial intervention in Kosovo and the US and British 'no-fly zone' over Iraq.

Peacekeeping missions have attempted to protect civilians at many levels, even without UN mandates referring to protection; some were cast in humanitarian or safety terms; others implied protection without Chapter VII authority. Whether militaries are deployed by the United Nations, other multinational organisations, 'coalitions of the willing' or an individual country, they require both basic capacities, and a willingness to carry out a mission with a protection mandate. Only a few multinational organisations can employ force for more than self-defence: the UN, NATO, the EU, the AU and ECOWAS.[14] Because they are willing to use or authorise multinational forces, these five organisations are unique, and are most likely to incorporate civilian protection into their multinational missions.[15] NATO has traditionally had both the willingness and the capacity to authorise, organise, provide and manage capable and effective military forces to conduct operations in non-permissive environments. To a lesser extent, the EU, the AU and ECOWAS are each prepared to intervene with force.

All four organisations are still developing a concept of operations for civilian protection and clear guidance for their forces. Furthermore, there is little evidence that their doctrine and training – the traditional tools used to prepare forces in advance for anticipated operations – make reference to 'protection' or 'civilian protection' to describe their activities and anticipated missions. There is certainly overlap, however, with the concepts, training and other preparations involved in military and peace operations.

4.3.1 NATO

NATO is first and foremost a collective defence organisation, designed for robust military interventions in defence of its member states. However, with the end of the Cold War NATO has taken on more peacekeeping and peace-enforcement operations. The NATO Strategic Concept, updated in April 1999, commits the Alliance to defend not just member states, but peace and stability in and around the NATO region as a whole. Such operations, categorised as 'non-Article 5 Crisis Response Operations', include peace-

support missions such as peace enforcement, peacekeeping, conflict prevention, peacemaking, peacebuilding and humanitarian relief. If NATO were to engage in a mission to protect civilians in Darfur, for example, this would constitute a non-Article 5 Crisis Response Operation. As demonstrated by its response to the 1999 crisis in Kosovo, NATO might prefer to obtain prior UN authorisation, but does not feel bound to obtain it in order to act.

NATO military doctrine addresses civilian protection issues tangentially. *Peace Support Operations (AJP 3.4.1)* does not mention the phrase 'civilian protection' or 'protection of civilians'. The exclusion of these terms does not, however, imply that NATO doctrine fails to address issues related to protection. NATO recognises that peace-support operations may take place anywhere on a spectrum between peace and war. In a section on 'Protection of Humanitarian Operations', the doctrine even talks of the possibility of troops operating in the midst of genocide. Peace-support operations:

> *are increasingly conducted in situations in which there are wide spread and ongoing abuses to basic human rights, ethnic cleansing and genocide … Only a PSF [peace support force] prepared for combat can operate in such an environment, curtail human rights abuses, and create a secure environment in which civilian agencies can redress the underlying causes of the conflict and address the requirements of peace building* (NATO, 2001: 6–13).

NATO doctrine also includes various mission tasks that are potentially applicable to civilian protection. These include the imposition of no-fly zones, the forcible separation of belligerent parties, the establishment and supervision of protected or safe areas, and the creation of 'safe corridors' for the passage of civilians and for aid. These are troop-intensive tasks, and are most difficult when definitions of who to protect from whom, and how to do it, are not clear.

4.3.2 The European Union

The EU has traditionally focused on civilian aspects of crisis management, such as humanitarian assistance. Since the establishment of the European Security and Defense Policy (ESDP) in 1999, however, the Union has worked to increase its military crisis response capacity. The Union began leading its own missions in 2003, and has undertaken five to date, in Macedonia, Bosnia and the DRC.[16] Of these, the only mission in which civilians faced significant, ongoing attacks at the time of the EU deployment was *Operation Artemis* in the DRC. That operation succeeded in halting violence in the town of Bunia over the course of three months in 2003 (see also below, Section 4).

---

14 Other organisations can intervene diplomatically or politically; the Organisation of American States (OAS) and the Organisation for Security and Cooperation in Europe (OSCE), for example, can provide observers for a peace operation, and the Intergovernmental Authority on Development (IGAD) has supported political missions to negotiate peace in Sudan and Somalia. Groups such as the Economic Community of Central African States (ECCAS) are developing peacekeeping capacity.

15 Their missions may be assisted by other organisations, such as the multinational Standby High Readiness Brigade (SHIRBRIG), which supports the establishment of peace operations such as in Ethiopia/Eritrea and in the transition from the ECOWAS-led mission in Liberia to the UN-led operation, UNMIL.

16 EU missions include *Operation Concordia* and *Operation Proxima* in Macedonia; the EU Police Mission and EUFOR (replacing SFOR) in Bosnia; and *Operation Artemis* in the DRC.

The missions set out in the ESDP – the so-called 'Petersberg tasks' – range from humanitarian and rescue operations to peacekeeping and using combat forces in crisis management. In 2003, in the European Security Strategy, 'joint disarmament operations, support for third countries in combating terrorism and security sector reform' were identified in the portfolio of tasks for which the EU would require a military capacity. Key documents, such as the 1999 EU Headline Goal and 2004's Headline Goal 2010, add some detail about the EU's aims, and its commitment to multilateralism and international law. But they do not indicate the precise nature of the missions towards which EU military capacity will be directed. Nor does the EU have any written military doctrine, in the traditional sense, for forces in EU operations.[17] Given the difficulty of achieving agreement among member states on the nature of future military activities (the precise scope of the third, 'peacemaking', Petersberg task has been an item of particular contention), actions may well precede any clear articulation of strategy. In other words, the EU may commit itself to improving its capacities before it identifies specific missions, including missions that view the protection of civilians as either an operational task or as a specific mission, such as outlined in R2P.

The EU may still tailor the development of its military capacity towards the types of operations in which civilian protection could be a primary concern. In particular, the UN has welcomed the idea of rapidly-deployable 'battle groups' as either a 'bridging force' to help the UN prepare a new mission or expand an existing one, or as a reserve force to respond under a UN mandate to contingencies beyond the capacity of the UN itself (UN, 2004). Overall, however, it is unclear to what extent these developments reflect the emergence of new EU capacity, or the reorganisation of member states' existing capacities.

4.3.3 The African Union

The AU is designing its own operational capacity for missions including support to humanitarian action in armed conflict or in response to major natural disasters. The AU Constitutive Act recognises that the AU will support intervention 'in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity' (AU, 2001: Art. 4). The Policy Framework establishing the planned African Standby Force (ASF), adopted by African defence chiefs in May 2003, sets out six potential conflict scenarios, escalating in intensity and in the use of force from Scenario 1 (military advice to a political mission) to Scenario 4 (a regional peacekeeping force under Chapter VI), Scenario 5 (an AU peacekeeping force for complex multidimensional peacekeeping missions) and Scenario 6 (an AU intervention in response to situations such as genocide, where the international

community does not act promptly) (AU, 2003: 3). Scenario 6 is the only scenario in which the AU suggests that an individual nation takes the lead.

The AU sees the ASF as its primary means by which to conduct future missions (AU, 2002: Art. 2, p. 3). The AU also plans to equip the ASF to undertake 'humanitarian activities' and to establish regional mechanisms in the form of five regional peacekeeping brigades (ibid.: Art. 15). Designed to include multidisciplinary civilian and military components from its member states, the ASF is to be operational by 2010. However, the capacity to implement these plans remains limited; the AU does not yet have these forces to call on, and is trying to strengthen its headquarters management and planning capacity.[18] The AU will look for, if not require, UN authorisation to act, but cooperation with the UN and its agencies is sought, and the UN is likely to play a role in helping the AU to develop its forces. The Union's secretariat, the AU Commission, is expected to work with the UN, both to develop its own capacity and to assess African peace support capacities in general.[19] The Commission is further expected to consult with the UN Secretariat in the coordination of external support for the ASF, in terms of training, logistics, equipment, communications and funding (ibid.: Art. 13). The UN is also likely to assist the AU in developing a concept of operations to protect civilians. The AU is still developing formal doctrine for its military operations; there is little available from its member states.

4.3.4 The Economic Community of West African States

ECOWAS is the most advanced subregional organisation in Africa in terms of peace operations. Made up of 15 West African states, its security-related responsibilities were outlined in its 1999 Protocol. Objectives include resolving internal and interstate conflicts, strengthening conflict prevention and supporting the deployment of peacekeeping operations and humanitarian relief missions (ECOWAS, 1999). Potential missions that could encompass the protection of civilians include interventions to prevent massive human rights violations and operations in internal conflicts that 'threaten to trigger a humanitarian disaster or pose a serious threat to peace and security in the sub region'. Humanitarian assistance is an integral part of the ECOWAS Protocol: the organisation will intervene 'to alleviate the suffering of the populations and restore life to normalcy in the event of crises, conflict and disaster'. A response to one of the above situations can be initiated by the ECOWAS Mediation and Security Council, a member state, the Executive Secretary, the UN or the AU, and can be

---

17 The EU has developed documents that are referred to informally as doctrinal; see, for example, Solana (2003).

18 The AU also needs logistics and enabling units, airlift, ground transport, mobile communications systems and teams of civilian experts that can deploy to the mission at short notice. The chain of command for the ASF will be through the Chairperson, an AU Commission-appointed Special Representative and a Force Commander.

19 Such assessments are delicate. The UN cannot evaluate troops *per se*, but it can advise on pre-deployment training and national participation in the Stand-by Arrangements System.

in the form of a peacekeeping or observer mission. The ECOWAS Standby Force has been approved, but ECOWAS has yet to develop any specific doctrine, policies or standard operating procedures to support it. Efforts to develop an ECOWAS doctrine are unlikely to start with scenarios that include civilian protection. An ECOWAS advisor interviewed by the author reported that he was not aware of 'anything that meets the definitions and scenarios' of civilian protection.[20]

4.3.5 The United Nations

Since the end of the Cold War, UN operations have expanded away from the traditional focus on ceasefire monitoring and observation missions to encompass new roles, and many operations have had at least an implicit protection element. In Somalia, the US-led intervention was humanitarian in intent: to protect civilians from starvation during the civil war. In Rwanda in 1994, the beleaguered UN forces led by General Romeo Dallaire worked to protect civilians (albeit under a Chapter VI mandate) and UN peacekeepers in the former Yugoslavia were directed to support 'safe areas' (albeit under a limited mandate). But on the whole, most UN-mandated peace operations in the 1990s were not explicitly aimed at civilian protection. Providing immediate security was a role – protecting convoys or enclaves, or more generally by supporting political agreements and humanitarian efforts, for example – but broader protection was more likely to be an *implicit* goal. How protection was conducted varied widely, as seen in the failures in the former Yugoslavia and Rwanda. Even on a smaller scale, challenges arose. After the US intervention in Haiti in 1994, which evicted the corrupt military junta, the rules of engagement were clarified so UN peacekeepers would protect individual citizens under threat from local criminals.

The military role in UN operations has expanded in two opposing directions over the last decade. First, peace operations have provided more direct support to peacebuilding efforts, such as through assistance with rule of law and civilian policing, integrating economic development and relief and assisting with the preparation and monitoring of elections. Second, peacekeepers have operated under more robust mandates, have been sent to areas of conflict, and have been asked to apply skills more associated with warfighting, including using force beyond self-defence to uphold the mission. Peacekeepers are learning to adjust to roles which are neither traditionally military, nor clearly just humanitarian or 'neutral' peacekeeping. While UN peace operations have more openly embraced their implicit mission to save lives, peacekeepers deployed in operations may not know how to interpret the civilian protection mandate, or whether the defence of civilians is their primary mission, or one of many tasks of varying levels of priority.

Confusion over peacekeepers' operational role in civilian protection is not surprising. Formal UN guidance or discussion of what these operations require is thin. Developing peacekeeping doctrine and training programmes has been viewed primarily as a national responsibility, not a responsibility of the UN.[21] The UN's Department of Peacekeeping Operations (DPKO) is clarifying the expectations of, and requirements for, these missions. In 2003, it published a *Handbook on United Nations Multidimensional Peacekeeping Operations* for field personnel. This recognises that self-defence may include the protection of 'oneself, other UN personnel, UN property and any other persons under UN protection'. On civilian protection, the Handbook had this to say:

> *In specific circumstances, the mandate of a peacekeeping operation may include the need to protect vulnerable civilian populations from imminent attack. The military component may be asked to provide such protection in its area of deployment only if it has the capacity to do so (DPKO, 2003).*

The premise is that operations with this mandate are dependent on capacity: forces are not *presumed* to have the ability to act in support of the mandate. This implies that, even when the civilian protection is referred to in UN resolutions, additional factors – actual capacity, perceived capacity and location – determine whether it is carried out. Furthermore, while the UN's language on civilian protection within mandates is now consistent and recognisable, its interpretation is highly varied, as is the preparation for such operations by peacekeepers, commanders and political leaders. Case studies of current operations would help to illuminate the operational approach used, and whether protection is meaningful to the forces on the ground. The DPKO Best Practices office is developing lessons-learned studies of recent missions.

4.3.6 National military forces

Within peace operations, the capacity and leadership of the force are important in determining effectiveness on the ground. Western countries with the most capable militaries are less engaged in UN peace operations than they were a decade ago: either they are reluctant to lead or commit their contingents to such missions, or they are stretched by other deployments, in the Balkans, Afghanistan and Iraq, for instance. Today's top troop contributors to UN missions come from developing states in Asia and Africa. Many have experienced and capable forces, but they are less able to provide the logistical and force-projection capacity their troops need to deploy and sustain themselves in the field.

A few Western countries have well-developed military doctrine for peace and stability operations, including missions with humanitarian and human rights aspects. Within

---

20 Discussion at ECOWAS Secretariat, June 2004; discussion at workshop held by the Henry L Stimson Center on 'Operationalizing the Responsibility to Protect', December 2004.

21 The UN offers pre-deployment training on rules of engagement. See DPKO (2004).

this literature, however, there is little that directly addresses civilian protection as a concept. Doctrine generally does not describe how to consider the protection of civilians as either a recognised component of a peacekeeping operation, or as the main goal of a mission. Where there is discussion of military efforts to support humanitarian operations, it is not cast in terms of civilian protection *per se*.

The countries with doctrine closest to addressing these issues are Canada and the United Kingdom. Canada, long a participant in UN peacekeeping operations, has doctrine for peace-support operations that describes civilian protection as a military task (Joint Doctrine Manual, 2002).[22] This states that force can be used to protect populations at risk:

> *Humanitarian interventions are launched to gain access to an at risk population when the responsible actors refuse to take action to alleviate human suffering or are incapable of doing so … Intervention is a combat operation intended to provide protection to the at risk population and aid workers by imposing stable security conditions that permit humanitarian access (ibid.: 2–5).*

The UK recognises that peace-support operations encompass the full spectrum of activities. Britain's statement of doctrine – *Peace Support Operations* – includes strategic, tactical and operational considerations for a range of missions that come close to this chapter's working definition of civilian protection:

> *The foremost task for the military force may be to restore the peace and create a stable and secure environment in which aid can run freely and human rights abuses are curtailed. Specific protection tasks may include Non-combatant Evacuation Operations (NEOs) but will more normally apply to the protection of convoys, depots, equipment and those workers responsible for their operation. Conditions of widespread banditry and genocide may exist, and when aid operations are being consistently interrupted there may be a requirement to use force in large measure to prevent the genocide and achieve the mission (UK MOD, 2004: 6–12).*

While Canada and the UK have this doctrine, both are working to better develop and integrate it for further use, such as into tactics, techniques and procedures, training programmes and other tools for their forces.

Just as developed states and multinational organisations are new to the language of civilian protection, so too developing countries are unlikely to have specific doctrine for peace operations, training for such missions, or a concept of operations for protecting civilians as a specific task or mission. Pakistan, one of the UN's main troop contributors, has extensive peacekeeping experience, including in very

difficult UN operations in Somalia and the DRC. While Pakistan does not have written doctrine for peace operations, it has seasoned troops prepared to face challenging situations on the ground (Kiani, 2004). Its national training is designed to prepare the army for a potential role in peacekeeping, though not in civilian protection specifically.[23] Likewise, experienced troops from Africa have an understanding of operations which comes more from the field than from formalised doctrine or training for peace operations. As one Nigerian officer put it to the author, pointing to his head, doctrine is 'up here'.[24] In informal surveys of military officers from Eastern Europe, Africa, Asia and Latin America involved in US classroom-based training courses on peace operations, no participant said that their country had doctrine that covered civilian protection in peace operations.[25] Specialised rules of engagement developed at the national level are also difficult to identify for operations that include civilian protection.

4.3.7 A mission or a set of tasks?

For militaries to be able to prepare for a role in protecting civilians, they need clarification about what this means. Defining an operation as a peacekeeping mission or as support to a humanitarian effort does not in itself provide that understanding. Operational requirements will depend on the scale and severity of prevailing insecurity, the mandate and the deployment's ability to use force, and the specific situation on the ground. A distinction can be made between forces leading an intervention expressly to protect civilians (such as to prevent mass killings), and forces participating in a peace operation, where some activities will support civilian protection directly or indirectly as part of a larger mission. Accordingly, the situation affects whether military forces treat protection as one of many tasks within a mission, or as a mission with protection as its central, primarily goal. Civilian protection tasks may be familiar, such as protecting a convoy or securing a clearly defined area. Protecting an IDP camp is akin to protecting a compound of military personnel. The challenge increases as the area or group requiring protection becomes less defined by physical space. Providing security to a group of civilians dispersed over an undefined area, for example, can be much more difficult than defending a specific convoy or building, or an area with a perimeter, especially if those from whom civilians are being protected are interspersed in the same area, are difficult to identify and are free to move around.

One important question is how force commanders and contingents view their mission and tasks, and the scope of their responsibility. What is the imminent threat? What does 'within an area of responsibility' mean? How does a force

---

22 Joint Doctrine Manual, *Peace Support Operations*, Chief of Defense Staff, B-GJ-005-307/FP-030, November 2002, Canada.

23 Author interview, Pakistan army official, May 2005.

24 Author interview, Nigerian ECOWAS officer, June 2004.

25 US government-sponsored courses in Washington and Newport, RI, in May and July 2005 included participants from Bangladesh, Bosnia, Bulgaria, Ethiopia, India, Italy, Mongolia, Nepal, Pakistan, Romania, Rwanda and Ukraine.

think about protection when individuals are facing threats three streets, or three miles, beyond the peacekeepers' line of responsibility? What if the peacekeepers themselves are under threat? In UN operations, the mission leadership must ensure that a common understanding runs from the Special Representative of the Secretary-General (SRSG) through to contingent commanders and individual troops. This links directly to the rules of engagement, how they are understood by the civilian and military participants in the operation, and how they relate to humanitarian efforts on the ground.

Whether civilian protection is seen as a mission or as a set of tasks also depends on who has primary responsibility for protection. Numerous military officers consider protection as first and foremost a policing or civil affairs function. Indeed, many threats to the civilian population arise from banditry, lawlessness and violent crime. However, policing roles may fall to the military since they are often the first to be sent into a post-conflict zone. Some point to the role of military police, who are trained to serve more like infantry forces with arrest powers, and who can escort convoys, operate in non-permissive environments and carry weapons. Military police regularly define their mission as restoring and maintaining civil order.[26] Civilian police may be needed for tasks within a UN operation, or to help secure humanitarian space. Police personnel are rarely prepared for higher-end threats, though their support for the development of law-enforcement capacity can strengthen longer-term security and stability, and thus the overall protection environment for civilians.

Finally, using force to provide security can also complicate cooperation between the military and humanitarian actors in the establishment of humanitarian space. Some humanitarian groups call for military action to protect civilians, but refuse to cooperate with militaries because this is seen as compromising their stance as neutral providers of assistance. Others believe that the goal of humanitarian groups is to operate effectively within the bounds of armed conflict, but not to cooperate with a belligerent or to speak out on the justness or otherwise of a war (Torrente, 2004).

4.4 Field realities

Given the many definitions of civilian protection, reviews of how forces have worked in the field are useful. Case studies can demonstrate the wide variety in thinking about protection, in the potential areas of military engagement and in identifying where better understanding is needed for future missions. For example, what is known about how UN mandates for civilian protection are applied in peace operations in the field? This section looks at key operations in the DRC and Iraq to provide some insights.

4.4.1 MONUC, Artemis and civilian protection in the DRC

Of UN peace operations, the MONUC mission in the DRC

demonstrates most clearly the difficulties faced by peacekeepers in protecting civilians. When it was established in 1999, MONUC's mandate did not make reference either to Chapter VII or to civilian protection. In 2000, the Security Council strengthened that mandate, authorising MONUC under Chapter VII to take 'necessary action, in the areas of deployment of its infantry battalions and as it deems it within its capabilities to … protect civilians under imminent threat of physical violence'.[27] This was only the second time the Security Council had used such language to direct a UN-led mission to protect civilians (the first case was Sierra Leone, the year before).

Protecting civilians in the DRC was immensely challenging. The vast country was wracked by war, with multiple rebel groups and militias, together with forces from neighbouring countries fighting in and along its borders. Millions of civilians were dying, injured, displaced and traumatised.[28] With the signing of the Lusaka Peace Accords in July 1999, the UN was asked to recruit peacekeepers. No major developed state sent more than a few troops, however, and the UN deployed slowly, in insufficient numbers, and in multiple phases tied to the local parties' meeting the provisions set by the Accord (Roessler and Prendergast, forthcoming). The logistical and operational challenges facing peacekeepers in the DRC were huge: roads were few and infrastructure was poor; the area of operations was immense and the population dispersed; and there was a complex array of competing rebel factions. The international community was doubtful about the viability of a peace operation (Washington Post, 2000: A16).

During its early phases, the mission was designed and structured as an observer force. UN forces were not initially recruited with an expectation that they would intervene to defend civilians. Indeed, UN peacekeepers faced obstacles in supporting the political peace, let alone providing support to humanitarian assistance or improving security for civilians. MONUC forces were not deployed in large numbers, nor were they adequately mobile.

High-profile events soon demonstrated MONUC's difficulty in protecting civilians, even within its areas of deployment, as seen most dramatically during attacks on civilians in Kisangani in 2002, ethnic violence in Ituri in May 2003, and the capture of Bukavu by dissidents in 2004. Officials in MONUC, at DPKO and elsewhere within the UN had few illusions about the capacity of the peacekeeping force, and privately many admitted that such failures to protect civilians damaged MONUC's credibility

---

26 Interview with a professor at the US Military Academy (West Point), 2004.

27 UN Security Council Resolution 1291 (2000). MONUC's original mandate was established through resolutions 1258 (1999) and 1279 (1999), neither of which referred to civilian protection.

28 The International Rescue Committee (IRC, 2004) has estimated that there were 3.8 million excess deaths in the DRC from August 1998 to April 2004, due more to human displacement, exposure to disease and lack of access to health care, food and water than to the direct effects of violence.

and made fulfilling the other aspects of its mandate difficult (Bernath and Edgerton, 2003: 9).

The Secretary-General told the Security Council in June 2002 that MONUC required more troops, more equipment and a reconfiguration of forces (UN Secretary-General, 2002: paras 71–72). A senior DPKO military officer was more blunt about the operation's limitations, telling Refugees International that the mission's troop strength was 'a drop in the bucket'. He pointed out that troops within the region took 'hours or days' to arrive in areas of insecurity, and were often primarily concerned with their own safety. There was a lack of a military strategy to deal with local threats: 'All [the UN troops] are trained or equipped or manned to do is protect their bases and equipment' (Bernath and Edgerton, 2003: 9–10). According to a development worker stationed in the DRC for many years, the UN operation faced such major difficulties fulfilling its mission that it asked the humanitarian community to provide food to fighters as a means of reducing violence.[29]

The Ituri crisis in 2003 underscored MONUC's lack of capacity to offer widespread presence, active intervention or specific measures to secure towns or regions to protect Congolese civilians. The Ugandan withdrawal (a condition of the peace accord) left a vacuum of power and security that the new government – and the UN – proved unable to fill. A wave of violence followed. UN member states had yet to offer sufficient troops to meet MONUC's authorised strength of 8,700 military personnel. Arrival of a South African brigade had been delayed, and by April 2003 MONUC's force level stood at only 4,700 (Peacekeeping Best Practices, 2004: 6). As a result, the UN was forced to redeploy a small battalion of Uruguayan troops (URABATT) to Bunia to protect UN workers and members of the Ituri Interim Administration (the nascent regional political body). The Uruguayans were trained for guard duty, however, and did not expect to undertake robust operations (nor did DPKO expect them to do so).[30] Attempts to conduct patrols and establish roadblocks proved too dangerous, and the Uruguayan forces limited their activities to defending the local airport and UN headquarters. Violence began to spiral out of control. Eventually, 6,000 IDPs fled to UN headquarters and 10,000 to the airport in search of protection, and URABATT's forceful defence of these sites probably saved their lives (Peacekeeping Best Practices, 2004). However, ethnic violence against both Hema and Lendu civilians continued across Ituri (HRW, 2003).

In response to the crisis, the EU authorised a French-led Interim Emergency Multinational Force (IEMF), named

Operation Artemis, in June 2003. With troops from other developed countries, Artemis deployed to Bunia for three months. The mission's primary objectives were to stabilise the situation, support MONUC and the humanitarian effort, safeguard the airport and protect IDPs. The operation also gave the UN time to reconfigure and strengthen its forces in Ituri. The Security Council authorised the IEMF under Chapter VII to use 'all necessary means' to 'ensure the protection of … the internally displaced persons in the camps in Bunia'. If the situation required it, Security Council Resolution 1484 also authorised the IEMF 'to contribute to the safety of the civilian population, UN personnel and the humanitarian presence'. Special capabilities included satellite surveillance and French and Swedish special forces and night-vision equipment; Mirage jets overflew the town as a show of force. The IEMF banned displays of arms in and around Bunia, declaring it a 'weapons invisible' zone, and engaged armed groups that opposed its authority. In one clash shortly after deployment, 20 militia members were reportedly killed.

Most observers credit Artemis with stabilising Bunia and allowing thousands of IDPs to return. With only about 1,400 personnel (half of them at force headquarters in Uganda), however, the operation was limited to Bunia, and did not cover the whole of Ituri province. While Artemis itself benefited from having a limited area of operation, this also meant that it had little effect in other parts of the province where fighting and attacks against civilians continued. Nonetheless, Artemis certainly marked a turning-point for MONUC, as the UN sought to strengthen its forces and engage more actively to implement the mandate. Resolution 1493 in July 2003 recommitted MONUC to protecting civilians, and the DPKO began to inform troop-contributing countries that their contingents needed to be prepared and equipped to protect civilians.[31] As a result, an 'Ituri Brigade', including experienced peacekeepers from India, Pakistan, Nepal and Bangladesh, was sent to eastern DRC equipped with Indian attack helicopters and (limited) night-vision equipment.

Even as the UN began expanding the scope of its Ituri operations, renewed hostilities in the Kivus in 2004 once again challenged MONUC's capacity and willingness to protect civilians. Tensions over the integration of forces into the new Congolese army came to a head in May and June with the mutiny of two dissident commanders from the Rassemblement Congolais pour la Democratie (RCD)-Goma, and the subsequent siege of Bukavu, the capital of South Kivu province. By this time, however, MONUC's capacity had substantially increased. As recommended by the Secretary-General in March 2004, a brigade-sized task force had been deployed to the Kivus, with troops from South Africa and Uruguay (UN Secretary-General, 2004b).

---

29 Author interview, 2005. See also Dinstein (2000).

30 The UN letter to the Uruguayan government requesting consent for the troop redeployment reportedly made no request for robust operations or forces specifically to protect civilians. See Peacekeeping Best Practices (2004).

31 Author interview with a former DPKO official who briefed troop-contributing countries on the mission, March 2005.

By May, MONUC's force level had increased to 10,700, with 450 personnel stationed in the Bukavu area. Another 350 were redeployed to Bukavu when hostilities began, bringing the total to 800 by the time rebel forces arrived in the city on 29 May.

Despite these augmented forces, MONUC did not intervene as militias rampaged across Bukavu, killing and raping civilians, looting and burning parts of the city to the ground. Diplomatic pressure forced the dissidents to withdraw in early June, only to be replaced by troops from the Forces Armées de la République Démocratique du Congo (FARDC), who likewise targeted civilians, this time the city's Banyamulenge population, 3,000 of whom subsequently fled to Rwanda (HRW, 2004: 30). MONUC's inaction led to widespread protests against the mission in Kinshasa and elsewhere, causing more than $1 million in damage to UN property and equipment.

Within MONUC, there appears to have been confusion regarding the nature of the crisis at hand and the mission's authorisation to use force. The Deputy Force Commander in charge of the troops in Bukavu, General Jan Isberg, was reportedly prepared to use force to defend the city. However, he was overruled by the political leadership in Kinshasa and New York, which feared that to do so would entail appearing to take sides in the conflict (ICG, 2005d: 24). Although Isberg reportedly instructed the Uruguayan commander to use force to defend the Bukavu airstrip, the Uruguayans failed to do so. UN spokesman Fred Eckhard defended the organisation: 'When war breaks out', he argued, 'the role of peacekeepers ends' (Price, 2004).

Following the Bukavu crisis, the UN moved towards the more forward use of force to achieve its mandate and to protect civilians. As militias began to target MONUC more frequently in 2004 and 2005, especially in Ituri, the mission had little choice but to engage in robust operations, even if only to protect its forces. After a militia ambush killed nine Bangladeshi peacekeepers in February 2005, MONUC took a more aggressive tack. A clash with the militia at its base in Loga in March left up to 60 militiamen dead (Roessler and Prendergast, forthcoming). In Kivu villages, peacekeepers camped out nightly among the population, patrolling on foot and intervening whenever incidents occurred (Sabella, 2005). Likewise, MONUC imposed a deadline on militia groups in Ituri to voluntarily disarm or face forcible disarmament by the armed forces of the DRC with MONUC's support. The mission subsequently engaged in a number of aggressive cordon and search operations, and by late June 2005 MONUC reported that it had disarmed about 15,600 militiamen (MSF, 2005).

Despite such aggressive operations – unusual for a modern UN mission – it was not clear that MONUC's actions had resulted in a significant increase in civilian security in the

Kivus and Ituri. Médecins Sans Frontières reported in August 2005 that violence against civilians was not decreasing in Ituri, and the agency ceased all medical and humanitarian assistance outside Bunia due to insecurity (MSF, 2005). Although MONUC personnel approached the authorised level of 16,700, this was still below the 23,900 recommended by the Secretary-General in August 2004. In October 2005, the Security Council authorised a temporary increase of 300 personnel.

The DRC's transition remains at serious risk, prospects for successful elections are unclear and the security of civilians in many parts of the country is tenuous. Rule of law remains extremely weak and support for the humanitarian effort exceedingly difficult. Meanwhile, revelations of sexual abuse by peacekeepers have only compounded the problems MONUC and the UN face.

Many lessons can be drawn from the UN and EU experience in the DRC. Expectations and mandates for civilian protection are not enough to assure it. Peacekeeping contingents need to be recruited and prepared for that role, and need to be ready to use force effectively within the rules of engagement. Throughout the operation, defined goals for protection and the specific tasks to support those goals need to be identified and understood. To carry out their mandate, peacekeepers must also have the fundamental capacity to operate, including sufficient equipment, manpower and transport, with back-up as needed. They must not be so at risk themselves that they cannot provide security to civilians. The operation's political leadership needs to communicate with the peacekeeping force to square their actions with the overall mission.

4.4.2 Civilian protection in Iraq

How is civilian protection considered in operations such as the US-led intervention in Iraq from March 2003? The case of Iraq is not a typical civilian protection mission, nor does it raise the same questions as a peace or stability operation. Nonetheless, it can shed light on some of the fundamental concerns around the provision of civilian protection in a war zone. Indeed, the case of Iraq reminds us that military forces are primarily designed for wars, not peace operations. There are three phases to consider: the initial invasion, the immediate occupation and the insurgency there today.

The offensive against Iraq was cast as a bid to liberate Iraqi citizens from tyranny, although civilians were not being killed en masse by Saddam Hussein's regime. Moreover, during the invasion phase, the primary goals of the operation did not include the immediate protection of Iraqi civilians from immediate harm. The US-led intervention was a warfighting operation, not a peace operation or a civilian protection mission. Peace operations use force sparingly and under limited rules of engagement; either implicitly or explicitly, protecting civilians is included as a goal, task or

outcome of the mission; and there is an expectation of collaboration between peacekeepers and humanitarian organisations. By contrast, warfighting is carried out to achieve a policy goal by threat or means of force. Beyond the obligations of international law, the concepts that apply to the military's role in civilian protection are stretched in warfighting operations, where the goal is to defeat the enemy. Nonetheless, as discussed above, warfighting is not free of constraints on the use of force. International law enjoins all parties to avoid or minimise civilian casualties, and to provide relief to those who need it who are *hors de combat*. Parties to a conflict must also allow humanitarian efforts to reach civilians caught up in the conflict. The Geneva Conventions spell this out, and recognise the role of the International Committee of the Red Cross (ICRC) and other humanitarian groups.

Some look at protection in terms of civilian casualties, considering what military measures have been taken to reduce injury and harm to civilians caught in the fighting. Research programmes such as the Project on the Means of Intervention at Harvard University's Carr Center, as well as NGOs like Human Rights Watch, have looked at how military actions can better support humanitarian goals during conflict. In the case of Iraq, it has been argued that more could have been done by Coalition forces in the design of their campaign, their use of weaponry and their recording and evaluation of the impact of war on the civilian population itself (HRW, 2003). Personnel within the US military state that the armed forces acted to minimise civilian harm.[32] A senior military officer who served in the US Office of Reconstruction and Humanitarian Activities stated that, while the military did not plan for 'civilian protection', it had a 'do not bomb' list of key infrastructure sites that were necessary for society to function immediately after the conflict, such as bridges and electrical plants.[33] However, it has been pointed out that, while the US military may make unprecedented efforts to avoid civilian casualties, it does not study its impact on civilians, and so cannot usefully judge the effectiveness of these efforts.[34] NGOs such as MSF have argued that there was insufficient access to civilians during the war; that the conduct of the multinational force compromised the humanitarian effort by seeking to align it with the war effort, something which humanitarian actors did not effectively counter; and that NGOs themselves became the target of insurgents (Torrente, 2004).

During the second, occupation phase in Iraq, issues of civilian protection involved the responsibilities of the Coalition as an occupying force. In May 2003, the Security Council recognised the US and the UK as the occupying powers (in Resolution 1483). As such, they were required

under international humanitarian law to protect the population, ensure public order and safety and assure civilian access to essential needs, such as food, medical supplies, clothing and shelter. In the initial phase after the war, the occupying forces failed to provide security, prevent looting or institute a clear plan to provide for the population. As one military officer involved described it, the US was not prepared for the military campaign to move so quickly, and had insufficient forces in place to provide immediate security as troops advanced on Baghdad. Furthermore, US planning erroneously presumed that Iraqis would quickly take control of their own governance and security.[35] The failure lay not in the protection of civilians from threats existing prior to the invasion, but in protecting them from the consequences of the invasion itself.

During the third, counter-insurgency phase in Iraq, as violence against the occupation and the Iraqi government has grown, Western forces on the ground have had to make difficult decisions about the use of force. When is a white flag a legitimate sign of peace, and when is it a fraudulent decoy used to lure forces within range of snipers? Insurgents target civilians who are cooperating with US-led forces, seeking to establish an Iraqi government or providing assistance to the Iraqi people. Troops face ambiguous situations, are criticised if their choices are wrong and are fearful for their own lives. Even when the rules of engagement are followed exactly, individuals must make split-second judgments about the right response to particular situation.[36] Iraq, in short, highlights the difficulties facing military forces in providing protection – and avoiding causing excessive harm – to civilians in war, and in the transition to a post-conflict situation.

4.5 Conclusions

Increasingly, international leaders, policymakers and NGOs are aware of the work of human rights and relief organisations in addressing civilian protection, as well as the concepts of responsibility to protect and the potential role of military forces in providing such protection. Canadian Prime Minister Paul Martin, for example, reportedly raised the Responsibility to Protect concept with US President George Bush in November 2004. Greater resources are now directed towards protecting civilians affected by, or targeted in, conflicts. An awareness of civilian protection has also moved into policy arenas, and reference to the 'protection of civilians' is regularly included in Security Council mandates for UN-led Chapter VII peace operations. By October 2005, seven such UN missions were directly charged with protecting

---

32 Author interviews, US government and NGO officials.
33 Author interview.
34 Interview, Sarah Sewall, Executive Director, Project on the Means of Intervention, Carr Center. See also Sewall (forthcoming).

35 Author interview, retired senior US military officer, March 2005.
36 As *The New York Times* (2005) editorialised: 'No one wants soldiers killed by suicide bombers who got too close. But neither do we want these soldiers to have to live forever with the knowledge that they killed a heroic intelligence officer, or that they mowed down the parents of four Iraqi children in front of their very eyes, by mistake'.

civilians.[37] As a result, protection is presumably a task of peacekeepers in these missions.

What does a role in the protection of civilians mean for military forces? The answer depends on the nature of the mission and the capacity of its personnel. At one end, the potential role of armed forces in preventing genocide, mass killing or ethnic cleansing is widely discussed, and is at the core of the *Responsibility to Protect* report. Such a view of protection has animated the debate over what to do about Darfur. AU forces there may offer some residual or intermittent security by their presence, but they are not designed to provide physical security to the people of the region. If called to intervene and secure a region, no multinational organisation today could offer personnel prepared specifically for a 'civilian protection' operation, as well as the capacity to deploy quickly and sustain them on the ground in a non-permissive environment. NATO has the most robust military capability, including logistics, well-trained troops, doctrine and sustainability, but it has not prepared for a mission aimed at protecting civilians in a setting such as Darfur. Conversely, organisations such as the UN and the AU have at least mandates to protect civilians, but lack NATO's operational capacity to intervene.

Of the four organisations outside the UN which can offer intervention forces – NATO, the EU, the AU and ECOWAS – none has an easily identifiable concept of operations for civilian protection, whether in an R2P scenario or as part of peace and stability operations. Many countries are willing to deploy forces in such operations, but few have recognised the protection of civilians as a component of these missions. In general, traditional means of preparing for military operations – doctrine, training programmes, rules of engagement – have not been adapted to address missions involving civilian protection. Militaries and organisations such as NATO do not use the phrase 'protection' or 'civilian protection' in their doctrines, or to describe their activities and missions. Preparations for such operations are *ad hoc*.

Various tools of civilian protection in fact already exist. Some concepts of warfighting, for example, can apply to the provision of broad security and stability, such as protecting convoys, securing a camp or town and disarming armed groups. Elements of training for peace operations may also be applicable, for instance in policing, human rights, civil–military relations and patrolling techniques. At least in environments at the lower end of the threat spectrum, it is possible to identify a series of tasks that can serve to uphold a civilian protection mandate, and provide immediate security to a defined area.

To identify a role for military action in support of civilian protection, the overall political goals and strategy of the operation also need to be clear, including who is responsible for security. From that strategy, likely tasks can be identified, including the means of providing or facilitating physical protection to civilians. The political strategy also should establish when the mission is completed – and whose responsibility protection then becomes (the government of the host country, for instance).

Equally important is addressing the likely conflict between the humanitarian concept of protection and the concept of civilian protection through military action. The former aims to be impartial and neutral; the latter is usually employed to serve political goals, such as enforcing a peace agreement. Some view MONUC as a useful case study of the role of UN forces in providing protection. Others argue that MONUC cannot be a model since it has confused humanitarian efforts (in response to a horrific crisis for civilians) with support to a political goal (helping to implement a peace agreement). Peacekeepers are thus trying to protect civilians when their larger mandate has other, potentially competing goals, and when they are not equipped to act in the role of humanitarians or to fully defend civilians against violence. One senior DPKO official has called this 'conflict peacebuilding'. This is a place where the UN might not belong.[38]

What then should the role of armed forces be in conflicts ranging from Haiti to the DRC, from the Balkans to Iraq? The fact that there is a gap between the idea of intervening to protect civilians and the military preparedness to do so does not mean that such missions cannot be conducted; they certainly can. While there is no single understanding of what it means to protect civilians under imminent threat, there is growing experience from recent UN operations to help sort out what it has meant on the ground. Understanding those experiences can identify the gaps, and where peacekeepers can make a difference. But without more clarity regarding the *meaning* of civilian protection, it is difficult to identify the appropriate tools needed to make such interventions successful.

Common definitions and understandings within and between the humanitarian and relief community, the peace operations community, and the military community are needed to clarify the concept of operations of civilian protection. Such definitions could distinguish between a broad concept of protection, and specific tasks to protect civilians physically from violent conflict. Working from common definitions, the military and peace operations communities can better identify equivalent concepts and language to move toward these goals. In particular, there is a need for more clarity within the UN and other multinational organisations that deploy military forces. Even between UN offices that work together, between OCHA and the DPKO, for example, 'civilian protection' seems to have a variety of meanings. Protection tasks or

---

37 These are the operations in Burundi, Haiti, Côte d'Ivoire, the DRC, Sierra Leone, Liberia and Sudan. The actual language used in the mandates varies.

38 Author discussion, June 2005.

missions require that deployed peacekeepers and their political leaders understand the concept of the mission and what forces are prepared to do to carry out the tasks required by the protection mandate, including what level of force would be appropriate to achieving the mission's goal. What does a protection mandate mean for the UN in the DRC, for NATO in Afghanistan or for the EU down the road – and how does it translate from the political leadership to the field? What does it mean for troop-contributing countries in these operations? Even as reference to civilian protection is used in debates on the purpose of the AU mission in Darfur, and the possible contributions of military support from non-African countries, these discussions appear disconnected from considerations of how forces in Africa, the UK and most states are trained and prepared to act, even in peace and stability operations, and how that would apply in Darfur.

National policies and capacities also need consideration. With the increased demand for stability and peace operations, including operations in Iraq and Afghanistan, some nations are conducting reviews of national and international capacities (personnel, funding, equipment, organisation, doctrine and training). This offers opportunities to examine and address gaps in the preparation for operations and in how they are conducted, including for the purposes of civilian protection. In turn, this may give better support to multi-national organisations and operations involving the protection of civilians. States should also be asked about what would constitute an acceptable level of risk to their armed forces in future peace operations; peacekeepers are, after all, being asked to put their lives in danger.

The language of 'protection' may assist multiple actors to identify goals for relief and humanitarian assistance, human rights or development work, peacekeeping and peace enforcement operations. Yet as the discussion expands, it threatens to become dangerously diffuse. Military missions involving civilian protection, whether as the central goal of the operation, a task within the mission or the overall result of acting to provide security, can be more clearly defined and offer positive roles for military forces involved in future crisis situations.

Chapter 5
Humanitarian principles, private military agents: some implications of the privatised military industry for the humanitarian community[1]

P. W. Singer, Brookings Institution

In Afghanistan, a private demining team clears decades-old minefields, permitting local villagers to till their fields. In Iraq, a unit of corporate commandos escorts an engineering team, allowing it to fix local sewage facilities. In Darfur, private helicopter crews provide transport for African peacekeepers. In the Democratic Republic of Congo (DRC), a team of private soldiers guards UN facilities and warehouses. And along the US Gulf Coast, ravaged by Hurricane Katrina, private clients and the US government hire private firms to guard buildings from looters, rescue stranded families by helicopter, even collect and process the dead.

The context in which humanitarians are operating has seen many changes in recent decades, especially with the challenges of complex emergencies, man-made humanitarian disasters and new security threats. One of the more notable – but least understood – developments has been the emergence of hired military services, better known as the 'privatised military industry'. Privatised military firms (PMFs) are defined as business providers of professional services linked to warfare. They are corporate bodies that specialise in the provision of military skills, conducting tactical combat operations and strategic planning, providing intelligence, operational and logistics support and offering troop training and technical assistance. While the notion of soldiers for hire is by no means new,[2] PMFs represent the trade in a new form; organised as business entities and structured along corporate lines, they mark the corporate evolution of the mercenary trade.[3] In some ways, this trend in defence contracting mirrors broader changes in the world economy, as industries move away from manufacturing to service provision, and countries increasingly outsource functions once considered the preserve of the state. At the same time, however, affairs of conflict and warfare are unlike any other aspect of human conduct, and cannot simply be

viewed as mere business. In that sense, the rise of this new industry represents a profound development in the way that security is understood and realised.

It is important at the outset to distinguish between the various functions which PMFs may be asked to perform. This chapter considers two kinds of arrangement. One involves contracts directly between aid agencies and PMFs for the provision of services to the agency in the conduct of its field operations. The second (much larger) category involves arrangements between PMFs and political-military actors for the provision of military services, ranging from logistical support to the actual conduct of military operations, that affect the environment in which humanitarians operate. Both raise important, but little-discussed, questions for the humanitarian community. This chapter covers five main issues: the history and makeup of the private military industry; the growing link between humanitarian actors and the private military community; the potential opportunities that PMFs offer to humanitarian organisations; the potential perils and complications that must be considered; and lessons for optimising the relationship if such contracting is to occur.

5.1 The private military industry explained

The private military industry emerged at the start of the 1990s. The end of the Cold War saw a significant reduction in the size of professional armies and growing global insecurity, increasing both the supply of private military expertise, and the demand for it. More than six million soldiers were demobilised around the world at the end of the Cold War, more weapons are in private hands than in public stocks, and the number of areas of instability and conflict has doubled (Singer, 2003: chapter 4). At the same time, a shift towards outsourcing and the privatisation of state services, from prisons to the mail, created an ideological climate conducive to the private provision of military services.[4] As Hellinger (2004: 192) puts it: 'The erosion of Westphalian norms, the spread of neoliberal economic tendencies, especially the privatization of services, and the globalization

---

1 In the course of this study, interviews were conducted with 39 representatives of state and non-state humanitarian actors, seven experts in the humanitarian field (scholars and former senior humanitarian officials) and more than 50 PMF employees and executives; the work also drew on previous research for the author's *Corporate Warriors* (Singer, 2003). The author would like to thank the interviewees, as well as Elina Noor, Research Assistant at the Brookings Institution.

2 Historical examples include the free companies of the Hundred Years War, the Condottieri of the 1500s and the army of Albrecht von Wallenstein in the Thirty Years War. More recent examples include *Les Affreux* of 1960s Congo.

3 For more on the history of the private military industry, see Singer (2003): 19–39.

4 In a similar way, there has been an increasing tendency to outsource functions to the non-governmental aid sector. Roughly 75% of USAID's activities are carried out by a mix of for-profit companies and not-for-profit NGOs. In Iraq, USAID has contracted work worth more than $3.2 billion to for-profit firms (USAID (2005)).

of the production of goods and services are working to institutionalize PMC [private military company] activity. Their presence in humanitarian, peacekeeping, and peace-enforcement operations is likely to be permanent'. Today, PMFs operate in over 50 countries, and have been decisive actors in conflicts in Angola, Croatia, Ethiopia–Eritrea and Sierra Leone. Even the US military, arguably the most powerful armed force in history, is a client; between 1994 and 2002, the US Defense Department entered into over 3,000 contracts with US-based firms, worth an estimated $300 billion (International Consortium of Investigative Journalists, 2002).

PMFs range from small consulting firms run by retired generals to transnational corporations leasing out fighter jets and battalions of commandos. Broadly speaking, the industry can be divided into three basic business sectors (Singer, 2003: 88–101).

1) Military provider firms, commonly known as 'private military companies' or 'PMCs' (also sometimes self-described as 'private security firms'). These offer direct, tactical military assistance, including serving in combat roles. Executive Outcomes, a now-defunct South African firm, opened the sector in the early 1990s. While clients such as the UN and humanitarian agencies (including NGOs) often prefer to work with low-profile security providers like Olive, Hart, Armorgoup-DSL and AKE, they have also hired firms with a wider media profile, such as Blackwater or Custer Battles.[5]

2) Military consulting firms. Akin to management consultants, these companies draw on retired senior and non-commissioned officers to provide military advice and training, but do not carry out operations themselves. The best-known of these firms is the Washington-based Military Professional Resources Incorporated (MPRI), a company made up primarily of retired US senior army officers.

3) Military support firms. These companies provide logistics, intelligence and maintenance services. The biggest player in this sector is the US company Halliburton, and its KBR subsidiary.

5.1.1 Terminology

There is no standard definition of what constitutes the private military industry. The term Privatised Military Firms (PMF) is used here in recognition of the wide range of roles that make up the military function in addition to actual military operations. Whilst many use the term Private Military Companies (PMC) to describe the industry, this denotes only the armed sector of firms that provide tactical services, not the wider range of services once limited to militaries that PMFs offer, ranging from combat training to logistical support.

Many in the industry itself have argued for the relabelling of firms in the tactical sector as providing 'private security', on the grounds that they perform only 'defensive' roles (earlier in the industry's history, the terms 'active' and 'passive' were also used).[6] This definition fails on multiple levels. The distinction between 'offensive' and 'defensive' functions is an analytic device used nowhere within the military; infantry soldiers do not become non-military actors when assigned to guard duty, and nor are units classified in terms of whether they conduct purely defensive or purely offensive tasks. Second, the categorisation generally degenerates into a division of the industry in which security/defensive firms are 'good', and military/offensive firms are 'bad'. It is understandable that some firms (and their advocates and clients) should be quick to describe themselves as offering 'security', since this makes for a better public image and a better claim to legitimacy. But this does not make it analytically useful. Moreover, the line between offensive and defensive is essentially subjective. A unit, function or weapon that one force describes as purely defensive can be viewed by another as completely offensive. Moreover, the same basic obligations and rights under international humanitarian law (IHL) pertain regardless of whether one's actions are described as offensive or defensive in nature.

5.2 'Don't ask, don't tell': humanitarian actors and private military firms

Just as the privatised military industry is diverse, so too is its clientele, ranging from 'ruthless dictators, rebels and drug cartels' to 'legitimate sovereign states, respected multi-national corporations, and humanitarian NGOs' (Brooks and Solomon, 2000). Humanitarian actors make greater use of private military agents than is generally recognised; certainly, assumptions that such contacts are 'unique' or 'limited' are false. As one senior humanitarian security officer put it, humanitarian actors use PMFs 'more than people think', and this use 'is growing'.[7] Contracts between humanitarian actors and PMFs have taken place in nearly every notable war zone, including Afghanistan, Bosnia, the DRC, East Timor, Haiti, Iraq, Kosovo, Mozambique, Sierra Leone, Somalia and Sudan. Typically, PMFs are hired in areas where the state government is unable to provide security, and the international community is over-extended or unwilling to dedicate sufficient resources to do so. Unfortunately, these characteristics typify the environment in which humanitarians operate today.

5.2.1 The changing security landscape for humanitarian action
Humanitarian actors typically under-invest in security. For example, a study undertaken in 2000 (Martin, 2000) found that 25% of UNHCR's 'high risk' posts lacked even a single security officer. A survey of 78 humanitarian organisations

---

5 Interview with industry expert, September 2005; Robert Young Pelton, email, 19 September 2005.

6 See, for example, Brooks (2000).

7 Interview, 28 September 2005.

in 2004 (ECHO, 2004) found systematic failures in the recruitment, training and retention of qualified security managers, caused by, among other reasons, a lack of funding and the absence of external pressure to manage security well. Meanwhile, a significant number of well-qualified and experienced security personnel have been lost to PMFs, who can pay larger salaries (one humanitarian official described 'the loss of security human resources' as 'a huge problem, especially in Iraq and Afghanistan', noting that 'qualified humanitarian security experts would not be able to stay unemployed for longer than a week').[8]

At the same time, the wars that humanitarian agencies operate in typically feature local, unprofessional factions, characterised by large-scale criminality and a lack of discretion and distinction between civilians and combatants. Between 1992 and 2004, there were over 270 violent attacks on UN compounds or convoys, and 218 UN civilian personnel were killed as a result of 'malicious acts' in 45 different countries (this number does not include the deaths of peacekeepers or those who died in aircraft accidents or shoot-downs); 270 were taken hostage in 27 countries and more than 120 UN staff members were seriously assaulted (UN, 2004; Cohen, 2003: a19; UN News Service, 2003). Data on non-UN agencies is patchy, but there is some evidence to suggest that the security situation has grown worse over the last decade, and particularly since 9/11. In 2003 alone, 76 humanitarian workers were killed by hostile action worldwide (one US government report on humanitarian work described 2003 as 'The Year of Living Dangerously' (NSC, 2004)). As one human rights organisation coordinator put, there is 'No empirical evidence that declaring yourself to be neutral actually enhances your security'.[9] Only 24 perpetrators have ever been held accountable in a court. In February 2005, the UN General Assembly admitted that threats to its staff and associated personnel had escalated dramatically, and that 'perpetrators of acts of violence seemingly operate with impunity' (UN, 2005).

This, of course, goes to the heart of the dilemma humanitarian agencies face. The crisis may demand a humanitarian presence: without aid, people will suffer, die of disease or be exposed to greater levels of violence. Yet the situation is not safe for aid agencies without some kind of protection. Without armed protection, assets are liable to be looted, staff placed at extreme risk and operational access rendered impossible. But by hiring armed guards, agencies risk losing the perception of neutrality that they rely on to maintain their access and ensure their immunity from attack. Like it or not, they risk becoming associated with one or other side in the conflict, potentially undermining acceptance of their presence by local actors. If guards are locally hired, they put cash into the local war

economy – perhaps directly into the hands of warlords. In turn, with even a hiring agency or PMF, there is a very limited basis for accountability. As Kenny Gluck, Director of Operations for MSF-Holland, puts it:

> Non-state armed actors operating for profit create unique problems for humanitarians. They are clearly not military, but neither are they local actors. Local people in conflict situations are generally able to identify local belligerents and tell us who they are. Military actors are generally easily identified and belong to a hierarchy with clear lines of authority which can be approached to facilitate protest or negotiation. But with private security element, who is responsible? Who can be held to account? The shareholders? (Gluck, quoted in Kielthy, 2004).

Humanitarians are faced by what one human rights co-ordinator has described as the 'double-edged sword of neutrality': while neutrality is a guiding principle, it is offering less and less protection. As Harris and Dombrowski (2002) puts it, for humanitarian workers 'Death is becoming a significant occupational hazard'. Concurrently, emergencies are growing so complex and immense in scale that, when the state proves unable to act, needs often overwhelm the collective international capacity to respond effectively. Traditionally, this has meant relying on state military capacities (ranging from logistics and air transport to protection by peacekeeping or stabilisation forces), provided either independently or through the UN or multi-lateral arrangements. The emerging marketplace of private military provision offers humanitarian organisations a means to enhance their capacities without turning to traditional state military assistance. This option is being chosen by humanitarian clients, albeit very quietly. However, with greater power comes greater responsibility. The privat-ised military industry may open up a range of possibilities, but it also poses some fundamental questions that go to the heart of the humanitarian identity.[10]

5.2.2 The role of PMFs and the humanitarian response

The nature of contemporary conflict has stimulated interest in investing in security and stability. The research for this chapter identified more than 40 different contracts between humanitarian actors and private military firms. Contracts have been held by a range of humanitarian actors, including privately funded NGOs (both secular and religious), state governments and internationally mandated organisations. For example, the London-based firm Armorgroup has worked for UNICEF, the International Rescue Committee (IRC), CARE, CARITAS and the European Commission Humanitarian Aid Office (ECHO) (Hellinger, 2004: 213). Government agencies like the US Agency for International

---

8 Interview, 29 September 2005.
9 Interview, September 2005.

10 Complications emerge sometimes in quite unexpected areas. For example, in April 2005 the US Congress discussed having the US Agency for International Development (USAID) determine what type of military equipment and training private soldiers in Iraq should have, and then to regulate its use.

Development (USAID) and the UK's Department for International Development (DFID) have also engaged private military firms; DFID, for example, employs Control Risks Group (CRG) to provide armed protection for its staff in Iraq, and to give intelligence and security advice (DFID, 2004; Vaux et al., 2001). In post-invasion Iraq, CARE hired former South African intelligence experts to advise on security.[11] Worldvision and Caritas hired the firms Lifeguard and Southern Cross to protect their facilities and staff in Sierra Leone (Avant, 1999).

Perhaps the largest humanitarian action carried out via private military forces was the construction and operation of aid camps housing hundred of thousands of refugees during the Kosovo crisis during 1999. While the task is generally credited to the US army, the job was in fact outsourced to Halliburton's controversial KBR division, working with UNHCR and international aid groups (Copetas, 1999). Demining is another important private military/humanitarian domain. More than 60 firms are engaged in clearing minefields (once a task that state militaries alone could perform) in countries such as Afghanistan, Angola, Bosnia, Iraq and Mozambique. Corporations involved include Parsons Corp., EOD Technology Inc., Tetra Tech Inc. and USA Environmental Inc.; a new breed of African firms has also emerged, such as Mechem, Mine-Tech and SCS (Zenda, 1999).

The extent of contracting between humanitarian actors and PMFs seems to be greater than is generally recognised, or at least publicly acknowledged. Koenraad Van Brabant, a former co-director of the Humanitarian Accountability Project International, has noted that, despite the growing use of PMFs, 'there is widespread refusal to square up to the subject' (Van Brabant, 2004). The response by humanitarian actors to the growth of the private military industry has been ambiguous; according to one senior official, in private humanitarian acceptance of private military firms is growing, but in public the subject is still a source of embarrassment (Van Brabant, 2004). Indicating the controversial nature of the issue, most interviewees from the humanitarian community chose to stay anonymous (representatives of the PMF community are eager to discuss the topic, but cite clauses that prevent them from full disclosure of contracts or clients). Industry representatives estimate that approximately 25% of the 'high-end' firms that provide security services, and over 50% of firms that provide military support or logistics functions, such as military air transport, have worked for humanitarian clients.[12] By comparison, interviews with humanitarian actors reveal a far lower awareness of the issue. For example, one UN official stated that the entire organisation had hired PMF personnel on only one occasion (to do election monitoring, which does not count as private military activity under the definition used in this

survey).[13] However, the research for this study revealed that at least seven different UN agencies have hired PMFs for activities such as guarding UN personnel and offices in war zones, and transporting food to refugees.

There are several reasons why humanitarian agencies downplay their links with PMFs. Doug Brooks, President of the International Peace Operations Association (the IPOA, an industry trade group), argues that it is simple pragmatism: 'Too many NGOs would risk their funding bases if it were publicized that they were working with the peace and stability industry, no matter what the humanitarian benefits'.[14] For example, in 1996 the journal *Africa Confidential* revealed that the now-defunct Executive Outcomes was providing security and information to an international aid agency; the agency subsequently went quiet in the face of its donors' disapproval (Sellars, 1997). Robert Young Pelton, author of the forthcoming book *Licensed to Kill: A Journey Through the Privatization of the War on Terror*, puts it more bluntly: 'They are of course hypocrites, because on one hand they say they don't want or need armed assistance, but as soon as they are kidnapped or blown up, they have two choices: Quit the area or hire muscle'.[15]

Given the ethical and practical issues hiring PMFs raises, it must be a source of concern that few humanitarian actors seem to be properly prepared for this type of contracting. For example, our research found only three humanitarian agencies – Oxfam, Mercycorps and the ICRC – that had formal documents on how their workers should relate to PMFs and their staff. One senior humanitarian security expert interviewed knew of only one organisation that had detailed oversight guidance for its PMF employees, including rules of engagement and weapons handling procedures. However, the organisation had difficulty implementing the guidelines due to a lack of expertise within country teams.[16] One interviewee from a human rights organisation described how, having hired armed security in Afghanistan, members of the in-country team flummoxed senior staff at headquarters by asking what the organisation's policy was on rules of engagement.[17]

Typically, agencies do not deal with PMF issues at all. InterAction, for example, has very detailed guidelines covering its relations with military forces 'engaged in, or training for, peacekeeping and disaster response', but these cover only government military forces (the US, NATO and NATO partnership countries, and contingents that work with the UN Department of Peacekeeping Operations (DPKO) (InterAction, 2003c)). They do not, however, cover relations with PMFs. Some agencies have dealt with the problem by

11 Robert Young Pelton, email, 19 September 2005.
12 Interview with industry representatives, September 2005.

13 Interview with UN official, September 2005.
14 Doug Brooks, email, 28 August 2005.
15 Robert Young Pelton, email, 19 September 2005.
16 Interview, 29 September 2005.
17 Interview with human rights organisation coordinator, September 2005.

instructing their staff to avoid contact with PMF personnel whenever possible. A senior official at an international humanitarian organisation explained that this minimum contact position in the field was a conscious decision designed to protect the organisation's personnel.[18] But the pervasiveness of PMFs in environments of humanitarian concern means that this 'don't talk to strangers' approach will not be effective in the long term, and most organisations have instructed their staff to deal with PMF employees as they would any other armed combatants. One senior humanitarian official acknowledged that PMFs cannot simply be ignored: the fact that humanitarians and private military/security companies are operating in the same theatres means that their actions affect a mutual security environment, implying a need for some level of dialogue.[19]

Overall, interviews for this study revealed a concern among humanitarian actors not only about issues of control over PMFs, but also access to simple information about the past activities of PMF personnel, pricing and trends in the industry.[20] There is no single place within either the international/UN system or the humanitarian research community where information on the connections and contracts between humanitarians and PMFs is gathered or processed. This means that future contracts will not be informed by past lessons nor systematically shared. There are at least three reasons for this data gap. The first is that this is a new and not well understood issue. That the UN is not collecting data becomes less of a concern when one notes that the US Defense Department is not doing so either, despite being asked to by the US Congress. Second, humanitarian organisations are competitive and are often unwilling to pool information, particularly in an area where image and liability concerns are so important.[21] Third, contracts are private and thus proprietary, which means that they can be kept confidential (either by the firm or the client).

5.3 Private military firms and humanitarian action: potential benefits, potential problems

5.3.1 Potential benefits

The combination of an increasingly perilous and difficult humanitarian environment and the rise of new marketised military capabilities has led some to call for a twenty-first century business solution to the twenty-first century's human security problems. If everything from prisons to welfare has been privatised, goes the reasoning, why not the protection and provision of humanitarian assistance? Proponents of this idea obviously include the companies who stand to profit from it. There are also, however, some surprising voices raised in its support, driven primarily by frustration at the international failure to take prompt action in places like Rwanda, and the sorry experiences of

peacekeeping in Somalia, Bosnia and the DRC; even UN Secretary-General Kofi Annan, though publicly rejecting the use of PMFs, reportedly proposed engaging them to disarm Rwandan paramilitaries when he was head of UN peacekeeping operations (Mandel, 2003). As General Ian Douglas, a former UN mission commander in Sierra Leone, put it: 'In a perfect world, we wouldn't need them or want them … But the world isn't perfect'.[22]

For a client hiring a private military firm, the potential advantages stem from its location in a domain – business – in which rules of efficiency and expediency are paramount. Thus, PMFs offer the potential of greater flexibility and agility than state or international organisations. By drawing on a global pool of military labour, PMFs can often call on personnel who are more experienced and better trained than state or local forces, and thus they may be able to operate more effectively on the ground, and in fewer numbers. The political consequences of soldiers being killed or wounded in action are also 'outsourced', in the sense that casualties among private contractors are less likely to cause political difficulties and domestic pressure for withdrawal, such as that seen in the US exit from Somalia in the early 1990s. Financial savings are also often cited as an advantage, though this is rarely a causal factor in whether PMFs are hired; few clients ever do cost estimates or competitive market analysis. Many contracts are funded via budget supplementals, which means that they do not impinge on regular appropriations.

The key benefit to humanitarian actors of engaging a PMF is that such an arrangement regularises the provision of security. Many humanitarian organisations operating in dangerous places already pay for protection – sometimes at the request of the state or simply by virtue of high levels of violent insecurity – by hiring armed escorts or guards affiliated with local warlords. Many NGOs working in countries like Afghanistan, Russia, the DRC, Yemen and Somalia have had to develop quasi-contractual relationships with local 'security' units, clans or warlord groups to protect their staff and allow their operations to continue. In reality, these relationships are more in the nature of a protection racket (guards are paid off mainly to prevent them or affiliates from attacking an agency's assets or staff) than a professional relationship, and may further empower local criminal groups (Johns Hopkins, 2004). The more formal business alternative that PMFs offer could be preferable.

Some argue that the role of PMFs could even be extended to include guarding, not only humanitarian workers and/or their compounds, but also vulnerable local civilians and refugees. For anyone who doubts the private military sector's interest in this area, they need only read the mission statement of the International Executive Service Corporation (IESC), a new PMF that has, since its

---

18 Interview, 27 September 2005.
19 Interview, 30 September 2005.
20 Interviews with humanitarian officials, July 2005.
21 Interviews with humanitarian officials, July 2005, September 2005.

22 General Ian Douglas, cited in Dangerfield (2002).

inception, specifically targeted this as a potential market: 'We strive to bring harmony and stability to regions under conflict, quickly and with the minimum of disruption to the local population. We are able to rapidly deploy, allowing stability to return, thus enabling deployment of aid. Agencies are then able to carry out emergency relief unhindered and without fear of physical harm. This underpins the essence of the company ethos and indeed the motto, "Ethics in Action"' (cited in Hellinger, 2004). According to the owner of the Blackwater PMF: 'In areas where the UN is, where there's a lot of instability, sending a big, large-footprint conventional force is politically unpalatable; it's expensive, diplomatically difficult as well. We could put together a multinational, professional force, supply it, manage it, lead it, put it under UN or NATO or US control, however it would best be done, we can help stabilize the situation' (Prince, 2005). This may sound far-fetched, but it is the focus of an immense amount of industry lobbying, and is a founding goal of the IPOA.

The contrasting experiences in Sierra Leone of Executive Outcomes and the UN's peacekeeping operation are the most often cited example of the promise of privatisation. In 1995, the Sierra Leone government was near defeat at the hands of the Revolutionary United Front (RUF). Supported by multinational mining interests, the government hired Executive Outcomes to rescue it. The RUF was defeated in weeks, allowing Sierra Leone to hold its first election in over a decade. After Executive Outcomes' contract was terminated the war restarted, and in 1999 the UN was sent in. Proponents of the expansion of privatisation note that, despite having a budget and personnel nearly 20 times larger than Executive Outcomes, it took several years, and the deployment by the British military, for the UN to create an environment in which the next set of elections could take place (Brooks, 2000a and 2000b). According to Executive Outcomes, during the genocide in Rwanda in 1994 the company could have deployed armed troops on the ground within 14 days of being hired. The cost of a six-month operation to provide protected safe havens was estimated at $150 million (around $600,000 a day), compared with the $3 million-a-day UN relief operation.[23]

Outsourcing international peacekeeping responsibilities would not only open up a vast marketplace but would also, the industry argues, increase its legitimacy. The IPAO has put forward plans by which PMFs might be hired to stop ethnic cleansing or create 'zones of peace' where civilians could take refuge, and where aid activities could proceed.[24] These have included plans for Liberia, Burundi and the DRC. The Association claims that it could be more effective in policing Darfur than current efforts, and at a fraction of the cost – $40 million compared to the African Union's $221 million a year (Hukill, 2004; OCHA, 2005). According to the

Association, these costs could be met by the UN, regional organisations and individual governments.

Beyond armed protection roles, humanitarian clients could take better advantage of the skills and specialisations of consulting and support firms. Consulting firms offer expertise in areas such as security assessments, analysis and training. This is an area where humanitarian agencies are notably weak. The Security Iraq Accountability Panel (a UN panel formed to investigate security practices within the organisation after the 2003 Baghdad bombings) found that security training, if it was given at all, consisted of giving humanitarian workers a CD-ROM of procedures to follow. The type of training PMFs could provide ranges from threat awareness to driver training in war zones (Hellinger, 2004: 14).[25] The PMF industry also offers logistics, engineering, air transport and other capacities that could be valuable in aid distribution and provision (Gantz, 2003). In addition to KBR's work in Kosovo, firms like Dyncorp have been contracted by national governments to provide logistics services in East Timor; in Côte d'Ivoire, Pacific Architects & Engineers provided the logistics for the UN peacekeeping force, taking care of everything from fuel supplies and rations to vehicle maintenance.

5.3.2 Potential problems

There are, of course, many perils in the use of private military firms by humanitarian actors. While private military businesses may be able to operate more efficiently and more effectively than the forces of public organisations, hiring them also raises important concerns. These include how contracts will be managed; contractual and control issues; questions of legal accountability and liability; and the long-term implications for the humanitarian community and the local political environment.

The 'culture clash'

The first and perhaps most obvious source of tension arises from the very different worlds that military firms and humanitarian agencies inhabit, and the possibilities for mis-understanding that this contains. Interviewees discussed problems arising from firms not understanding the context in which their clients operated. Firms come in with their own expectations, often shaped by their particular military background, and often have trouble understanding, not only individual NGOs, but the humanitarian endeavour as a whole. As one humanitarian security officer put it bluntly: 'They don't understand our community, period! … And in that lies a danger for our community'.[26] The view was that each NGO is different, with a unique founding vision which affects its operating procedures. Firms (who must work with a variety of clients) sometimes discuss adapting their opera-tions to a particular client, but the reality is that each has its

---

23 For more on this episode, see Singer (2003), chapter 11.
24 See the website of the IPOA: http://www.ipoaonline.org.

25 The British NGO RedR has also moved into this sector, offering security training to humanitarian workers.
26 Interview, September 29, 2005.

Box 5.1: Case study: Iraq

Iraq is the world's single largest marketplace for the private military industry. Over 80 firms employing more than 20,000 private, non-Iraqi personnel carry out military functions there.[27] To put this in context, the private military industry has contributed more forces to Iraq than all of the non-US countries in the Coalition combined. More than 280 private military employees are thought to have been killed, and as many as 3,000 wounded. Again, these numbers are greater than the rest of the Coalition put together, and larger than the losses suffered by any single US army division (Singer, 2005).

PMFs have been involved in all stages of the operation, from war-gaming and field training before the invasion to logistics and support in the build-up to war (the massive US complex at Camp Doha in Kuwait, which served as the launch-pad for the invasion, was built by private contractors and is operated and guarded by private companies).[28] During the invasion private contractors maintained and operated weapons systems, and in its aftermath they have secured significant reconstruction contracts. Halliburton's KBR division is thought to have secured work worth as much as $13 billion (an amount roughly two and a half times greater than the cost to the US of the 1991

Gulf war). Other roles PMFs have played in Iraq include security sector reform and training for local forces. PMFs also carry out tactical military functions, such as protecting key installations and leaders (Paul Bremer, the head of the Coalition Provisional Authority (CPA), was guarded by a Blackwater team with its own armed helicopters) and escorting convoys. PMFs have, in short, been essential to the overall Coalition effort in Iraq. At the same time, however, some of the most controversial aspects of the war have also involved PMFs. These include the allegations of war profiteering around Vice-President Dick Cheney's old firm Halliburton, the brutal killing of Blackwater employees at Fallujah by Iraqi insurgents, which was captured on television, and the fighting and lawsuits that followed, and the role of CACI and Titan contractors working as military interrogators and translators at Abu Ghraib prison.

Humanitarian agencies in Iraq have also contracted PMFs, particularly in the wake of the bombing of the UN headquarters in Baghdad in August 2003 (a week before the attack, a private firm had approached the UN offering hired protection, but had been turned down). Agencies including Save the Children and CARE have hired security advisors and former military personnel. Triple Canopy and Erinys have provided protection for USAID. The contracting of PMFs by humanitarian agencies is coordinated through a centre operated by Aegis, a private military firm owned and operated by Tim Spicer, whose firm Sandline has been involved in controversial contracts in Africa and Papua New Guinea (Flaherty, 2004; Singer, 2004). Subsequent investigations have examined aspects of Aegis' operations, including the screening and training of its employees.

---

27 This figure, based on industry interviews, is also used by the Pentagon, the US Congress and major US newspapers such as the *Washington Post*. Actual numbers could be significantly higher. However, figures are disputed. For example, between December 2004 and July 2005, the IPOA used estimates ranging from 3,000 to 20,000. See Frontline (2005); Sullivan (2004): A24; and Fox News (2005).

28 The complex is operated by Combat Support Associates; see http://www.csakuwait.com/csa_home.htm.

---

own way of doing business (which it understandably thinks the best). Humanitarian actors also usually have particular relationships with the local environment and local populations. One NGO's way of working in one village might be very different from another's just 20km away. By contrast, PMFs tend to think in military terms, of routes, sectors and regions.

Market realities and staffing issues

The private military market is fluid, and is buffeted by both external and internal forces. For example, in the early 1990s the relatively limited number of PMFs meant that firms could pick and choose the most qualified recruits, and were able to assemble teams comprising individuals who had worked together in the same units in the past, and thus had common training and experience. The labour market is, however, shifting such that many firms are competing for workers, who play offers off against each other. For example, one PMF soldier interviewed said that he had five competing contract offers (three in Iraq, one in Afghanistan and one in Colombia).[29] Most firms face this market like any other industry would: by lowering hiring standards, hiring

employees that have never worked together, or bringing in third-party nationals. Thus, cost savings can come at the price of lower unit cohesion, which can affect the unit's conduct (many episodes of human rights abuse have occurred in units characterised by weak internal bonding and poor leadership; the massacre at My Lai in Vietnam in 1968 is one example, the Abu Ghraib abuses in Iraq another).

Many PMF employees represent the peak of the military profession in terms of both training and ethics. For example, there are a great number of recently retired US special forces operatives in Iraq; more ex-British Special Air Service (SAS) troops are working with PMFs in Iraq than serve in the current SAS force. At the same time, however, military firms do not always look for the most congenial workforce, but instead recruit those known for their effectiveness. Many former members of the most notorious and ruthless units of the Soviet and apartheid South Africa regimes have found employment in the private military industry, including with firms working for humanitarian clients in Sierra Leone, Liberia, Iraq, Sudan and the DRC.[30] Even if one does seek to screen

---

29 Interview with PMF employee, Washington DC, September 2004.

30 See Singer (2003).

employees, this can be quite difficult; few prospective employees list their human rights violations on their CV.

In Iraq, this problem has been magnified by the 'gold rush effect', where multiple firms entered the market that were either entirely new to the business, or had expanded rapidly to meet demand. The rush for profits and the need for large numbers of personnel have brought in troops with lesser skills. As Harry Schulte, a former US army commander in Iraq, put it: 'As the security world rapidly expanded, I think some had to incorporate into their labor pool people with significantly less experience' (Finer, 2005). US army investigators looking into the Abu Ghraib prison abuse scandal found that 'Approximately 35% of the contract interrogators [hired by the firm CACI] lacked formal military training as interrogators' (Fay and Jones, 2004). In the aftermath of the revelations, experienced military interrogators noted that the measures used at Abu Ghraib were not only well beyond the bounds of what is allowed under the law (military and IHL), but were also not taught at military schools.[31]

Scaling up and applicability

Changing market conditions also mean that firms are rarely able to assemble units at any scalable level. This issue becomes most pertinent in relation to the subject of 'outsourced' peacekeeping operations, discussed above. While the idea of a private company rapidly deploying battalion-sized units to a crisis-affected country might be appealing, no PMF has such forces on call – even if it were politically feasible to deploy them. Similarly, to develop such a capacity would mean establishing standing forces and logistics chains, which would directly undermine the potential cost advantage that PMFs have over national military forces.

Comparisons between PMF interventions and fully fledged UN peacekeeping operations are often misleading. The Executive Outcomes deployment in Sierra Leone in 1995, described above, is often cited by PMF advocates. However, the firm's task was to push rebels back from the capital and secure diamond mines; it was not contracted to handle the range of activities demanded of a UN operation, nor did it have the capacity to do so. It was also operating under different rules of engagement and according to different political considerations. Executive Outcomes effectively had a free rein to undertake whatever actions it felt necessary, wherever it felt necessary. UN peacekeeping forces, by comparison, are usually limited by rules of engagement that minimise their options on when they can use force (there is debate over the definition of 'self-defence', for example), and what constitutes permissible risk. Indeed, if hired by the UN it is likely that a PMF would be hampered by many of the same challenges of mandate, rules of engagement and other operational issues.

The act of becoming a peacekeeper is about more than just changing the colour of one's helmet or beret. Peacekeeping differs markedly from regular military operations in its roles and responsibilities. It requires a different culture and training, and increasingly a focus on humanitarian concerns (particularly a mandate to protect civilians affected by conflict), which at times can conflict with or restrain standard military responses. The most successful peace-keeping operations, such as those in Mozambique, Namibia and Guatemala, have included tasks ranging from ceasefire monitoring and troop disarmament and demobilisation to reconstruction and election monitoring. Private military firms, untrained or uninterested in the culture of peace-keeping, might be ill-equipped to handle these functions.

Ultimately, PMFs and their advocates face precisely the same problems of political will and funding that confront traditional interventions. As the authors of a UK Royal Military College of Science report put it: 'If PMCs are, as some of their lobbyists have suggested, going to work under a UN peacekeeping mandate (and therefore presumably paid by the UN) then their speed of deployment will still be dictated by the political will and urgency of the Security Council and Member States. For PMCs to suggest an alternative method of operating under the UN is disingenuous and ignores the most fundamental aspect of the UN charter, Member State collective responsibility' (Dangerfield et al., 2002). As the field evolves and organisations and situations change, this attitude may alter. But if there was support among Member States for contracting out peacekeeping wholesale, we would expect to have seen discussion of the issue within the Security Council, the Special Committee on Peacekeeping or the wider General Assembly. None of these forums has held such a discussion, and neither of the two key reform agendas for the UN and peacekeeping in recent years – the Brahimi Report and the Report of the High-Level Panel – mentioned PMFs in this context.

Contractual issues

If a humanitarian actor decides that it wants to hire a firm, it must establish both good policy and good business practices to minimise contracting concerns. These include clear and competitive contract award processes to identify the best firm for the job at the best price; oversight requirements to ensure that the contract goes as planned; and contingency plans for replacing the firm if it fails in its duty. To properly oversee and manage PMF contracts, NGOs and humanitarian agencies will need to develop a range of new contract mechanisms, as well as in-house military and security expertise. Hiring such firms will require knowledge of such issues as the prevailing market rates for military functions and equipment, and an ability to judge skills, tactics and rules of engagement. Developing these mechanisms suggests a shift in policy approach, and in an organisation's guiding doctrines and recruitment practices. For instance, the US Congress' proposal that USAID should

---

31 Interview with former US army interrogator, March 2004.

help to decide on and regulate such matters as PMF training and equipment standards when working under contract appears sensible on one level, as USAID has a well-regarded contract management programme. However, the workability of this proposal is questionable, as the individuals and institutions in the agency are not yet equipped to deal with issues such as the security screening of PMF employees or minimum requirements for weapons training.[32]

There are no international controls governing who PMFs work for. The firms make this determination based on what they see as best business practices, their understanding of domestic law and a concern to maximise profits. PMFs have worked for governments, the UN and humanitarian groups, but they have also been linked with dictatorships, rebel groups, drug cartels and, pre-9/11, two al-Qaeda-linked groups. Likewise, humanitarian actors must be concerned that the PMFs they hire are not involved in belligerent or otherwise questionable activities, either in the same war zone or elsewhere. Clients only exert an influence over the firm for as long as it is employed, and only to the extent of their relative buying power. Clients must also be aware of the complexities of the firm's relationships, its shell structures and other hidden ownership. For example, the UN hired Lifeguard Services to guard its offices and personnel in Sierra Leone in 1999, when the company was linked with Executive Outcomes (including shifting staff back and forth), a firm which the UN had publicly excoriated in other environments (Kelly, 2000). A US government agency hired Aegis in Iraq, but had no knowledge of the controversial history of the personnel behind the firm (Singer, 2004).

The kind of screening that hiring PMFs demands has proved difficult enough for governments; humanitarian actors certainly do not have this capacity, and have rarely even tried to screen the firms they engage. As noted above, there is no industry database, and the only screening mechanism found by this research was 'word of mouth'.[33]

The final issue here concerns questions of liability. If a PMF or its employees commit a crime, it is not clear how far responsibility for that crime extends: does it extend to corporate officers, for example, or to shareholders, or to the client? If a humanitarian actor has hired a PMF without adequate screening, management or guidance, it could be considered culpable if that PMF violates IHL. Nor is it clear whether contract law extends into conflict zones at all. This is a new industry, and courts are only beginning to wrestle with questions of liability and how far it extends.

Questions of law, accountability and regulation

The private military market is effectively unregulated.

Although firms and their employees are bound by IHL (as are all actors in armed conflicts), there are significant legal grey areas. According to a senior official at a human rights organisation, his 'biggest concern is with the very grey place in the law when it comes to regulating these companies, especially in places like Iraq … Within this, where is the accountability for these firms? Who is holding them accountable? Who is checking up on them?'.[34] These views are echoed by Human Rights Watch; in the wake of the Abu Ghraib prison abuse scandal, the organisation noted that the 'virtual immunity' of PMFs was of deep concern: 'Allowing private contractors to operate in a legal vacuum is an invitation to abuse' (Human Rights Watch, 2004). This lack of regulation can be as much of a problem for the military as for humanitarians or human rights groups. As one senior US military commander in Iraq put it: 'These guys run loose in this country and do stupid stuff. There's no authority over them, so you can't come down on them hard when they escalate force. They shoot people, and someone else has to deal with the aftermath' (Charlotte Observer, 2005).

The only formal codes of conduct within the private military industry are voluntary ones. These range from codes that firms set for themselves (Armorgroup and Control Risks Group are notable examples) to attempts at wider self-regulation by trade groups. For example, member companies of the IPOA have a code of conduct developed over several years, in discussion with experts and some NGOs.[35] It is commendable in its level of detail. However, it is still a voluntary code, with no capacity to impose sanctions to influence behaviour. The only punishment the IPOA can dispense to a firm violating the code is to dismiss it from the organisation, though this may not be in its interests since it is paid for by its members. In any case, the concerns with any system of industry self-regulation are obvious, and have been illustrated by the failures of such mechanisms in the oil and gas industry. Proposals are generally quite limited in their scope. For example, SCI has proposed that the licensing of PMFs should include only a general review, not a review of individual contracts and operations.

If a firm is left to police itself, there is little incentive for it to turn its employees over to the authorities should they violate the law. To do so would risk deterring prospective employees and even clients, should they prefer to keep such matters quiet. For example, several employees of Dyncorp, which was hired by the US and the UN to provide international police in Haiti and the Balkans, became involved in the sex and arms trade. No Dyncorp employee was ever prosecuted (Barnett, 2003: 4; Crewdson, 2003: C3; O'Meara, 2002; Barnett and Hughes, 2001: 4; Capps, 2002). Market forces

---

32 Interview with USAID personnel, May 2005; see also US House of Representatives (2005).
33 Interview with humanitarian organisation official, 29 September 2005.

34 Interview, 11 October 2005.
35 The IPOA code of conduct can be accessed at http://www.ipoaonline.org/code.htm.

and considerations of reputation are not always enough; Dyncorp went on to win a much larger contract in Iraq. Even firms that are seemingly guided by self-regulation standards can falter in this domain. For example, Armorgroup, one of the more respected firms in the industry with revenues of over \$200 million, was reported in 2004 to have hired a former British soldier who had spent four years in prison for cooperating with Irish terrorists (he was fired after a British newspaper reported the story, and subsequently rehired by another PMF) (Glantz, 2004; Hellinger, 2004: 213; www.Armorgroup.com).

These questions of status and other legal difficulties have important implications for accountability. It is often unclear what authority should investigate, prosecute and punish crimes committed by PMFs and/or their employees. The military has established legal structures that constitute a court martial system, and soldiers are accountable to the military code of justice wherever they are located. How a business organisation and its corporate chain of command are held accountable for crimes committed in war is not clear. As one military lawyer succinctly puts it: 'There is a dearth of doc-trine, procedure, and policy' (Perlak, 2001). Private military firms and their employees carry out military-type functions in conflict zones, often against local armed adversaries. But they are not part of the military; they are not bound to a chain of command, nor have they sworn any oath of office. This means that legal codes which seek a difference between civilians and soldiers are not readily useful. Nor do PMFs and their employees meet the international definition of mercenary in either legal or analytical terms (Singer, 2003: 40–48). This leaves a legal vacuum; as one analyst of military law notes: 'Legally speaking, they [military contractors] fall into the same grey area as the unlawful combatants detained at Guantanamo Bay' (Singer, 2004).

This is not just important for accountability. It also means that PMF employees may not always receive the rights and protections afforded to participants in armed conflict (as the case of three California Microwave Systems contractors held for more than two years in Colombia illustrates). If PMFs are not incorporated into the armed forces of a state, but nonetheless carry out activities that amount to taking a direct part in hostilities, their staff could be judged to be 'unlawful combatants'. If they are captured during an international armed conflict, they would be entitled to the protection of the Fourth Geneva Convention or Article 75 of Additional Protocol I. If captured during a non-international armed conflict, they are entitled to the protection of common Article 3 of the Geneva Conventions, Additional Protocol II if applicable and the rules of IHL applicable in non-international armed conflict. The key in all of this is that their status, and how to interpret it, would be up to their captors; as the US designation of inmates at Guantanamo Bay as 'unlawful combatants' has shown, such interpretation is a matter of dispute.

Even if international law dealt more effectively with the question of PMFs, it does not have the means to enforce itself; the obligation to search out and prosecute individuals suspected of breaching IHL rests with states. This obligation is, however, rarely met, to the extent that PMF executives and employees do not even consider the possibility of a prosecution under international law in their planning. While there are hopes that the International Criminal Court (ICC) will one day be able to fill this gap, that day is decades away. Moreover, the ICC is designed to deal with large-scale war crimes like genocide, not the everyday occurrences of criminality that also need to be regulated. This defers the legal questions to the state level. PMFs, like humanitarian organisations, typically operate in fragile states; indeed, the absence of an effective local state is usually why they are there in the first place. The local authorities in such areas often have neither the power nor the wherewithal to challenge these firms, and usually are not interested in doing so (they are, after all, often the client, or they may indirectly benefit from the PMF's activities). The central government in Sierra Leone could not control its own capital, let alone monitor and punish the actions of a foreign military firm, which it had itself hired (Venter, 1995; Vines, 1998). In Iraq, the very absence of established local political institutions in the first two years after the invasion was precisely the reason why PMFs thrived there.

Status of Forces Agreements (SOFAs) can pose an additional enforcement challenge. SOFAs typically provide separate legal provisions for foreign military personnel. Some of the SOFAs drawn up for US forces include protection for contractors working on behalf of the US Defense Department. For example, the US government linked its aid package to Colombia (a signatory of the ICC) to an agreement to exempt American military personnel and contractors from the ICC's jurisdiction (Spearin, 2003). It is unclear if such SOFA protections extend to contractors working on behalf of multiple clients (for example, a PMF employee may escort a humanitarian client one day, and a US government client the next).

During the period of greatest need, any true legal enforcement will usually have to be extraterritorial, emanating from the firm's and/or the client's home states. However, few issues are more difficult than attempts by one state to exercise legal powers within another's sovereign territory. Some states have effective laws, but no means to enforce them abroad; South Africa and Nepal, for example, have tried to prohibit their citizens from working for PMFs in Iraq, but to no avail (more than 3,000 Nepali and South African citizens are thought to be working in Iraq). In any case, many PMFs are registered in locales like the Caymans or the Channel Isles and operate though subsidiaries registered elsewhere for the purpose of evading troublesome legislation in their home states. State-level legal mechanisms usually focus on licensing (when and where a

firm can work), rather than on monitoring performance. For most of the world's governments, however, there are simply no applicable laws to regulate PMFs.

Iraq is a good example of how this lack of regulation and legal accountability plays out on the ground. Of the 20,000-plus private military contractors in the country, none has been prosecuted or punished for any crime. In Abu Ghraib prison, all of the translators and up to half of the interrogators were reportedly private contractors from the firms Titan and CACI respectively. Although the US army found that contractors were involved in a third of the incidents of abuse at the jail, and identified six employees in its reports, none has been indicted, prosecuted or punished (Fay and Jones, 2004; Yeoman, 2004; Davidson, 2004; Leigh, 2004; Ante and Crock, 2004; McCarthy and Merle, 2004). Many enlisted US army personnel, on the other hand, have been called to account through the court martial system. Equally, the investigation has ignored the corporate chain of command, and has not considered whether any executive decisions merit punishment. The only formal investigation of the corporate role in the scandal has been conducted by CACI, the firm involved; unsurprisingly, CACI found that CACI had done nothing wrong.

Questions of liability must also be weighed by humanitarian actors. Another way to think about this is that, in the absence of regulation, many people (particularly Americans) turn to litigation. If a PMF or its employees commit a crime or undertake an action that causes local harm, it is unclear how far responsibility extends. Another open legal area concerns how far contract law extends into conflict zones. As this is a new industry, the civil legal courts are only now beginning to wrestle with such questions, with the first lawsuits entering the system. Current cases range from Iraqis suing CACI and Titan for their role at Abu Ghraib to a lawsuit against the Blackwater firm launched by the families of employees killed at Fallujah (Mekay, 2004).

Issues for the long term

The final challenge arising from the confluence of PMFs and humanitarian actors concerns issues of more long-term implication. Private security is a temporary mechanism for preserving peace, but it can do little to address the underlying causes of unrest and violence. As noted earlier, the presence of private military firms might put at risk local perceptions of the neutrality of aid groups, and may simply multiply the array of armed forces present in a conflict zone.

If PMFs are limited to the protection of aid workers and aid facilities, this may increase the risks faced by local groups that do not enjoy such protection, such as the poor or refugees. The privatisation of security risks reinforcing internal divisions in weak states between those who enjoy security and those who do not. When security is a profit-

driven exercise – a commodity to be bought and sold – the wealthy are inherently favoured. Multinational companies operating within 'commercial enclaves' see private security as just another function they have to provide for themselves, along with providing their own energy or building their own infrastructure. It is part of the cost of doing business. That this should take place in the humanitarian sector is not a happy development and certainly not one that fits well with humanitarian ideals. Determining who enjoys protection and who does not is a political act; when they hire PMFs, humanitarian actors are taking upon themselves decisions that were once the prerogative of the state.

It could be argued that this shift towards the private provision of security will free up public forces and enable them to better protect the rest of society. In practice, however, this does not happen. Not only are the worst threats deflected from privately protected areas, but those portions of society come to rely on declining, unstable or non-existent public means (Huggins and MacTurk, 2000). Moreover, one must also consider the effect of the industry's ability to attract top personnel from the public security sector. For example, security firms operating in Sierra Leone were able to offer salaries more than double those offered by local public forces. In Iraq, salaries are typically four times higher than the government pays.[36]

In all of this discussion, it is important to remember what drives the PMF business: these firms do not hire themselves; they are hired to meet the needs of their clients. The areas in which many privatised military firms operate have often experienced some of the worst episodes of violence and atrocity in the world. Rarely is hiring them the first choice of states or other clients. More often, it is the result of frustration at the failure of other, more traditional options. Thus, if a state cannot provide security and protection for its citizens, and no other public body is willing to help, it seems hypocritical to say that private options must be forsworn. As David Shearer writes: 'Private military forces cannot be defined in absolute terms: they occupy a grey area that challenges the liberal conscience. Moral judgments on the use of mercenaries are usually passed at a distance from the situations in which these forces are involved. Those facing conflict and defeat have fewer moral compunctions' (Shearer, 1998: 13).

5.4 Think first, privatise better

The confluence of the private military industry and the humanitarian community raises a series of tough questions that must be openly faced. The humanitarian community's links with the PMF industry are expanding, both as clients and as inhabitants of the same war zones. At the same time, however, there are no standard guidelines as

---

36 Interview with PMF executive, March 2003.

to how humanitarians should relate to PMFs, or what their various rights and responsibilities properly are. Humanitarian actors tend to contract firms in an *ad hoc* manner, which means that knowledge networks and principles of good practice remain limited. As one senior official with a human rights organisation put it: 'Before we contract out [with such firms], we need to be unbelievably careful to work out the full implications … I don't think, by and large, the humanitarian community has thought hard enough about this issue. It has come a bit late to it and not with the political sophistication needed'.[37] If the decision is to go down this route, it is clear that the humanitarian community is not taking advantage of the private military sector as fully and effectively as it might. Humanitarian actors might explore not only how private firms might enable them to carry out their operations better within conflict zones, but also where the private market might offer more efficiency than public or state provision.

The onus is on the humanitarian community to deal with these issues. The debates over civil–military cooperation in humanitarian operations during the 1990s might provide some lessons. At the start of the decade, the concept of NGOs and militaries working together was under-developed. Today, there are standard operating procedures, guidelines and norms, and nodes of coordination and cooperation. Likewise, the military too have adjusted, and by the end of the decade had developed mechanisms such as civil–military coordination groups and military scenarios that included NGO representatives as participants in the planning process. The system is certainly far from ideal – at best the relationship is uneasy, and there are continued concerns about the proper separation of roles between humanitarian actors and military forces, especially where these forces are parties to a conflict (Cohen, 2002). But at least there is now a range of resources and a body of research, and some focused thinking about the military–humanitarian relationship. Given the growing contact in the field between humanitarian actors and the private military world, and the attractive possibilities and thorny problems that such contact presents, a similar focus is required on the humanitarian community's relationship with PMFs, now and in the future.

One step would be for agencies to undertake a full accounting of their contacts and contracts with PMFs. As this chapter has shown, the relationship is more extensive than is usually recognised. Such a comprehensive compilation will enable agencies to move past the present state of denial that often permeates thinking on PMFs. It will also generate a body of data for lessons learned on a range of issues, including best practices and the vetting of firms. In their advocacy efforts, humanitarian groups should also support current government efforts to assemble data on the extent, type and contract performance of public sector contracting

of PMFs, as a way of increasing the transparency of the marketplace and so informing their own efforts. Humanitarian organisations should also explore establishing their own formal lines of communication with industry organisations, the analysts who track the industry and other clients. ICRC has begun to do this, and other NGOs are quietly opening dialogues in the margins of meetings, or setting up their own databases and research efforts.[38] These are positive steps towards becoming better informed, and would benefit from being expanded and formalised. We should look for models in the efforts to establish the humanitarian community's stance towards such issues as staff security and the relationship with state military actors, such as meetings within the Inter-Agency Standing Committee (the best example is the High Level Humanitarian Forum held in Geneva in March 2004) and within NGO networks like InterAction.[39] There is an important proviso, however. Humanitarian actors must be prepared to deal with the industry from an informed and prepared position, and, most importantly, must factor in the consequences of their actions. That is, humanitarian organisations must meet the challenge of building ties with PMFs without granting them legitimacy. Akin to the problem of dealing with warlords on the ground, humanitarian actors can, usually unwittingly, provide an air of legitimacy to the groups they encounter.

As the humanitarian community explores these issues, a primary concern must be to determine when, where, and by whom it is appropriate to hire PMFs, how to interact with them in the field, and the community's rights and responsibilities towards PMF employees. Humanitarians also need to find ways to mitigate the underlying concerns with contracting out roles within humanitarian operations, both within their own organisations and the broader political environment, and must develop ways of ensuring that IHL can be applied. In the absence of external guidance and regulation, the humanitarian community will have to rely on its own efforts. Given the potential consequences, agencies should be more judicious in their contracting with these firms. They should weigh the long- and short-term benefits of contracting beforehand, and should constantly update their analysis based on the development of local public capacities. They must also do their utmost to ensure that contracting is carried out in accordance with, and supported by, the appropriate political authorities. Humanitarian actors must be willing to share lessons learned (both success stories and failures), and must be willing to report agencies, organisations, and firms that violate proper rules or best practices. It is of deep concern that humanitarian organisations are often unwilling to share what information they have, often out of image and liability concerns, and should instead work to forge common standards. It is a

---

37 Interview, 11 October 2005.

38 See ICRC (2004); interview with NGO representative, September 2005.
39 The Geneva meeting brought together some 40 humanitarian agencies and 20 international and national NGOs to discuss humanitarian security. See Chairperson's Summary, High-Level Humanitarian Forum, 31 March 2004.

mistake to equate the setting of minimal quality assurance measures with inflexibility. There have been some moves towards setting standards for the provision of humanitarian aid, including specific guidelines for field operations, training and evaluation, such as through the Sphere Project. Nothing similar has been attempted for humanitarian security, or more particularly for the relationship between humanitarian agencies and private military firms. If humanitarian agencies decide that they are going to continue to expand their use of PMFs, institutional changes will need to be made. Agencies hiring PMFs will need to update and amend their contracting oversight processes, and may also need to recruit their own military expertise in-house. More staff will be needed to oversee contracts.[40]

At the level of the broader humanitarian community, a good starting point would be the creation of standardised monitoring and contracting processes. Other priorities include the establishment of clear contractual standards and incentives programmes, systems for the outside vetting of personnel and the creation of independent observer teams with powers to monitor and control payments, in order to establish their authority over the firm. The UN and/or umbrella aid organisations might also consider establishing a database of vetted and financially transparent firms that have met international standards. This database would have to be constantly updated, with the attachment of military observers and auditors to monitor contracts. Thinking will also be needed on the rules of engagement that forces contracted by humanitarians should operate under, what limitations should be imposed on weaponry, and whether such forces should be identified as armed, but civilian, combatants. There should also be discussion within the humanitarian community as to whether measures are needed to distinguish humanitarian vehicles from PMF ones amid the proliferation of white SUVs in combat zones.

Humanitarian actors should explore ways to enhance their capacity to control contracted PMFs. Areas to explore include the use of exclusivity clauses to avoid firms double-billing for assets shared across contracts, collective action in contracting to enhance buying power and market clout, and working with insurance firms (who often contract with both humanitarian clients and PMFs, thus giving them enhanced influence) to set standards and to aid in vetting. The example of insurance companies also illustrates that the humanitarian sector should be willing to explore possible coordination on these issues with other responsible client sectors, an outcome that would be useful to both parties. The US military, for example, has begun to consolidate its doctrine towards private contractors on the battlefield, albeit

with minimal attention as yet on key questions to do with status, roles and legal accountability.[41]

The most important step would be to bring PMFs under the control of the law, just like any other industry. Such a clarification and expansion of law at both the international and national levels is certainly not within the power of humanitarian actors, but they can and should lobby for it. Humanitarian actors have largely been absent from discussions on potential legislation in the US to regulate PMFs, despite their clear interest in seeing the issue resolved successfully. The same is true in other jurisdictions, for instance in the European Union. Beyond pushing states to make progress, individual agencies could include clauses in contracts specifying training requirements for employees (both technical training and training in IHL), providing for enhanced monitoring by third parties, establishing performance benchmarks, mandating evaluations, requiring some type of accreditation, and incorporating 'whistle-blower' protections and the rights of third parties (including local beneficiaries) to enforce contractual terms through lawsuits (Dickinson, 2005).

At an international level, proposals range from updating international anti-mercenary laws to creating a UN body to sanction and regulate PMFs. However, any movement on the international front will take years. This means that every state that is involved with the industry, either as a client or as a home base, has an imperative need to develop and amend its laws relevant to PMFs. Ideally, states would coordinate their efforts and attempt to involve regional bodies and humanitarian organisations to maximise coverage and ease the way to international standards. Discussions of regulation in the UK, for instance, should be coordinated with other states in the EU. The US should communicate on this issue with its friends and allies as it lays out new doctrines and regulations. Equally, the ICRC should begin to link with the US military law community, which has held several conferences on related issues of contractor accountability.

The key obstacle is not capacity within the law, but a lack of political will. It is extremely unlikely that any international body will be willing to take on this complex regulatory function. Until the overall legal and policy issues are settled, the burden will continue to fall on clients to ensure the proper vetting and screening of firms. In an ideal world, peacekeeping would be left to the real peacekeepers, and humanitarian action to the real humanitarian actors. In reality, this is not always possible. PMFs are already in contact with humanitarian actors in almost every war zone, and many are already working on behalf of humanitarian actors. Such a confluence of military, business and humanitarian interests constitutes a defining change in the humanitarian landscape.

---

40 USAID had only three personnel on the ground in Iraq to oversee $3 billion-worth of contracts in 2003. USAID sought to solve the problem by contracting out oversight. Overall numbers of US Defense Department contract officers have fallen by roughly 50%, while the amount of contracting increased by 12% a year between 1990 and 2000. See US GAO (2003); Dickinson (2005: 36); Harris (2003).

41 Draft DoD document provided to the author, February 2005.

Bibliography

Abiew, F. K. (1999) *The Evolution of the Doctrine and Practice of Humanitarian Intervention*. London: Kluwer Law International.

Accord (2004) *Engaging Armed Groups in Peace Processes*, Joint analysis workshop report, London.

Agency Coordinating Body for Afghan Relief (2005), *Security Brief*, December, ReliefWeb http://www.reliefweb .int/library/documents/2005/acbar-afg-15dec.pdf.

Albright, M. et al. (2005) 'NATO to Darfur', *International Herald Tribune*, 26 May.

ANSO and CARE (May 2005), *NGO Insecurity in Afghanistan*, available at www.care.ca/downloads/publ/afghan/ 20050505_ansocare.pdf.

Ante, S. E. and S. Crock (2004) 'The Other US Military', *Business Week*, 31 May, www.businessweek.com/magazine/ content/04_22/b3885116.htm.

ASEAN (1967) *Treaty of Amity and Cooperation in South East Asia*.

AU (2005) African Union Non-Aggression and Common Defence Pact, Fourth Ordinary Session of the Assembly, Abuja, Nigeria, 31 January.

AU (2004) Solemn Declaration on a Common African Defence and Security Policy, Assembly of the African Union, Second Extraordinary Session, Sirte, Libya, 28 February.

AU (2003) *Policy Framework for the Establishment of the African Standby Force and the Military Staff Committee (Part I)*, Adopted by the African Chiefs of Defence Staff, 15–16 May.

AU (2002) Protocol Relating to the Establishment of the Peace and Security Council of the African Union, Durban, South Africa, 10 July.

AU (2001) Constitutive Act of the African Union, Lome, Togo, 11 July 2000, http://www.africa-union.org/ About_AU/AbConstitute_Act.htm.

Australian DoD (2005) *Australian Army Land Warfare Doctrine*, LWD 5-2, Civil–Military Cooperation (published as Developing Doctrine), Canberra.

Australian DoD (2002) *Future Warfighting Concept*, Department of Defence Policy Guidance and Analysis Division, http://www.defence.gov.au/publications/fwc.pdf.

Avant, D. (1999) 'The Market for Force: Exploring the Privatization of Military Services', paper prepared for discussion at the Council on Foreign Relations Study Group on 'The Arms Trade and the Transnationalization of the Defense Industry: Economic Versus Security Drivers'.

Baker, D. and M. Stannard (2004) 'Barbarity a Ghastly Cost of Doing Business for Contractors', *San Jose Mercury News*, 1 April.

Banerjee, D. (2005) 'Current Trends in UN Peacekeeping: A Perspective From Asia', *International Peacekeeping*, vol. 12, no. 1

Barnett, A. (2003) 'Battle for Iraq: Scandal-Hit US Firm Wins Key Contracts', *The Observer*, 13 April.

Barnett, A. and S. Hughes (2001) 'British Firm Accused in UN "Sex Scandal"', *The Observer*, 29 July.

Barry, J. (2002) *A Bridge Too Far: Aid Agencies and the Military in Humanitarian Response*, Network Paper 37. London: Humanitarian Practice Network.

Barth Eide, E. et al. (2005) *Report on Integrated Missions: Practical Perspectives and Recommendations*, Independent Study for the Expanded UN ECHA Core Group, May, http:// ochaonline.un.org/GetBin.asp?DocID=3352.

Bellamy, A. J. (2005) 'Responsibility To Protect or Trojan Horse? The Crisis in Darfur and Humanitarian Intervention after Iraq', *Ethics and International Affairs*, 19 (2): 31–53.

Benshael, N., E. N. Farkas, V. K. Holt, J. Kojac and M. Pan (2005) *In the Wake of War: Improving US Post-Conflict Capabilities: Report of an Independent Task Force*. New York: Council on Foreign Relations.

Berdal, M. (2004) 'The UN after Iraq', *Survival*, vol. 46, no. 3, Autumn.

Berkman, T (2005) 'Annex I, UN Security Council Resolutions', in V. Holt (2005) *The Responsibility to Protect: Considering the Operational Capacity for Civilian Protection*. Washington DC: The Stimson Center, www.stimson.org/ fopo.

Bernath, C. and A. Edgerton (2003) *MONUC: Flawed Mandate Limits Success*. Washington DC: Refugees International.

Bishop, J. K. (2004) 'War in Afghanistan: Aberration, or the Shape of Things to Come?', *The Liaison*, vol. 2, no. 2, 2004, http://coe-dmha.org/Liaison/Vol_3No_2/Feat08.htm.

Blair, T. (1999), 'Doctrine of the International Community', Speech at the Economic Club, Chicago, 24 April, http://www.number-10.gov.uk/output/Page1297.asp.

Brahimi, L. (2000) *Report of the Panel on United Nations Peace Operations*, http://www.un.org/peace/reports/peace_ operations/report.htm.

Brooks, D. (2000) 'Hope for the "Hopeless Continent": Mercenaries', *Traders: Journal for the Southern African Region*, no. 3, July–October, www.tradersP.co.za/index.html.

Brooks, D (2000a) 'Messiahs or Mercenaries?', *International Peacekeeping*, vol. 7, no. 4.

Brooks, D. (2000b) 'Write a Cheque, End a War: Using Private Military Companies To End African Conflicts', *Conflict Trends*, no. 6, July 2000, www.accord.org.za/ publications/ct6/issue6.htm.

Brooks, D. and H. Solomon (2000) 'From the Editor's Desk', *Conflict Trends*, no. 6, www.accord.org.za/ publications/ct6/issue6.htm.

Brunsson, N. (1993) *The Organisation of Hypocrisy: Talk, Decisions, and Actions in Organisations* (New York: Routledge, 1993).

Brusset, E. and C. Tiberghien (2002) 'Trends and Risks in EU Humanitarian Action', in Macrae, J. (ed.) (2002) *The New Humanitarianisms: A Review of Trends in Global Humanitarian Action*, HPG Report 11. London: Overseas Development Institute.

Byman, D. (2005) 'Five Bad Options in Iraq', *Survival*, vol. 47, no. 1, Spring.

CACI (2004) 'Dr. J. P. London Presentation to Shareholders', CACI Annual Meeting, 1 December, www.caci.com/speeches/jpl_shareholders_04_speech.shtml.

Calas, F. and P. Saligon (2004) 'Afghanistan: From "Militant Monks" to "Crusaders"', in Weissman, (ed.) *In the Shadow of 'Just Wars': Violence, Politics and Humanitarian Action*. London: MSF/Hurst.

Capps, R. (2002) 'Outside the Law', *Salon*, 26 June, archive.salon.com/news/feature/2002/06/26/bosnia.

Carbonnier, G. (2005) *Privatisation and Outsourcing in Wartime: The Humanitarian Challenges*, author's copy.

Centre for Humanitarian Dialogue (2003) 'Politics and Humanitarianism: Coherence in Crisis?'.

Centre for Humanitarian Dialogue (2003) 'Humanitarian Engagement with Armed Groups'.

Chan, G. (1999) *Chinese Perspectives on International Relations – A Framework for Analysis*. London: Macmillan.

Charlotte Observer (2005) 'Contractors in Spotlight as Shootings Add Up', *Charlotte Observer*, 11 September.

Charny, J. (2004) 'Upholding Humanitarian Principles in an Effective Integrated Response', *Ethics and International Affairs*, vol. 18, no. 2.

Chesterman, S. (2002) 'Walking Softly in Afghanistan: The Future of UN State-building', *Survival*, vol. 44, no. 3, Autumn.

Cohen, R. (2003) 'Safety for Those Who Bring Help', *Washington Post*, 3 November.

Cohen, R. (2002) 'Afghanistan and the Challenge of Humanitarian Action in Time of War', *Forced Migration Review*, June.

Commission on Weak States and US National Security (2004) *On the Brink: Weak States and US National Security*. Washington DC: Centre on Global Development, http://www.cgdev.org/docs/Full_Report.pdf.

Commonwealth of Australia (2003) *Australia's National Security: A Defence Update* 2003, http://www.defence.gov.au/ans2003/Report.pdf.

Commonwealth of Australia (2000) *Defence 2000: Our Future Defence Forces*.

Copetas, C. (1999) 'It's Off To War Again for Big US Contractor', *Wall Street Journal*, 14 April.

Cottey, A. (2003) 'Afghanistan and the New Dynamics of Intervention: Counter-terrorism and Nation-building', in

SIPRI Yearbook 2003: Armaments, Disarmament and International Security. Oxford: OUP.

Cottey, A. and A. Forster (2004) *Reshaping Defence Diplomacy: New Roles for Military Cooperation and Assistance*, Adelphi Paper 365. Oxford: OUP for the IISS.

Crewdson, J. (2003) 'Sex Scandal Still Haunts DynCorp', *Chicago Tribune*, 19 April.

Crombé, X. (2005) 'Humanitarian Action and Occupation: The MSF Viewpoint', MSF/CRASH Foundation, Paris.

Daalder, I. H. and J. M. Lindsay (2003) *America Unbound: The Bush Revolution in Foreign Policy*. Washington DC: The Brookings Institution.

Dangerfield et al. (2002) *Private Military Companies, Options for Regulation: A Response to the UK Government Green Paper*, Cranfield University, Royal Military College of Science.

Danish Ministry of Foreign Affairs (2004) *Civil–Military Cooperation in International Crisis Operations*, Draft Informal Synthesis Paper, March.

Davidson, O. G. (2004) 'Contract to Torture', a joint investigation by *Salon* and *Rolling Stone*, 9 August.

DFID (2005) 'A Guide to "Quick Impact Projects (QIPs)" for the Military', draft.

DFID (2004) 'Memorandum Submitted by the Department for International Development', October, http://www.publications.parliament.uk/pa/cm200405/cmselect/cmintdev/244/244we02.htm.

Dickinson, L. (2005) 'Public Law Values in a Privatized World', paper presented to 'The Future of the State Conference', University of Virginia, 8 October.

Dinstein, Y. (2000) 'The Right to Humanitarian Assistance', *Naval War College Review*, Autumn.

Dobbins, J. F. (2003) 'America's Role in Nation-building: From Germany to Iraq', *Survival*, vol. 45, no. 4, Winter.

Donini, A. et al. (2005) *Mapping the Security Environment: Understanding the Perceptions of Local Communities, Peace Support Operations and Assistance Agencies*. Medford, MA: Tufts University Feinstein International Famine Center.

DPKO (2004) *Rules of Engagement (ROE) for the Military Component of the United Nations Stabilization Mission in Haiti (MINUSTAH)*, DPKO Military Division, 28 May.

DPKO (2003) *Handbook on United Nations Multidimensional Peacekeeping Operations*, Best Practices Unit, DPKO.

DPKO (2002) 'Civil–Military Coordination Policy Document', 25 September.

Duffield, M. (2001) *Global Governance and the New Wars*. London: Zed Books.

Earle, C. R. (2004) 'European Capacities for Peace Operations: Taking Stock', Henry L Stimson Centre, March.

ECHO (2004) *Report on Security of Humanitarian Personnel*.

ECOWAS (1999) *Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security*.

Elliott, L. and G. Cheeseman (eds.) (2004) *Forces for Good – Cosmopolitan Militaries in the 21st Century*. Manchester: MUP.

Ellner, A. (2004) 'European Perspectives on Security – Lessons of the Conflicts in the Balkans, the Middle East and

Africa', paper prepared for the conference 'The Changing Nature of Warfare', in support of the 'Global Trends 2020' Project of the US National Intelligence Council, http://www.cia.gov/nic/PDF_GIF_2020_Support/2004_05_25_papers/eur_security.pdf.

Ericksson, J. et al. (1996) *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience – Synthesis* Report. Copenhagen: Steering Committee of the Joint Evaluation of Emergency Assistance to Rwanda.

ESC (2004) *Provincial Reconstruction Team (PRT) Executive Steering Committee Charter*, 2 December.

Evans, G. (2004) 'When Is It Right To Fight?', *Survival*, vol. 46, no. 3, Autumn.

Fallows, J. (2004) 'Blind into Baghdad', *The Atlantic Monthly*, vol. 293, no. 1, January/February, http://www.theatlantic.com/issues/2004/01/fallows.htm.

Fay, G. and A. Jones (2004) 'Investigation of Intelligence Activities at Abu Ghraib', http://news.findlaw.com/hdocs/docs/dod/fay82504rpt.pdf.

Feinstein International Famine Center (2004) *Human Security and Livelihoods of Rural Afghans*, 2002-2003, a report for USAID. Medford, MA: Tufts University.

Feria, F. (2004) *Crisis Management in Sub-Saharan Africa – The Role of the European Union*, Occasional Paper 51. Paris: ISS-EU.

Finer, J. (2005) 'Security Contractors in Iraq Under Scrutiny after Shootings', *Washington Post*, 10 September.

Finlay, T. (2002) *The Use of Force in UN Peace Operations*. Oxford: Oxford University Press for SIPRI.

Flaherty, M. P. (2004) 'Iraq Work Awarded to Veteran of Civil Wars Briton Who Provided Units in Asia and Africa Will Oversee Security', *Washington Post*, 16 June.

Fox News (2005) *Fast Facts: Contractors in Iraq*, 6 July, www.foxnews.com/story/0,2933,161208,00.html.

French MOD (2002) Instruction N°2900/DEF/EMA/EMP1/DR, 18 March, author's copy.

French MOD (1996) *Une Nouvelle Défense: 1997–2015*. Paris : Ministère de la Défense, SIRPA.

French MOD (1994) *1994 White Paper on Defense*. Paris: Ministère de la Défense, SIRPA, http://www.defense. gouv.fr.

Frontline (2005) Interview with Lawrence Peter, *Private Warriors*, 27 June, www.pbs.org/wgbh/pages/frontline/shows/warriors/interviews/peter.html.

Gantz, A. (2004) 'Mercenary Boom Creates Tension at Home and Abroad', *Corpwatch*, 23 March.

Gantz, P. H. (2003) *The Private Sector's Role in Peacekeeping and Peace Enforcement*, 18 November, www.globalpolicy.org/security/peacekpg/training/1118peacekeeping.htm.

Glaser, M. (2005) *Humanitarian Engagement with Non-state Armed Actors: The Parameters of Negotiated Armed Access*, Humanitarian Practice Network Paper 51. London: HPN.

Gonzalez, G. (2004) 'Haiti: Latin American-led Peace-keeping Operation – A "Mission Impossible"?', *Inter Press Service*, 5 November, reproduced at the Global Policy Forum website, http://www.globalpolicy.org/security/issues/haiti/2004/1105mimpossible.htm.

Good Humanitarian Donorship (2003) *Statement of Principles and Good Practice*, Meeting Outcome, http://www.reliefweb.int/ghd/meetings.html#Stockholm.

Government of Canada (1999) Civil Military Cooperation in Peace, Emergencies, Crisis and War, B-GG-005-004/AF-023, http://www.dcds.forces.ca/jointDoc/docs/AF-023_e.pdf.

Government of Sweden (2005) *Government Communication 2004/05:52 The Government's Humanitarian Aid Policy*.

Govt Netherlands (2003) *Policy Report: Mutual Interests, Mutual Responsibilities – Dutch Development Co-operation En Route to 2015*.

Govt Netherlands Ministry of Defence and Ministry of Foreign Affairs (2003) *Policy Framework for Civil Military Cooperation*, 19 May.

Gow, A. (2000) 'A Revolution in International Affairs?', *Security Dialogue*, 31(3).

Grégoire, J. P. (2002) *The Bases of French Peace Operations Doctrine: Problematic Scope of France's Military Engagements with the UN or NATO Framework*, Strategic Studies Institute, http://carlisle.www.army.mil.

Guéhenno, J. M. (2003) *Challenges in UN Peacekeeping Operations*, Carnegie Council, http://www.carnegiecouncil.org/viewMedia.php/prmTemplateID/8/prmID/ 5068.

Harland, D., (2005) 'Statement to Conference on Integrated Missions', Oslo, 30–31 May.

Harmer, A. and L. Cotterell (2005) *Diversity in Donorship: The Changing Landscape of Official Humanitarian Aid*, HPG Report 20. London: ODI.

Harmer, A. and J. Macrae (eds) (2004) *Beyond the Continuum: The Changing Role of Aid Policy in Protracted Crises*, HPG Report 18. London: ODI.

Harris, S. (2003) *AID Plans To Contract Out Oversight of Iraq Contracts*, GovExec.COM, 20 May, www.govexec.com/dailyfed/0503/052003h1.htm.

Hellinger, D. (2004) 'Humanitarian Action, NGOs, and the Privatization of the Military', *Refugee Survey Quarterly*, vol. 23, no. 4, 2004.

Henckaerts, J. and L. Doswald-Beck, *Customary International Humanitarian Law – Volume 1: Rules*. Cambridge: Cambridge University Press for the ICRC.

Hendrikson, D. et al. (2005) *A Review of DFID Involvement in Provincial Reconstruction Teams (PRTs) in Afghanistan*, Independent Report submitted to DFID by the Conflict, Security and Development Group, King's College London, 8 July.

High-Level Panel (2004) Report of the Secretary-General's High-Level Panel on Threats, Challenges and Change, *A More Secure World: Our Shared Responsibility*. New York: United Nations, http://www.un.org/secureworld/report3.pdf.

Holt, V. (2005) *The Responsibility to Protect: Considering the Operational Capacity for Civilian Protection*. Washington DC: The Stimson Center, www.stimson.org/fopo.

House Committee on International Relations (2004) *United States Policy in Afghanistan. Testimony by James Kunder, Deputy Assistant Administrator for Asia and the Near East US Agency for International Development before the Committee on International Relations, Congress of the United States.*

Huggins, M. and J. MacTurk, (2000) 'Armed and Dangerous', *Americas.Org*, November, www.americas.org/News/Features/200011_Private_Security/index.asp.

Hukill, T. (2004) 'Firms Seek to Sell UN on Privatized Peacekeeping', *National Journal*, 18 May.

Human Rights Watch (1999) *Landmine Monitor: Africa Report*, http://www.hrw.org/hrw/reports/1999/landmine/WEB AFR1.html.

HRW (2004) *D.R. Congo:War Crimes in Bukavu*, Human Rights Watch Briefing Paper, June.

HRW (2003) *Ituri: Covered in Blood*, Human Rights Watch, July.

HRW (2003) *Off Target: The Conduct of the War and Civilian Casualties in Iraq*, December.

Human Rights Watch (2004) 'Iraq: US Prisoner Abuse Sparks Concerns Over War Crime', 30 April, http://hrw.org/english/docs/2004/04/30/iraq8521.htm.

L'Humanité (2002) 'La France s'arme face au monde', 20 September.

Huntington, S. P. (1957) *The Soldier and the State: The Theory and Politics of Civil–Military Relations*. Cambridge, MA: Belknap Press.

Inter Agency Standing Climate (2004) *IASC Reference Paper on Civil–Military Relationships in Complex Emergencies*, http://ochaonline.un.org/webpage. asp?Site=pha.

International Crisis Group (2005a) *EU Crisis Response Capability Revisited*, Europe Report N°160, January, Brussels.

ICG (2005b) *Darfur:The Failure to Protect*, Africa Report No. 89, 8 March. Nairobi/Brussels: ICG.

ICG (2005c) *The AU's Mission in Darfur: Bridging the Gaps*, Africa Briefing No. 28, 6 July. Nairobi/Brussels: ICG

ICG (2005d) 'The Congo's Transition Is Failing: Crisis in the Kivus', International Crisis Group Africa Report 31, 30 March.

ICG (2004) *Darfur Deadline: A New International Action Plan*, ICG Africa Report No. 83, 23 August. Nairobi/Brussels: ICG.

ICISS (2001) *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty*. Ottawa: ICISS/International Development Research Centre.

ICRC (2004) 'The ICRC To Expand Contacts with Private Military and Security Companies', 4 August, www.icrc.org/Web/Eng/siteeng0.nsf/iwpList74/21414DE8FCAF2 645C1256EE50038A631.

ICRC (2001) *Strengthening Protection in War – A Search for Professional Standards: Summary of Discussions Among Human Rights and Humanitarian Organizations*, cited in R. Williamson (2005) *Protection of Civilians: Bridging the Protection Gap*, Report on Wilton Park Conference 766, May.

ICRC (1994) *The Code of Conduct for the International red Cross and Red Crescent Movement and NGOs in Disaster Relief.*

IISS (2004) *The Military Balance 2004-2005*. Oxford: OUP for the IISS.

Independent Task Force (2005) *In the Wake of War: Improving US Post-Conflict Capabilities*. New York: Council on Foreign Relations.

InterAction (2003a) *Report of the 2003 InterAction Forum*, www.interaction.org/forum2003/panels.html#Natsios.

InterAction (2003b) *Provincial Reconstruction Teams in Afghanistan*, Position Paper Adopted by InterAction's Afghanistan Reconstruction Working Group, 23 April, author's copy.

InterAction (2003c) 'Humanitarian Policy and Practice', http://www.interaction.org/hpp/military.html.

International Consortium of Investigative Journalists (2002) 'Making a Killing: The Business of War', Center for Public Integrity, 28 October.

International Development Committee (2005) *Darfur Sudan: The Responsibility to Protect*, UK House of Commons, London, March.

IRC (2004) *Mortality in the Democratic Republic of Congo: Results from a Nationwide Survey*, conducted April–July 2004, www.theirc.org/pdf/DRC_MortalitySurvey2004_RB_8Dec04.pdf.

IRC (2003) *Guidelines for Interacting with Military and Belligerent Parties.*

Jakobsen, P. V. (2004) *The Emerging EU Civilian Crisis Management Capacity – A 'Real Added Value' for the UN?'*, background paper for the Copenhagen Seminar on Civilian Crisis Management, Royal Danish Ministry of Foreign Affairs, 8–9 June.

Jakobsen, P. V. (2005) *PRTs in Afghanistan: Successful But Not Sufficient*, Danish Institute for International Studies, http://diis.dk/sw11230.asp.

Jeffreys, A. and T. Porter (2005), 'Ivory Coast Is a Case of Too Much UN Coordination', *Alertnet*, Reuters, http://www.alertnet.org/thefacts/reliefresources/110148544524.htm.

Johns Hopkins (2004) 'Humanitarian Assistance in Africa – Is It Making a Difference?', event summary, Paul H. Nitze School of Advanced International Studies, Johns Hopkins University, 5 March.

Joint Doctrine Manual (2002) *Peace Support Operations*, Chief of Defense Staff, Canada, B-GJ-005-307/FP-030, November.

Jones, B. with F. Cherif (2003) *Evolving Models of Peacekeeping – Policy Implications and Responses*. New York: UN Peacekeeping Best Practices Unit.

Kahn, A (2005) 'Dilemma of Pakistan Army's Quake Role' *BBC News*, 6 December, http://news.bbc.co.uk/1/hi/world/south_asia/4503508.stm.

Kampfner, J. (2003) *Blair's Wars*. London: The Free Press.

Keilthy, P. (2004) 'Private Security Firms in War Zones Worry NGOs', *Alertnet*, 11 August.

Kelly, J. (2000) 'Safety at a Price', *Pittsburgh Post Gazette*, 13 February.

Kiani, M. (2004) 'Pakistan's Contribution to UN Peacekeeping', *Institute of Strategic Studies Journal*, vol. 24, no. 3, Autumn 2004, http://www.issi.org.pk/strategic_studies_htm/2004/no_3/article/3a.htm.

King, D. (2003) 'Chronology of Humanitarian Aid Workers Killed, 1997–2003', 15 January, http:vranet.com/Govt1027/Docs/chron1997-2003.html.

Leigh, D. (2004) 'Who Commands the Private Soldiers?', *The Guardian*, 17 May.

Lindborg, C (2004) *How Deep and How Long Will NATO Go in Afghanistan and Iraq?*, BASIC's NATO E-mail Series, NATO Foreign Ministers' Meetings, 8–9 December, http://www.basicint.org/update/NATO041209-PF.htm.

Lindstrom, G. (2004) 'On the Ground: ESDP Operations', in N. Gnesotto (ed.), *EU Security and Defence Policy: The First Five Years (1999–2004)*. Paris: Institute for Security Studies, European Union.

Lipson, M. (2002) 'Peacekeeping as Organised Hypocrisy', paper presented to the Workshop on Peacekeeping and Politics, Columbia University, October 2002.

Lister, S. (2005) *Caught in Confusion: Local Governance Structures in Afghanistan*, AREU Briefing Paper, March, http://www.areu.org.af/publications/Local%20Governance%20Briefing%20Paper.pdf.

Lockhart, C. (2005) *From Aid Effectiveness to Development Effectiveness: Strategy and Policy Coherence in Fragile States*, background paper prepared for the Senior Level Forum on Development Effectiveness in Fragile States, 2005.

MacAskill, E. (2006) 'UN Prepares To Send Peace-keeping Force to Darfur', *The Guardian*, 27 January, http://www.guardian.co.uk/sudan/story/0,,1695920,00.html.

MacFarlane, S. N. (2002) *Intervention in Contemporary World Politics*, Adelphi Paper 350. Oxford: OUP for the IISS.

Macrae, J. and A. Harmer (eds) (2003) *Humanitarian Action and the Global War on Terror: A Review of Trends and Issues*, HPG Report 14. London: ODI.

Macrae, J. (ed.) (2002a) *The New Humanitarianisms: A Review of Trends in Global Humanitarian Action*, HPG Report 11. London: ODI.

Macrae, J. (2002b) *International Humanitarian Action: A Review of Policy Trends*, ODI Briefing Paper, April.

Mandel, R. (2003) *Armies Without States*. Boulder, CO: Lynne Rienner.

Mandelbaum, M. (1999) 'A Perfect Failure', *Foreign Affairs*, vol. 78, no. 5, September–October.

Martin, R. (2000) 'A More Proactive UN Role in the Security of NGO Staff?', *Forced Migration Review*, December.

McCarthy, E. and R. Merle (2004) 'Contractors and the Law', *Washington Post*, 27 August, www.washingtonpost.com/wp-dyn/articles/A37289-2004Aug26.html.

McNamara, D. (2003) 'Aid Business Cannot Go On As Usual after Attacks', UNHCR Pre-Excom meeting, Geneva.

Mekay, E. (2004) 'Torture Victims Sue US Security Companies', *Inter-Press Service*, 10 June

Minear, L. (2002) 'Humanitarian Action in an Age of Terrorism', *New Issues in Refugee Research*, no. 63, August.

Minear, L. (2004) 'Informing the Integration Debate with Recent Experience', *Ethics and International Affairs*, vol. 18, no. 2, Autumn.

Minear, L. and T. Weiss (1995) *Mercy Under Fire*. Boulder, CO: Westview Press.

MSF (2005) 'Nothing New in Ituri: The Violence Continues', MSF Report, August.

MSF (2004) 'After 24 Years of Independent Aid to the Afghan People MSF Withdraws from Afghanistan Following Killing, Threats and Insecurity', Transcript of Press Conference held in Kabul, Afghanistan, 28 July, http://www.doctorswithoutborders.org/publications/transcripts/afghanistan_pressconference.cfm.

NAC (2002) *Prague Summit Declaration: Issued by the Heads of State and Government Participating in the meeting of the North Atlantic Council in Prague on 21 November 2002*, Press Release (2002)127, 21 November, http://www.nato.int/docu/pr/2002/p02-127e.htm.

NATO (undated) NATO Rapid Deployable Corps – Italy, Public Information Office, *NATO Response Force: Land Component Command*, http://www.nato.int/nrdc-it/docu/brochure/041001.pdf.

NATO (2005) 'Statement by the Spokesman on NATO Support to the African Union for Darfur', PR/CP (2005)065, 24 May.

NATO (2005b) Supreme Head Quarters Allied Powers Europe, SHAPE Issues, *The NATO Response Force – NRF*, updated 7 January 2005, http://www.nato.int/shape/issues/shape_nrf/nrf_intro.htm.

NATO (2003) *NATO's Military Committee Document*, MC 411/1, also quoted in Allied Joint Publication 9, http://www.nato.int/ims/docu/AJP-9.pdf.

NATO (2001) *Peace Support Operations*, AJP-3.4.1, July.

New Standard (2004) 'Abu Ghraib Contractor Sees Profits Soar Despite Torture Probe', *The New Standard*, 19 August.

New York Times (2005) 'The Rules of Engagement in Iraq', 9 March.

OCHA (2005) *United Nations Humanitarian Civil–Military Coordination (UN CMCoord) Concept*, New York: OCHA

OCHA (2005) 'Sudan: EU To Meet Half the Cost of AU Mission in Darfur', IRIN, 12 December, www.irinnews.org/report.asp?ReportID=43823.

OCHA (2004) *Guidelines on the Use of Military and Civil Defence Assets in Natural Disaster Relief*, May.

OCHA (2004), *Guidelines for Humanitarian Organisations on Interacting with Military and Other Security Actors in Iraq*, 20 October

OCHA (2003) *Guidelines on the Use of Military and Civil Defence Assets To Support United Nations Humanitarian Activities in Complex Emergencies*, March.

OCHA (2001) *Use of Military or Armed Escorts for Humanitarian Convoys* (draft), December.

O'Meara, K. P. (2002) 'Broken Wings', *Insight on the News*, 8 April, http://www.insightmag.com/main.cfm/main.cfm/main.cfm/include/detail/storyid/229690.

O'Neill, W. G. (2004) *A New Challenge for Peacekeepers: The Internally Displaced*. Washington DC: The Brookings Institution-John Hopkins School of Advanced International Studies Project on Internal Displacement.

Oswald, B. (2005) *Think Piece – Addressing the Institutional Law and Order Vacuum: Key Issues and Dilemmas for Peacekeeping Operations*. New York: UN Department of Peacekeeping Operations Best Practices Unit, September.

Oxfam (2005) *Protection into Practice*, Oxfam International. internal document, 2005.

Pang Zhongying (2005) 'China's Changing Attitude to UN Peacekeeping', *International Peacekeeping*, vol. 12, no. 1.

Payne, M. (2004) 'Confronting the Civil–Military Challenges: From a NATO Perspective', unpublished.

Peacekeeping Best Practices Unit (2004) *Operation Artemis: The Lessons of the Interim Emergency Multinational Force*, October.

Peacock, S. (2006), 'US: Washington Blurs Lines between Pentagon and USAID', NACLA Report on the Americas, vol. 39, no.4, http://www.nacla.org/art_display.php?art=2626.

Perlak, J. R. (2001) 'The Military Extraterritorial Jurisdiction Act of 2000: Implications for Contractor Personnel', *Military Law Review*.

Perle, R. (2003) 'Thank God for the Death of the UN', *The Guardian*, 21 March.

Picciotto, R. et al. (2004) 'Striking a New Balance: Donor Policy, Coherence and Development Co-operation in Difficult Partnerships', Global Policy Project, 30 December.

Pirnie, B. R. and C. M. Francisco (1998) *Assessing Requirements for Peacekeeping, Humanitarian Assistance and Disaster Relief*. Washington, DC: RAND.

Potgieter, J. and G. Virginia (1996) *Evolution of a National Doctrine for Peace Support Operations*, Occasional Paper, Strategic Studies Institute – US Army War College, September.

Prague Summit (2002) Prague Summit Declaration: Issued by the Heads of State and Government Participating in the meeting of the North Atlantic Council in Prague on 21 November 2002, Press Release (2002)127, http://www.nato.int/docu/pr/2002/p02-127e.htm.

Price, S. (2004) 'Peacekeepers Powerless in DR Congo', *BBC Online*, 3 June.

Prince, E. (2005) Statement made at the 'Special Operations and Low-Intensity Conflict Symposium', sponsored by the National Defense Industrial Association, February.

PSC (2006a) 45th Meeting, 12 January, Addis Ababa, Ethiopia, PSC/PR/Comm.(XLV), Communique, http://www.africa-union.org/root/au/AUC/Departments/PSC/45th/Communique.htm.

PSC (2006b) 45th Meeting, 12 January, Addis Ababa, Ethiopia, PSC/PR/2(XLV), Report of the Chairperson of the Commission on the Situation in Darfur (the Sudan), http://www.africa-union.org/root/au/AUC/Departments/PSC/45th/CP_Report_on_Darfur.pdf.

Pugh, M and W. P. S. Sidhu (2003) *The United Nations and Regional Security: Europe and Beyond*. Boulder, CO: Lynne Rienner, 2003.

Rana, R. (2004) 'Contemporary Challenges in the Civil–Military Relationship: Complementarity or Incompatibility?', *IRRC*, vol. 86, no. 855.

Roessler, P. and J. Prendergast (forthcoming) 'The United Nations Organization Mission in the Democratic Republic of Congo (MONUC)' (working title) in W. J. Durch (ed.) 21st Century Peace Operations. Washington DC: US Institute of Peace Press.

Rutten (2001) *From St-Malo to Nice – European Defence: Core Documents*, Chaillot Paper 47. Paris: Institute for Security Studies, Western European Union.

Sabella, J. (2005) 'Operation Night Flash: Hope Is Born Again in Kanyola', 15 April, www.monuc.org/Story.aspx?StoryID=453.

SACEUR (2004) Unclassified ISAF OPLAN 10302, J5PLANSCRO/7340-024/04, 8 April.

Sassoli, M. and A. Bouvier (1999) *How Does Law Protect in War – Cases, Documents and Teaching Materials on Contemporary Practice in International Humanitarian Law*. Geneva: ICRC.

Save the Children UK (2004) *Provincial Reconstruction Teams and Humanitarian Military Relations in Afghanistan*. London: Save the Children UK.

SCHR (2004) 'Humanitarian Military Assistance in Afghanistan: A Case Study', April.

SCHR (2004, Update) *Position Paper on Humanitarian Military Relations in the Provision of Humanitarian Assistance*.

Sellars, K. (1997) 'Old Dogs of War Learn New Tricks', *New Statesman*, 25 April.

Serafino, N. (2004) 'Peacekeeping and Related Stability Operations: Issues of US Military Involvement', Congressional Research Service, 21 December, http://www.usembassy.it/pdf/other/IB94040.pdf.

Sewall, S. (forthcoming) *Targeting Humanity*, Project on the Means of Intervention, Carr Center for Human Rights, Harvard University.

Shanker, T. (2004) 'A New Strategy Document Calls Attention to the Transition Between War and Peace', *New York Times*, 21 May, http://www.nytimes.com/2004/05/22/politics/22STRA.html.

Shanker, T. and E. Schmitt (2005) 'Pentagon Weighs Strategy to Deter Terror', *New York Times*, 5 July.

SHAPE (2005) 'NATO Diversifies Aid to African Union', http//www.nato.int/shape/news/2005/08050811a.ht.

Sharp (2004) *Testimony of Lieutenant General Walter Sharp before the House Armed* Services Committee United States House of Representatives, 29 April, http://www.carlisle.army.mil/usacsl/divisions/pksoi/CurrentProjects/Pubs/SYMPOSIUM%20REPORT%20(ver%206).doc.

Shearer, D. (1998) *Private Armies and Military Intervention*, Adelphi Paper 316. Oxford: OUP for the IISS.

Sida, L. (2005), 'Challenges to Humanitarian Space: A Review of Humanitarian Issues Related to the UN Integrated Mission in Liberia and to the Relationship between Humanitarian and Military Actors in Liberia', Paper presented to Conference on Integrated Missions, Oslo, April.

Singer, P. W. (2005) 'Outsourcing the War in Iraq', *Foreign Affairs*, April.

Singer, P. W. (2004) 'Nation Builders and Low Bidders in Iraq', *New York Times*, 15 June 15.

Singer, P. W. (2004) 'Beyond the Law', *The Guardian*, 3 May.

Singer, P. W. (2003) *Corporate Warriors: The Rise of the Privatized Military Industry*. Ithaca, NY: Cornell University Press.

Slim, H. (1997) *International Humanitarianism's Engagement with Civil War in the 1990s: A Glance at Evolving Practice and Theory: A Briefing Paper for ActionAid UK*, 19 December.

Slim, H. and A. Bonwick (2005) *Protection: An ALNAP Guide for Humanitarian Agencies*. London: ALNAP.

Smith, C. (1991) *Marines in Humanitarian Operations: Angels from the Sea: Relief Operations in Bangladesh*. Washington, DC: US Government Printing Office.

Solana, J. (2003) *A Secure Europe in a Better World*, European Council, 20 June.

Sorensen, D. S and P. C. Wood (eds) (2004) *The Politics of Peacekeeping In the Post-cold War Era.*

Spearin, C. (2003) 'Accountable to Whom? An Assessment of International Private Security Companies in South America', paper presented at the 2003 ISA conference, Portland, OR, 28 February.

Stapleton, B. (2003a) 'The Provincial Reconstruction Team Plan in Afghanistan: A New Direction?', unpublished, May.

Stapleton, B. (2003b) 'Security Developments in Afghanistan', background paper for the Liechtenstein Institute for Self Determination at Princeton University, December Sullivan, K. (2004) 'Poor Salvadorans Chase the "Iraqi Dream"', *Washington Post*, 9 December.

State Department (2004) 'About the CRS', http://www.state.gov/s/crs/c12936.htm 2004.

Stevenson, J. (2004) *Counter-terrorism: Containment and Beyond.* Adelphi Paper 367. Oxford: OUP for the IISS.

Stockton, N. (2005) 'Mission Integration, Policy Coherence and Accountability', Speaking Notes for Presentation to MSF Head of Mission Week, Brussels, 2 June.

Stockton, N. (2005) 'The Accountable Humanitarian', Humanitarian Accountability Project, October.

Stockton, N. (1997) 'The Role of the Military in Humanitarian Emergencies: Reflections', http://www.fmreview.org/rpn234.htm.

Stoddard, A. (2002) Trends in US Humanitarian Policy, *HPG Briefing Paper*, no. 3, April.

Stoddard, A. and A. Harmer (2006) 'Room to Manoeuvre?: The Challenges to Humanitarian Action in the New Global Security Environment', *Journal of Human Development*.

Torrente, N. de (2004) 'Humanitarian Action Under Attack: Reflections on the Iraq War', *Harvard Human Rights Journal*, vol. 17, Spring.

Tufts (2004) 'Human Security and Livelihoods of Rural Afghans, 2002–2003', Feinstein International Famine Center, Youth and Community Program, June.

UK (2003) Joint Warfare Publication (JWP) 3-90.

UK MOD (2004) *The Military Contribution to Peace Support Operations, Joint Warfare Publication 3-50, Second Edition,* Joint Doctrine & Concepts Centre, June.

UK MOD (2002) *The Strategic Defence Review: A New Chapter,* CM5566 Vol. I, July, http://www.mod.uk/issues/sdr/newchapter.htm.

UK MOD (1998) *Strategic Defence Review,* http://www.mod.uk/issues/sdr/index.htm.

UN (2005) *Safety and Security of Humanitarian Personnel and UN Personnel,* UN Resolution 59/211, 28 February.

UN (2004) *Non-Paper: Employment of the EU Battle Groups Concept in Support of UN Peacekeeping Operations,* 4 June.

UN (2004) *Implementation of the United Nations Millennium Declaration: Report of the Secretary General,* A/59/282, United Nations General Assembly Fifty-ninth Session, 27 August.

UN (2004) *Safety and Security of Humanitarian Personnel and Protection of UN Personnel,* Report of the Secretary-General, 59th session, 3 September.

UN (2003) *Guidelines on the Use of Military and Civil Defence Assets to Support United Nations Humanitarian Activities in Complex Emergencies,* March

UN (2001) *Implementation of the Recommendations of the Special Committee on Peacekeeping Operations and the Panel on United Nations Peace Operations,* A/56/732, United Nations General Assembly Fifty-sixth Session, 21 December.

UN Department of Peacekeeping Operations (2003) *Handbook on United Nations Multidimensional Peacekeeping Operations,* December, New York.

UN Department of Peacekeeping Operations (2005) 'Reflections on the Integrated Mission Report', Paper presented at an International Conference on Integrated Missions, Oslo, 30–31 May.

UNGA (2005) 2005 *World Summit Outcome,* United Nations General Assembly A/60/L.1, 15 September.

UN High Commissioner for Refugees (1995) *A Handbook for*

the Military on Humanitarian Operations, http://www.reliefweb.int/rw/lib.nsf/db900SID/LGEL-5S4NTD?OpenDocument.

UN News Service (2003) 'Secretary General Reports High Number of Attacks on UN Staff Overseas', 10 October.

UN Peacekeeping Best Practices Unit, Military Divisions (2004) 'Operation Artemis: The Lessons of the Interim Emergency Multinational Force', October.

UN Secretary-General (2005) In Larger Freedom: Towards Development, Security and Human Rights for All – Report of the Secretary General, A/59/2005, United Nations General Assembly Fifty-ninth Session, 21 March.

UN Secretary-General (2004a) A More Secure World: Our Shared Responsibility, Secretary-General's High-level Panel on Threats, Challenges and Change.

UN Secretary-General (2004b) Fifteenth Report of the Secretary General on the United Nations Organization Mission in the Democratic Republic of the Congo, S/2004/251, 25 March.

UN Secretary-General (2002) Eleventh Report of the Secretary General on the United Nations Organization Mission in the Democratic Republic of the Congo, S/2002/621, 5 June.

USAID (2005) Assistance for Iraq: Contracts and Grants, March, www.usaid.gov/iraq/activities.html.

US Council on Foreign Relations (2005) In the Wake of War: Improving US Post-conflict Capabilities, Report of an Independent Taskforce, July.

US Department of National Defense (2002) Joint Doctrine Manual on Peace Support Operations, 2002-11-06:B-GJ-005-307/FP-030, http:/www.forces.gc.dcds/jointdoc/docs/peaceSupportOps_e.pdf.

US DoD (2005) Department of Defense Dictionary of Military and Associated Terms, Joint Publication 1-02, as amended 9 May.

US Department of Defense (2006) Quadrennial Defence Review Report (Washington DC: Department of Defense, 6 February), 2006),http://www.defenselink.mil/dqr/report/report20060203.pdf.

US DoD (2001a) A Joint Doctrine for Civil-Military Operations, 8 February.

US DoD (2001b) Joint Publication 3-07.6, Joint Tactics, Techniques, and Procedures for Foreign Humanitarian Assistance, 15 August.

US DoD (1996) Joint Publication 3-57.US GAO (2004) Afghanistan Reconstruction. Washington DC: US General Accounting Office.

US GAO (2003) Comptroller Gen., US Gen. Accounting Office, Sourcing and Acquisition, Rep. No. GAO-03-771R, 23 May.

US House of Representatives (2005) 'Transparency and Accountability in Security Contracting (TASC) Act', submitted by Rep. David Price, April.

US National Security Council (2004) The Year of Living Dangerously: Attacks on Humanitarian Workers 2003, US National Security Council White Paper, March.

US Presidential Directive 3000.05 (2005) 'Military Support for Stability, Security, Transition, and Reconstruction (SSTR) Operations', US Department of Defense, November. Available at http://www.effectivepeacekeeping.org/docs/usgov/d300005p.pdf.

Van Brabant, K. (2004) 'Humanitarian Action and Private Security Companies', Humanitarian Exchange, no. 20, March.

Van Brabant, K. (2001) Mainstreaming the Organisational Management of Safety and Security: A Review of Aid Agency Practices and a Guide for Management, Humanitarian Policy Group, March.

Vasagar, J. (2005) 'UN Congo Force Kills 50 in Clash with Militia', The Guardian, 30 March, http://www.guardian.co.uk/congo/story/0,12292,1429318,00.html.

Vaux, T. et al. (2001) Humanitarian Action and Private Security Companies: Opening the Debate, International Alert.

VENRO (2003) Position Paper: Armed Forces as Humanitarian Aid Workers? Scope and Limits of Co-operation between Aid Organisations and Armed Forces in Humanitarian Aid.

Venter, A. J. (1995) 'Sierra Leone's Mercenary War', Jane's International Defense Review, November.

Vines, A. (1998) 'Mercenaries and the Privatisation of Security in Africa in the 1990s', paper presented at the conference on 'The Privatisation of Security in Africa', South African Institute of International Affairs, Johannesburg.

VOA (2004) 'Abdelwahad Najeb, Sudan's State Minister for Foreign Affairs', 17 August 2004.

Voillat, C. (2004) 'Private Military Companies, A Word of Caution', Humanitarian Exchange, no. 29, November.

Walzer, M. (1992) Just and Unjust Wars: A Moral Argument with Historical Illustrations Second Edition. New York: Basic Books.

Washington Post (2000) 'Another UN Commitment?', 14 February.

Weiss, T. (2004) 'The Sunset of Humanitarian Intervention? The Responsibility To Protect in a Unipolar Era' Security Dialogue, 35(2).

Weiss, T. (1999) Military–Civilian Interactions – Intervening in Humanitarian Crises. Oxford: Rowman and Littlefield.

Wheeler, N. J. (2000) Saving Strangers: Humanitarian Intervention in International Society. Oxford: OUP.

Wheeler, V. (2005) 'Politics and Practice: The Limits of Humanitarian Protection in Darfur', Humanitarian Exchange, no. 35, June 2005.

Wu, B. (2001), 'The Chinese Security Concept and Its Historical Evolution', Journal of Contemporary China, 10(27).

Yeoman, B. (2004) 'Dirty Warriors', Mother Jones, November.

Zenda, C. (2002) 'Mine Tech Earns World Honours', Financial Gazette (Harare), 3 May.

Zweers, J. (2004) 'More Than a Battle of Words – An Explorative Analysis of CIMIC and Civil–Military Interaction in the Dutch Humanitarian Context', PSO, September.

About the authors

Victoria Wheeler is a Research Officer with the Humanitarian Policy Group. Her main areas of research expertise are security and aid policy, civil–military relations and civilian protection. Prior to joining ODI, she worked for the Australian Agency for International Development, and as a Research Associate for the Australian Strategic Policy Institute.

Adele Harmer is a Research Fellow with HPG. She is based in New York, where she works in collaboration with the Center on International Cooperation on a joint programme of research examining the policy and operational implications of the changing security environment for humanitarian action.

Andrew Cottey is Senior Lecturer and Jean Monnet Chair in European Political Integration, Department of Government, University College Cork. He has been a NATO Research Fellow, a Research Associate at the International Institute for Strategic Studies in London and a visiting researcher at the Stockholm International Peace Research Institute.

Ted Bikin-Kita is former Judicial and Diplomatic Adviser to the Minister of the Interior and Security in Congo-Brazzaville. He is currently undertaking an analysis of European Union (EU) and US institutional strengthening policies in Africa.

Stuart Gordon is a senior lecturer in the Department of Defence and International Affairs at the Sandhurst Royal Military Academy, UK. He has written on humanitarian–military relations, UN peacekeeping, the relationship between democratisation, development and insurgency in Nepal and the conflict in the Great Lakes. During much of 2003 he was Director of Operations in the Iraqi Assistance Centre in Baghdad, and also worked in the US Army-led headquarters that directed the invasion.

Victoria Holt is a Senior Associate at the Henry L. Stimson Center, Washington DC. She co-directs the Future of Peace Operations program, which looks at a wide range of analytic and policy issues involving international peace operations. In partnership with Foreign Affairs Canada, she has analysed and written on the operational capacity of national militaries and multinational organisations to protect civilians from genocide, ethnic cleansing and mass killing.

Peter Warren Singer is Senior Fellow in Foreign Policy Studies and Director of the Project on US Policy Towards the Islamic World in the Saban Center at the Brookings Institution, Washington DC. He has served as an expert on private military issues for the US Departments of Defense and State, the Central Intelligence Agency (CIA), the US Congress and the EU.

Acknowledgements

odi

Britain's leading independent
think-tank on international development
and humanitarian issues