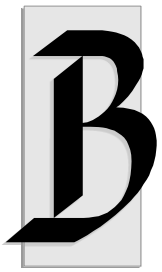

The Brookings Institution-Johns Hopkins SAIS
Project on Internal Displacement

A New Challenge for Peacekeepers: The Internally Displaced

by

William G. O'Neill

An Occasional Paper

April 2004

A New Challenge for Peacekeepers: The Internally Displaced

by

William G. O'Neill

THE BROOKINGS INSTITUTION – SAIS PROJECT ON INTERNAL DISPLACEMENT

1775 Massachusetts Avenue, NW, Washington DC 20036-2188

and 1717 Massachusetts Avenue, Suite 555, NW, Washington DC 20036

TELEPHONE: 202/797-6168 FAX: 202/797-6003 EMAIL: cdriest@brookings.edu

FOREWORD

Since its inception, the Project on Internal Displacement has played an important role in defining the protection needs of internally displaced persons (IDPs) and in promoting greater attention to addressing those needs. It initiated and organized the legal process that produced the Guiding Principles on Internal Displacement, which define protection for IDPs prior to displacement, during displacement and during return or resettlement and reintegration. It applied the concept of protection to the work of international organizations and NGOs in the study *Masses in Flight: The Global Crisis of Internal Displacement* (Brookings 1998), which urged that humanitarian action must go "beyond the provision of food, medicine and shelter to include measures that ensure respect for the physical safety and human rights of the affected population." A *Protection Survey,* to be published jointly with the IDP Unit of the UN Office for the Coordination of Humanitarian Affairs (OCHA), will examine the extent to which the United Nations system is providing protection on the ground for IDPs and make recommendations to improve its performance.

With the publication of this latest report, *A New Challenge for Peacekeepers: The Internally Displaced,* prepared by William O'Neill, the Project expands its examination of protection to include the critical role peacekeeping forces have come to play in humanitarian emergencies around the world. Indeed, the growing presence of peacekeepers in humanitarian operations involving IDPs makes it essential to examine their roles and consider what steps they could take to better enhance protection for IDPs and other vulnerable groups in their theatre of operation. More and more international military forces and civilian police are being given specific responsibilities for the protection of IDPs and as a result have developed "best practices" in dealing with displaced populations. At the same time, their mandates for protecting civilians have often been ambiguous, their training insufficient, and gaps have been found between the protection mandates assigned and the sometimes weaker guidance provided by the UN to these same peacekeepers. In some instances, abuses have been reported by peacekeepers against displaced populations, in particular women and children.

We are most grateful to the author for applying his vast experience and expertise to the study of the role of international peacekeepers in protecting internally displaced and other affected populations. He offers many important new insights and recommendations that merit the consideration of governments, military and police establishments, international organizations and other actors that deal with the internally displaced.

We are grateful to the following two readers who provided valuable comments on the paper: Col. William Flavin (ret.), Professor of Multinational Dimensions of Stability Operations, United States Army War College; and Col. Mark Walsh (ret.), of the United States Army War College. From the Brookings-SAIS Project on Internal Displacement, the author wishes to thank Roberta Cohen, Francis Deng, David Fisher, Erin Mooney and Marianne Makar for their comments on the paper.

Special thanks are due to Charles Driest for his painstaking and creative editorial support.

Finally, the views presented in the paper are the authors alone and should not be ascribed to the co-directors, trustees, officers, and other staff members of the Brookings Institution or of the Johns Hopkins University School of Advanced International Studies (SAIS).

Roberta Cohen Francis M. Deng

Co-Directors
Brookings-SAIS Project
on Internal Displacement

ABOUT THE AUTHOR

William G. O'Neill is a lawyer specializing in international human rights, humanitarian and refugee law. He chaired a United Nations Task Force on Developing Rule of Law Strategies in Peace Operations, served as Senior Advisor on Human Rights in the United Nations Mission in Kosovo, was Chief of the United Nations Human Rights Field Operation in Rwanda and directed the Legal Department of the United Nations-Organization of American States International Civilian Mission in Haiti. He has investigated mass killings in Afghanistan for the UN Office of the High Commissioner for Human Rights and conducted assessments of the High Commissioner's Office in Abkhazia/Georgia and of the Organization for Security and Cooperation in Europe's Human Rights Department in Bosnia-Herzegovina. He has worked in Sierra Leone examining how the Special Court can contribute to broad-based legal reform, and in Burundi and Mauritania on developing national human rights action plans. In addition to designing and implementing projects to reform the judiciaries, police forces and prison administrations in a variety of post-conflict settings, O'Neill has created and delivered training courses on peace operations for military, police, humanitarian and human rights officers from dozens of countries. The question of how to integrate human rights in development work has become a recent focus of his work. He has published widely on rule of law issues, peacekeeping, refugees and human rights.

ACRONYMS AND ABBREVIATIONS

African Contingency Operations Training and Assistance	ACOTA
African Crisis Response Initiative	ACRI
Civil Military Cooperation	CIMIC
Civilian Police	CIVPOL
Democratic Republic of the Congo	DRC
Disarmament, Demobilization, Rehabilitation and Reintegration	DDRR
Displaced Person Operations	DP Ops
Economic Community of West African States	ECOWAS
ECOWAS Monitoring Force in Liberia	ECOMIL
Inter-Agency Standing Committee, UN	IASC
Internally Displaced Persons	IDPs
International Committee of the Red Cross	ICRC
International Humanitarian Law	IHL
International Force in East Timor	INTERFET
Kosovo Force	KFOR
Kosovo Liberation Army	KLA
Liberians United for Reconciliation and Democracy	LURD
Médecins Sans Frontières/Doctors Without Borders	MSF
Movement for Democracy in Liberia	MODEL
Multi-Service Tactics, Techniques, Procedures for Conducting Peace Operations	TTPs
Non-Governmental Organizations	NGOs
Office for the Coordination of Humanitarian Affairs, UN	OCHA
Rules of Engagement	ROE
Special Representative of the Secretary-General	SRSG
Stabilization Force, NATO, former Yugoslavia	SFOR
United Nations Assistance Mission for Rwanda	UNAMIR
United Nations Children's Fund	UNICEF
United Nations Department of Peacekeeping Operations	DPKO
United Nations Development Program	UNDP
United Nations Development Fund for Women	UNIFEM
United Nations High Commissioner for Refugees	UNHCR
United Nations Military Observers	MILOBs
United Nations Mission in Kosovo	UNMIK
United Nations Mission in Liberia	UNMIL
United Nations Mission in the Democratic Republic of the Congo	MONUC
United Nations Protection Force, former Yugoslavia	UNPROFOR
United Nations Security Office	UNSECOORD
Voice of America	VOA
World Food Program	WFP

TABLE OF CONTENTS

Introduction

The world has changed in many ways since the end of the Cold War and the dissolution of the Soviet Union. With the end of the threat of a nuclear holocaust between two superpowers, in a perverse way, the world became safe for myriad conventional conflicts to blossom. And without a nuclear superpower backing one side in a high-stakes gamble to strengthen its own influence at the expense of the adversary, the belligerents in these conflicts have fought with greater desperation, knowing that their old superpower godfather was unlikely to ride to their rescue.

The intensity and ensuing brutality of conflicts in the 1990s was not the only surprise. Wars were fought to control power and resources in a single state and were not usually between states; civilians, not armed combatants, became the intentional targets of violence. Wars in the former Yugoslavia, Africa and Latin America saw huge numbers of civilian casualties compared to the killed and wounded in either the regular armed forces of a state or in the ranks of insurgents. This led to large flows of people on the move to escape fighting. Armies and insurgents burned crops, destroyed farmland, and planted thousands of landmines, looted schools, hospitals and shops.

Some people managed to cross borders and seek safety in the traditional fashion as refugees. Over several days in the spring of 1994, one million people arrived in eastern Zaire from Rwanda, as a consequence of the genocide there, constituting the greatest mass movement of people in modern history. Likewise, in just a few days in March and April 1999, more than 500,000 Kosovo Albanians fled to Macedonia and Albania following atrocities and ethnic cleansing committed by Serb forces. Many others, however, abandoned their homes but did not cross an international border and therefore could not claim refugee status under international law. Their numbers swelled for a variety of reasons. The conflicts raged and life became impossible at home, yet either they did not have the means to flee, or were prevented from leaving by the combatants or were refused entry from states that did not want a large number of people entering their country. Many people in flight had to remain close to the source of all their danger.

This paper will examine how international peace operations are trying to protect and assist these people, the internally displaced. I construe peace operations broadly, as an internationally mandated, uniformed presence, either under United Nations auspices or under the authority of a regional organization like the Economic Community of West African States or the Organization of American States. Armed UN blue-helmeted peacekeepers, unarmed UN Military Observers (MILOBs), armed and unarmed UN Civilian Police (CIVPOL) and soldiers serving under their national commands but authorized by the Security Council like the US-led Multinational Force in Haiti in 1994-5, the British intervention in Sierra Leone in 1999-2000 and the Australian-led force in East Timor in 1999-2000 all come within the definition of “peacekeeper” for purposes of this study.

I also assume that peacekeepers' efforts to provide protection and assistance to civilians, sometimes without the "consent" of whatever local authority claims power, have become a part of modern peace operations. This has presented grave worries to some in both the military and in the humanitarian community, provoking many discussions, analyses and an ocean of paper. I will not repeat this debate here; my goal is to identify "good practices" on IDP protection where the military or international civilian police have taken either a lead role or shared the burden with humanitarian and human rights actors in the field. I will also suggest how those in uniform can do a better job of protecting IDPs in particular and civilians in general. I leave to others how to develop the exact contours of the relationship between humanitarian actors and peacekeepers, a relationship that I believe is here to stay.

Internally Displaced Persons and the Evolution in Humanitarian and Human Rights Assistance

The relatively new phenomenon of people at risk and in flight, yet not refugees, led the UN Commission on Human Rights to name a Representative in 1992 to advise the Secretary-General and the entire UN system on how to assist this group called "internally displaced persons." As the conflicts of the 1990s exploded along with the ranks of the internally displaced, who soon surpassed the number of refugees, the Representative's mandate and reports assumed increasing importance and weight. At the same time, the United Nations High Commissioner for Refugees (UNHCR), the Department of Humanitarian Affairs (later renamed the Office for the Coordination of Humanitarian Affairs - OCHA), other UN bodies and international non-governmental organizations began to dedicate expertise and resources to confront the challenges and needs of the internally displaced.

Of singular importance in the drive to secure protection and recognition of the special needs of the internally displaced was the publication of the Guiding Principles on Internal Displacement in 1998 (the "Principles").[1] As the Representative of the Secretary-General on Internally Displaced Persons, Francis Deng, states in the Introductory Note to the Guiding Principles: "The Principles identify the rights and guarantees relevant to the protection of the internally displaced in all phases of displacement…Although they do not constitute a binding instrument, these Principles reflect and are consistent with international human rights and humanitarian law and analogous refugee law."

The Principles are comprehensive, covering protection from displacement, protection during displacement, principles relating to humanitarian assistance and issues covering return, resettlement and reintegration. The Introduction to the Principles defines internally displaced persons as: "persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border." The Introduction also notes that the Principles provide guidance to "all other authorities, groups and persons in their

relations with internally displaced persons; and [I]ntergovernmental and non-governmental organizations addressing internal displacement."[2] This would include therefore peacekeeping troops, CIVPOL and MILOBs.

The international humanitarian and human rights communities accepted and embraced the Principles. They have spawned a plethora of actors, committees, working groups and further documentation and studies. For example, the Inter-Agency Standing Committee (IASC) endorsed the Principles and has taken up the issue of IDPs. The Under-Secretary General for Humanitarian Affairs, the late Sergio Vieira de Mello, was named as the first UN focal point for IDPs in the UN system. What eventually came to be known as OCHA, or the Office for the Coordination of Humanitarian Affairs, established an IDP Unit which considers the Principles as its framework for analysis and action. This reflects both the usefulness of the Principles and the enduring challenge of the IDP crisis.

Shortly after the publication of the Guiding Principles, OCHA and the Brookings Project on Internal Displacement jointly issued the *Handbook for Applying the Guiding Principles on Internal Displacement* in 1999. Published simultaneously also by OCHA was a *Manual on Field Practice in Internal Displacement*.[3] The *Handbook* and the *Manual* are full of practical examples of how humanitarian actors and rights monitors/advocates can work to assist and protect IDPs. Action-oriented checklists abound full of innovative actions: disseminate the Principles, advocate for their application, monitor compliance with them, plan program activities based on them, support data gathering on the IDPs, support training on the Principles, establish early warning systems, confirm the facts, identify groups with special needs, establish a presence, ascertain optimal locations for temporary resettlement, consult the affected population (especially women), report food blockages or other violations of humanitarian and human rights law, assess the appropriateness and effectiveness of humanitarian assistance, utilize non-traditional methods of access and establish regular consultation systems among humanitarian agencies.

These sound practices represent an important evolution in the approach to humanitarian action spurred on by the nature of conflicts in the 1990s. The focus on advocacy, dissemination of standards, monitoring and reporting on violations, emphasizing rights and adopting an international law-based approach were new to many humanitarian organizations. For example, the OCHA *Manual on Field Practice* says that it is important to emphasize that the IDPs are not merely victims needing assistance, but holders of rights to whom duties are owed by both the national authorities and the international community. The Inter-Agency Standing Committee reinforced this message by adopting a broad definition of "protection" for IDPs: "The concept of protection encompasses all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law (i.e. HR [human rights], IHL [international humanitarian law], refugee law."[4]

An increasing attention to protection, in addition to providing material assistance, reflects the experience of many who worked in the conflicts of the decade where it was

not nearly enough to deliver assistance to unarmed civilians caught in bloody conflicts, targeted by the warring parties; the "well-fed dead" syndrome haunted and challenged humanitarian and human rights actors to do more.

This was especially the case for IDPs. The OCHA *Manual* recognizes this reality when it notes that a dual approach to assistance and protection is required. In fact, the *Manual* asserts that protection of IDPs will usually be a priority over providing material assistance and there is a need to develop strategies on an urgent basis to reinforce protection.[5] Yet barely a mention is made in the early documentation on IDPs of one of the most important potential partners in providing both protection and assistance: international peacekeeping forces. For example, in his Foreword to the Guiding Principles, Sergio Vieira de Mello, who was then the Under Secretary-General for Humanitarian Affairs, did not mention peacekeepers at all, noting that the Guiding Principles "are to serve as an international standard to guide governments as well as international humanitarian and development agencies in providing assistance and protection to IDPs." Even today, the Inter-Agency Standing Committee, which is the key coordination mechanism in the UN system for humanitarian action, does not include a representative from the UN's Department of Peacekeeping Operations (DPKO) in its membership.[6]

These omissions partly reflect the understandable reluctance of many in the humanitarian and human rights communities to work with soldiers; it was also partly due to the soldiers' similar reluctance to work with civilians in peacekeeping missions. Yet the nature of international peacekeeping, along with changes in the character of humanitarian and human rights assistance, evolved in response to the plight of civilians due to these bloody wars in the 1990s, resulting in increased contact, collaboration and cohesion between these formerly distinct actors.

International Peacekeeping: Protecting Civilians

Before the end of the Cold War, UN peacekeeping missions were military in nature and involved unarmed UN "blue helmets" standing between two warring parties, most often from two opposing countries. The UN troops' main task was to monitor a cease-fire, insure that the combatants could not get too close to each other, and bide for time to allow a peace treaty to take hold. The classic examples of UN peacekeeping in this era were Cyprus, the Indo-Pakistan cease-fire monitoring in Kashmir and Sinai. These operations tended to last for years; the peacekeepers are still in Kashmir and Cyprus now for more than thirty years. In this "traditional" peacekeeping, UN forces had rare and limited contact with civilians. In a few instances, peacekeepers distributed food, helped repair infrastructure and had limited contact with civilian administration. Mostly, however, the Blue Helmets stayed in their bases, monitored from their watchtowers and patrolled the "no-man's land" on either side of cease-fire lines. The conflicts were inter-state and relatively bloodless by the time the Security Council acted to interpose peacekeepers.

As noted above, conflicts since the fall of the Soviet Union have been mostly intra-state, quite violent and have left millions of civilians dead, wounded and barely surviving far from home. The Security Council, no longer frozen into Cold War blocs, has acted more decisively, authorizing more peacekeeping operations in the last 12 years than it had for the previous 40. Unfortunately, in the early 1990s, the Council used the model of traditional peacekeeping for these new types of conflicts, with disastrous results for everyone.

The Security Council mandates given to the early 1990 peacekeeping operations reflected the old approach: peacekeepers were to try to "interpose" themselves between the warring factions. They were not supposed to take sides; "neutrality" was paramount. The only permissible use of force was in self-defense, that is, if the peacekeepers themselves came under attack, they could defend themselves but they were not to use force to protect someone else, even civilians, from violence. The Security Council did not anticipate peacekeeper involvement in protecting civilians nor did they see a role for peacekeepers to monitor or assess human rights observance.[7]

In addition, each state contributing troops to a peacekeeping force issues to its soldiers "Rules of Engagement" (ROEs) which further specify how and when force might be used. These ROEs also called for an extremely narrow window for the use of force and protecting civilians. In short, there was a gross mismatch between the nature of the conflict and the needs of the civilian population most at risk on the one hand, and the training, mandate and operational capacity of peacekeepers on the other.

One of the earliest examples of the mismatch occurred in Haiti in September 1994. The UN Security Council authorized the United States to lead a multi-national force under Chapter VII of the UN charter to "establish a safe, secure and stable environment" in Haiti.[8] The country had suffered tremendous human rights violations for three years under a military dictatorship. Haitian army and police had killed thousands; torture, rape and disappearances had become commonplace. 20,000 US forces arrived on September 19; their ROEs stated that they were not to intervene in "Haitian on Haitian" violence. On the first day, while US soldiers cordoned off the airport, they watched while Haitian police officers beat a coconut vendor to death for no reason. US television news crews filmed the beating and the American soldiers standing by watching. One soldier interviewed said he would "take off his uniform and run to the Dominican Republic" if he had to witness anything like that again without acting. That night, the Clinton administration changed the ROEs and US troops did intervene to save Haitians from their own army and police. The wall of peacekeeping "neutrality" had been partially breached.

Unfortunately, the Security Council and UN peacekeeping forces did not adapt quickly enough to the new realities of conflict. It was even worse for civilians in Rwanda and Bosnia, many of whom paid with their lives because of the failure of the United Nations and the major troop contributing nations to understand the importance of protecting civilians in armed conflicts. This is not the place to repeat the many analyses of the failures of the UN and the major powers to protect civilians in general and IDPs in

particular, in Srebrenica, Bosnia and in Kibeho, Rwanda, both in 1995, where thousands of IDPs were massacred in each place.[9] The members of the Permanent Five of the Security Council, however, belatedly realized that the old model of "interposition" of forces between two well-organized and defined armies was designed to fail in situations where forces are dispersed, conflict rages, command and control of armed elements can be weak and civilians are the central targets for all sides.

Soldiers themselves realized that they needed to understand much better the dynamics of the society in which they served. What had caused the conflict? What was the history of relations between ethnic or religious groups? Who controlled access to resources? Why did people flee their homes and why were they afraid to go home? Military peacekeepers needed to deal much more frequently and intensively with civilians, both the local population and the massive numbers of international aid and development workers who now arrived in conflict zones. Ask a peacekeeper in 1995 what OXFAM, CARE or UNICEF did and you got a blank stare from most. Tell a soldier that he or she was needed to deliver food to a group of IDPs and they would respond: "not in my job description and what's an IDP?" Equally daunting for troops were tasks like providing public security in the total absence of local police, running prisons, setting up municipal offices and repairing roads, schools, water pumps and electric generators. None of this was in any peacekeeping manual or the ROEs. Their training exercises did not include protecting civilians, handling massive flows of refugees or IDPs, and interacting with the alphabet soup of UN agencies and international non-governmental organizations. The most perceptive of commanders, however, realized that working closely with civilians and addressing what had been formerly viewed as purely "humanitarian" needs was directly related to resolving the conflict, keeping or building peace and thus to what is usually the military's overriding objective: force protection.

Another early example from Haiti illustrates the change in attitude and approach. Colonel Kattak of Pakistan, responsible for northern Haiti in the UN mission there in 1995, faced many problems. The main city, Cap Haitien, had no water or electricity. Crime was increasing because thieves thrived in the long, dark nights. The population was upset by the crime and the continuing presence of the Haitian army, which had persecuted them for years. The population of the town had swollen because people from the countryside abandoned their farms due to insecurity and lawlessness. Schools were not in session because buildings were in disrepair and teachers had not been paid. There were no books or other supplies. Daily demonstrations were becoming increasingly unruly as protestors became more frustrated with their lives which they had hoped would improve with the arrival of the UN.

Throwing away his briefing book, Colonel Kattak realized he had to do something. He called a meeting of all UN agencies in town: UNICEF, the United Nations Development Program (UNDP), the Human Rights Monitors, and UN Civilian Police. They designed a plan, based on each agency's strengths and resources to work with Haitian counterparts to address the problems. Kattak then met with town leaders, teachers, religious officials, and representatives from civil society. Kattak had army engineers fix the water pump and the generator. CIVPOL patrolled more visibly and the

worst of the Haitian Army officers were cashiered and left town. Municipal workers were given paint, shovels and other tools to repair roads, bridges and clean up the schools. UNICEF distributed textbooks, chalk, paper and pencils to school teachers. Peacekeepers, working with local youth, repaired the town soccer field so kids had a place to play. UNDP distributed seeds and farming tools to farmers; peacekeepers increased their security patrols in the countryside, thereby encouraging the IDPs in town to return home and start farming again. The result: more satisfied and secure civilians, crime dropped, no more demonstrations, children went to school and farmers grew food. The peacekeeping forces also felt safer and more secure. Colonel Kattak was promoted to General. It unfortunately took several more years and many more deaths before UN peacekeepers and policymakers in national capitals and at UN headquarters analyzed the problems, assessed appropriate action and then bridged the gaps so that Colonel Kattak's approach would become routine and not an aberration. They all faced a steep learning curve.

The Security Council Grapples with the Realities of Modern Conflicts: How Best to Protect and Assist Civilians?

After the failures of the early and mid-1990s, the Security Council and the Secretary-General embarked on a series of studies and reports to examine the state of peacekeeping, the changing nature of modern conflicts and the need to protect civilians. In a landmark resolution in April 2000, the Security Council stated that it was gravely concerned at the "harmful and widespread impact of armed conflict on civilians, including the particular impact armed conflict has on women, children and other vulnerable groups, and *further reaffirms* in this regard the importance of fully addressing their special assistance and protection needs in the mandates of peacemaking, peacekeeping and peace-building."[10] The Security Council asserted that attacks on civilians are a direct threat to international peace and security, thus identifying for the first time violations of international humanitarian law and human rights as a threat to the peace. The Security Council also affirmed its intention to provide adequate mandates and resources to peacekeeping operations so that they can protect civilians under the imminent threat of physical danger by providing for the rapid deployment of military peacekeepers, civilian police, humanitarian workers and civilian administrators.

Resolution 1296 also specifically referred on several occasions to IDPs, noting that the overwhelming majority of IDPs are civilians in armed conflicts, that humanitarian personnel must have safe and unimpeded access to vulnerable populations which include IDPs, and that the Security Council must be willing to consider temporary security zones and safe corridors to protect civilians and deliver assistance in situations where genocide, war crimes and crimes against humanity threaten. The Security Council also asked the Secretary-General to bring to its attention situations where refugees and IDPs may be vulnerable and their camps subject to armed infiltrators. This is a far cry from the rather timid language of earlier Security Council resolutions dominated by a reluctance to "interfere" in "domestic affairs" or stray very far from strict, traditional, rigid conceptions of "neutrality" and the need for consent from the state.

This path-breaking resolution builds on a few earlier country-specific resolutions where the Security Council showed that it was adapting to the new realities of armed conflict and vulnerable civilians. For example, in Resolution 1264 on the situation in East Timor, the Security Council reaffirmed the importance of allowing refugees and displaced persons to return home, and granting Chapter VII powers to an Australian-led multi-national force, to insure the protection of civilians, the safe return of refugees and internally displaced and the safe and unimpeded access for humanitarian assistance to those in need.[11] The Australian-led force (INTERFET – the International Force in East Timor), to its great credit, robustly implemented this already strong mandate, saving many lives and allowing for the return of tens of thousands of refugees and IDPs. Keys to INTERFET's success were the speed and unity of the Security Council's action authorizing the force, a mere 11 days after the start of widespread violence in Dili, the full support of key states (Australia, UK, US, Japan and Malaysia), a highly trained and well-led contingent of forces who took seriously their protection mandate, sound contingency planning and support from the international financial institutions.[12] The UN and many member states had learned some lessons from Rwanda and Bosnia.

For example, the main Security Council resolutions on Bosnia-Herzegovina, enacted just six years before, are weaker and vaguer by comparison. In Resolution 824 of 6 May 1993, the Security Council, while acting under Chapter VII, established certain safe areas (including Srebrenica) and demanded that the parties cease and desist from attacking these areas. It called for the parties to cooperate with the UN Protection Force (UNPROFOR) and asked the Secretary-General to monitor compliance. It repeated its demand, made in Resolution 715 which created UNPROFOR, that all parties guarantee the safety of UN personnel sent to the country. Nowhere did the Council mention the importance of protecting civilians or that the UN forces would take steps to protect the so-called safe areas. It merely exhorted the parties to cooperate, said it would watch their behavior, and left open the door for more assertive action -- hardly reassuring signals to send to a beleaguered population. In June 1993, the Security Council expanded UNPROFOR's mandate, "to deter attacks against the safe areas" and to "occupy some key points on the ground."[13] But the Security Council softened and obfuscated four paragraphs later by saying that "in carrying out the mandate defined in paragraph 5 above, acting in self-defense", the troops could "take necessary measures, including the use of force" to reply to bombardments and incursions into the safe areas.[14] For UNPROFOR, the controlling words of this key operative paragraph were "acting in self-defense." Two years later the greatest mass killing in Europe since World War II occurred under the noses of UN peacekeepers, searing the name "Srebrenica" into our consciences.

The UN was completely unprepared for the worst case of genocide in the world since the Nazi Holocaust, the slaughter of anywhere from 500,000 to 1,000,000 Tutsis and Hutu moderates in Rwanda during 90 days in 1994. The mandate of the UN peacekeepers, known as UNAMIR, was extremely weak. Authorized under Chapter VI of the UN Charter, Canadian General Romeo Dallaire had neither sufficient numbers of troops nor an adequate mandate to protect Tutsis and Hutu moderates whom the Hutu extremists were seeking to exterminate. He could only use force to protect his own

troops.[15] The Security Council made his job even more difficult by allowing the withdrawal of most of his troops at the height of the genocide, shrinking the force from 2,500 before April 4 to just 270 by April 21. Yet General Dallaire's actions proved an important point that more recent peacekeeping experiences have confirmed. Creative, flexible and courageous leadership can overcome many obstacles, including a weak mandate and poorly armed troops. To save as many lives as possible despite UN Headquarters' failure to acknowledge the gravity of the situation and the cowardice of the major Security Council powers like the US and France, Dallaire took several big risks.[16]

Tutsi IDPs streamed into one of Kigali's main hospitals, the Hotel Milles Collines and the soccer stadium in April and May 1994. They had managed to avoid the hundreds of roadblocks that sprang up all over the capital; manned by Hutu extremist Interahamwe militias and government soldiers, everyone stopped at checkpoints had to show an Identification Card which indicated the bearer's ethnicity: Hutu or Tutsi. A card with "Tutsi" on it was a death sentence. Dallaire had neither the mandate nor the means to stop the slaughter at the checkpoints. He decided that he would send his troops to surround the stadium, hotel and hospital. When Hutu militias and Rwandese government soldiers came to each site searching for Tutsi survivors, UNAMIR troops "interposed" themselves" in the best, classic peacekeeping fashion. If the Hutus tried to get past them the UNAMIR troops interpreted this as a direct physical threat, authorizing them to use force in self-defense. This tactic enabled General Dallaire's troops to save thousands of IDPs while sticking to the mandate. Dallaire's example has become a model and inspiration to subsequent peacekeepers. The challenge now is to identify, train and equip thousands of new "Dallaires" obviating the need for such improvisation and heroism.

The Humanitarian-Military Complex

Most people, especially the women, children, elderly and others who overwhelmingly were the victims of armed conflict, welcomed the change in peacekeepers' attitudes and actions made possible by changes in the Security Council's approach. Many human rights organizations, after some initial hesitation, also supported the efforts of peacekeepers to protect people in danger and assist in delivering life-saving supplies.[17]

The reaction in the humanitarian aid community was more mixed. Several agencies had called for more assertive peacekeeping and criticized the UN for its failure to endow peace operations with the mandates and resources necessary to stop massive violations of international humanitarian and human rights laws. Others, especially the International Committee of the Red Cross (ICRC), expressed grave reservation at the increasing "blending" of humanitarian action and military operations/personnel. The ICRC feared that with increasing military participation in humanitarian action, the cardinal principles of "impartiality and neutrality," which the ICRC is by its founding statute bound to uphold, might be compromised. Humanitarian actors, working closely with the military peacekeepers, could become identified with one side to the conflict, opening themselves up to charges of acting without impartiality and neutrality, which could place the lives of ICRC personnel or other humanitarian actors in danger. Contexts

like an occupation by one state (the US in Iraq) and tactics like soldiers wearing civilian clothing while providing "humanitarian" assistance (the US in Afghanistan) increase the tensions between the two sets of actors.

This debate about the desirability of the military taking on greater responsibilities for protecting and assisting civilians has raged for several years now and will not be repeated here.[18] The irresistible trend as evidenced in the most recent conflicts in Iraq, Democratic Republic of the Congo, Afghanistan, Sierra Leone and Liberia, is that there will be even greater overlap between the humanitarian and the military spheres. While the ICRC position which privileges neutrality and impartiality "may represent one valid moral position for humanitarian action, it is not the only moral position that is valid."[19] Humanitarian actors will have to determine for themselves how they are going to operate in this evolving scenario. So too will the military, and they have already started to revamp their training and doctrine concerning protecting civilians in general and refugees/IDPs in particular.

The Military's Learning Curve: Trial by Fire

Traditional military peacekeeping doctrine also emphasized the importance of neutrality. This made sense when peacekeeping involved nothing more than standing between two warring sides to insure a truce or cease-fire. The inadequacy of this approach became apparent in the complex modern peacekeeping environments of Haiti, Bosnia, Cambodia and Rwanda in the first half of the 1990s. When one side commits horrific human rights violations or even genocide, then inaction based on concerns for neutrality makes one complicit in the crimes. This was one of the key conclusions of a major UN study on peacekeeping completed in 2000, the Brahimi Report:

> Impartiality for United Nations operations must therefore mean adherence to the principles of the Charter: where one party to a peace agreement clearly and incontrovertibly is violating its terms, continued equal treatment of all parties by the United Nations can in the best case result in ineffectiveness and in the worst may amount to complicity with evil. No failure did more to damage the standing and credibility of United Nations peacekeeping in the 1990s than its reluctance to distinguish victim from aggressor.[20]

Some militaries took the lesson to heart even earlier. The Dutch forces in UNPROFOR were responsible for insuring the safety of people sheltering in the "safe haven" of Srebrenica. The Dutch soldiers' failure to fulfill their duty in the face of aggressive Serb forces helped lead to the massacre of at least 7,000 Bosnian Muslim males. To its great credit, the Dutch government conducted an exhaustive study seeking to understand why its troops failed at such a crucial moment. The sitting Dutch government even resigned once the report was released, underscoring its sense of responsibility for this disaster. One problem identified in the study was confusion over the concept of neutrality and when action must be taken to stop violations of the laws of armed conflict and human rights.

The Royal Netherlands Army took the issue head on in its excellent and comprehensive *Manual on Peace Operations*. In an extended discussion on "impartiality," the Dutch military instructs its peacekeepers that:

> The more complex the situation, the more impartiality will be put to the test. This does not, incidentally, preclude actions directed solely at one of the parties…The actions must also specifically target the party which is not complying with the peace agreement and they must be clearly related to the nature of the violation. Impartiality must not be confused with non-involvement. An attitude of non-involvement limits the possibilities for developing initiatives and acting with flexibility, stimulates passiveness, and, as a result, will fail to bring about the desired end state…A peace operation, regardless of the level (strategic, operational, tactical) will always be conducted with impartiality and never with an attitude of non-involvement towards the parties.[21]

The Dutch military had learned the important lesson from Srebrenica that not only is involvement against the party violating agreements or the law the right thing to do but also crucial to the overall success of the peace operation.

Protecting IDPs: Special Challenges for Peacekeepers

IDPs present especially difficult challenges to peacekeepers which most of the major militaries in the world have identified and have tried to incorporate in their training and doctrine.

The first and most demanding challenge stems from the very nature of a peace operation in a sovereign country. Most modern peacekeeping occurs in states torn apart by internal conflict, usually based on ethnic, racial or religious grounds which in turn are manipulated by various factions seeking political power and control of vital economic resources. The government represents either a "failed" or "phantom" state, unable to protect or assist segments of its population or even control chunks of territory. Those put to flight are often the victims of systematic human rights violations and are especially vulnerable since they remain in the territory of those persecuting them.

Therefore, Guiding Principle 3 on Internal Displacement is largely illusory in most peacekeeping situations. This Principle states that "National authorities have the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction." Principle 4 is also of limited practical application in a state requiring a peacekeeping force: "Internally displaced persons have the right to request and to receive protection and humanitarian assistance from these authorities. They shall not be persecuted or punished for making such a request." The last people most IDPs can or will turn to are the authorities who are the source of their displacement. The whole reason for a peacekeeping force's presence in a country like the Democratic Republic of the Congo (DRC) or Liberia is precisely because the national authorities themselves have forced people to flee their homes and have killed, raped or beaten thousands of their own citizens.

Conversely, insurgent groups involved in armed conflict with the authorities have also violated human rights, causing displacement. Situations of generalized violence and massive human rights violations by all sides create an authority vacuum. Into this breach peacekeepers must enter, ready to protect people from their own government or from armed insurgents who control large swaths of territory outside the government's control.

Protecting and assisting people in flight from their own government who remain in the sovereign territory of that same government requires not only a robust mandate from the Security Council but also highly trained and motivated troops. While the former has become increasingly common, the latter is a work in progress.

Evolution in Military Training and Doctrine: IDP Protection

Just as the humanitarian community's recognition of the IDP phenomenon has evolved and generated new policies, doctrines and operations, many armed forces have recently identified and tried to adapt to the exigencies of modern peacekeeping. Since the military tends to put enormous emphasis and resources into training, it is no surprise that many training programs in the peacekeeping troop-contributing militaries reflect the special operational challenges posed by IDPs.

One fundamental change reflects the evolution in peacekeeping as it relates to protecting civilians: peacekeepers cannot be trained as though they were going off to do guard duty; they must be ready to intervene, to be creative, flexible, read situations carefully and act. A review of a small country's military training program (The Netherlands) and two large states (the US and the UK) reveals that this lesson has been identified.

The Netherlands

The Royal Dutch Army's Peacekeeping Manual, *Peace Operations*, has an extensive discussion of refugees, IDPs and the relevant provisions from the 1951 Refugee Convention. The Manual repeats the Guiding Principles' definition of an IDP. But beyond dry definitions and legal standards, the Manual also conveys to soldiers some of the real dilemmas they will face. For example, when discussing "protection", the Manual begins by emphasizing the need for "force protection" and avoiding casualties of any kind. This is standard military guidance. The authors go on to observe, however, that:

> [P]assive measures to bring about a higher degree of protection (such as the use of shelters and camouflage) may have a counterproductive effect on the conduct of the mission. The success of a peace operation is, after all, usually based on the presence and thus the visibility of the peace force.[22]

This is a crucial insight and evolution in peacekeeping doctrine. The Dutch, post-Srebrenica, realize that visible patrolling, establishing checkpoints and being accessible to the civilian population create some risks but are essential to the success of the

operation. We will see later how peacekeepers in the DRC and Liberia have taken this lesson to heart, with positive results.

The Manual also notes that in peace operations "protection" must extend from the units themselves and their peacekeeping partners to "others in the area of operations, such as the civilian population and aid agencies."[23] Thus peacekeepers must be ready to protect civilians and aid agencies even though this presents commanders with real dilemmas which cannot be wished away. They will have to:

> choose between a degree of protection and the image which will be portrayed as a result. A high degree of protection in a seemingly safe environment may be seen as an excessive display of military power. A lower degree of protection, however, carries the risk of casualties. This dilemma is a constant worry for commanders; they need to be highly skilled in identifying the situation and there must be communications with the parties in order to make clear to them why particular measures have been taken.[24]

This guidance underscores another new area for most militaries who work in a peace operation: active intelligence gathering and sharing. Most civilians and non-governmental organizations were originally uncomfortable with the notion of "intelligence" and certainly of sharing information with the military. Yet no peace operation, humanitarian assistance or human rights monitoring can succeed unless all involved actively gather and share information. The Manual notes that in a peace operation the environment is very complex and information must be obtained from a broad array of sources. These can be overt as well as covert. Peacekeeper patrols not only "show the flag" but also allow troops to engage with the local population for information purposes. Some militaries have emphasized trying to learn the local language, increasing the troops' understanding of local cultures and religions and greater awareness of how local society is organized as key training subjects and components of a successful peace operation.[25]

Issues like location of anti-personnel landmines, illegal checkpoints, movements of at-risk populations, militia command and control structures, location of food and supply warehouses and the existence of arms or drug trafficking networks are vital to both the military peacekeepers and their humanitarian and human rights counterparts. The Dutch and other militaries have found that IDPs and civilians in general, including humanitarian and human rights officers, often have this type of information. Most peace operations now have established regular information sharing meetings and use "Civilian-Military Centers" (usually called CIMICS) and other mechanisms to exchange information, identify vulnerable populations, establish priorities and designate lead responsibility for action.

Dutch military doctrine has expanded the notion of humanitarian aid and humanitarian operations. Humanitarian aid now includes "long-term aid to refugees, displaced persons, those who remain in a crisis area and population groups in the primary reception region who suffer directly as a result of a substantial influx of refugees and

displaced persons."[26] This explicit reference to IDPs and their impact on host populations is an extremely welcome development.

To provide such humanitarian aid, the Dutch military has created special "military humanitarian aid units," ready to deploy on 24-hours notice. These include experts trained in engineer support, supply and transport, medical support and security. The specific tasks of such a unit in a humanitarian operation could include providing water, food and medical supplies, shelter, clothing and de-mining. Crucially, the task can also be protecting the civilian population, aid workers and relief goods. Patrolling in conflict areas can reduce the risk of aggression towards IDPs, refugees or minorities. Being present near schools, hospitals, religious institutions and refugee or IDP camps can also provide vital, life-saving protection. That Dutch troops are now trained and told that these tasks may await them in any peace operation represents a substantial advance in peacekeeping doctrine and preparation.

The United States Military

Some political and military leaders in the U.S. strenuously resist expanding the mission of American armed forces to include modern peacekeeping. They insist that the US military's primary job is to fight and win wars. Their "warriors" should not be diverted into such "soft" tasks as protecting civilians, assisting in humanitarian aid efforts, providing public security or engaging in police-like tasks. Some even maintain that modern peacekeeping degrades soldiers' combat competencies and thus should be avoided. George W. Bush, during his 2000 campaign for the presidency, denounced peacekeeping as "international social work" and promised that US soldiers would not participate in such operations.

This phobia towards peacekeeping among the senior ranks of the US military stems partly from the Vietnam War and more recently, from the deaths of 19 US Army Rangers and Delta Force soldiers in Mogadishu, Somalia in October 1993. These deaths reverberated throughout the US military establishment and among many political leaders in Washington and help explain why the US retreated from an intervention in Haiti two weeks later in the face of a group of drunken thugs on the wharf in Port-au-Prince who held up hand-written signs in front of the CNN cameras threatening to "make Haiti another Somalia." It also explains why the US not only failed to stop the Rwandese genocide six months later in April 1994 but also effectively scuttled any UN action.

While resistance to peace operations persists in many quarters in Washington, the "ground truth", as the military like to put it, has made this opposition futile. Over the course of the 1990s, first in Haiti in 1994-95, and soon after in the Balkans starting in 1995 in Bosnia and continuing today in Bosnia and Kosovo, US troops have performed many key peacekeeping tasks, and usually with great success. Most soldiers on the ground never questioned the necessity of participating in these "operations other than war" and understood the importance of engaging with the civilian population and their international humanitarian and human rights counterparts. Many welcomed these tasks

as a way to make a positive, immediate and visible improvement in people's lives while at the same time enhancing their own personal security.

For example, soldiers serving in Kosovo have helped organize municipal councils while giving them resources and guidance on how to function; they have rebuilt schools and medical clinics and they have worked with local religious leaders in efforts to promote reconciliation through public works projects and youth group activities across ethnic divides. In Iraq, US army troops in the northern city of Mosul are doing the following: drilling wells for villages, rebuilding playgrounds and schools, repairing antiquated and broken electrical systems, restoring water works, repairing sewage systems, policing the marketplace, and setting up a social security system to pay pensions to former Iraqi soldiers forced into early retirement.[27] Colonel, now General, Kattak, would be proud, but not surprised.

This is really not so new for US armed forces. Until the Cold War set in, American troops often were dispatched to foreign countries, sometimes for very dubious political motives, but certainly not in a combat role. The US Marine Corps even published a book called *The Small Wars Manual* in 1940 which, if one ignores some racist and colonialist words and mentality unfortunately typical for the time, could be used as a basic script for modern peacekeeping.[28] In what the authors called "small wars" and we would call peace operations, military and political action often occurred simultaneously. The soldiers' relations with the local population had to be tolerant, sympathetic and kind, advice appropriate to any US G.I. now serving in Bosnia, Kosovo, Iraq or Afghanistan. It includes chapters on contacts with national government officials, law enforcement agencies, the "local inhabitants," and guidelines on patrols, convoys and escorts.

Ironically, President Bush has ignored the criticisms of peacekeeping made by Candidate Bush and launched the two biggest US operations since World War II requiring all the skills the US military can muster beyond pure combat.[29] It appeared, however, that the views of Candidate Bush would prevail in Iraq when in the early days following the end of combat in May 2003, US soldiers stood aside and did nothing as Iraqis looted everything, including hospitals, food depots and schools.[30] Fortunately, despite the debate and rhetoric in Washington, many American soldiers have received broad and in-depth training on the complexities of operating in complex post-conflict emergencies, including protecting and assisting IDPs and refugees, throughout the past 10 years.

The US military has employed two approaches to train and brief soldiers who will participate in operations other than war. The U.S. Army's *Field Manual on Stability Operations and Support Operations* is in many ways an updated, expanded and more politically sensitive version of the Marines Corps' 1940 *Small Wars Manual*. It covers a range of issues that a soldier will have to face in places like Iraq, Bosnia, Kosovo, Haiti, Liberia and the DRC: fundamentals of peace operations, civil law and order, force protection, rules of engagement, humanitarian assistance, civil-military operations center and refugees and internally displaced persons.[31]

The chapter on refugees and IDPs is thorough and sound, but what makes it particularly interesting is that it recommends forward-looking approaches to protection. It provides a definition of IDPs and refers to the Guiding Principles. While noting a bit cautiously that the military "may" support the activities of their civilian partners, it goes on to say that the military can also "secure" and "protect" IDPs. The Manual also notes that the military may provide, under appropriate restrictions, intelligence to civilian partners especially on population movements (direction and magnitude), weapons flows and land-mine locations. This is a crucial point and one that humanitarian actors should try to exploit for obvious security and protection reasons, although they have learned it is crucial not to depend on the military as their sole or primary source of information.

The US Army Manual also encourages the military to help in all phases: prevention of displacement, while people are on the move, while they are displaced and during re-integration. The chapter concludes by stating that women and children who are internally displaced are especially vulnerable. While this may be blindingly obvious to humanitarian workers, most soldiers who have never worked in a peace operation would have no idea that they may need to patrol, set up checkpoints and arrange IDP camp facilities with the protection of women and children as a priority.

A second core document used to train US troops for peace operations is the Multi-Service Tactics, Techniques, Procedures for Conducting Peace Operations (Army, Marines Corps, Navy and Air Force)(TTPs).[32] The TTPs reiterate that peace operations are not new to the US military. "Throughout history the U.S. government has called on its armed forces to implement US strategy. US armed forces have governed and guarded territories, built roads and canals, provided disaster relief, and quieted domestic disturbances - all actions that are grouped today under the term 'peace operations.'"[33]

These TTPs have a chapter on how to anticipate and handle challenges relating to IDPs and refugees.[34] This is an excellent summary and clearly establishes the US military's role. The authors note that refugees and IDPs are usually central features of peace operations, and that people do not leave their homes without a good reason. Military forces do not have the primary responsibility to assist but they may support their civilian partners' activities. The TTPs clearly describe the difference between refugees and IDPs and wisely advise that the main difference has less to do with reasons for fleeing than with "technical and legal considerations connected with the individual's ultimate destination." The roles of the UN High Commissioner for Refugees (UNHCR) and OCHA are clearly explained.

The TTPs specify precise military roles for each of the stages of refugee/IDP flight: in the preflight and flight phases the military should provide intelligence information on the direction, magnitude and timing of the population movement. On arrival, the military should be ready to provide security and support UNHCR, international or local aid organizations. In what the TTPs call the "asylum" phase, the military can provide security to the camps or other locales where IDPs or refugees have sought safety while also helping to stabilize the situation in the place of origin. For

repatriation, the US military will be ready to provide security at transit and crossing points, screening areas and the final returnee movement to their home communities. The TTPs note that the commander should coordinate routes of return with UNHCR and clearly mark these routes so that all will be able to understand the signs. The troops will also establish control and security at assembly points and key intersections. If UNHCR, the ICRC, or any other organization wants to establish emergency rest areas, then the military should coordinate with them to insure there is adequate food, water, fuel, maintenance and medical services at these sites and that they are also secure.

Commanding officers may order troops to assist returnees as they are absorbed into their home communities, especially if the national or local security or police forces are unable or unwilling to do this, which will most often be the case. Such help can be critical in situations where there is active resistance to returnees' coming home as was the case in Bosnia and is still the case in Kosovo. US military and other troops in the Stabilization Force (SFOR) and the Kosovo Force (KFOR) have played a key role in accompanying "minority returns" and providing on-going security to these IDPs.

Some recent US military practice shows that soldiers have learned these doctrines, tactics, techniques and procedures. In Iraq and Afghanistan, the US military has sought to help at so-called "collection points," where IDPs might gather, seeking to keep them out of the way of combatants and danger while coordinating with international organizations providing humanitarian assistance. "We don't want to get in the business of building and running camps" notes one senior US military officer in Central Command, but "we will help supply them on a limited basis and keep them out of harm's way until it is safe to move or return home."[35] Coordination and communication with UNHCR and the International Committee of the Red Cross (ICRC) is emphasized, although on the issue of sharing "intelligence," the military will warn of population movements only if the information is not classified.

Others note that the US military has room for improvement, based on experiences in Iraq and Afghanistan. One humanitarian official who has worked closely with the military, notes that "while the troops are told they need to pay attention to IDPs and refugees, if it is not on the check-list, it didn't happen."[36] While the doctrine and training are good, according to this official, programs for IDP protection don't get the attention they deserve, there is little central guidance or planning and that "it will take time and more effort for the US Army to get this one right."[37] Another person familiar with the US military notes that the issue is not high enough yet on the agenda for US peacekeeping, but progress has occurred.[38]

The US military has created several training exercises for its active duty forces and reservists which include scenarios involving IDPs and refugees. The military has invited representatives of UNHCR and major NGOs to participate in these exercises and role-plays designed on actual cases from the Balkans and Africa. For example, in the exercise used in Ft. Polk, Louisiana, French-speaking Cajuns, whose ancestors were ethnically cleansed from Nova Scotia in 1765, have played the role of IDPs fleeing human rights violations and US soldiers have had to make on-the-spot decisions on how

to handle their security in the midst of a major peace operation.[39] Serbian-Americans have been brought from Chicago and other Midwest cities to play the role of IDPs in exercises featuring the Balkans. This is by far the most effective way to prepare troops for the dilemmas they will face in real-time peace operations.

United Kingdom

The Civil Affairs Group is a small British Army unit, established in 1997 and assigned the task of managing the relationship in a peace operation between the civilian and military actors.[40] The UK labels this "Civil Military Co-operation" or CIMIC, which is closely related to the US approach described above. The UK military has established CIMIC operations in the Balkans, East Timor, Sierra Leone, Afghanistan and now in Iraq.[41] It is comprised of a mixture of Regular (Active) and Territorial (Reserve) personnel recruited for their civilian skills which cover a very wide range at a high level of capability. The usual sequencing is for the Regulars to deploy at the front end of an operation, and they are then gradually replaced by the Territorials to apply their civilian skills, as is happening currently in Iraq.

Concerning training for peace operations, the goal is to ensure those deployed are trained and briefed appropriately for their assigned tasks. The training covers many subjects, including one called "Displaced Person Operations" (DP Ops) which includes IDPs. This training covers:

- Definitions of displaced persons;
- Military commanders' obligations;
- Planning considerations when involved in DP Ops;
- DP movement; and
- DP Camps.

Apart from military considerations, instruction draws upon such reference documents as the UNHCR *Handbook on Refugee Operations*, the Sphere Project and the Guiding Principles. Students work with these documents during the training and leave the course with electronic copies for future reference. The main theme is whenever possible the dedicated civilian organizations should take the lead rule, but experience has shown that the military can be drawn into DP Ops for a variety of reasons. For example, in Macedonia when Milosevic was forcing the Kosovo Albanians out of Kosovo in large numbers, the British Military stepped in to provide a large amount of assistance in building the first DP camps (Stankovich 1 & 2) since UNHCR was not established sufficiently to cope with the situation. Many other similar examples could be cited.

Another British Army officer noted how the military emphasizes the importance of having good relations with the community from the beginning; it is "part of the British Army's culture."[42] He noted one example from Basra, where his troops had helped a local fisherman repair his boat so that he could begin fishing again and earn a livelihood. This man later gave the British crucial information on where Fedayeen members were meeting and planning attacks. The British were able to seize them by surprise during just

such a planning meeting. Concerning IDPs, the British have developed an interesting protection strategy for women and young girls. Since prostitution or forced sexual slavery often arises quickly, the British have tried to identify any male relative, however distant, because unaccompanied women often have no protection from forced prostitution. If there is a male relative, he can help fend off both attackers and criminal networks.

African Peacekeepers

Peacekeepers from African states have played major roles in some of the biggest peace operations where IDPs figured as a significant challenge. In many cases, they have performed heroically, with little equipment and weak mandates. For example, the Ghanaians and Ethiopians in the United Nations Assistance Mission to Rwanda (UNAMIR) saved thousands of lives in the deadly days in Kigali in April-June 1994. Unfortunately, African peacekeepers have also had their failures, especially in Liberia in the early and mid-1990s when troops from ECOWAS, principally Nigerians, not only failed to protect civilians but also committed grave human rights violations and war crimes.[43] More recently, in 2001-2, a report by UNHCR and Save the Children found credible evidence that some peacekeepers in Sierra Leone had sexually exploited children in exchange for money and food.[44]

In an effort to improve the quality of African peacekeeping, the US began a training program in the late1990s called the African Crisis Response Initiative or ACRI. This program had US Army Special Forces train troops from several African countries to prepare them for peace operations. The program was re-designed and re-named African Contingency Operations Training and Assistance or ACOTA in 2002.

How to work with and protect civilians is "introduced from day one in the classroom and field exercises."[45] Twelve thousand soldiers from nine countries have received ACOTA training which always takes place in Africa. The trainers believe that this helps secure support for the project since the host military has to feed and house the troops selected for this training. Conducting the training in African military bases insures broader support and "buy-in" for the tactics, techniques and the principles taught there. It is also easier to train more trainers, thus allowing the African militaries to assume a greater training role sooner. In addition, in the early training US officers have African officers as assistants so that they can be mentored by the US trainers.

The training assumes that soldiers will have to deal with civilians in many situations, including demonstrations and mass movements. Soldiers must have a clear understanding of their ROEs and mandate. Skills like negotiating, liaising with NGOs and how to man a checkpoint properly are emphasized, as are the fundamental principles of international humanitarian law.

The Guiding Principles figure prominently in the training. UNHCR's *Handbook on Refugee Operations* and the IDP *Handbook for Applying the Guiding Principles* are also used. On a practical level, troops work in simulations that include dealing with food

and water distribution, HIV/AIDS epidemics, measures to protect women and girls from sexual violence and how to preserve family unity. At the command level, officers run through simulations requiring them to plan for a surge in IDPs and how to anticipate any resulting security and protection issues, from feeding large numbers of destitute and frightened people to insuring that camps are not militarized. The keys to success are planning and good staff work.

Following a command post field exercise which incorporates IDPs and refugees, creating and running a CIMIC and liaising with key international humanitarian actors, a computer simulation reinforces the importance of planning and decision-making at the command level. The scenario includes violations of international humanitarian law by their own soldiers to see how the officers react: do they take appropriate and immediate remedial action? This so-called "Peacekeeper" computer-generated scenario was created specifically with African peacekeepers in mind and has been distributed to military staff colleges in several African states. It will be part of the core course offered at the Kofi Annan International Peacekeeping Center in Ghana which is due to open early in 2004.[46]

Based on some recent assessments of the performance of African peacekeepers in Sierra Leone and in Liberia, it is obvious which troops had received ACOTA training -- contingents from Ghana, Mali and Senegal have performed particularly well compared with troops that had not. The challenge is to expand training on refugees and IDPs not only in Africa but throughout the world, and to insure that it becomes part of the regular curriculum at staff colleges where national military trainers provide the training.

Training and Doctrine Development in the Humanitarian Community

As in the military, a veritable cottage industry of training, guidelines and procedures has developed in the international humanitarian community on how to work with the military and on roles in complex peace operations. A brief review of this material as it relates to refugees and IDPs is important because not only does it show some of the recent thinking in the humanitarian community on civilian-military relations, but also because as part of the increasing collaboration between the two, these materials are often used to brief or train military peacekeepers.

UN Office for the Coordination of Humanitarian Affairs (OCHA)

OCHA created an IDP unit in 2002 which in turn has generated several good briefing documents and training materials. For example, the Unit has several power point presentations that it has used with peacekeepers that describe the current status of the IDP problem (25 million people in 47 countries), introduces the Guiding Principles, explains why IDPs are especially vulnerable ("they share characteristics and face ordeals specific to their situation") and identify good practices on protection and coordination.[47]

A special presentation on contingency planning and identifying early the possibility of displacement identifies possible actions consistent with the Guiding Principles. Participants are asked to identify early indicators of possible flight (for example: human rights violations, political polarization, violations of humanitarian law, arms trafficking) and monitoring mechanisms on the ground to detect movements. The participants must design a worst-case, best-case and most likely scenario based on a case study prepared by the OCHA trainers. They must then design a plan that responds to the displacement, identifying which agencies will do what and why they have made these choices.

The preferred elements in a good contingency plan specified by OCHA's IDP Unit would be very familiar to most soldiers:

- build response and protection capacity through coordination and training;
- develop information and communications systems and networks;
- identify and monitor groups with special needs (women, children, traumatized people);
- establish a presence and be visible;
- pre-position staff, transport, shelter materials and other supplies;
- identify best places for temporary settlement;
- insure protection from forcible movement to situations of danger; and
- advocate for human rights.[48]

Perhaps only the last item would be new to the military; a journalist alerted the world about the Serb-run camps in Bosnia holding thousands of Bosnian Muslims, even though UN peacekeepers knew they were there. But even this is changing. The OCHA training stresses the need to report any human rights violations by using the proper reporting channels. This is important because, as one study has shown, there is no point in increasing human rights awareness if there is no medium or mechanism to deliver the information and then act on it.[49]

This type of hands-on, participatory training based on small group work, role playing and case studies works very well, especially with soldiers who have little time for theory and "preaching" and want a hard-nosed, practical approach to real world problems.

Another OCHA training module presents an elaborate "protection mapping" approach to IDPs, starting with trying to persuade local authorities to fulfill their responsibilities to the more typical peace operation scenario of having to disclose

publicly the dangers faced by IDPs and then taking direct action - providing assistance and protection - until the situation stabilizes. The OCHA presentation quite rightly describes the evolution in attitude towards national sovereignty. If a state fails to meet its responsibility to protect the people in its territory, then it cannot claim that its sovereignty is being infringed upon when others step in to insure that basic human rights and humanitarian needs are being met. International peacekeepers, concerned about impartiality and neutrality, need to hear this message as much as UN diplomats and national policymakers.

In "The Cycle of Displacement: Breaking the Cycle," OCHA/IDP training delineates the precise contours of "return, resettlement, reintegration and integration." It emphasizes the importance of having women participate in all phases of planning in any of these stages. The OCHA trainers underscore the core principal of access for all appropriate actors (which would presumably include international peacekeepers) to the affected populations.

Finally, OCHA/IDP has created training material geared to deepening an understanding of "protection." Protection "encompasses all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and spirit of the relevant bodies of law (international human rights, international humanitarian and refugee law)."[50] The trainees must identify two "best practices" on protection based on their experience and two that need improvement. Protection is then broken down into different categories: remedial action, responsive action and environment building. Linking each to relevant Guiding Principles - providing basic human needs, physical security, preventing forced recruitment and focused protection strategies for women, children and other vulnerable groups - are examples of responsive action. Property restitution, reuniting families and helping provide economic security and safe livelihood are parts of remedial action. Training, building local capacity, disseminating the Guiding Principles, advocating for human rights observance, preparedness and contingency planning and engaging non-state actors are all part of environment-building protection activities.[51] Military peacekeepers should understand their proper role in each category and how they and the humanitarians and human rights workers divide the labor.

International Committee of the Red Cross (ICRC)

The ICRC is the pre-eminent interpreter of international humanitarian law. It has developed numerous training and dissemination materials used by military staff colleges around the world to train their troops on the laws of armed conflict. The ICRC also offers training directly to militaries who in turn send their troops on peace operations. For example, in October 2003 the ICRC conducted training on the laws of armed conflict for 45 commanders and 3,000 junior officers in the Ethiopian National Defense Forces, many of whom were being deployed to the peace operation in Liberia. The ICRC will also occasionally run workshops in theatre for peacekeeping troops.

The ICRC's principal training courses for armed forces include references to IDPs and refugees but no specific treatment of the issue.[52] This perhaps reflects the ICRC's

slightly ambivalent attitude towards IDPs. The ICRC seems uncomfortable singling out IDPs for special assistance or protection except in grave circumstances. Otherwise, the ICRC promotes treating all civilians in areas of armed conflict without distinction. While this is admirable in principle, the ICRC seems to underestimate the real vulnerabilities that many people face when they are forced to flee their homes and their normal places of work, recreation, religious worship, family connections and schooling. While all people are deserving of help in a war zone, some may need more urgent assistance and protection than others and it has been shown repeatedly that IDPs face particular threats commensurate with their status.

The ICRC has published an outstanding training tool on human rights and humanitarian law for the police and security forces, *To Serve and To Protect*.[53] This book is especially useful because it is directed primarily at police or military who are performing public security functions. In essence, this means dealing with civilians in a law enforcement type capacity, which has become the predominant characteristic of modern peacekeeping. Just as militaries rarely fight each other directly in modern warfare and it is the civilians who primarily suffer, military peacekeepers find themselves interacting more and more often with civilians, both their humanitarian and human rights counterparts and the local population. United Nations international civilian police or CIVPOL, have become a central and key participant in modern peacekeeping. While the military must learn more about human rights law, CIVPOL must learn more about the laws of armed conflict and refugee law since they are serving in war zones. This ICRC publication is an invaluable tool for both CIVPOL and UN blue helmets.

The chapter on refugees and IDPs begins by asking several thought-provoking questions: What are the rights of an IDP? What levels of protection are offered to refugees and IDPs by international human rights and humanitarian law? Who is supposed to protect the rights of refugees and IDPs? What can individual law enforcement officials do to help refugees and IDPs?[54]

The author analyzes the relevant laws, but his most important contribution is his frank appraisal of the causes and effects of displacement and the role of the national authorities. He notes that loss of home, employment, adequate health care and education opportunities immediately endanger the IDP, exposing him or her to further violence, disappearance, torture and rape. Most people have fled because of massive human rights violations. While he affirms the Guiding Principles' point that it is the national authorities' responsibility to care for and protect IDPs within their territory, "[I]t must not be forgotten, however, that the very acts which drove the IDPs away from their homes were often instigated or tolerated by that same government to begin with."[55] This is an important reminder, especially for CIVPOL and military peacekeepers serving in an operation where the state instigated or tolerated violations leading to flight or is unable or unwilling to offer protection or assistance now. The IDPs have simply no other hope than the peacekeepers, military and civilian.

In a statement at odds with the ICRC's general position on IDPs noted above, the author states: "As victims of armed conflict or unrest, IDPs are at the heart of the ICRC's mandate. They are an important category of victims to whom the ICRC offers protection and assistance."[56]

The chapter ends with a scenario involving IDPs and the need to establish a camp. Thought-provoking and practical questions CIVPOL or military peacekeepers have to answer include: How will you go about establishing this camp? Which persons or organizations will you include in the operation and why? What priorities should be established to receive and then assist IDPs? Which emergency measures would you have available? How could the ICRC, UNHCR or the Office of the UN High Commissioner for Human Rights (OHCHR) be involved?

Current Peace Operations and IDP Protection: A Few Case Studies

After a decade of development in doctrine, practices and training, plus with the changes in mandates and resources for peace operations, are soldiers and international civilian police working in current peace operations doing a better job of protecting and assisting IDPs compared to the earlier efforts? The peace operation in Kosovo has demonstrated a real advance in protecting civilians and IDPs. An appraisal of peace operations in Liberia and the DRC will also show clear areas of improvement along with some nagging shortcomings. While both these latter two cases are taken from Africa, IDP protection in peace operations is a universal challenge - Afghanistan, Bosnia and Georgia are just a few examples from other continents. But Africa has the largest number of internally displaced persons and the most peace operations in the world right now, so it is both a germane and instructive place to examine current efforts. Moreover, three large peace operations loom in African states with huge and complex IDP populations - Burundi, the Ivory Coast and Sudan. The IDP protection challenges in each of these countries will test just how far the UN, the key troop contributing states, the humanitarian actors and human rights field officers have progressed over the past 12 years. The outcome will affect the lives of millions.

Kosovo

The UN Mission in Kosovo (UNMIK) and the NATO-led peacekeeping troops (the Stabilization Force - SFOR) faced a tumultuous situation when they arrived in mid-June 1999. The NATO bombing campaign had wreaked havoc on infrastructure and housing. More devastating were the results of the Serbian campaign of ethnic cleansing and repression against the majority Albanian population. The major humanitarian and human rights challenge in Kosovo, once the Albanians had returned to their homes, was the systematic campaign of violence and threats directed against Kosovo's remaining minority population: Serbs, Roma, Turks and Slavic Muslims. Many of them, especially the Roma, had been forced from their homes and were IDPs.[57]

Kosovo offers a sound example of the importance of UN Civilian Police in modern peace operations and how, when CIVPOL, military and humanitarian/human rights officers work together real protection for vulnerable people results.

In Kosovo, the security threat on any given day ranges from rampant common crime, to mortars launched from hills, to new land mines being planted, to increasingly violent organized crime involving the drug trade, trafficking in women and stolen cars, to planned provocations by Serb extremists in northern Mitrovica and sporadic insurgency operations launched along Kosovo's borders with Serbia and Macedonia. All these incidents may involve the same perpetrators or groups with overlapping memberships.

Yet many in the peacekeeping field emphasize the differences between the police and the military. While these differences do and should exist, they should not obscure the need for closer collaboration that will draw on the unique skills and training of each. The nature of the security threat in Kosovo, and in most other peace operations like Liberia, the DRC, Bosnia and Afghanistan, requires close military and police coordination. Instead of constantly trying to demarcate policing from military action or distinguishing how they are different, we should be trying to see where they overlap, merge and can reinforce each other. As one expert on international policing has noted:

> In practice, the tendency to lump constituent tasks into two piles labeled 'military' and 'police' has proved unhelpful. The key to military-police relations is to develop a better understanding of what exactly enforcing law and order in a foreign – and war-torn – country entails. It is vital to achieve a sophisticated and flexible distribution of labour in complex police operations.[58]

Visible, robust and community-focused policing works best in peacekeeping operations and both CIVPOL and KFOR soon saw that it was in their own best interest to collaborate and act more energetically. Adopting a bunker mentality was the surest way to failure. Each enhanced the other's "force protection", always a serious and natural concern, by directly confronting the main security threats.

Close coordination exists on intelligence matters. Most of the violence in Kosovo stems from organized groups, often criminal gangs. In many cases there is an overlap between the former insurgents and organized crime on the Albanian side and between the former security forces and political hard-liners on the Serb side. KFOR intelligence services, working with CIVPOL special investigators and INTERPOL, have cracked several criminal enterprises, many involved in trafficking women, drugs and stolen cars.

CIVPOL and KFOR have adopted creative protection strategies for ethnic minorities. Unannounced and random foot patrols and checkpoints keep the perpetrators of violence off-balance. Searching vehicles, especially those without proper registration plates or papers, has yielded many weapons; KFOR and CIVPOL immediately search the residences of people in such vehicles which has yielded even more weapons. KFOR and CIVPOL have opened emergency hot-lines and provided phones for minorities in their enclaves, improving both the reality and the perception of security. Putting in speed bumps in the roads that go near or through minority enclaves or go past the remaining

Serb churches and monasteries has helped deter attacks. British KFOR have built new roads by-passing Albanian villages to link Serb enclaves. Reinforced steel doors for minority-occupied apartments have also helped. And in a few cases, 24-hour/7-days-a-week sentries have guarded the residences of some minorities in Pristina, Podujevo and a few other towns. Norwegian KFOR discovered that the power company, now in the hands of ethnic Albanians, was preventing coal deliveries to displaced Roma in squalid camps in central and western Kosovo. After informing the Joint Task Force on Minorities (see below), KFOR and UNMIK intervened with the local power company officials and coal deliveries resumed.

British KFOR have always responded positively to requests for innovative security measures. British soldiers escort Serb children to and from school every day in certain areas and neither the children nor the soldiers complain. Russian and Spanish troops provide similar escorts to minority children in their respective areas of operation. In Slivovo, British KFOR arranged for water and power to be provided to this Serb enclave and voluntary returns have increased. Equally important, the British are providing development assistance to neighboring Albanian villages so that they do not resent the help given to the Serbs. Finally, the British are encouraging inter-ethnic dialogue. This novel and expansive approach to security has increased protection for all in this area.

The Joint Task Force on Minorities is another important innovation that should serve as a model. The Joint Task Force included the joint chairs: OSCE and UNHCR, and representatives from KFOR, CIVPOL, OHCHR, ICRC, UNICEF, UNMIK's Pillar Two (Civil Administration) and the Senior Advisor on Human Rights to the Special Representative of the Secretary-General (SRSG). The Task Force has issued numerous reports on the situation for minorities in Kosovo, each a wealth of detail and revealing an on-going climate of fear, danger and a growing self-segregation for the sake of survival among Kosovo's remaining minorities, many of whom are IDPs.

One example illustrates the power of smart joint action. The Joint Task Force on Minorities had identified a serious problem in the Zupa Valley northeast of Prizren town in the fall of 1999. Men and women, predominantly Serb, but also including Muslim Slavs, over 65 years-old were targeted in several villages in the valley. KFOR sent patrols to these villages which were greatly appreciated but not sufficient. The Task Force decided to send several members to investigate and recommend action.

I visited several of the villages on October 21, 1999 accompanied by staff from OSCE/Human Rights' Prizren office. Some were displaced from Prizren town and other areas in southern Kosovo. We met with several elderly Serb women who were completely terrified and with good reason. Two of them had recently been severely beaten. One woman's face was still swollen badly and she had black and blue marks on her neck, ten days after the beating. A 96 year-old man was beaten to death in one of the villages on 15 September 1999; his body was found in his house with his hands tied behind his back and a strap tied across his mouth. Everyone we met with begged for more KFOR protection. They feared for their lives. In some cases the alleged perpetrators

were arrested, but were later released and were seen again in the area soon after.

We met a German KFOR patrol and the soldiers said they wanted to do more to protect the villagers. So far, they could only patrol and everyone knew that the perpetrators of these crimes and human rights violations only waited for the patrols to leave and they then returned to terrorize, beat, kill and steal. In one village we came upon three men who were stealing bees, hives and honey from beehives; this is not trivial, as honey production is one of the few income-producing activities left in the area. We were able to stop them, get the license plate number of their truck and alert KFOR who came and questioned the men.

Following this visit I wrote a memo to the SRSG explaining the situation and recommended that KFOR place a check-point on the one road leading to and from the villages. The Deputy SRSG for Humanitarian Assistance (Dennis McNamara) also visited the villages within days and delivered a similar recommendation to the SRSG. The Principal Deputy SRSG then met with the KFOR Commander who agreed to allow Turkish KFOR to erect a checkpoint. German KFOR increased their mobile patrols and varied the timing to make them unpredictable. The attacks stopped.

A second issue that emerged from the Zupa Valley investigation was the increase in threats made by ex-Kosovo Liberation Army (KLA) members against Slavic Muslims concerning the distribution of humanitarian assistance. OSCE and UNHCR field officers received consistent and reliable reports that ex-KLA warned Slavic Muslims not to share the humanitarian assistance they received from international agencies with their Serb neighbors. If they did, the Slavic Muslims' houses would be burned or worse. Slavic Muslim shop-owners have also been told not to sell to Serbs or else they will suffer the consequences.

Again, the checkpoint prevented those who were making the threats from carrying them out and KFOR deployed more robustly to insure that humanitarian assistance was distributed without discrimination. This helped alleviate a terrible dilemma many Slavic Muslims faced: many wanted to help their Serb neighbors but would have to risk their lives to do so. CIVPOL stepped up its presence in these enclaves and their investigations helped break up a criminal gang that was also using the road as a shipping route for contraband.

Unfortunately, violence erupted in Kosovo in late March 2004, forcing several thousand Serbs to flee their homes. Initial reports indicate that some peacekeeping troops failed to implement lessons identified earlier and did not protect vulnerable civilians but rather "initially made protecting their own forces a priority, a decision that delayed the aggressive pursuit of gunmen and rioters." [59] Peacekeepers lacked the numbers and equipment to deal with the sudden surge of Albanians bent on ethnically cleansing the remaining Serbs from their enclaves. It will be very difficult to convince them to return to their homes after such coordinated attacks that peacekeepers failed to both detect and to halt.

Liberia

Liberia has endured 14 years of nearly constant war. So many armies, factions and rebels, with help from various supporters in Sierra Leone, Ivory Coast, Guinea and Burkina Faso, have formed, aligned, re-aligned and disappeared, that it is hard to keep track any longer of the various protagonists. The result for the civilian population has been utter devastation, death, disease and displacement. At least 700,000 of Liberia's 3 million people are IDPs.[60]

Fighting continued to rage in the summer of 2003; people poured into the capital Monrovia from suburbs and from even further away as two rebel groups, Liberians United for Reconciliation and Democracy (LURD) and Movement for Democracy in Liberia (MODEL), steadily advanced and seized territory from government forces. Monrovia ballooned to twice its normal size.

President Charles Taylor, who kicked off the sad series of civil wars in December 1989, was forced from power and fled to Nigeria in mid-August. Also in August 2003, peacekeepers from the Economic Community of West African States (ECOWAS; the troops are known as ECOMIL) arrived. They faced a grave humanitarian emergency. Cholera and measles outbreaks occurred in August; hundreds of dead bodies had been buried on the beach and were threatening water supplies. Food, latrines and the most basic medical supplies were almost non-existent.

Security was a major problem that prevented the ECOMIL troops from leaving Monrovia. Yet tens of thousands of people were on the move in the interior and the rebels and government forces continued to fight, loot, rape and abduct civilians, especially children and young girls. OCHA reported that rebels forced IDPs to work for them as porters, cooks and sex slaves. Residents of IDP camps described how armed forces regularly shelled them at night. IDP residents of the Voice of America (VOA) camp[61] on the outskirts of the city reported that they faced regular harassment from government troops; gunfire at night was common and some residents had been hit by bullets.

ECOMIL, led by the Chief of Staff of the Nigerian Army, Lieutenant General Martin Luther Agwai, said, "I can assure you that ECOWAS has the political will but we don't have the resources to do it. Remember that ECOWAS has not got the capacity to do everything. So we also have to look to our international partners. We have to be patient and wait for them."[62]

Some human rights advocates expressed alarm at the news of Nigerian troops returning to Liberia.[63] Well-documented accounts of ECOWAS troops, including Nigerians, committing war crimes during earlier interventions in Sierra Leone and Liberia, made some people pause in the summer of 2003. Eyewitness accounts by UN human rights observers in Sierra Leone in January 1999, for example, told of Nigerian soldiers summarily executing anyone believed to be a rebel. One official was quoted as saying "We don't want a replay of the 1990s when the Nigerians would sell ammunition

and arms to the factions."[64] UN and Nigerian authorities this time, however, insisted that the troops would behave and abide by international human rights and humanitarian law. Some maintained that the Nigerian troops had been screened before being allowed to deploy to Liberia this time and that any offenders or "bad actors" had been left home.[65]

Given their limited resources, on the whole the ECOMIL troops performed well. Apart from one reported instance of Nigerian troops beating an IDP to death and forcing another into a "spread-eagle position" in the sun on suspicion of committing some unspecified crimes, humanitarian workers praised the ECOMIL troops' willingness to make the most of their limited resources to protect IDPs. The major problem was that the troops rarely left the greater Monrovia area due to security concerns. They lacked adequate transport, radio communications and many basic supplies for themselves, let alone for desperate IDPs. "They were stretched thin, but they went anyway, and they were not passive," according to one aid worker speaking of ECOMIL.[66]

Nevertheless, some good stories started to emerge. 300 IDPs living in a camp housed in a vocational school in Kakata were subjected to continuing attacks and raids from LURD rebels. They sometimes abducted camp residents who were then used as forced laborers. When ECOMIL learned of this, they forced LURD to stop these raids and began to explore ways of protecting the IDPs, including by escorting them home.[67] Nigerian troops, stretched thin, also deployed to three other IDP camps and ended LURD raids. One humanitarian official said it was apparent which troops had received ACRI or ACOTA training since they were familiar with general protection principles and understood the exposed position of IDPs.[68]

IDPs alerted ECOMIL that large food stockpiles only attracted attacks from fighters; they urged that food deliveries be made in smaller sizes so that they could be distributed more safely.[69] ECOMIL complied and an effort was made to distribute food in smaller amounts so as not to draw fighters to the distribution points.

Security was the IDPs number one concern. Where ECOMIL was able to deploy and be present, the humanitarian situation improved dramatically. International relief workers noted the impact; one MSF official noted: "People are coming back from the bush where they went into hiding from the fighting. Part of the attraction with these camps as well is that the ECOMIL forces are now deployed along the nearby Po River and the effect they have on reducing the number of armed men around is probably comforting."[70]

Yet the ECOMIL troops lacked vehicles, fuel and even flashlights in many cases. In a show of solidarity, but also underscoring the importance of security, UNCHR and WFP loaned some basic transport and supplies to the ECOMIL troops so that they could go out and patrol and establish checkpoints at strategic intersections based on the humanitarian community's information. "They did well" according to one UN official, "they really helped improve security."[71] The troops established a visible and dissuasive presence, they adjusted their deployment schedules based on suggestions from UN humanitarian officials, they helped out on food deliveries and they went on joint "reconnaissance" (or "recces") with UN humanitarian officers.

In Liberia's second largest city, Buchanan, ECOMIL officers met with the local rebel MODEL commander who agreed to open a corridor so that IDPs stuck there could move back home. Towards the north, ECOMIL also succeeded in opening a safe corridor through several towns where rebel checkpoints had previously inhibited movement. This demonstrates how even troops with scarce resources and a limited mandate can have a disproportionate impact on IDP protection and assistance.

After fighting flared in Kakata in mid-September, the ECOMIL commanders from Nigeria and Ghana asserted themselves while the fighting was still going on to broker a peace deal, allowing humanitarian agencies to resume their work and Liberians to return home. 500 ECOMIL troops from Guinea-Bissau took over the town and moved the fighters out of town to the ECOMIL base in Tubmanburg.

Because of its extent and viciousness, sexual violence in Liberia deserves special mention. The scale of rape, sexual slavery and violence against women in Liberia has reached a scale unmatched anywhere except perhaps in the DRC. Since the conflict began, many women in Liberia have been raped repeatedly, by all sides in all phases. An NGO conducted a survey of IDP women who had fled to the soccer stadium in Monrovia: out of 1,502 women registered with Concerned Christian Community, 626 had been raped.[72] Many of the fighters preying on women and girls as young as 10 or 12 year old are themselves child soldiers. Displaced women from Gbarnga and Nimba County told researchers from Human Rights Watch that LURD "regularly picks women out of groups of civilians moving south and subjects them to rape and other forms of sexual violence."[73]

Many IDP women are naturally severely depressed, terrified and traumatized. Fourteen years of unrelenting violence and fear have broken many taboos and behavior once virtually unthinkable has become commonplace. "Mothers and daughters were raped by the same men. Boys assaulted women old enough to be their mothers."[74] Peacekeeping troops and humanitarian workers need to be sensitive to such traumas; specialists are needed to provide counseling, medical care and to help convince the victims that they have a future. And the perpetrators must be brought to justice because war crimes and crimes against humanity cannot just be swept away.

UNMIL Takes Over

On October 1, 2003, the UN took over from ECOWAS. UN troops known as United Nations Mission in Liberia (UNMIL), many of whom had served in ECOMIL, started their peacekeeping duties under Security Council Resolution 1509 which provides that UNMIL will assist in humanitarian assistance and help enforce observance of human rights, "with particular attention to vulnerable groups including refugees, returning refugees and internally displaced persons…"[75] This shows how far the notion of protecting civilians and IDPs has become embedded in the Security Council's understanding of international peace and security. A major shift has occurred since the days of Bosnia and Rwanda.

With more troops, better transport and supplies and a mandate that clearly makes protecting civilians and IDPs a priority, UNMIL troops have slowly pushed out beyond Monrovia. Some, however, were not well-briefed. When humanitarian workers informed the commanding officer of troops from the Guinea-Bissau contingent that IDPs in camps near his base were in danger from insurgent raids, he was not even aware that there were four IDP camps in his area of responsibility.[76] To his credit, however, the officer immediately dispatched troops to the camps and also set up checkpoints along the main highway to allow for the safe movement of both IDPs and humanitarian assistance.

On October 10, thousands of IDPs were transferred to an agricultural college near a highway. Unfortunately, UNMIL did not know this was happening. The IDPs were exposed to raids and looting, as once again food deliveries acted as a magnet for hungry fighters. UNMIL troops came to the site, assessed security needs and then re-positioned troops, establishing a sentry post right at the entrance of the camp. They set up another sentry post at the opposite side of the camp, thereby assuring security for 5,000 IDPs.

In one area, former fighters were gathering in a cantonment very close to an IDP camp. UN officials feared that since the fighters were not being fed regularly as they await disarmament programs to begin, they might start looking for food and endanger IDPs in the camp. Once informed of this threat, Bangladeshi troops in UNMIL stationed themselves between the cantonment site and the IDP camp to provide security. This is a typical example of UNMIL's willingness to listen and respond to assessments from the humanitarian community in Liberia. UNMIL commanders, especially General Daniel Opande, have shown great flexibility; they have changed their order of deployment in response to the concerns expressed by humanitarian actors and the population.

When necessary, UNMIL has not hesitated to take forceful action against LURD rebels or government troops. For example, UNMIL told LURD to remove all their checkpoints on a major road because their forces had harassed aid workers and abducted IDPs. The checkpoints were removed. General Opande, while on a visit to River Cess County met with MODEL and government forces and urged them to stop fighting. He ordered them to remove all roadblocks in the area so that people could move freely and told commanders that they would be held personally accountable for any atrocities committed by their soldiers. In a separate case, UNMIL forces arrested three militia members near Buchanan, charged the accused with rape and transferred them to the Liberian Police.[77] It is no surprise given such robust action that many IDPs themselves have praised the performance of UNMIL troops. So too have humanitarian officials; one concluded "when it comes to promoting the protection of distressed populations- they get it!"[78]

UNMIL has established a strong CIMIC which has enhanced communications and collaboration between humanitarians and the military. CIMIC officers understand the mandates of the UN agencies and numerous NGOs; they attend meetings regularly and are ready to try to dedicate UNMIL assets, including helicopters and specialized engineering capacities, to help improve humanitarian access and delivery to the still isolated and vulnerable civilian population in the north and east.

The slow deployment of UNMIL, however, has exacerbated the challenge of protecting IDPs in Liberia. Many lie beyond the reach of UNMIL where LURD and MODEL rebels and remnants of government forces still have arms and raid, loot, kill and rape. Systematic atrocities continue. One IDP summarized the situation for tens of thousands:

> But I want to go home to Lofa. I just want for the government to say Lofa is OK. As soon as UNMIL pronounce the whole of Lofa County is free then we are willing to go back. We need UNMIL to go there first to make it safe.[79]

Meanwhile, in Monrovia and environs the situation has generally improved. UNCHR, with help from UNMIL, has started to relocate thousands of IDPs who had sheltered in public buildings, including schools, to proper IDP camps. A further 30,000 have been moved from 56 schools and a clinic in Monrovia, allowing schools in the capital to open for classes in November. The IDPs either went home or moved to established camps, where life is improved. "It has been hell in these irregular shelters. We all anticipate a move for the better," one former teacher told UNHCR.[80]

In a novel protection scheme, UNHCR, with help from other UN partners has started a training series to create Community Watch Teams in eight IDP camps.[81] IDP volunteers will patrol the camps regularly day and night, intervening, mediating and reporting as necessary. UNMIL soldiers and CIVPOL participate and inform the watch teams of their respective mandates and how they can help. This is an excellent protection strategy, creating a mechanism to report crimes, including domestic violence, or other security concerns to the police or UNMIL troops. It is also a prevention tool helping to create circumstances so that sexual violence does not occur in the first place.

Menacing reports of fighters declaring "Operation Closing Time" indicate that they know they have only a few months left before UNMIL covers the whole country. The looting intensified in October and November. The slow UNMIL deployment unleashed a frenzied response from the rebels with dire effects for IDPs and civilians in general. Though no fault of the UNMIL troops, the UN and the member states responsible for contributing peacekeepers must accelerate deployment of soldiers and civilian police. As of December 2003, only about 4,500 of ECOMIL's authorized 15,000 troops were in country with the full allotment not expected until mid-2004. Likewise, CIVPOL only had approximately 115 of its allotted 1,115 officers and does not expect to reach its full capacity until June 2004.[82] Civilians in areas of Liberia beyond UNMIL deployment, meaning most of the country, continue to suffer from grave human rights abuses and chronic insecurity.[83]

The rough start to the UN's Disarmament, Demobilization, Rehabilitation and Reintegration (DDRR) process in early December 2003 illustrates the close links between peacekeeping and IDP protection. Former soldiers ran amok when they learned they would not receive $300 on turning in their weapons and beginning the DDRR process as

they had believed. Nine people were killed and looting and violence erupted in Monrovia after a few weeks of relative calm. UNHCR and others had to temporarily suspend relocating IDPs because of the insecurity. The UN must do a better job communicating to avoid such misunderstandings that can have dire results. CIVPOL should also take a more active role in disarmament efforts since as police officers they have the training and experience to apply minimal amounts of force to calm down situations and to develop the information channels crucial to preventing the re-arming of fighters.

Democratic Republic of the Congo (DRC): the Ituri Region

As in Liberia, war has devastated the DRC for many years. Starting with the genocide in Rwanda in 1994, various national armies and rebel groups in a changing kaleidoscope of alliances, fueled by a search to control valuable resources like diamonds, gold and coltan (a valuable substance used in cell phones), have killed tens of thousands of innocent civilians. The wars have led to the deaths of approximately three million people through fighting, disease and depletion of food stocks; people who would have otherwise survived in peace have died due to war. Around 2.7 million IDPs are at risk in the DRC, mainly in the eastern part of the country.

The situation in the northeastern part of the DRC has been particularly grim. Groups from Rwanda known as "*genocidaires*" have allied with or sometimes fought against a volatile mix of local militias from various warring DRC ethnic groups (Hema, Lendu, Mai-Mai and others) who have massacred civilians. The levels of sexual violence, rape and abduction of women and girls is on a par with the brutalities of Liberia. "Gang rape, rape with guns, with torches, with lumps of wood - here in the east of the Democratic Republic of Congo, brutal and systematic rape has become a weapon of war."[84] A survey by UNIFEM showed that:

> In many war situations, violence against women has reached incomprehensible levels of brutality and cruelty. In the Democratic Republic of the Congo, where hundreds of thousands of women are thought to have been raped since 1998, sexual mutilation and even cannibalism were reported in 2003, with armed groups particularly targeting Pygmy women for cannibalism and genocide.[85]

Over 80 percent of families in rural areas of North and South Kivu, which is to say most of the provinces, have been displaced at least once in the last five years. Out of 4.5 million people, 500,000 have been displaced in Ituri, a region as large as Sierra Leone. 55,000 people have died violent deaths there in the past five years and many more have perished who would have survived if there had not been a war going on. Ituri has abysmal roads and almost non-existent communications. Fighters have systematically destroyed fields and stolen crops, engendering hunger and malnutrition in a region that was once regarded as the former Zaire's breadbasket. Guaranteeing peace and security in such a challenging environment proved to be impossible for the overmatched United Nations.

UN Military Observers and MONUC

In February 2000, the Security Council authorized 5,500 armed troops for the DRC, a grossly inadequate response to years of war and millions of deaths. This was just the latest of many weak Security Council responses to the crises in the Great Lakes starting with the 1994 genocide in Rwanda. In the 1960s, the Council had authorized 20,000 troops for the Congo which wasn't enough then; the situation now was if anything more complex and deadly.[86]

The main purpose was to support the implementation of the Lusaka ceasefire agreement. Armed peacekeepers from the United Nations Mission in the Democratic Republic of the Congo (MONUC), numbering about 4,000, did static guarding to protect UN assets in four sector headquarters (Mbandaka, Kisangani, Kananga and Kalemie).

Meanwhile, unarmed UN Military Observers (MILOBs), with limited logistical support, also worked under a weak mandate which allowed them to use force only to protect themselves. Only four unarmed MILOBs were initially deployed to Ituri, all in the capital city of Bunia, in November 1999. MONUC deployed the rest of the 700 or so MILOBs in teams of four in extremely isolated postings strung vaguely along various cease-fire lines demarcating positions held by Uganda and its local proxies, Rwanda and its local proxies and the central government which had the military support of Zimbabwe, Angola and Namibia.

The key factor in both MILOBs and armed MONUC deployment was their isolation, stretched along roughly 1,500 kilometers of rough, isolated territory where communications and transport were rudimentary. Sporadic fighting among all the armies and their local factions continued throughout 2000-2003. Rwandan and Ugandan soldiers, tight allies in past wars, started fighting each other in the east and northeast DRC over control of the various resources there: gold, diamonds and coltan. Thousands of civilians were killed or uprooted as a result, while MONUC could only for the most part stand by and try to provide some assistance and security once the fighting died down.

Given its weak mandate and relatively large budget for a UN peace operation, it is difficult to quantify the stabilizing effect of MONUC's thinly spread deployment. Violence, often quite horrific, continued, especially in the north and east of the country. As one ex-MONUC participant has stated, "MONUC came face to face with the difficulties inherent in an increasingly irrelevant mandate and troops and commanders, originally deployed for static guard duties, unprepared for intervention to protect civilians."[87] For example, in Kisangani in May 2002, the de facto rebel authorities massacred hundreds, mostly civilians, despite the presence of a MONUC battalion in the town. The mostly Moroccan peacekeepers in the city were simply neither trained nor equipped to intervene. Better equipped Uruguayan troops arrived soon afterwards which helped stabilize the situation.

Uruguayan troops also were sent to Ituri in late 2002 to help stabilize the situation there. These soldiers had some experience protecting civilians, which marked a new and

some have said "courageous" push by MONUC. Bunia is extremely isolated and civilians there, including large numbers of IDPs, were especially at risk. Yet the Mission's doctrine, training and equipment had not yet caught up with the bolder approach.

Ugandan forces, who had occupied parts of Ituri and had imposed a semblance of order, withdrew suddenly in May/June 2003 as part of a peace agreement and then violence erupted. Many humanitarian organizations had to leave the area because of the danger. Over 140,000 people reportedly fled their homes around Bunia and some found refuge in an IDP camp near the town airport. Also in May 2003, rebels brutally murdered two MILOBs stationed in the isolated outpost in Mongbwalu, north of Bunia.

While the MILOBs and the UN armed peacekeepers, particularly the Uruguayans, have received a fair amount of criticism for failing to protect IDPs and civilians in Ituri, many on the scene credit them with saving thousands of lives despite their limited mandate and resources. They never fled Bunia in the middle of intense fighting that took place between May 6-16, and they easily could have since neither their mandate nor their equipment nor their training were remotely relevant to the dangers they faced. They stayed, and as one senior UN official who was present has said:

> It is thanks to them that we humanitarians managed to convince UNSECOORD [the UN Security Office] and our hierarchies that we should be authorized to go there and save the 20,000 IDPs who had gathered around UN flags in town near the UN headquarters and near the airport. We provided assistance to these IDPs because the Uruguayans protected themselves, ourselves and the IDPs altogether.[88]

Just how the Uruguayans worked with UN civilians provides an instructive example of protection in action. After the humanitarian agencies fled Bunia due to heavy fighting in May, approximately 20,000 IDPs arrived at the Uruguayans' base, the two IDP camps near the airport and at MONUC headquarters in the town, terrified and seeking protection. At considerable risk to themselves, remember two MILOBs had just been killed nearby, the Uruguayans sprang into action. They tried to be a visible presence, secured the camp perimeters and guarded food depots which helped insure a food supply for all these people. Along with MONUC humanitarian workers, they also helped deliver medical supplies and water. The military observers and UN civilians progressively organized the IDP camps and rationalized service delivery and ultimately welcomed back international NGOs when security improved.[89]

This shows once more that the most important factor in protection of civilians is the commanding officers' and the troops' courage, creativity and flexibility. Even with little knowledge of IDPs or the Guiding Principles, and with a weak mandate and limited logistics, the Uruguayan soldiers saved many lives.[90]

Artemis and the French-led Multi-National Force

The Security Council realized that the MILOBs and the few MONUC armed military, with a weak Chapter VI mandate, were no match for the local fighting forces. A more robust military presence was the only chance of protecting civilians. So on 30 May 2003 the Security Council adopted Resolution 1484, and acting under Chapter VII this time, authorized the deployment until 1 September of an Interim Emergency Multinational Force in Bunia "to insure the protection of the airport, the internally displaced persons in the camps in Bunia and, if the situation requires it, to contribute to the safety of the civilian population, United Nations personnel and the humanitarian presence in the town."[91]

This powerful mandate, combined with the arrival on June 8 of heavily armed, well-trained and experienced troops led by France, represents an important evolution in the Security Council's willingness to protect civilians in modern conflicts, and a huge advance compared with the 1993 resolutions on Bosnia just 10 years earlier. The major shortcoming in the resolution was the geographic limitation to the town of Bunia; thousands of IDPs and civilians at risk lay beyond the reach of the peacekeepers. But where the multi-national force known as Artemis operated, the population benefited from their protection and assistance.

One observer of Artemis emphasized that the preponderance of firepower enjoyed by the French and their willingness to use it had a huge impact on the local rebels who were much weaker militarily.[92] Often the rebels only had small arms and many were child soldiers, so a concentration of modern soldiers with serious firepower has an immediate impact on any "spoilers" who are used to facing either unarmed civilians or untrained and poorly armed adversaries.

Another important advantage for the French troops was their ability to communicate with the locals; their "intelligence" was good, and many had worked in Africa before so had some of the cultural sensitivities needed to gain trust and information. But most important was the French projection of force. For example, Thomas Lubanga, a local warlord in Bunia, had terrorized the town in May. The French commander quickly barred his soldiers and any other militia from wearing their uniforms or carrying their weapons. The French also limited the number of Lubanga's bodyguards and made it clear they would "shoot to kill in response to attacks and looting."[93] French soldiers patrolled the city to enforce their order that Bunia be an "arms-free zone," and they arrested on sight anyone with a weapon. Seized weapons were destroyed.

The French used two other tactics that demonstrate how far peacekeepers have come concerning protecting civilians. First, they closed down a local radio station that had broadcast hate speech and propaganda. This contrasts sharply with 1994 in Rwanda where General Dallaire begged for permission from New York Headquarters to close Radio Milles Collines, a station that had broadcast incitement and instructions for the genocide.[94] Second, the French used airpower, flying helicopters and jets, to help enforce a UN arms embargo. Arms had flowed into the DRC from Rwanda and Uganda,

enabling the various fighters to continue the conflict. Civilians would enjoy greater security if the fighters could not get access to weapons; the French realized this and used their mobility and visibility to impress and intimidate the "bad guys."[95]

The French were not alone in Artemis; troops from South Africa, Bangladesh and India also participated. While not enjoying the linguistic advantages of the French, they too deployed quickly and interpreted the mandate robustly. One eyewitness reported, for example, that the South African troops in Kasuo, "by their mere presence, have assisted immensely in restoring a sense of peace and stability to the area."[96]

A Reinforced and Revitalized MONUC Takes Over

On 28 July 2003, the Security Council strengthened MONUC's mandate and outlined the transfer of responsibility from the French-led multi-national force back to MONUC. Acting under Chapter VII this time and not under Chapter VI as was previously the case, the Council authorized "MONUC to use all necessary means to fulfil its mandate in the Ituri district, and, as it deems it within its capabilities, in North and South Kivu."[97] The Council requested the Secretary-General to deploy to Ituri as quickly as possible a brigade-sized force to help insure the "protection of airfields and displaced persons living in camps, and if the circumstances warrant it, helping to ensure the security of the civilian population…and eventually, as the situation permits, in other parts of Ituri."[98] From omitting any mention of providing protection to civilians in numerous resolutions just 10 years ago, the Security Council now has designated the number and capacity of troops needed to protect civilians and IDPs in a far-off corner of the Congo.

The MONUC troops have gradually deployed to the main conflict areas in the north and east, including Bunia town and the Ituri district. In effect, the French-led Artemis force had bought some time for MONUC to find more troops and give them enhanced training and equipment. For this, the French deserve great credit; their intervention saved lives and helped create the conditions necessary for the Security Council to authorize a Chapter VII mission. Before this, the Permanent Five (except for France) refused to sanction dispatching troops, any troops let alone their own, under Chapter VII until security and political conditions had improved: a classic chicken and egg scenario since once conditions had improved to this extent one arguably would no longer need a Chapter VII intervention.

To the extent the MONUC troops have replicated Artemis's tactics, they have succeeded in restoring order and dampening violence. For example, MONUC soldiers in Bunia have continued the French policy of a "weapons free town" and have arrested and detained militia leaders and their members who have violated these rules.[99] While it is still early, reports indicate that the troops are well-prepared, listen to their humanitarian colleagues, react quickly and flexibly to suggestions and project force when necessary to send a message or deter violence. One important difference is language: many MONUC troops cannot speak or understand French and this has hampered their ability to interact effectively with many key local interlocutors.

The main challenge is the sheer size of Ituri and the Kivu provinces, the absence of passable roads and the extremely slow deployment of MONUC troops. Ituri itself is as large as Sierra Leone. Even at full strength, MONUC will have a hard time covering the area. The troops are willing: when told by arriving IDPs at a camp outside Bunia that the Lendu had attacked their village and torched their houses, MONUC immediately dispatched several helicopters to travel the 80 kilometers to intervene. However, all they found were smoldering huts and destroyed crops.[100]

Many of the troops seem familiar with the importance of protecting civilians and understand IDP issues. Some have received prior training on these issues; the South African contingent had obviously received training on civilian protection, including refugee and IDP issues. OCHA sent experts to Nepal to brief the Nepalese contingent before it arrived in DRC. Others have received briefings from OCHA on IDPs on arriving in country. For example, one OCHA officer has briefed new MILOBs on the importance of the IDP issue in eastern Congo and has found the soldiers to be extremely receptive. They understand that IDPs represent the "most immediate and visible results of the war."[101] OCHA distributed copies of the Guiding Principles and the *Handbook*, both much appreciated by the troops. Unfortunately, despite being invited to several IDP training sessions, only a few MONUC soldiers attended.[102] MONUC commanders should make attendance mandatory at these workshops.

The Norwegian Refugee Council has prepared an excellent training module on IDPs in eastern Congo and has run courses for local NGOs; they stand ready to provide training to any MONUC soldiers or MILOBs. This training includes role playing, demonstrating the challenges of trying to help IDPs.

Humanitarian actors and MONUC military have conducted numerous joint assessment missions. The soldiers have helped complete humanitarian assessment surveys which not only makes these surveys more valuable but is also an important vehicle to spread the message of civilian protection more broadly. This has led to increased military participation in Quick Impact Projects and a clearer mutual understanding among UN agencies, local NGOs and MONUC military on respective mandates, capacities and limitations. Communication, cooperation and sharing information among the humanitarian, human rights, gender, political affairs and the military were good among the actors on the ground, helping to compensate for weaker inter-agency linkages at headquarters level.

While communications between humanitarians and the MONUC military is good, there is room for improvement. MONUC has shared security assessments it has done with its UN civilian colleagues, and in a few cases has alerted them to IDPs at risk. Conversely, when humanitarian actors have requested action from MONUC soldiers, they usually have complied. For example, Interahamwe militia from Rwanda forced local farmers to abandon their fields and even their homes; the militias stole the crops and whatever else they could carry. The population alerted OCHA who in turn requested protection from MONUC soldiers. On several occasions, soldiers actually accompanied farmers out to their fields while they repaired the damage and tried to harvest their crops.

In a move echoing tactics used in Liberia, Special Representative of the Secretary-General William Swing, announced in November that MONUC troops would concentrate in a few key sectors where the risk of violence to civilians was greatest. This shows an important lesson has been learned: peacekeepers cannot be stretched too thinly, their greatest impact is when they have a critical mass of force that will dominate any local armed group. This has already paid off. On December 2, MONUC soldiers freed three prisoners and 34 other women who had been kept as sex slaves by militias in Ituri. In a well-coordinated action based on sound intelligence, troops raided several villages 60 kilometers north of Bunia. Peacekeepers also confiscated a large amount of munitions, weapons and landmines.[103] MONUC arrested four militia commanders and detained them at MONUC Headquarters in Bunia; MONUC destroyed six militia camps. Regular patrols will continue to reassure the population.

This type of effective peacekeeping has enabled people to return home, start farming their fields, children can attend school and small businesses can operate again. Many challenges remain in the DRC and Ituri. The biggest is how to get many more peacekeepers quickly deployed to wider areas so that the momentum for peace can break the spiral of violence. As in Liberia, a huge impediment to protection is the glacially slow deployment of troops and international police.

Recommendations

The United Nations, its member states, the militaries - especially of the Security Council's Permanent Five and the other developed nations, and non-governmental human rights and humanitarian organizations need to continue to change how they work when it comes to protecting IDPs. Some recommendations that emerge from this study include:

- The Security Council must insure that the resources it provides to peace operations match the expanding mandates the Council gives to peacekeeping forces.

- The UN must stop sending mixed messages about what it expects peacekeepers to do. There is a growing disconnect between the more robust mandates given to peacekeepers to protect civilians and the guidance provided by the UN to these same peacekeepers which is often overly cautious. For example, the recently published *UN Handbook on Multidimensional Peacekeeping Operations* grudgingly notes in its chapter on the military that: "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." [104]

- Militaries from the world's richest states, especially the permanent members of the Security Council, must provide troops for peace operations anywhere in the world, above all in Africa. The UN cannot allow a two-tier system to develop where soldiers from the world's poorer countries serve in Africa, while in Europe or the Middle East "first" world armies are deployed. Peace operations should reflect UN membership, and every operation should have some troops from the Permanent Five of the Security Council.

- States contributing troops to peace operations must furnish specialized soldiers, highly skilled and trained in areas like mine removal, logistics and engineering. Enhanced mobility and the ability to concentrate troops in areas of greatest risks to civilians and IDPs must be a priority.

- UN member states must accelerate troop deployment to peace operations and the UN must simplify its procedures (procurement, logistics, financial and personnel) to allow troops to arrive much sooner in the peacekeeping theatre. The slow arrival of UN peacekeepers in Liberia and the DRC, for example, has heightened the dangers for IDPs.

- Most militaries in the world need to improve and expand the training they give to soldiers on how to protect and assist civilians. Induction training for peacekeepers in theatre must be vastly improved and include IDP issues. While the US and French-sponsored training of African peacekeepers is an excellent model, more countries need to include IDP training in their own national staff colleges taught by their own national officers.

- Training should be realistic, based on exercises, case studies and require quick decision-making. It should not be abstract, theoretical or a mere recitation of broad legal principles. The OCHA training program on IDPs given to MONUC military and MILOBS could serve as a model for other peace operations.

- Militaries must punish soldiers who violate humanitarian and human rights law while serving in a peace operation. The UN must have some oversight capacity to insure that the national military justice systems act appropriately in any case where a soldier has committed a violation either of commission or omission.

- UN CIVPOL has an important role in protecting IDPs. CIVPOL training should prepare them to handle the special law and order challenges that arise in and around IDP and refugee camps, in identifying criminal networks and organized crime and in disarmament initiatives.

- UN peacekeepers and humanitarian agencies need to improve how they communicate with each other. Each has information useful to the other, yet barriers and mistrust persist. Humanitarian and human rights officers must continue to explore ways to collaborate with military peacekeepers. Responding to modern complex emergencies is inherently complex, thus putting a premium on rapid and clear communication between peacekeepers and their civilian partners.

- Mutual stereotypes are harmful and need to be discarded. Keeping their respective independence and freedom of action while creatively forging new ways of working together, military and humanitarian/human rights officers must improve their ability to serve and protect IDPs and all civilians in modern conflicts. More joint training, exercises and "after-action" assessments and "lessons learned" exercises would help improve mutual understanding and generate trust. For example, the military should never wear civilian clothes while providing humanitarian assistance.

- The UN Inter-Agency Standing Committee should extend a standing invitation to a representative of the UN's Department of Peacekeeping Operations (DPKO) to help integrate the protection role of peacekeepers into humanitarian discussions.

- Sexual violence is one of the biggest dangers facing IDPs; UN peacekeepers must improve their capacity to prevent attacks and tighten collaboration with CIVPOL and local law enforcement agencies to insure that perpetrators are arrested and tried. UN and international humanitarian agencies must strengthen their counseling services and include job training and education for the victims of sexual violence, who often face isolation, scorn and few prospects to rebuild their lives.

ENDNOTES

[1] UN Doc. E/CN.4/1998/53/Add.2. The Guiding Principles resulted from several years of consultations among legal experts, representatives of international organizations, regional bodies and non-governmental organizations, sponsored by the Representative of the Secretary-General on Internally Displaced Persons and the Brookings Institution Project on Internal Displacement.

[2] Principles, Introduction, #3(c) and (d).

[3] The *Manual on Field Practice in Internal Displacement* is available at *http//: www.reliefweb.int/ocha_ol/pub/IDP*

[4] OCHA Inter-Agency Standing Committee, Policy Paper Series, No. 2, "Protection of Internally Displaced Persons" (2000), p. 4, quoting from a background paper prepared for the Third Workshop on Protection, ICRC (7 January 1999).

[5] See *Manual on Field Practice*, p. 74.

[6] UN members include UNHCR, UNICEF, FAO, WFP, UNDP, WHO, OHCHR and the RSG on IDPs.

[7] Some of the early Security Council Resolutions on Bosnia provided for UNPROFOR to secure the Sarajevo airport, to establish "safe areas" and to assist in the safe delivery of relief supplies, but the authorization to intervene to physically protect civilians at risk was absent.

[8] UN Doc. S/RES/940 (31 July 1994).

[9] The Secretary-General commissioned two independent studies of the UN's failures in Bosnia and Rwanda. Both clearly demonstrate the failings of the UN Secretariat, the Security Council and the member states to provide a robust mandate and adequate resources. See Report of the Secretary-General pursuant to General Assembly Resolution 53/35: The Fall of Srebrenica, UN Doc. A/54/549 (15 November 1999) and Report of the Independent Inquiry into the Actions of the United Nations during the 1994 Genocide in Rwanda, attached to UN Doc. S/1999/1257 (16 December 1999).

[10] UN Doc. S/RES/1296 (19 April 2000), para. 9 (emphasis in the original).

[11] UN Doc. S/RES/1264 (15 September 1999).

[12] See Ian Martin, *Self-Determination in East Timor* (Lynne Rienner 2001), pp. 128-131.

[13] UN Doc. S/RES/836 (3 June 1993), para. 5.

[14] *Id*. at para. 9.

[15] It was not until June 8, when the worst of the genocide was over, that the Security Council expanded UNAMIR's mandate to authorize Dallaire to "take action in self-defense against persons or groups who threaten protected sites or persons." UN Doc. S/RES 925 (8 June 1994), para. 5. Again there is the echo of Bosnia in requiring any action to be based on "self-defense." Dallaire had already creatively interpreted this limitation to extend protection to civilians. At least this Resolution specifically cites the dire situation and protection needs of 1.5 million IDPs. *See* para.4(a).

[16] For comprehensive accounts of the Rwandese genocide and the Security Council's and UN Department of Peacekeeping Operation's abysmal failure to take steps that would have saved thousands of lives, see Alison des Forges, *Leave None to the Tell the Story: The Genocide in Rwanda* (Human Rights Watch 1998), Samantha Power, *A Problem from Hell: America and the Age of Genocide* (Basic Books 2002) and General Dallaire's recent account of his experience, *Shake Hands with the Devil: The Failure of Humanity in Rwanda* (Vintage Canada 2003). For an analysis of UNAMIR's failure to protect IDPs at the Kibeho camp a year later in April 1995, see Larry Minear and Randolph Kent, "Rwanda's Internally Displaced: A Conundrum within a Conundrum," in Roberta Cohen and Francis M. Deng, editors, *The Forsaken People* (Brookings Institution Press 1998), pp. 57-95. The death toll remains unknown and is probably unknowable.

[17] Human rights organizations traditionally shied away from calling for military action, largely due to a reflex developed during the Cold War when military interventions by the superpowers had little to do with protecting human rights and often supported "friendly dictators" who would be a secure ally against the superpower foe.

[18] Doctors Without Borders or "MSF" represents the schizophrenia some humanitarian agencies have exhibited on this question. While sometimes calling for military intervention, quite rightly in the case of Sierra Leone in 1998, MSF also has raised the dangers of overly relying on the military where they claim "the real danger for humanitarian workers lies in blurred political objectives, in operations without real aim, in which protection of aid workers - who never asked for it - becomes a substitute for thinking clearly about what is to be achieved by armed intervention." Jean-Christophe Rufin, "The Paradoxes of Armed Protection," in *Life, Death and Aid,* Medecins Sans Frontieres Report on World Crisis Intervention (1993).

[19] Adam Roberts, "Humanitarian Issues and Agencies as Triggers for Military Action," *International Review of the Red Cross* (30-9-2000).

[20] "*Report of the Panel on United Nations Peace Operations*," UN Doc. A/55/305-S/2000/809 (21 Aug. 2000), p. ix.

[21] Royal Dutch Army, *Peace Operations* (Army Doctrine Publication III) (June 1999), p. 100. The new *UN Handbook for Multidimensional Peacekeeping Operations* (December 2003) includes a similar definition of impartiality: "Impartiality and even-handedness should always guide the actions of a military component of a UN peacekeeping operation. Impartiality is understood as an objective and consistent execution of the mandate, regardless of provocation or challenge. Impartiality does not mean inaction or overlooking violations. UN peacekeepers should be impartial in their dealings with the parties to the conflict, but not neutral in the execution of their mandate, i.e., they must actively pursue the implementation of their mandate even if doing so goes against the interests of one or more of the parties." *Handbook*, p. 56.

[22] Royal Dutch Army, *Peace Operations*, p. 110.

[23] *Id.* at p. 111.

[24] *Id*. at pp. 111-112.

[25] US Marines heading to Iraq are told not to wear sunglasses when speaking with Iraqis as a sign of respect. They will also organize their units based on Iraqi administrative districts; several soldiers have been selected for intensive Arabic language training. Michael Gordon, "Leathernecks Plan to Use A Velvet Glove in Iraq," *The New York Times*, 12 December 2003.

[26] *Id*. at p. 307.

[27] Lucian K. Truscott IV, "A Million Miles from the Green Zone to the Front Lines," *The New York Times*, Dec. 7, 2003. While the US occupation of Iraq is not technically a peacekeeping mission, the soldiers there face many of the same challenges posed in a peace operation.

[28] *Small Wars Manual*, United States Marine Corps (1940) (reprinted by Sunflower University Press: Manhattan, Kansas). The introduction notes that beginning in 1898 the Marine Corps engaged in the "pacification of less developed peoples" in the Philippines, Cuba, Honduras, Mexico, Haiti, China, Nicaragua and the Dominican Republic, among others.

[29] The Bush Administration, led by Secretary of Defense Donald Rumsfeld, an implacable opponent of using US troops in peace operations, nearly succeeded in shutting the principal home for analyzing and developing peacekeeping doctrine in the military, the U.S. Army's Peacekeeping Institute at the U.S. Army War College in Carlisle, Pennsylvania. After an outcry in the summer of 2003 from some key members of Congress, who pointed out that given the poor performance of the US military in post-war Iraq and on-going difficulties in Afghanistan, this was not the wisest decision. Rumsfeld backed down and the Institute continued.

[30] A similar evolution occurred in Afghanistan, where initially the Bush Administration focused entirely on military action, not understanding that dealing with economic, social and political issues are prerequisites to any "victory" in modern conflicts. The UN's Special Representative Lakdhar Brahimi noted the change: "The ideological opposition to any participation in what is called nation building has disappeared…The dismissive attitude that the most powerful member of the U.N. had to peace building has gone. If Afghanistan has done that, that is a very big plus." Carlotta Gall, "More G.I.'s Go to Insecure Afghan Areas to Permit Aid Work," *The New York Times*, 22 December 2003.

[31] U.S. Army, *Field Manual on Stability Operations and Support Operations***,** FM 3-07 (FM 100-20) (U.S. Army Headquarters, Washington, D.C. 20 February 2003).

[32] FM 3-07.31 (October 2003). TTPs, as the fount of military doctrine, occupy a crucial place in military thinking and operations. **"**Doctrine is much more than guidance. Doctrine enables the national security strategy by providing the bridge between the objective and the action. It informs the senior political leaders about the strengths, capabilities, and proper employment of military forces as well as their limitations. It is the foundation for the Army and Joint organizational life cycles. It provides the concepts and framework to guide the senior military leaders in determining the size and composition of the force, the direction of research and development, the acquisition and subsequent distribution of personnel and material, the education and training requirements, and the deployment, development, and sustainment of that force. Doctrine is central to a well functioning military." William Flavin, US Army War College, 8 January 2004. TTPs are also the means by which doctrine is applied at the tactical level. As such they have considerable impact on training, equipping, staffing, and financing the forces.

[33] *Id*. at p. 11.

[34] NATO has similar TTPs, as do the UK, Norway and Sweden.

[35] Telephone interview with senior U.S. Army officer, Central Command, Tampa, Florida, 25 November 2003.

[36] Telephone interview with humanitarian official, 23 October 2003.

[37] *Id*.

[38] Telephone interview with military trainer, 27 October 2003.

[39] Telephone interview with William Flavin, Professor, Multinational Dimensions of Stability Operations, U.S. Army War College, Carlisle, Pennsylvania, 5 December 2003.

[40] The following summary draws on a very helpful description of the British approach to preparing its forces for IDP issues sent in a letter from Major Dennis Westaway of the British Army's Civil Affairs Group, 4 November 2003.

[41] The author of this study worked closely with the UK's CIMIC office in Pristina, Kosovo when he was Senior Advisor on Human Rights in the UN Mission there. The CIMIC did impressive work.

[42] Telephone interview with Lt. Col. Nick Anthony, who served in Bosnia, Sierra Leone and Iraq, 27 October 2003.

[43] See Timothy Weaver, "Liberia: Deadly Dreams of Power," Crosslines Global Report (September 1993), pp.7-8; Africa Watch, "Waging the War to Keep the Peace: The ECOMOG Intervention and Human Rights," New York, June 1993, p.8; and Colin Scott, "Humanitarian Action and Security in Liberia, 1989-1994," Thomas J. Watson, Jr. Institute for International Studies Occasional Paper 20 (Brown University, 1995), p.10.

[44] "*Note for Implementing and Operational Partners on Sexual Violence and Exploitation*" (26 February 2002), p. 5, available at *www.reliefweb.int/w/rwb.nsf*

[45] Telephone interview with Barbara Hughes, US Department of State, 25 November 2003.

[46] Telephone interview with James Spear, US Department of State, 25 November 2003.

[47] OCHA/IDP Unit Training Module 3 (on file with the author).

[48] OCHA/IDP Unit, "Short Presentation on Contingency Planning" (on file with the author).

[49] Simon Bagshaw and Diane Paul, *The Protection Survey* (IDP Unit of OCHA and Brookings Institution/SAIS Project on Internal Displacement, October 2003), p. 25.

[50] The definition of "protection" emerged from a series of workshops convened by the ICRC in the late 1990s.

[51] OCHA/IDP Unit, "*Module V: Protection*" (on file with the author).

[52] See the ICRC's excellent web-site *www.icrc.org*, and especially the files on "teaching file for instructors - laws of armed conflict."

[53] C. de Rover, *To Serve and To Protect* (ICRC: Geneva 1998).

[54] *Id.* at p. 347.

[55] *Id.* at p. 351.

[56] *Id.* at p. 356.

[57] For a more comprehensive analysis of the situation in Kosovo following the NATO bombing, see the author's *Kosovo: An Unfinished Peace* (Lynne Rienner: Boulder, CO and London 2002).

[58] Annika S. Hansen, "From Congo to Kosovo: Civilian Police in Peace Operations," The International Institute for Strategic Studies, Adelphi Paper # 343 (May 2002), p.68.

[59] Daniel Williams, "Albanians Blamed for Kosovo Unrest," *The Washington Post*, March 21, 2004.

[60] Emily Wax, "Crisis Deepens for Displaced Liberians," *The Washington Post*, September 3, 2003.

[61] The Voice of America (VOA) maintained a major transmission and relay station near Monrovia, one of the many ways Liberia assisted the US throughout the Cold War.

[62] "UN Envoy Calls for Urgent Intervention in Liberia," UN Newswire, July 25, 2003.

[63] Colum Lynch, "Rights Activists Worried by African Peacekeepers," *The Washington Post*, August 5, 2003.

[64] Karl Vick, "West African Force is Set for Liberia," *The Washington Post*, August 1, 2003.

[65] Interview with international aid worker, New York, 9 October 2003.

[66] Telephone interview with humanitarian official, 30 October 2003.

[67] OCHA Situation Report #42, 12 September 2003.

[68] Telephone interview with humanitarian official, 4 December 2003.

[69] *IDP News Alert*, Brookings-SAIS Project on Internal Displacement, 10 September 2003.

[70] BBC News, "Diary of a Liberian aid worker" (19 August 2003), available at *www.bbc.co.uk/2/hi/africa/3156249.stm*

[71] Telephone interview with UN official, 20 October 2003.

[72] Norwegian Refugee Council, "Liberia: IDPs forced to exodus - Is it for a promised land?" (13 September 2003), available at *www.reliefweb.int/w/rwb.nsf*

[73] Human Rights Watch, "Liberia: Greater Protection Required for Civilians Still at Risk" (9 September 2003), p. 3.

[74] Somini Sengupta, "All Sides in Liberian Conflict Make Women Spoils of War," *The New York Times*, 20 November 2003.
[75] UN Doc. S/RES/1509 (19 September 2003), para. 3(l).

[76] Telephone interview with humanitarian aid worker, 30 October 2003.

[77] UNMIL, "UNMIL Force Commander and Defense Minister meet with combatants in River Cess and Buchanan," 13 November 2003, available at *www.reliefweb.int/w/rwb.nsf*

[78] Telephone interview with humanitarian official, 4 December 2003.

[79] Oxfam, "Liberia: Interviews with displaced women," 11 November 2002, available at *www.reliefweb.int/w/rwb.nsf*

[80] UNHCR, "IDP relocation on standby after security incidents in Liberia," 9 December 2003, available at *www.reliefweb.int/w/rwb/nsf*

[81] UNCHR, "UNHCR relocates IDPs in another Liberian county, trains community patrols," available at *www.reliefweb.int/rwb.nsf*, 5 December 2003.

[82] Warren Olney, "*To the Point*", NPR broadcast, December 8, 2003, interview with Mark Kroger, CIVPOL commander in Liberia.

[83] See Refugees International, "Liberia: Shaky steps towards peace must be supported by the international community," Dec. 11, 2003. This report notes that reports of rapes, looting, beatings and killings from people fleeing the countryside are commonplace. RI also reported that several IDP camps are "militarized" and contain large weapons stocks. This is something UNMIL, UNCHR and others should address immediately.

[84] Katharine Hodgson, "A War on Women," *The Guardian*, 25 November 2003.

[85] UN News Service, 4 November 2003.

[86] See Eric Berman, "A Multinational Force for the Congo," African Security Review, V. 12, No. 3 (2003).

[87] Letter from Col. Tim Watts, UK, 27 January 2004. Opinions expressed by Col. Watts are his own and do not necessarily reflect those of the United Kingdom's armed forces.

[88] E-mail correspondence with Michel Kassa, senior UN humanitarian official in the DRC, 14 November 2003.

[89] E-mail correspondence with Laurent Guepin, MONUC humanitarian officer stationed in Bunia, DRC, 3 November 2003.

[90] MILOBs also demonstrated bravery and resourcefulness in other parts of the DRC in this period. In Kindu, MILOBs patrolled as often as possible to discourage attacks by Mai-Mai militias, while in Kisangani, they also went out regularly in the town to deter looting and fighting, even though they had only their uniforms and no arms to protect themselves. Telephone interview with humanitarian official, 4 November 2003.

[91] UN Doc. S/RES/1484 (30 May 2002), at para. 1.

[92] Telephone interview with Lt. Col. Johnny Rollins, 4 December 2003.

[93] Refugees International, *Bulletin*, August 25, 2003.

[94] The International Criminal Tribunal for Rwanda recently convicted two of the owners and a journalist working for Radio Milles Collines on charges of genocide and crimes against humanity. Another journalist who worked for the station pled guilty to similar charges. See Sharon LaFraniere, "Court Convicts 3 in 1994 Genocide Across Rwanda," *The New York Times*, 4 December 2003.

[95] Although US troops did not come ashore in Liberia in the summer of 2003, except for a small reconnaissance team, on at least one occasion, in response to a request from humanitarian officials in Monrovia, the US sent several attack helicopters from its aircraft carrier to fly over a few sections of Monrovia to intimidate the fighters. It worked. Telephone interview with Humanitarian Officer, 20 October 2003.

[96] E-mail correspondence from OCHA officer, 19 October 2003.

[97] UN Doc. S/RES/1493 (28 July 2003), para. 26.

[98] *Id*. at para. 27.

[99] "Opération Coup de Poing de la MONUC en Ituri," *Le Monde*, 10 November 2003.

[100] "En Ituri, les Français passent le relais," *Libération*, 2 September 2003.

[101] E-mail correspondence with Laurent Guepin, OCHA officer, Bunia, DRC, 3 November 2003.

[102] E-mail correspondence from OCHA official, 27 January 2004.

[103] OCHA Integrated Regional Information Network, "La MONUC libère des esclaves sexuelles et des prisonniers civils," 4 December 2003, available at *www.reliefweb.int/w/rwb/nsf*

[104] *UN Handbook on Multidimensional Peacekeeping Operations*, p.64.