The Peacebuilding Dimension of Civil-Military Relations in Complex Emergencies

A Briefing Paper

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Foreword

Executive Summary

While appreciating that peacebuilding is neither a core competency of the military nor of humanitarian agencies, this paper contends that both actors have an impact on the dynamics of conflict in the areas where they operate and that in certain cases, enhancing co-operation between these actors has positive implications for peacebuilding efforts. Section 2 looks at how the changing nature of conflict and the increasing international willingness to intervene has increased the interface between civil and military actors in 'complex emergencies' in turn calling for greater levels of coherence between different actors and policy instruments. While military and humanitarian actors increasingly accept the necessity of having to work more closely together in these situations, they maintain a cautious approach to their co-operation due to a wider set of issues relating to clashes of principle and differing mandates.

Concepts such as international peace operations, humanitarian principles (neutrality, independence and impartiality), civil-military relations and peacebuilding are crucial to debates about the relationship between civil and military actors in complex emergencies and are explained in detail in Section 3. Section 4 proceeds to look at military, humanitarian and peacebuilding perspectives of the issue. It is argued that while military and humanitarian actors should not be detracted from their principal concerns, each actor is only dealing with the symptoms of complex emergencies whose cause is more often than not violent conflict. Furthermore, both groups of actors should be familiar with each others roles and in understanding one another identify areas where co-operation is possible and where it is not. As such, both actors have an interest in and can have a potential impact on addressing the more underlying causes of violence which in turn will

help them achieve their stated goals. Section 5 explores issues of concern regarding points of contact between the two actors, which must be recognised when looking at peacebuilding aspects of the civil-military relationship. These include impartiality, direct and gender-aware humanitarian aid provision by the military, the use of armed escorts, protection of civilians, human security concerns, demilitarisation, demobilisation and reintegration (DDR), engagement with representatives of local populations and information sharing. A peacebuilding perspective of these issues is provided which adds a new angle to existing debates.

Finally, section 6 offers conclusions and recommendations on the peacebuilding dimension of civil-military relations in complex emergencies with regard to the use of force as a key variable, neutrality and impartiality concerns, post conflict reconstruction, the integration of gender-aware conflict analysis and peacebuilding methodologies, protection and support of local peacebuilding initiatives and accountability.

1. Introduction

Over the last decade, the international community has intervened in internal conflicts on an unprecedented scale. It is not yet clear what impact the reconfiguration of geo-political interests resulting from the terrorist attacks of September 11th, 2001 will have on this trend. However, a reality of the interventions that have occurred in the last few years, in amongst other places Kosovo, East Timor and Sierra Leone, has been the need for military and humanitarian actors to work together far more closely than in the past. What has been termed 'civil military relations' or (as a military doctrine) 'Civil-Military Co-operation' (CIMIC) has consequently become a key policy and operational issue for all concerned. While recognising the need to find ways of co-ordinating their activities, military and humanitarian actors generally also respect the need to maintain a healthy distance so as not to undermine the achievement of their respective mandates.

'Complementarity' is now seen as a more accurate description of the relationship, than 'co-operation' which presupposes a desire to integrate approaches to achieve a common goal. There is in fact emerging broad agreement between military and humanitarian actors of each other's appropriate roles and responsibilities in complex emergencies. This agreement has been articulated in a number of aid agency policy papers and guidelines, as well as in evolving (UK and other) military doctrine. A number of forums for dialogue and joint training also exist for military and humanitarian actors to better understand how their spheres of influence overlap and discuss ways in which they can interact more effectively. [1]

This policy briefing contributes to the debate on civil-military relations in complex emergencies by offering a peacebuilding perspective of the issue which has, until now, been lacking. While appreciating that peacebuilding is neither a core competency of the military nor of humanitarian agencies, it is contended that both actors have an impact on the dynamics of conflict in the areas where they operate, and that enhancing the interface between these actors can have positive implications for peacebuilding efforts. The aim of this briefing is to explore the peacebuilding aspects of civil-military relations in complex emergencies (looking exclusively at international military forces) and to contribute to further discussion and policy formulation in this area by providing some outline recommendations pertaining to both actors.

The paper first provides a background to the current debate on civil-military relations (Section 2) and some of the key concepts and definitions involved (Section 3) and then proceeds to set out a case for addressing the peacebuilding dimension of the issue (Section 4). It then (Section 5) provides a peacebuilding perspective of the range of issues that have featured in the debate, before making specific conclusions and recommendations (Section 6).

2. The Current Debate on Civil Military Relations in Complex Emergencies

A number of factors have brought military and humanitarian actors more closely into contact in recent years. While the end of the Cold War brought to a close many proxy wars and the propping up of warring parties for strategic interests, the number of conflicts actually increased and changed in nature with most wars nowadays occurring within states instead of between them. However, with the receding of the bipolar struggle that characterised the Cold War, the international community has been increasingly willing to intervene in such conflicts to avert humanitarian crisis and/or to help resolve seemingly intractable wars. International armed forces involved in such interventions have consequently had to shift how they conduct their military missions in conflict situations to encompass a wide range of tasks that fall under the rubric of 'peace operations'. For their part, humanitarian agencies have found themselves being challenged to work in ever more hostile environments. Indeed, the bulk of humanitarian assistance now goes to conflict countries: In 2001, $1.85bn went to conflict-related emergencies in 21 countries as opposed to only $311m to natural disasters in 49 countries.[2]

These 'complex emergencies' have called for greater levels of coherence between different actors and policy instruments, including military and humanitarian. Strategic frameworks have been used to bring under one umbrella a joint strategy of external actors in Afghanistan, East Timor and Kosovo. In fact, ever since the early 1990s the UN has stressed the need for an 'integrated approach' to crisis management that would no longer separate humanitarian concerns from those of peace and security. In 2000, the Brahimi Report on UN Peace Operations (see box 1 below) went further by seeking to bring together the UN's military, political and humanitarian assistance under a unified leadership.

Box 1: The Brahimi Report

In 2000, the UN Panel of Experts on UN Peace Operations, headed by the former Algerian foreign minister and current UN Special Representative in Afghanistan, Lakhdar Brahimi, issued its report that recommended sweeping changes to UN peacekeeping following past failings. In addition to specific proposals related to UN peacekeeping missions, the Brahimi Report also called for all the UN's relevant tools and instruments - political, military and humanitarian - to come under a unified leadership in order to implement stated Security Council resolutions evoked under the UN Charter to ensure the maintenance of international peace and security. The Report received criticism from non-governmental humanitarian organisations because of its conspicuous lack of attention to humanitarian issues. In particular, it was argued that it cannot be assumed that peacekeeping missions take place in a vacuum. - The political realities can undermine the principles upon which humanitarian action is based, which in itself is not a tool for peace. Any move in this direction undermines aid agencies ability to achieve access to victims. While the UN may be viewed as a collective system working towards the same aim, NGOs have been keen to distance themselves from these political mechanisms. In reality, when a UN Special Representative is present in a complex emergency then he/she is responsible for co-ordinating the UN's response. In other instances, it is the UN's Humanitarian Co-ordinator who ensures that the humanitarian nature of aid agencies is kept in tack.[3]

Although best practice is evolving in many areas of these multi-dimensional interventions, there have also been points of friction. Aid agencies have raised specific concerns about the perceived 'politicisation of aid' that has undermined the humanitarian principles upon which their work is based. They often see themselves as proxies for disinterested Western powers who are not prepared to act in less strategic parts of the world. Being forced to work more closely with the military is yet another way in which their principal aim of relieving human suffering is being distorted by political motivations. The broadening of peace operation mandates to include humanitarian concerns has caused further consternation in some humanitarian circles. NATO's campaign in Kosovo in 1999 (see box 5) characterised as a 'humanitarian war' was perhaps the high water mark of these concerns.

In short, then, although military and humanitarian actors increasingly accept the necessity of having to work more closely together in certain situations, they maintain a cautious approach to their co-operation due to a wider set of issues. Because the military's chain of accountability is to relatively powerful political masters (as compared to aid agencies whose accountability is to a more diffused set of stakeholders), humanitarian actors often appear weaker and sometimes act more defensively in the configuration of civil-military relations. [4]

3. Key Concepts and Definitions

Before going on to discuss the peacebuilding dimension of civil-military relations in complex emergencies, it is necessary to outline what is meant by some of the key concepts and definitions used and to introduce peacebuilding as another relevant term.

3.1 International Military Operations

Peace (or peace support) operations is the generic term used to describe the deployment of external military personnel in a region of conflict to promote the maintenance of order and security. A range of missions come under peace operations which vary according to the mandate, and in turn the 'rules of engagement', they are given.[5] At one end of the spectrum is military training that is concerned with building the capacity and improving the democratic accountability of recipient forces. In the middle is traditional peacekeeping (evoked under Chapter VI of the UN Charter) which involves the monitoring of cease-fires on a consensual basis (where monitors are often unarmed or if armed restricted to work within the terms of reference of a specific mandate where the use of force can only be permitted in self defence), and peace enforcement (evoked under Chapter VII of the UN Charter) which involves ensuring respect for a peace agreement. At the far end of the spectrum are combat operations where the intervening force becomes a party to the conflict to enforce a military outcome.

Strictly speaking, only peacekeeping and peace enforcement missions can be considered 'peace' operations. However, this paper includes consideration of peacekeeping, peace enforcement and combat operations, since these are pertinent to the peacebuilding dimension of the issue. The terms 'military forces' or 'military actors' will be used when referring to all of these. However, it is important not to confuse these different kinds of

military missions as they have different implications for civil-military relations in complex emergencies and the peacebuilding dimension hereof. When looking at military and humanitarian interaction, three broad types of scenarios where interaction may take place can be identified:

1. Combat operations
2. Peace enforcement and peacekeeping operations
3. Military assistance to humanitarian crisis[6]

The scope and type of civil-military interaction will vary according to these, and each scenario has different implications for humanitarian impartiality and neutrality concerns. The principal focus of this briefing is international peacekeeping forces (UN, NATO and EU) as well as other ad hoc external military actors such as US and coalition forces in Afghanistan. This paper does not look at national security forces or private security companies with which aid agencies also interact.[7] It is also not concerned with military involvement in situations of pure natural disasters.

3.2   Humanitarian Assistance

The purpose of humanitarian assistance is the alleviation of human need and suffering and (particularly in the case of the International Committee of the Red Cross) protection of civilians in times of crisis and armed conflict. It is guided by humanitarian principles drawn from international humanitarian law, principally 'impartiality' - that assistance should be provided on the basis of need alone and not political, social, religious or ethnic association. Humanitarian assistance should also be 'neutral' by not taking sides in hostilities or engaging in political, racial, religious or ideological controversies. It should furthermore be 'independent' from political objectives and actors. Aid agencies may have a direct humanitarian mandate (e.g. Médecins sans Frontières) or conduct such activities along-side other development objectives (e.g. Oxfam). There are no restrictions on what kind of organisation can provide humanitarian assistance; this may include not only NGOs but also companies, the military and governments, although in the case of the military the duties it can perform are circumscribed under international humanitarian law.[8] The focus of this briefing is organisations (UN and NGO) providing emergency relief, rehabilitation and recovery assistance in conflict situations, as opposed to more traditional forms of development assistance. The term 'aid agencies' is used to refer to such organisations. It should be appreciated, however, that the implications of civil-military relations are different for UN and non-governmental humanitarian organisations.

3.3   Civil-Military Relations

The term 'Civil-military relations' is generally taken to include a wide range of issues ranging from command and control (the issue of civilian/political control of the military instrument) to all forms of interaction between the military and wider society. However, for the purposes of this paper, a more narrow issue is examined: The interaction between civilian humanitarian actors and international armed forces during complex emergencies.

The military abbreviation CIMIC has in the past been used as shorthand for civil military relations in complex emergencies. The term stands for 'civil-military co-operation' and is interpreted in a number of ways in the doctrines of national armed forces. Broadly

speaking, it refers to any interface between the military and civilian actors to achieve military objectives. As such, it is broader than the precise interface between military and humanitarian actors.[9] Furthermore, it suggests humanitarian action is subordinate to the military and has as a result been resisted by humanitarian actors. NATO (and its member states) still uses CIMIC in its doctrine to refer to co-ordination with civil populations and international civil actors. The UN, however, uses a narrower definition and has recently introduced the abbreviation CM CoorD as a suitable replacement for CIMIC to refer merely to interaction between military and humanitarian actors. The aim here is not to comment on the different interpretations of the concept, but to stress the importance of considering military and humanitarian actors' interface with local populations and civil society groups as this has important implications for the peacebuilding dimension of the debate.

3.4 Peacebuilding

Peacebuilding is a new and not often cited term in the debate about civil military relations. It is often used quite broadly to include any activity designed to prevent and help resolve violent conflict. In comparison to other terms - conflict prevention, peace-making and peacekeeping - it is, however, more directly concerned with fostering a context in which violent conflict is less likely to occur, as opposed to dealing with specific issues or actors as implied by other terms. In this sense, peacebuilding is a process rather than a precise activity. For International Alert, peacebuilding is:

"The employment of measures which consolidate peaceful relations and societal institutions in order to contribute to the creation of an environment which deters the emergence or the escalation of tensions which may lead to violent conflicts."[10]

It is traditionally thought that the building of peace is a political activity conducted by state actors through diplomacy and negotiation. The responsibility for helping to foster an environment in which peace can be built, however, requires a multiplicity of actions by an array of actors across society.[11] Peacebuilding encompasses processes ranging from micro-level changes in the opinions and behaviour of conflicting communities to macro-level institutional changes that address the structural causes of conflict. It is therefore important to help break down enmities and build trust across a number of levels in societies. It is important to appreciate the gendered impact of conflict in that men and women are affected by conflict in different ways and contribute differently to building peace at different levels within their communities. The needs and priorities of each must be taken into consideration in peacebuilding efforts.

4. Civil-Military Relations: A Peacebuilding Issue?

Having introduced the concept of peacebuilding, it is now possible to assess its relevance to the debate on civil-military relations. As noted above, military forces are strictly speaking concerned with fighting wars or maintaining security and order, and humanitarian assistance with relieving human suffering. In this way, however, each actor is only dealing with the symptoms of complex emergencies whose cause is more often than not violent conflict.[12] While military and humanitarian actors should not be detracted from their

principal concerns, they each have an interest in and can have a potential impact on addressing the more underlying causes of violence which in turn will help them achieve their stated goals. As discussed in section 2, this is in the spirit of a multidimensional response to conflict in which different actors and policy instruments are co-ordinated.

This section tests the assertion that peacebuilding is a concern of military and humanitarian actors, and in turn their relationship with each other. Whilst entitled military and humanitarian perspectives, it should be appreciated that neither institution is homogenous and that a wide range of views exist within each. A more generalised view is presented here.

4.1   The Military Perspective

If an outside force acts more as a belligerent in a combat role to impose a solution, as in the case of NATO in Kosovo in 1999, it is clearly not conducive to fostering a non-violent solution to a conflict. On the other hand, more traditional peacekeeping forces based on the consent of warring parties and the need to act impartially with a defensive use of force do contribute to peacebuilding processes. Many of such missions now undertake civil and humanitarian activities in the belief that they must help create the conditions for disengaging on the assumption that their presence perpetuates an undesirable situation.[13] Although these activities are still ostensibly used to help achieve military objectives, they do have wider peacebuilding implications.

The mandates of international peace operations have consequently broadened in recent years to include a range of tasks that collectively can help bring about peace. The UN Security Council resolutions that have supported interventions in Kosovo, East Timor and Afghanistan, for instance, list a number of concerns beyond the maintenance of peace and security. For its part, the European Union envisages that the Rapid Reaction Force (to be created by 2003) of 60,000 military personnel will work in tandem with its Rapid Reaction Capability which will despatch judges, police and other civilian actors to help reconstruction efforts once military intervention ceases. UN (and in the future EU) missions of this sort have been referred to as 3rd generation or even peacebuilding operations, more akin to traditional peacekeeping plus reconstruction efforts.[14]

It is clear that there are areas where the CIMIC doctrine are of relevance to humanitarian actors. However, it is vital that humanitarian agencies understand the purpose of the CIMIC doctrine. It is often used as a tool to build links between the military and civilian populations in operational areas. Positive relations with a civilian population not only aid the military through the provision of intelligence information but also assist the military in improving force moral and enhances the military's effectiveness should they find themselves involved in combat situations. On the other hand, CIMIC can be harnessed by aid agencies in for instance the provision of aid and in improving the situation of local populations (e.g. using engineers to build bridges or improve sanitation). There are also situations where co-operation can be vital to humanitarian efforts either in exchanging information about the location of civilians or humanitarian personnel during fighting or in providing military escorts for humanitarian operations.

4.2 The Humanitarian Perspective

As mentioned above, humanitarian agencies are primarily concerned with the alleviation of human suffering and need. However, prompted by humanitarian agencies' increasing prominence in conflict situations, the issue of how aid impacts on conflict has in recent years been intensely debated. International Alert's research indicates that humanitarian aid can influence conflict dynamics in a negative or positive way, directly or indirectly.[15] Negative impacts on conflict include humanitarian assistance being manipulated and distorted by warring parties to support their war effort, and aid being delivered in such a way as to reinforce local tensions.[16] The provision of scarce resources in areas affected by conflict can therefore have unintended negative consequences for the dynamics of conflict. Further, even when based purely on human needs, humanitarian aid can be perceived by military forces as a partial act. The provision of food to a besieged town will be seen by the forces besieging the town as a military and not a humanitarian act. Therefore, it is vital when conducting such operations that this is understood - if only from the point of view of protecting the lives of humanitarian workers on the other side of military lines.

However, humanitarian assistance can also support the creation of an enabling environment for peacebuilding,[17] and aid agencies have begun to look at how they can minimise negative and maximise positive impacts of their actions on conflict and peace. Some agencies have progressed relatively far in terms of becoming more sensitive to conflict dynamics and building peacebuilding methodologies into their work, while others either see a risk of 'politicisation' in this or are unsure how to implement 'conflict sensitivity'. However, even more minimalist organisations that consider peacebuilding a distraction from (and, in some cases, even a threat to) their core responsibilities are having to grapple with the impact of conflict on their work in the field. Some form of 'peacebuilding' perspective is therefore becoming more apparent in the policies and (in some cases) practices of many humanitarian aid agencies.

4.3 The Peacebuilding Perspective

While in no way a core competency of either the military or humanitarian agencies, peacebuilding has, as a consequence of the above, become a peripheral concern for both actors. The practitioners, policymakers and military representatives interviewed as part of this briefing each supported such an assertion. Peacebuilding is explicitly recognised in some military doctrine and aid agency policy, although each actor interprets the concept in different ways. Generally speaking, military forces provide a secure environment for peacebuilding to occur whereas aid agencies help build stable relations amongst war-affected communities. A peacebuilding perspective of civil-military relations assumes that military and humanitarian actors each form one strand of activity towards achieving a wider goal, namely, the fostering of peace and stability. Where these actors operate in close proximity and where the actions of each will impact on the other, enhanced management of the relationship between them may in some cases contribute to peacebuilding. This point will be further clarified in the following sections.

5. Key Issues of a Peacebuilding Dimension to Military Relations

A number of key issues have come to the forefront in the current debate on civil-military relations in complex emergencies. These relate to the points of contact (physical and conceptual) between the two actors. This section provides a peacebuilding perspective of these issues, and in so doing offers an alternative viewpoint or refinement of existing arguments.

5.1   Impartiality

The principle of impartiality that ensures relief is provided on the basis of need alone is fundamental to humanitarian action. Any possible incursion of military actors into the humanitarian sphere is viewed as a threat to this principle which may jeopardise aid agencies' access to affected communities. From a peacebuilding perspective, it is in fact neutrality - not taking sides - that may be violated by military actors encroaching on humanitarian space, although it is impartiality in isolation that is usually quoted as being threatened. This is in fact closer to the military's interpretation of what is meant by impartiality.

> **Box 2: International Alert's definition of impartiality**
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> "By impartiality we mean not to take sides in conflicts. It is a commitment to serve all parties, discriminating against none. Although impartial in as far as we conduct our work among different conflict parties, we are not neutral in terms of the principles and values we adhere to which we must in appropriate ways work to advance at all times."[18]

A loss of neutrality not only presents security risks for aid agencies, but also leads to the perception that they are a party to the conflict. This can in turn endanger the populations they are seeking to help. In Somalia in 1993, for example, the use by aid agencies of armed militia and latterly UN peacekeepers for their protection made them a target of the warring factions and ultimately aggravated local tensions. There are similar examples of the interface between military and humanitarian actors having a negative impact on conflict from Kosovo and Afghanistan (see boxes 3 and 5).

When humanitarian access is denied, however, vulnerable communities continue to suffer and the use, or at least presence, of force may be necessary to protect civilians and ensure that relief is provided. While there are many cases in which too close a contact between military and humanitarian actors has compromised the neutrality and impartiality of humanitarian action, there are also cases where the use of force has enabled aid agencies to provide assistance in an impartial way.[19] In short, there is a (moral) trade off between the use of force and impartial humanitarian action. Further, as mentioned above, regardless of motivation, the provision of aid by humanitarian agencies will in some circumstances be seen as a partial act by forces on the ground. Of concern from a peacebuilding perspective is the impact of this dynamic on the local conflict. If humanitarian assistance does not reach local populations, for instance, this may exacerbate existing tensions and cause people to take up arms to protect their livelihoods. On the other hand, the use of force to provide humanitarian assistance may lead to an uneven distribution of aid if it only reaches those communities where a semblance of security has been achieved. This can similarly cause antagonism and

resentment amongst local communities. In these instances, military and humanitarian actors need to be more aware of how their interface impacts on local dynamics of conflict.

The issue of impartiality is extremely complex. While it may seem conceptually quite clear cut, in practice this is unlikely to be the case. The humanitarian community has tended to take a rigid standpoint on the issue, especially in headquarters and policymaking circles. A number of humanitarian organisations took issue with the Brahimi Report's understanding of the concept. While considering impartiality a 'bedrock principle' of the UN, the Report argued that:

"where one party to a peace agreement clearly and incontrovertibly is violating its terms, continued equal treatment of all parties...can in the best case result in ineffectiveness and in the worst may amount to complicity to evil."[20]

For many aid agencies, the military is by definition partial (or not neutral) because it serves particular political objectives. Yet, while military forces are inevitably political, they may not always be partial; it depends on the kind of military mission in question. Combat roles are of course partial by their very nature. However, as noted earlier, a key tenet of peacekeeping is in fact the need to act impartially. Similarly, while aid agencies in theory act independently, they receive much of their funding from governments and therefore do carry with them political overtones.

The aim here is not to side with a particular viewpoint on impartiality, but to highlight the complexity of the issue. Most of the practitioners interviewed for this briefing paper were quick to point out that, while impartiality might be a relatively simple concept, the realities on the ground are often very different. The principal concern from a peacebuilding perspective is when, for what ever reason, the impartiality and neutrality of peacekeeping forces and humanitarian actors becomes compromised. This clearly depends on a particular set of factors in a given situation. However, the key variable is the mandate of the military force and where it falls on the continuum outlined earlier on the use of force in military missions. When a peace operation is not neutral in a conflict this will have serious consequences for the neutrality and impartiality of humanitarian actors that are associated with it and for broader peacebuilding efforts.

As we shall see, impartiality is a recurrent theme for many of the issues discussed below. Indeed, what the following sections highlight is how impartiality is affected in the ways just described through the interface of military and humanitarian actors.

5.2 The Military Undertaking Humanitarian Activities

Aid agencies are principally responsible for undertaking humanitarian activities to help relieve human suffering. As noted earlier, though, this is not to say that other actors, including the military, cannot contribute to the humanitarian effort so long as they act in accordance with humanitarian principles. In January 2002, for example, the UK Government announced that it would consider bids from the International Security Assistance Force (ISAF) to undertake humanitarian work in Afghanistan, if it met certain criteria.[21] Peace operations are often confronted with a humanitarian imperative in the remote areas where they sometimes operate and where aid agencies cannot gain access.

In comparison to aid agencies, they can have the capacity to implement the large infrastructure projects that humanitarian operations sometimes require such as the building of roads and refugee camps.

Military and humanitarian actors agree that in complex emergencies, and where 'general circumstances' apply, the military should not undertake humanitarian activities. For 'exceptional circumstances' where the military may contribute to humanitarian efforts, guidelines have been drawn up. These include inter alia:

• When there is a desperate humanitarian need,
• As a last resort when there are no alternative options,
• Only if the military acts in accordance with civil direction.

Military involvement in humanitarian activities is circumscribed because of problems of impartiality. There have been concerns amongst humanitarians that the military's underlying motivation for carrying out certain humanitarian activities is to achieve their military objectives, rather than to address a specific humanitarian concern. While a number of tasks undertaken by the military may be seen as humanitarian, to a military commander they are 'hearts and minds' activities designed to create a specific military effect. The question is whether military and humanitarian outcomes can be reconciled?

Box 3: Afghanistan

Aid agencies have for a long time had to face the challenge of providing humanitarian assistance in Afghanistan. With the US-led intervention in the country following the terrorist attacks of September 11th, 2001 and the creation of the International Security Assistance Force (ISAF) there has been an added dimension of how to co-ordinate military and humanitarian responses in a situation of continued insecurity. Like NATO's intervention in Kosovo in 1999, the situation is complicated by the existence of belligerent forces - the US army and coalition forces - although non-combat forces are also present as part of ISAF.

NGOs operating in Afghanistan have expressed alarm about the confusion created in the minds of Afghans by US forces conducting seemingly humanitarian activities.[22] It was less than clear, for example, who the massive dropping of food parcels by the US airforce was meant for - war-affected communities or national alliance forces. These also resulted in a number of skirmishes between different warring factions attempting to claim the aid for themselves.[23]

There has also been strong criticism of US soldiers undertaking 'humanitarian' work on the streets of Kabul in civilian clothes. By wearing civilian clothing in unmarked cars, while at the same time carrying weapons, forces have been in breach of the Geneva Conventions. The NGO Forum in Kabul has expressed concern that humanitarian action may be seen as a front for intelligence gathering and has urged the intervening forces to concentrate on creating a secure environment in which humanitarian assistance can be delivered by helping to rebuild the Afghan security forces.[24] If US and ISAF forces are to assist the humanitarian effort, then it should be where they can bring particular capacity and expertise. This does not appear to have been the case. The situation has been complicated by the UK and US governments opening up humanitarian funds to coalition forces to implement humanitarian 'Quick Impact Projects', and in so doing contravening stated policy that aid budgets should not be diverted to military organisations.

From a peacebuilding perspective there is an indirect impact on the conflict if the military undertakes humanitarian activities and undermines impartiality. There have been examples of such instances in recent complex emergencies (see box 5 on Kosovo). It is surprising that, although the main objection to military involvement in humanitarian actives has been on the basis of principle (i.e. impartiality), the guidelines established are based more on practical considerations. This is no doubt because it would be extremely difficult to establish with certainty criteria related to the degrees with which impartiality could be compromised. However, a greater understanding and articulation in these guidelines of the ways in which impartiality can be affected is necessary if the problems experienced in Kosovo and elsewhere are to be averted.

5.3   Armed Escorts

Perhaps the most graphic way in which military and humanitarian actors come into to contact in complex emergencies is through the use of armed escorts. In some conflict-ridden countries, the security situation is so bad that aid agencies have sometimes used armed escorts to protect their staff and property. There has been an alarming increase in attacks on humanitarian staff in recent years. As well as relying on state security forces and the use of private security firms, aid agencies sometimes accept armed escorts from international military forces so that they can provide assistance in insecure environments. However, this practice is not that common. In 15 of the 22 UN humanitarian missions, relief convoys operate without armed escorts.[25] Non-governmental aid agencies use armed escorts in only 4 out of 55 conflict-affected countries (Iraq, Somalia, Chechnya and Northern Kenya), although they are considered on a case-by-case basis in a number of other contexts in which peace operations are present.[26]

Humanitarian organisations are, in particular, concerned about the image that is presented to beneficiaries when aid is delivered with the use of armed escorts and the impact this has on their neutrality and impartiality. Armed escorts send an implicit message that it is legitimate for weapons to determine who gets access to aid.[27] Once again, guidelines have been developed for the use of armed escorts. By not accepting armed escorts, though, aid agencies may inadvertently be contributing to a trend of military forces becoming more involved in humanitarian activities as they fill the gap when aid agencies cannot gain access to victims.[28]

In better understanding the impact of the use of armed escorts on neutrality and impartiality, a key consideration is again the mandate of the military forces in question. From a peacebuilding perspective, the context in which armed escorts are used is also extremely important. If the threat to aid agency security is criminal (e.g. banditry and theft) in an area where law and order has broken down, then more protective forms of security, including armed guards, may be necessary and legitimate. In situations of armed conflict, however, where the threat is inherently political and military, the source of protection favoured by aid agencies will change how they are perceived as an actor within the conflict. It is important that aid agencies begin to incorporate conflict analysis into their security policies, planning and procedures to appreciate the different impact armed escorts can have. There is a tendency to see staff security and that of local populations separately, whereas a more holistic approach is needed.

5.4   Protection of Civilians

By ameliorating human suffering humanitarian assistance does not prevent a major cause of this suffering, namely, violence against civilians that can take many forms in regions of political instability and armed conflict. Since civilians, usually women and children, are now the main victims of conflict and often, in the case of gender-based violence, systematic targets of conflict strategies, the protection of civilians has become a key humanitarian concern. This includes respect for international humanitarian and human rights law, the promotion of law and order as well as practical rehabilitation projects. From a peacebuilding perspective, in the absence of protection, civilian populations may well take protective measures into their own hands by taking up arms or enlisting into belligerent forces. The opposite, however, is also true, in that adequate protection of civilian rights

and entitlements mitigates against possible grievances and social tensions. The protection of civilians is also a growing area of concern for international peace operations. In 1999, for example, the ICRC drew up guidelines on international humanitarian law for UN peacekeepers. In addition, the Brahimi report acknowledged that there may be circumstances where peacekeepers should be given the authority to protect the physical well being of civilians, and that they must be given the appropriate mandate and resources to do so.

Although there is often not the political will to mandate the military to fulfill such a task, there are growing efforts to ensure a better separation of combatants from civilians. While taking different approaches to the issue, the protection of civilians is an area where military and humanitarian actors would benefit from further dialogue. Unfortunately, numerous cases have been documented, in for example Bosnia and Kosovo, of sexual abuse committed by peacekeeping forces. Such abuses need to be dealt with to avoid double standards. This is an issue amongst many others which are currently being tackled by the procedural agreements of the implementation of the International Criminal Court.

5.5   Human Security Concerns

Closely connected to the protection of civilians is the concept of human security. Security has traditionally been seen in terms of national security from external threats. In recent years, there has however been a broadening of the concept of security, with greater emphasis placed on the security of the individual. As well as physical threats, the concept of human security also encompasses threats relating to environmental and development factors. Although on a more conceptual basis, human security concerns is another area of mutual interest of military and humanitarian actors as well as peacebuilding. Anti-personnel land mines, for example, are a security concern that hampers peace operations as well as a concern of aid agencies because of the devastating humanitarian impact. Because of the threat they pose to the individual, anti-personnel land mines are a key human security concern. From a peacebuilding perspective, lack of respect for human security entails insufficient conditions for fostering peaceful relations, especially since violence does not finish at the end of hostilities, but can continue in peacetime as well. Although 'human security' is only an emerging issue or framework for military and humanitarian actors, they would benefit from discussion on what it means for their work and their co-operation in complex emergencies.

5.6   Disarmament, Demobilisation and Reintegration (DDR)

The implementation of demilitarisation, demobilisation and reintegration (DDR) programmes calls for high levels of co-ordination between military and humanitarian actors. As indeed does the return of refugees in large numbers which has been witnessed in Kosovo and now Afghanistan. DDR is a post-conflict reconstruction effort usually associated with the implementation of peace agreements. *Disarmament* aims to reduce the availability of small arms through weapons collection schemes; *demobilisation* concerns the disbanding of armed groups; and *re-integration* involves the re-insertion of armed combatants into society. Peace operations are often responsible for the disarmament and demobilisation phases; whereas aid agencies assist in the more long term goal of re-integrating former soldiers into civilian life.

DDR is a key peacebuilding measure. If successful, it can help societies move from situations of war to peace, and help build durable and peaceful relations. When DDR programmes are not properly researched and implemented, however, relatively stable situations can quickly unravel. If, for instance, former combatants do not feel safe in society and are not given alternative means of livelihood, they may take up arms again. Further, the failure to proved wider public security can create a situation where the civilian population is unwilling to see local militia's disarm or may resort to various private security options including the formation of local defence groups or recruiting former combatants as security guards. Indeed, the success of DDR programmes can in many respects be evaluated in terms of the reintegration phase. Reintegration should pay particular attention to the different needs of male and female fighters as well as their dependants, who are often neglected. Durable peace is only possible if sustainable programmes are offered to all stakeholders, regardless of their gender, otherwise a precarious peace can easily crumble. The success of DDR programmes also calls for good co-ordination between military and humanitarian actors. As a number of recent cases has shown, however, there are often problems in terms of incompatible time frames and poor communication.

5.7 Engagement with Local Populations

Peacekeeping troops and aid agencies both have to engage effectively with local populations to carry out their missions in complex emergencies. The interface that occurs in these situations is important for micro-level peacebuilding efforts (as described above) since it is the breaking down of societal tensions and antagonisms that is at the heart of building sustainable peace. Military and humanitarian actors have, however, traditionally taken quite different approaches to their interface with local populations. By their very nature, humanitarian agencies take an approach of assistance with the communities that they are seeking to help, and they are beginning to realise the trust and relationship building aspects of their work, when these communities are from different sides to a conflict.

Military actors by comparison have tended to view their engagement with local populations in different terms. The emphasis of their interaction with local populations has traditionally been on gaining greater acceptance, i.e. using 'Cimic' as a military doctrine. However, in cases where the military operational role is to support and enforce a peace agreement, relationship building with communities will be given a high priority. It will be considered less, though still significant in traditional peacekeeping operations.

Engagement with local populations is an important way in which both military and humanitarian actors can contribute to peacebuilding efforts.[29]

> **Box 4: Sierra Leone Peace Bus**
>
> To improve its engagement with local populations the military has been keen to work with humanitarian agencies. In Sierra Leone, the UK NGO Action Aid has supported a 'Peace Bus' which has visited local communities affected by the conflict and documented their views on video as a means of promoting reconciliation between different societal groups. This material has been shown to, among others, UN peacekeepers operating in Sierra Leone to increase their awareness and knowledge of the needs and realities of local populations.

As noted earlier, peacebuilding efforts do not always take into consideration the gender impacts of conflict. Women and men experience conflict in different ways based on their gendered role in the community; for example as 'carers' and 'providers'. During hostilities, women often become the primary carers and providers for their families and the community. Yet in conflict reconciliation, peacebuilding and post-conflict situations, women's needs are often marginalised, although, as key stakeholders, they have an important role to play in peacebuilding efforts. If women have become active belligerents, there are also demobilisation needs associated with both the traumas they have often suffered (e.g. gender-based violence and rape) and with regard to community acceptability if they are being reintegrated. It is important, therefore, that military and humanitarian actors appreciate the gender considerations of conflict and that these are a primary factor in the assessment of needs and priorities at all stages and all levels of conflict transformation work.

5.8 Information-Sharing

Information-sharing is recognised as an important area of co-operation for both military and humanitarian actors in complex emergencies. Exchanging information about, amongst other things, local security conditions, population movements and the prevailing humanitarian situation is an important way to enable peace operation forces and aid agencies to carry out their work more effectively. There are, however, limits to what information can be shared. In combat and peace enforcement operations, humanitarian agencies risk compromising their neutrality when divulging information of military importance. Nevertheless, in a number of recent crises (see box 5 below), the UN has established information centres to pool and make available information and analysis from a variety of sources.

Box 5: Kosovo

NATO's intervention in Kosovo in 1999 and the resulting humanitarian effort to assist the fleeing communities has been described as a watershed in terms of the politicisation of humanitarian action. The political leaders who launched NATO's military campaign heralded it as the first 'humanitarian war', prompted by the international community's revulsion at the grave human rights violations taking place, and showed their preparedness to intervene in a sovereign state to avert such a situation. The scale of the international community's intervention in Kosovo and the degree of media attention it received brought to the attention of many the blurring of the traditional dividing line between political and military action to address the causes of conflict and humanitarian action to address the *consequences of violence.*[30] Not only were military and humanitarian actors required to work in close proximity, but military resources were mobilised on an unprecedented scale to respond to the huge humanitarian task in hand. As a result, questions of co-ordination and coherence between civil and military responses to complex emergencies were put forcefully on the agenda. Difficulties were compounded because of NATO's presence as a party to the conflict and the failure of the warring parties to reach a negotiated settlement. Aid agencies were critical of NATO's use of the word *humanitarian* to describe its intervention, which was seen as compromising their impartiality and neutrality, although the value of NATO's logistical support to meet the needs of the high levels of refugees and returnees was recognised. In particular, aid agencies were concerned about the negative impacts on their perceived neutrality of co-ordinating with NATO forces to build tents for Kosovo refugees in Albania. Although this operation fulfilled guidelines on military involvement in humanitarian activities, there was concern amongst aid agencies of the perception Serb forces had of them as a result of such close association with a belligerent force. A DEC Evaluation of Kosovo noted:

"That neutrality was perceived to be compromised was apparent to DEC agency staff in Serbia, who felt threatened seeing their organisations on CNN in the Albanian and Macedonian camps in a situation where civilians in Serbia were also suffering."

Apart from undermining humanitarian access to Serb held territories, this situation may also have led to further antagonism between the warring parties.

Despite these concerns about the relationship between civil and military actors, the Humanitarian Co-ordination Information Centre (HCIC) established by UN OCHA in Pristina proved to be an important outpost for data sharing among all organisations. By providing a channel for sharing information on who was doing what, where and when, the Centre contributed to transparency and empowered the military and aid agencies to carry out their work.[31]

Regular briefings on the current security situation in operational areas also occur in many settings. Military and humanitarian actors still lack, however, a common understanding of the local situation, even in terms of security. Any peacebuilding impact of civil-military co-operation (in situations where such co-operation is possible) requires establishing a common understanding of the context through a joint analysis of the conflict and a mutual understanding of each others role. Introducing gender-aware conflict analysis and stakeholder assessment methodologies are important in this regard.

6. Conclusions and Recommendations

This policy briefing has attempted to provide a peacebuilding perspective on the current debate on civil-military relations in complex emergencies. From the discussion, it is possible to make the following conclusions and recommendations:

Recognise The Peacebuilding Dimension Of Civil-Military Relations: In peacekeeping and (UN mandated) peace enforcement operations, relations between military and humanitarian actors can either undermine or contribute to broader peacebuilding efforts. Although peacebuilding is not a principal concern of either actor, it is important that both are aware of the dynamics and issues raised here.

The Use Of Force As A Key Variable: The key variable in understanding the impact of civil-military relations on peacebuilding is the mandate of the military force in question. If military forces are already engaged in the conflict and are performing a non-UN peace enforcement or combat role (for example NATO in Kosovo or US and coalition forces in Afghanistan), their involvement in humanitarian actions is more likely to compromise neutrality and impartiality than if there is a peacekeeping force that has the consent of the warring parties.[32] As mentioned, there are three broad military-humanitarian interaction scenarios, and the prospects for co-operation and - in turn - the peacebuilding effects of such co-operation vary accordingly:

1. Combat operations: Engagement should be limited (generally to mutually beneficial information exchange) and only in exceptional circumstances,

2. Peacekeeping and peace enforcement operations: Engagement is problematic but often (in some areas) essential. It should therefore be carefully structured and thought through. This could be achieved by designating a humanitarian liaison officer to military operations in complex emergencies and conducting 'humanitarian training' for military peacekeepers (including human rights and gender awareness training). Further, it should be clear during engagements just who is in control and in what circumstances,

3. Military assistance to humanitarian crisis: Engagement is constant, essential and uncontroversial.

Greater clarity on the distinctions between different military mandates is necessary as at present they tend to get lumped together in the civil-military debate confusing the issues at hand.

Neutrality And Impartiality: The impartiality and neutrality of humanitarian actors can be directly affected depending on the nature of their interactions with military actors. In theory, these concepts are quite straightforward. In practice, however, it is extremely difficult to judge how they are hampered by military and humanitarian co-ordination. Loss of impartiality can compromise access and thereby reduce the prospects for creating an environment conducive to peace. It is imperative that ways are found to safeguard neutrality and impartiality in the guidelines that have been drawn up to help manage civil-military relations in complex emergencies.

Post-Conflict Reconstruction: Peacebuilding is in fact a process that can occur throughout the conflict cycle - from the outbreak of violence to durable peace. In view of the above, however, military and humanitarian co-operation around peacebuilding is most likely to occur when there is a degree of security during the post-conflict reconstruction stage of interventions.[33] At this stage, gender-aware activities concerned with the protection of civilians, human security concerns and engagement with representative members of local populations can take place and may contribute to peacebuilding.

Conflict Analysis And Peacebuilding Methodologies: In order that military and humanitarian actors can begin to understand better their impact and potential contribution to peacebuilding, it is important that they seek to establish frameworks for creating a joint understanding of the conflict in which they operate. It would also be useful to introduce conflict analysis and peacebuilding methodologies (including reference to gender) to the joint training programmes that some military and humanitarian actors are now undertaking.

Protection and Support of Local Peacebuilding Initiatives and Accountability: It is crucial that both humanitarian and military components of peacekeeping operations maintain international human rights standards. This needs to be upheld through non-impunity of all actors, including military peacekeepers, and gender-aware analysis of the conflict to address protection and humanitarian needs in support of local peace initiatives.

Endnotes

[1] The UK NGO-Military Contact Group is one example of such a forum.

[2] International Humanitarian Action: A Review of Policy Trends, ODI Briefing Paper, April 2002, p. 1.

[3] International Humanitarian Action: A Review of Policy Trends, ODI Briefing Paper, April 2002, p. 3.

[4] Pugh, M, *The Challenge of Civil-Military Relations in International Peace Operations*, The Journal of Disaster Studies, Policy and Management, vol. 25, no. 4, December 2001, p. 349.

[5] This categorisation has been taken from Lang, C, *Improving International Civil-Military Relations in Humanitarian Emergencies*, draft, Swiss Agency for Development and Co-operation, 2001, p. 7.

[6] In this scenario, military assistance is provided upon request from civil actors and is not carried out within a military mandate (as in the case of hurricane Mitch).

[7] See for example Vaux, T, Seiple, C, Nakano, G & Van Brabant, K, *Humanitarian Action and Private Security Companies. Opening the Debate*, London: International Alert, 2002.

[8] Slim, H, *Military Intervention to Protect Human Rights: The Humanitarian Agency Perspective*, Paper prepared for the International Council of Human Rights Policy, March 2001, p. 3.

[9] OCHA, *Use of Military or Armed Escorts for Humanitarian Convoys*, Discussion Paper, June 2001.

[10] Code of Conduct - Conflict Transformation Work, International Alert, London, 1999, p. 29.

[11] See for example Kumar Rupesinghe, *Civil Wars, Civil Peace - An Introduction to Conflict Resolution*, Pluto Press, London 1998.

[12] Spence, N, *Generating a more Complementary Approach to Complex Emergencies - Some Thoughts*, draft discussion paper, Joint Doctrine and Concepts Centre, May 2002, p. 2.

[13] Spence N, *Generating a more Complementary Approach to Complex Emergencies - Some Thoughts*, draft discussion paper, Joint Doctrine and Concepts Centre, May 2002, p. 3.

[14] Studer, M, *The ICRC and Civil-Military Relations in Armed Conflict*, International Review of the Red Cross, vol. 83, no. 842, Geneva: IRRC, June 2001, p. 373.

[15] Goodhand, J, *Conflict and Aid: Enhancing the Peacebuilding Impact of International Engagement*, London: International Alert, December 2001.

[16] Anderson, M, *Do No Harm - Supporting Local Capacities for Peace through Aid*, Collaborative for Development Action, 1999.

[17] Quinn, M & Lange, M, *Humanitarian Assistance and Conflict: Maximising the Peacebuilding Impact of International Engagement*, London: International Alert, forthcoming.

[18] Code of Conduct - Conflict Transformation Work, International Alert, London, 1999.

[19] OCHA, *Use of Military or Armed Escorts for Humanitarian Convoys*, Discussion Paper, June 2001, p. 6.

[20] Brahimi, L, *Report of the Panel on United Nations Peace Operations*, UN Doc. A/55/305, 21 August, 2000.

[21] Barry, J and Jefferys, A, *A Bridge to Far: Aid Agencies and the Military in Humanitarian Response*, Humanitarian Network Paper, No. 37, London: ODI, January 2002.

[22] See for example *Key messages for British Agencies Afghanistan Group (BAAG) and NGOs*, July 2002.

[23] Personal communication, Nick Spence, JDCC.

[24] The NGO Forum, Kabul, March 2002.

[25] OCHA, *Use of Military or Armed Escorts for Humanitarian Convoys*, Discussion Paper, June 2001.

[26] Barry, J and Jefferys, A, *A Bridge to Far: Aid Agencies and the Military in Humanitarian Response*, Humanitarian Network Paper, No. 37, London: ODI, January 2002, p. 5.

[27] Anderson, M, *Do No Harm - Supporting Local Capacities for Peace through Aid*, Collaborative for Development Action, 1999, p. 18.

[28] OCHA, *Use of Military or Armed Escorts for Humanitarian Convoys*, Discussion Paper, June 2001, p. 7.

[29] For a discussion of the peacebuilding dimension of partnerships between local organisations and international aid agencies, see Quinn, M, *More than Implementers. Civil Society in Complex Emergencies*, London: International Alert, August 2002.

[30] Krähenbühl, P, *Conflict in the Balkans: Human Tragedies and the Challenge to Independent Humanitarian Action*, International Review of the Red Cross, no. 837, 2000.

[31] Currion, P, *Learning From Kosovo: The Humanitarian Community Information Centre*, Humanitarian Exchange, no. 18, London: Overseas Development Institute, March 2001.

[32] Studer M, *The ICRC and Civil-Military Relations in Armed Conflict*, International Review of the Red Cross, vol. 83, no. 842, Geneva: IRRC, June 2001, p. 375.

[33] Spence N, *Generating a more Complementary Approach to Complex Emergencies - Some Thoughts*, draft discussion paper, Joint Doctrine and Concepts Centre, May 2002, p. 6.

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