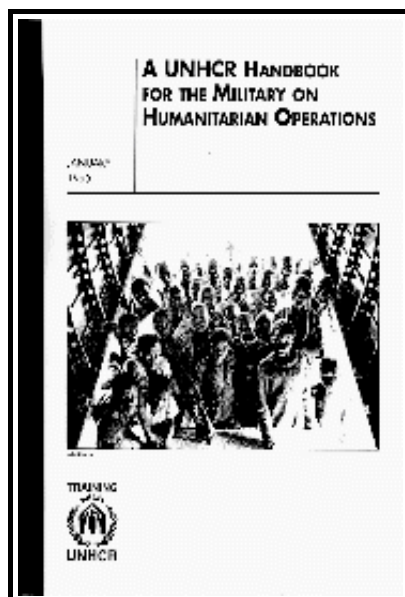


A UNHCR Handbook for the Military on Humanitarian Operations



January 1995

Foreword

The material in this Handbook has been compiled from many sources, both military and civilian. Much of the text has been derived from interviews with United Nations peacekeepers and UNHCR staff members who have worked together in emergency operations in the field. Drafts of the text were reviewed and refined by experienced and distinguished members of the military and national defence institutions, to whom UNHCR owes a debt of gratitude.

This Handbook may be copied for military uses, and may be quoted with appropriate attribution. Comments on the content of this publication will assist UNHCR to update and augment information, and are therefore welcome. Any comments may be forwarded to the attention of Neill Wright, Special Advisor (Military/Logistics), by one of the following means:

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Produced by Steven Wolfson & Neill Wright

Introduction

With increasing frequency, the Office of the United Nations High Commissioner for Refugees (UNHCR) is called upon to undertake humanitarian activities in situations where armed conflict may be active, and in

which, as a consequence, the opportunities to provide protection and assistance to individuals falling under the High Commissioner's mandate may be impeded. In these circumstances, military support can ensure the success of humanitarian action.

UNHCR's humanitarian mandates in Cambodia, Northern Iraq, Somalia, the former Yugoslavia and Rwanda were pursued with international military assistance. These common endeavours demonstrate the value of cooperation between civil and military bodies, and timely, well-planned, coordinated military participation in humanitarian ventures.

It is the aim of this Handbook to facilitate maximum coordination and cooperation between UNHCR and the military, and thereby to ensure the success of the UNHCR emergency operations in which the military take part, by helping members of the military to understand the nature, context and style of UNHCR activities in the field.

This manual was created specifically for the use of members of Armed Forces who may find themselves working with or alongside UNHCR in peace support operations. Although its primary target audience is United Nations peacekeepers, the Handbook was written for the military reader, and it may therefore be of use to members of other Armed Forces, particularly those who may be undertaking humanitarian missions which are sanctioned by the United Nations Security Council, but which may not be under United Nations command and control. This Handbook is a UNHCR document. In this publication, UNHCR does not purport to speak on behalf of any other United Nations organ, agency or body, nor on behalf of the international humanitarian community in general. Any reference to policy and any position taken should be understood to be that of UNHCR alone.

Chapter 1: The Military Humanitarian Context

This chapter examines the basis for military participation in United Nations humanitarian operations.

1.1 The Purpose of Humanitarian Assistance

The aim of humanitarian assistance is to sustain dignified life, to strengthen local institutions' efforts to relieve suffering and build self-reliance, and to assure that the first step is taken toward reconstruction, rehabilitation and development. This general concept is the basis upon which UNHCR provides international protection and assistance to individuals within its mandate,¹⁽¹⁾ while seeking durable solutions to the problem of refugees. This Handbook focuses on humanitarian assistance which is rendered with a view to alleviating the most damaging consequences that armed conflict may inflict on a civilian population.

1.2 A United Nations Response to a Humanitarian Crisis

A crisis which threatens international peace and security almost inevitably endangers civilian populations, and therefore calls for humanitarian action. Such a crisis may spark massive population movements, may be complicated by on-going armed conflict, may involve risks to public health in the form of epidemics, and may be caused or exacerbated by natural disaster. The range of effects of such a crisis defies description. The common link, however, from a humanitarian point of view, is that a population may be dependent upon external assistance to meet basic subsistence needs, and individual lives may be at risk.

Several United Nations humanitarian organizations,²⁽²⁾ including UNHCR, have standing humanitarian mandates. The vast majority of United Nations involvements in humanitarian crises do not include an international military response. UNHCR, for example, deals principally with refugees, persons who are outside their countries of origin, who are therefore likely to be found far away from the insecure environments which caused their flight. In other words, UNHCR and other agencies' intervention in a

crisis is not contingent upon the launch of a complex, integrated United Nations operation.

A brief description of several UNHCR operations which were undertaken in cooperation with the military is contained in Appendix 1, at the end of this Handbook.

1.3 The Political, Military and Humanitarian Components of a Joint Operation

An integrated United Nations operation will have political, military and humanitarian components. Each operates within its own sphere of competence, although the goals of each may be intertwined. The political component of the operation concentrates on conflict resolution or prevention. The mandate of peacekeeping forces in complex emergencies has usually included direct or indirect support of humanitarian activities. This most typically includes providing security and logistic assistance to international humanitarian aid efforts. Joint peacekeeping and humanitarian operations can take place whether or not a viable peace plan or agreement is in place.

1.4 International Responsibility for Humanitarian Assistance

The primary responsibility for the well-being of a population rests with the lawful Government or *de facto* authorities of the affected State. Where the Government or authorities are unable or unwilling to protect and support their populations with the appropriate assistance, an international humanitarian response may take place. This may take the form of consensual humanitarian assistance to a functioning civil infrastructure, usually with the concurrence of the Government of the State concerned; or may, alternatively, take the form of humanitarian action, in a civil war situation, for example, where consent to humanitarian operations is fluid or incomplete. International assistance or intervention must address both the humanitarian crisis and the complicating factors: a multi-faceted approach is required.

Chapter 2: Organizations and Responsibilities

This chapter introduces UNHCR and other humanitarian organizations. It includes a brief description of their work and responsibilities.

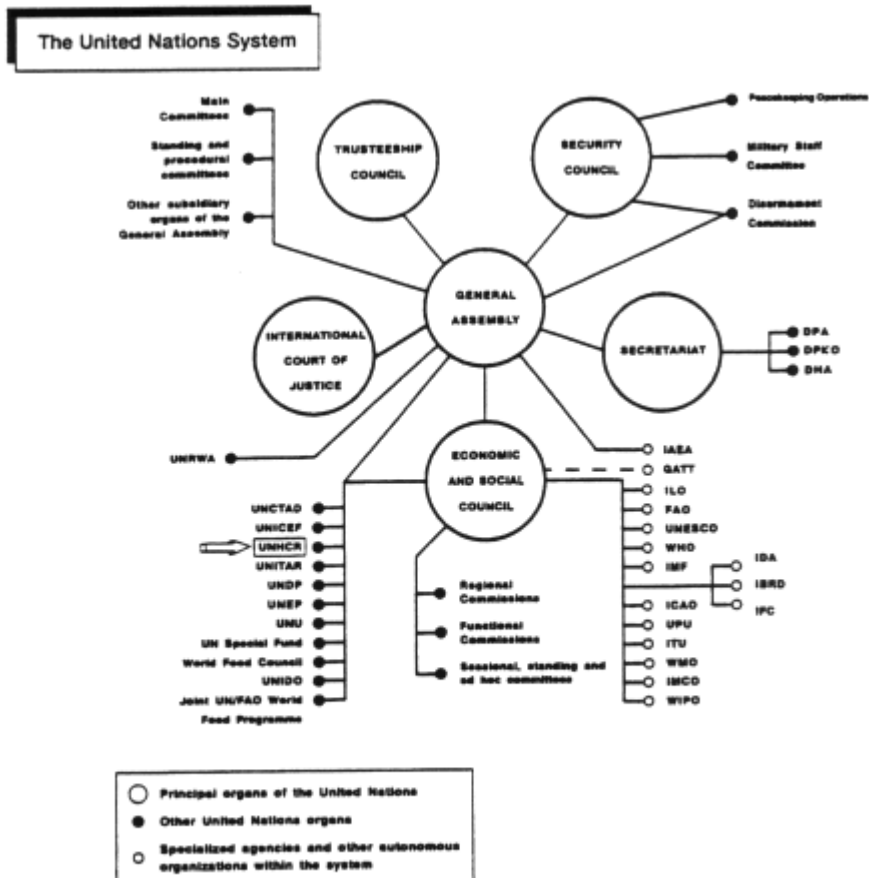
2.1 The United Nations High Commissioner for Refugees (UNHCR)

Creation of UNHCR

The Office of the United Nations High Commissioner for Refugees was established on 1 January 1951 as a subsidiary organ of the General Assembly of the United Nations.³⁽³⁾1 The High Commissioner is elected by the General Assembly on the nomination of the Secretary General. Pursuant to the terms of the Statute, the High Commissioner acts under the authority of the General Assembly and follows the policy directives of the Economic and Social Council (ECOSOC). The High Commissioner is required to submit her planned programme of activities for the following year to the Executive Committee (EXCOM), comprising a core group of representatives of Government Missions to the United Nations based in Geneva, for their guidance, before submission to ECOSOC.

Functions of UNHCR: The Original Mandate

The two principal functions assigned to UNHCR under its founding Statute are "providing international protection to refugees" and "seeking permanent solutions for the problem of refugees". Activities in pursuit of the first function include promoting the adoption of international standards for the treatment of refugees in national law and procedures, and supervising their implementation. Activities in pursuit of the second function include facilitating the voluntary repatriation of refugees and reintegration into their country of origin or, where this is not feasible, facilitating integration in a country of asylum or a third country. Other activities include emergency relief, counselling, education and legal assistance. In practice these activities entail a very active role in human rights monitoring. In both cases, UNHCR's role is to assist Governments to meet the obligations which they have assumed under various international instruments concerning refugees and human rights.



Functions of UNHCR: the Evolution of UNHCR's Activities

Functions of UNHCR: The Evolution of UNHCR's Activities

Since 1951, the scope of UNHCR's activities has expanded considerably. The process of decolonization in Africa, democratization in Central and South America, and the dissolution of the Soviet Union at the end of the Cold War era and the resulting collapse of the bipolar superpower world order have all given impetus to international population movements. At the same time, internal conflicts have intensified, the consequence of which - and, in the cases of the Burundi, Georgia, Rwanda and the former-Yugoslavia, the very objective of which - has been massive internal displacement. Increasingly, UNHCR is called upon to provide protection, emergency relief and other forms of assistance to populations within their own countries. This is a role not contemplated in the Statute.

Returns

The General Assembly has consistently recognized the legitimate interest of UNHCR in the consequences of the voluntary return of refugees to their countries of origin. With increasing frequency, voluntary repatriation movements are taking place to areas affected by continuing instability and even, at times, open armed conflict. UNHCR's monitoring and protection role, as well as the delivery of reintegration and rehabilitation assistance to returnees, are greatly complicated by these circumstances.

Internally Displaced Persons and Other Victims of Conflict

The Secretary General may request the High Commissioner on a case-by-case basis⁴⁽⁴⁾² to include as beneficiaries of her programmes groups of persons not falling within the definition of a refugee. Thus, UNHCR has provided protection, emergency relief and other forms of material assistance to persons displaced within the borders of their own countries. Similarly, UNHCR's protection and assistance activities have been expanded to include, in specific situations, vulnerable minority groups, besieged populations and war-affected individuals in their own homes.

Response Capacity of UNHCR

UNHCR is a field-oriented organization, maintaining offices in some 90 countries, with activities in the vast majority of member States of the United Nations. As such, UNHCR has significant early-warning and rapid deployment capabilities. In practice this means that UNHCR will be in a position to respond to a new crisis before the political and financial aspects of deploying peacekeepers are addressed in New York. To some extent, then, it is inaccurate to speak of "joint operations". In reality, a United Nations response to a humanitarian emergency is a continuum of action. The peacekeeping component of the operation - usually the largest component - must arrive in theatre prepared to join in the common cause.

Cooperation with UNHCR

States party to the 1951 Convention Relating to the Status of Refugees and/or its 1967 Protocol⁵⁽⁵⁾³ undertake to cooperate with UNHCR and to facilitate its tasks of providing international assistance and protection to refugees. UNHCR's work was intended from the outset to be undertaken jointly with all members of the international community. In addition, with the increase and diversification of UNHCR's activities, relations with member agencies of the United Nations system, as well as with intergovernmental and non-governmental organizations, have continued to strengthen. In planning and implementing programmes, UNHCR constantly seeks the help of a host of other bodies, whose tasks are complementary to its own efforts.

2.2 The United Nations Department of Humanitarian Affairs (DHA)

Description

The Secretary General established DHA in early 1992, following the adoption of General Assembly Resolution 46/182 in December 1991. The leadership and coordination role of the United Nations in ensuring the success of international efforts to provide prompt delivery of relief assistance to areas in need is highlighted in the Resolution. DHA's role is to coordinate the United Nations response to natural disasters and other emergencies that are beyond the mandate or capacity of any single United Nations agency (that is, complex emergencies), by assisting agencies to reach agreements on the allocation of responsibilities, conducting consolidated donor appeals, and collecting and disseminating relevant information, including appeals for assistance by States. As part of the United Nations Secretariat, DHA works alongside the Department of Political Affairs (DPA) and the Department of Peacekeeping Operations (DPKO).

Listing of key organizational units

OII	Office for Inspections and Investigations
DPI	Department of Public Information
OLA	Office of Legal Affairs
DPKO	Department of Peace-Keeping Operations
DPA	Department of Political Affairs
DHA	Department of Humanitarian Affairs
DAM	Department of Administration and Management
DPCSD	Department for Policy Coordination and Sustainable Development
DESIPA	Department for Economic and Social Information and Policy Analysis
DDSMS	Department for Development Support and Management Services
OSASGPP	Office of the Special Adviser to the Secretary General for Public Policy

UNOG	United Nations Office at Geneva
UNCHR	United Nations Centre for Human Rights
UNOV	United Nations Office at Vienna
UNCTAD	United Nations Conference on Trade and Development
UNEP	United Nations Environment Programme
UNCHS	United Nations Centre for Human Settlements
ECA	Economic Commission for Africa
ECLAC	Economic Commission for Latin America and the Caribbean
ECE	Economic Commission for Europe
ESCAP	Economic and Social Commission for Asia and the Pacific
ESCWA	Economic and Social Commission for Western Asia

2.3 Other United Nations Humanitarian Organizations

UNHCR is one of several United Nations humanitarian organizations. The mandates of the various organizations are specific to a particular beneficiary population or sectoral interest, and may overlap. Three of the major United Nations agencies carrying out humanitarian activities are:

- **UNICEF** The United Nations Children's Fund
- **WFP** The World Food Programme
- **WHO** The World Health Organization

A brief description of the work of each of these organizations is contained in Appendix 2, at the end of this Handbook. For more information, the reader may wish to contact these organizations directly.

2.4 The International Committee of the Red Cross (ICRC)

Description

Founded in 1863, the International Committee of the Red Cross has long acted as a neutral intermediary in armed conflicts. ICRC endeavours to ensure that victims of conflict receive appropriate protection and assistance, both within the ambit of the Geneva Conventions (1949) and their Additional Protocols (1977), and in furtherance of the general ICRC mandate. To these ends, ICRC undertakes protection⁶⁽⁶⁾⁴ and assistance activities for the benefit of prisoners-of-war and civilian populations, which include visiting prisoners-of-war and attempting, through confidential contacts, to ensure compliance with the standards established under the Geneva Conventions and the Additional Protocols; supervising prisoner releases and exchanges; providing emergency relief services to war-affected civilian populations; tracing individuals displaced as a result of armed conflicts; organizing family contacts and reunions; and promoting and developing international humanitarian law. The ICRC mandate also extends to situations which are not covered by international humanitarian law, including internal disturbances and tensions.

The Relationship between the UNHCR and ICRC Mandates

Both UNHCR and ICRC deal with the human consequences of conflict. UNHCR and ICRC therefore have much in common. Indeed to some extent, the mandates of the two may overlap. Although UNHCR's traditional mandate focuses protection and assistance efforts on refugees in countries of asylum, UNHCR emergency operations in armed conflict situations have seen UNHCR extending its efforts, at the request of the Secretary General or the General Assembly, towards internally displaced, besieged and war-affected populations, the traditional beneficiaries of ICRC assistance. Examples include Northern Iraq, Somalia, Former Yugoslavia and Rwanda. The United Nations should therefore not be viewed as the only actor capable of providing an international response to complex emergencies; nor should UNHCR be viewed as the only international protection and assistance agency.

2.5 Governmental Organizations

Some countries pursue humanitarian activities overseas through Government-created agencies. Examples of these are the British Overseas Development Administration (ODA), the Canadian

International Development Agency (CIDA), the Swedish Rescue Board (SRB), Swiss Disaster Relief (SDR) and the United States Office for Foreign Disaster Assistance (OFDA). Other countries offer assistance in times of emergencies through their Ministries of Foreign Affairs, according to their own priorities. Most of this kind of assistance will be offered on an *ad hoc* basis, as few Governments have established agencies of the kind described above with standing mandates for foreign humanitarian emergency assistance.

More information on these and other Governmental Organizations may be obtained directly from the Governments concerned.

2.6 Non-Governmental Organizations (NGOs)

Non-Governmental Organizations play a vital role in humanitarian relief efforts. NGOs tend to be specialists in one field, or to direct their attention to a particular beneficiary population. They offer skilled staff, a rapid deployment capacity, operational flexibility and resources that might not otherwise be available in a complex emergency. As such, they are natural partners for UNHCR and other humanitarian organizations. UNHCR and NGOs undertake cooperative operations in all aspects of UNHCR's humanitarian work, including (but not limited to) protection, emergency relief, longer-term assistance, voluntary repatriation, special needs of refugee women and children, technical sectors (health, shelter, food aid, education) and fund-raising.

A list of the names of some of the more well-known NGOs is contained in Appendix 3, at the end of this Handbook. For more information, the reader may wish to contact these organizations directly.

Chapter 3: Guiding Principles and Legal Frameworks for Humanitarian Action

This chapter describes the guiding principles for humanitarian activities and the legal basis for international humanitarian action.

3.1 Humanitarian Principles

Humanitarian action is founded on three principles:

Humanity: Human suffering should be relieved wherever it is found. The inherent dignity¹⁽⁷⁾ and other human rights of individuals and groups must be respected and protected.

Impartiality: Humanitarian assistance should be provided without discrimination. Relief must address the needs of all individuals and groups who are suffering, without regard to nationality, political or ideological beliefs, race, religion, sex or ethnicity. Needs assessments and relief activities should be geared toward priority for the most urgent cases.

Neutrality: Humanitarian relief should be provided without bias toward or against one or more of the parties to the political, military, religious, ideological or ethnic controversy which has given rise to the suffering. Humanitarian actors must not allow themselves to become allied with a party to a conflict.

3.2 The Charter of the United Nations (1945)

Purposes and Principles

The United Nations was born from a spirit of dedication to the prevention of horrors such as those which occurred during the First and Second World Wars. The theme of humanity pervades the text of the Charter of the United Nations, which states in its Preamble the determination to "reaffirm faith in fundamental human rights [and] in the dignity and worth of the human person...". The Charter sets out in Chapter 1 (Article 1) the purposes of the world body, including the desire "to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights...". Other purposes are "to maintain international peace and security" and "to bring about by peaceful means...settlement of international disputes or situations which might lead to a breach of the peace". Member States agree to confer upon

the Security Council primary responsibility for maintaining international peace and security under Article 24, either through the pacific means detailed in Chapter VI or by taking coercive measures, including the use of force, as specified in Chapter VII. The Charter, therefore, constitutes a framework for humanitarian action independent of the measures specified in Chapters VI and VII, but suggests a close relationship between global security interests and humanitarian concerns.

Peaceful Settlement of Disputes or Enforcement Action

Where the continuation of a dispute is likely to endanger the maintenance of international peace and security, the Security Council may call upon the parties to the dispute to seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.²⁽⁸⁾ The provisions of Chapter VI also authorize the Security Council to investigate situations on its own accord and to make recommendations for settlement. Chapter VII actions, on the other hand, are mandatory, and may include the imposition of measures of an economic nature, most notably sanctions and embargoes, as well as measures involving the use of military force.

Peacekeeping and the Charter

Conspicuous by its absence from the Charter is any mention of peacekeeping. The concept of peacekeeping developed after the advent of the United Nations, as a pragmatic approach to threats to international peace and security at a time when ideological differences rendered unlikely Security Council approval of collective measures. Although the Charter did not foresee the employment of Armed Forces against the wishes of a Permanent Member of the Security Council, neither did it anticipate that ideological differences would lead to deadlock, rather than balance.³⁽⁹⁾ Peacekeeping, then, is traditionally a parallel device to the Charter's security strategy. It involves the deployment of a United Nations presence in the field, normally composed in the main of military and police personnel, in order to dampen conflict and provide viable opportunities for dispute resolution.

The Legal Basis for Military-Humanitarian Operations

The Charter does not contain any specific reference to military-humanitarian operations, although it does appear to contemplate the possibility of common activities such as those which UNHCR and United Nations peacekeepers might carry out. The maintenance of international peace and security depends on friendly relations among nations, on problem solving in the international arena, and on the promotion of human rights. In recent years it has become apparent that massive flows of refugees, or situations giving rise to them, can also have an impact on international peace and security. There is, therefore, a natural interdependence between the roles of the United Nations military and humanitarian organizations. The legal foundation of each component's mandate remains separate.

How Humanitarian Activities Are Affected by Sanctions

Sanctions are an important instrument in containing aggression and enforcing the accepted norms of international behaviour. The burden of sanctions or embargoes may, unfortunately, fall heaviest on the most vulnerable members of a population, including those who may need humanitarian assistance: refugees and displaced persons, women, children and the elderly. Deteriorating economic conditions as a result of sanctions may create instability, causing population movements. Although humanitarian aid will be excluded from sanctions imposed by the Security Council, the cumbersome administrative procedures of the Sanctions Committee may delay the delivery of appropriate assistance. Certain sanctions-affected commodities - most significantly fuel - are as important to humanitarian assistance (including logistics) as they are to the prosecution of armed conflict.⁴⁽¹⁰⁾ The decline in the standard of living which results from the imposition of sanctions may generate hostility against the United Nations, particularly among the populations of the parties to a conflict, who may view humanitarian relief efforts as "aiding the enemy" to the exclusion of the sanctions-affected party. In emergency operations that take place in armed conflict situations, then, the environment in which peacekeepers and humanitarian workers seek to fulfil their mandates may be decidedly negative.

How Humanitarian Activities Are Affected by the Use of Force

The use of force under Chapter VII may render untenable the continuation of a United Nations humanitarian operation. The use of force against one party may affect the perceived impartiality and neutrality of the United Nations mission as a whole, including the humanitarian organizations associated with the operation. Where force is threatened or engaged in pursuit of international political or military ends,⁵⁽¹¹⁾ the perceived neutrality of international Forces and other United Nations actors on the ground may be similarly compromised. At the tactical level, international armed forces with a mandate to ensure the delivery of humanitarian assistance are put in the unenviable position of balancing the use of force in the protection of a humanitarian task against the possibility of compromising the task and the wider mission if force is used. While the legitimacy of the use of force in self-defense cannot be questioned, measures can and should be taken to avoid situations in which self-defense becomes necessary. Chapter Four describes, *inter alia*, how the military and UNHCR can coordinate efforts in this regard. Although peacekeepers only employ proportional defensive force against a proximate threat, belligerents - particularly *ad hoc* militias in internal conflicts - may not always respect the continuing neutrality of the international military.

3.3 The Geneva Conventions (1949) and the Additional Protocols (1977)

Description

The four 1949 Geneva Conventions and their two 1977 Additional Protocols codify rules for the protection of victims of armed conflict. The 1949 Conventions have been adopted by 185 States. They establish standards for the protection of sick and wounded members of Armed Forces on land and at sea, prisoners-of-war, and civilians caught in the midst of war. The 1977 Additional Protocols have been ratified by 135 and 125 States respectively (as of 31 July 1994). They seek to update the 1949 Conventions by adapting them to new forms of armed conflict, including civil war and guerilla warfare, and by enhancing protection for the victims of armed conflicts. Many provisions of the laws of war, or international humanitarian law, have acquired the status of customary law, binding on all parties to a conflict whether or not they have ratified the Conventions and the Protocols. These include Article 3, common to the four Geneva Conventions, which sets out minimum standards of conduct in non international armed conflicts.

Application to United Nations Peacekeeping Forces

As the United Nations itself is not a party to the Geneva Conventions, and because United Nations peacekeepers remain under national command (although subject to United Nations operational control), States putting Armed Forces at the disposal of the United Nations remain individually responsible for the conduct of the personnel they have contributed. This implies that the activities of peacekeepers will be governed by the Laws of Armed Conflict. It also suggests that national contingents will import into a theatre of operations the responsibility of their States to promote and ensure respect for international humanitarian law. The United Nations has affirmed that United Nations peacekeeping forces are bound by the principles and spirit of International Humanitarian Law.

3.4 The Convention Relating to the Status of Refugees (1951) and the Protocol Relating to the Status of Refugees (1967)

Description

These international instruments provide a general and universally applicable definition of the term "refugee",⁶⁽¹²⁾ and lay down minimum standards for the treatment of refugees, specifying the obligations of the host country and the refugee to one another. On 31 July 1994, 127 countries had ratified one or both of the 1951 Convention and the 1967 Protocol. They establish a formal link between States and UNHCR, in that each signatory to the 1951 Convention pledges cooperation with the Office of the United Nations High Commissioner for Refugees in the exercise of its functions, and in particular to facilitate UNHCR's duty of supervising the application of the provisions of the 1951 Convention.⁷

(13)Non-refoulement

Among the important provisions of the 1951 Convention is the principle of non refoulement, embodied in Article 33.⁸⁽¹⁴⁾ This principle is often referred to as the cornerstone of international protection. The principle prohibits the return or expulsion of a refugee to the territory of a State where his or her life, freedom or personal security would be in jeopardy. Through widespread State practice, the principle has acquired such normative character as to be considered a rule of customary international law, thereby binding States whether or not they are parties to international refugee instruments.

Expansion of Application

The 1951 Convention was initially concerned with refugee problems in Europe arising from the Second World War. The 1967 Protocol removes these limitations of application. These two instruments, taken as a unit, are supplemented by several regional instruments, included among which are the Organization of African Unity's 1969 Convention Governing the Specific Aspects of Refugee Problems in Africa, and the Central American 1984 Cartagena Declaration on Refugees. These instruments adopt a broader definition of the term "refugee", taking into account such factors as internal conflict, generalized violence and massive violations of human rights. Other human rights instruments are generally applicable to refugees, and may contain provisions specific to refugee issues.

3.5 United Nations General Assembly Resolution 46/182 (1991)

Description

Seeking to strengthen the coordination of United Nations humanitarian emergency assistance, the General Assembly adopted Resolution 46/182 in December 1991. This Resolution reaffirms the primary responsibility and obligation of States to care for the victims of natural disasters or other emergencies within their borders. The affected State is expected to initiate and organize assistance programmes and to facilitate the work of humanitarian organizations, in particular for the supply of food, medicines, shelter and health care, for which access to victims is essential. The Resolution reaffirms the guiding principles of humanity, neutrality and impartiality. It further provides that humanitarian assistance operations should take place with the consent - although not necessarily at the request of - the affected State.

3.6 The Importance of Consent

Description

The participation of humanitarian agencies and the military alike in a joint operation is dependent upon the consent of the State or *de facto* authorities at every level, and on the trust which follows from a perception that the operations are humane, impartial and neutral. It is important that this perception is shared by the authorities and the population in need of protection and assistance. Consent, however, is unlikely to be absolute. It is rarely unconditional and open-ended. Consent given at the operational level may not be reflected at the tactical level. Attempts by local or other authorities to manipulate the civil or military components of an operation to further political, economic, military or criminal interests will undermine consent and reduce the opportunities to provide relief to the suffering. While a reduced level of consent in the field - manifested, for example, by attacks on peacekeepers - does not necessarily imply a need to suspend operations, it does suggest a need for redoubled efforts by the military and humanitarian actors to promote and sustain the consensual environment which is necessary for humanitarian and diplomatic activities to progress. In the same way, "humanitarian diplomacy" can reinforce consent, in situations, for example, where effective central authority does not extend to all regions of a country and humanitarian access is in the control of local militias. Consent should not be taken for granted. It must be actively sought at all levels.

The Components of a Joint Operation and Consent

The degree or level of consent will be affected by the progress of political initiatives to resolve a conflict. In general, the distance which exists from a viable peace option will determine the level of consent which the parties to a conflict offer to the various components of a joint operation. In practical terms, consent

on the ground will be a great deal more erratic than consent at the operational level. Indeed, at the field level, consent may be little more than acquiescence, even where high level political agreements contain assurances of consent.⁹⁽¹⁵⁾ It is important to note, therefore, that the meaning of consent to each of the components may at times vary, and the activities of each may affect the degree of consent offered to the others.

Chapter 4: Cooperation and Coordination in Emergency Operations

This chapter introduces some differences of approach between the military and humanitarian components of an integrated operation, describes United Nations coordination mechanisms, and suggests some practical means for Military-UNHCR cooperation and effective coordination of efforts.

4.1 The Objective of Integrated Operations

Success

In complex emergency operations, neither military nor humanitarian action is a substitute for the will to find political solutions to the conflict. In the context of such operations, peace support and humanitarian activities easily become a camouflage for political inaction in the international arena. A successful operation will be one in which neither the military nor the humanitarian actors allow their objectives to become obscured. The role of the international military is to execute the will of the Security Council. In peacekeeping or peace support operations, a war-fighting doctrine is generally inappropriate, as success is not measured by victory or the effectiveness of the application of force in pursuit of peace. Peacekeepers may therefore become frustrated by objectives which seem inconsistent with their training. The measure of success for the military, instead, will be the extent to which the security conditions prerequisite to the implementation of the United Nations mandate have been established. Success for humanitarian organizations may not necessarily have the same meaning. In general, a successful humanitarian enterprise is one which delivers the greatest good to the greatest possible number of people in need. It is, by definition, devoid of any political objective,¹⁰⁽¹⁶⁾ and success therefore cannot be measured with reference to the achievement of a political goal.

The End Game

Overcoming differences in organizational cultures and working methods requires an investment of time and understanding, sometimes considered a luxury in emergency operations. Each United Nations agency or NGO will to a large extent pursue its own priorities. Some actors may take the view that coordination and independence are mutually exclusive. The key to alleviating the effects of these difficulties is to maintain open and constant communication.

4.2 Command and Control v. Cooperation?

Complementary Command and Control

To achieve humanitarian objectives, UNHCR may seek the benefit of military expertise and support. Ironically, this may create command and control problems for the military and UNHCR alike, as it introduces the prospect of parallel or "stove pipe" command structures. Effective command and control nevertheless can be achieved by coordination, liaison and communication at all levels.¹¹⁽¹⁷⁾ Transparency is essential to effective cooperation: where the individual aims of the political, military, humanitarian and other components of a common mission do not coincide or are misunderstood, coordination will be frustrated. These difficulties will be aggravated in an environment that is likely to be highly charged politically, potentially exacerbated by media attention, and with peacekeepers from many national contingents brought together with little opportunity to become familiar with varying national command and disciplinary structures. Equally challenging will be the responsibility of commanders and heads of humanitarian missions to create complementary systems for their separate command and control structures and procedures. In practice, the task of the military commander will be to support and enhance humanitarian operations which are already in place, while neither creating parallel, duplicate structures nor unduly usurping the role given to the humanitarian agency under its standing mandate. It

is the difficult task of the Force Commander and his subordinates to effectively translate this into operational orders, by describing the relationship between the military and humanitarian organizations and by establishing mechanisms at each respective level of command to ensure that this relationship is reinforced and strengthened.

Difficulties in Achieving Coordination

Coordination difficulties may arise for many reasons. The gamut of humanitarian agencies and NGOs - representing a wide spectrum of interests and priorities, being of varying sizes, structures, operational styles and organizational cultures - defies a single definition and, indeed, can be quite bewildering. Some civilians may be reluctant to cooperate with the international military, being wary of compromising their independence and impartiality. Aid agencies tend to delegate great authority to workers in the field, and may be headed by individuals who are given more responsibility and autonomy at a younger age than their military counterpart, giving rise to the possibility of a "generation gap" between military and civilian players.

4.3 United Nations Coordination of Humanitarian Assistance

The Special Representative of the Secretary General

The Secretary General may appoint a Special Representative (SRSG) to be the overall coordinator for a United Nations operation. A Special Representative's role is to provide leadership and coordination of policy and operational objectives for the mission, while respecting the existence of on-going humanitarian operations under standing mandates from the General Assembly. The Special Representative will provide guidance in an effort to harmonise the operational objectives of the political, military and humanitarian components of the mission. Nevertheless, humanitarian principles are absolutes, in the sense that they should not be subordinated to political considerations.

The Lead Agency

In November 1991, the Secretary General requested UNHCR to act as the "lead agency" in the former-Yugoslavia, to coordinate humanitarian assistance on behalf of all United Nations agencies. (This designation of a lead agency occurred prior to the creation of DHA).¹²⁽¹⁸⁾ Subsequently, in August 1992, the Secretary General requested UNHCR to take the lead in cross-border humanitarian operations for Somalia. UNHCR continues to endeavour to mobilize the resources and expertise of all agencies in these theatres of operations, to strengthen coordination between the humanitarian actors and to conduct consolidated appeals for funds and donations-in-kind. These activities are carried out with the understanding that the standing mandates of various agencies may require each to take the lead in their own areas of specialization.

Functions of the Lead Agency

The designation "lead agency" is a relatively new concept, and its meaning and operational implications remain somewhat vague. The designation of UNHCR as lead agency for humanitarian relief in Former Yugoslavia did not imply a command responsibility, and in any event did not render other United Nations agencies, governmental organizations and NGOs subject to its authority. The lessons of the former-Yugoslavia and the Somalia cross-border operations suggest that the following operational coordination functions are appropriate to the designated lead agency:

At the operational level:

- taking the lead in policy-making, planning and information sharing;
- acting as the main point of contact for other United Nations agencies, the military and political components of the United Nations effort, for NGOs and for the parties to the conflict;
- allocating tasks according to the sectoral interest or target beneficiary population of each

agency;

- coordinating funding efforts and consolidated appeals to donors.

At the field level:

- providing guidance, policy advice and information;
- coordinating field activities to avoid duplication of efforts;
- providing administrative and logistic support to humanitarian actors;
- acting as an interface between the political or military components of the United Nations operation and NGOs.

4.4 Coordination Mechanisms: Ten Steps to Effective Coordination

Central Coordination

In principle, joint operations should be coordinated at every level by one central office or individual. The Secretary General is responsible for the execution of a Security Council Resolution creating a peacekeeping force. He will usually delegate his authority to the Force Commander or a Special Representative. Because the activities of humanitarian organizations may already be underway, the appointment or designation of this official is likely to occur after the organizations have developed their own standard operating procedures.

Agreement on Responsibilities and Objectives

Early agreement on responsibilities and objectives is essential to avoiding coordination difficulties in any common mission in the field. In the process of establishing responsibilities and objectives, it is important for military and civil counterparts to account for organizational differences. Even within the United Nations system, the structure and style of agencies vary. Some agencies are long established and accustomed to a particular mandate or method of operation. Others may be less established or adapted on an *ad hoc* basis to undertake unfamiliar activities. Most United Nations agencies tend to devolve authority to decision makers in the field. By comparison, the military tend to be well-established but comparatively lacking in local experience (being deployed for relatively short duration tours) and accustomed to a more centralized system of command and control. Misunderstandings may arise as a result of the organizations' structural differences. A process of familiarization with each other's operational objectives and formalization of mission responsibilities will help avoid this kind of misunderstanding. A written Memorandum of Understanding can assist organizations to identify and divide responsibilities and ensure that the same understanding is shared by all. The process of creating such a document draws attention to objectives and the means necessary to achieve those objectives; and the end product forms a reference guide in the event of uncertainty about responsibilities.

Common Territorial Areas of Responsibility

The definition of common territorial areas of responsibility will enhance coordination between the military and humanitarian components of a joint operation. Areas of responsibility for both components should be aligned, where possible, with existing administrative (provincial, county or municipal) boundaries, with command centres in the provincial, county or municipal capitals. Using existing geographic divisions simplifies relations with local authorities and access to information.

Compatible or Shared Communications Equipment

Compatible or shared communications equipment and shared frequencies have rarely been available during the start-up phase of joint operations. This has proven to be one of the greatest single factors¹³⁽¹⁹⁾ limiting coordination between the military and other United Nations agencies. National contingents bring with them their own communications equipment, which is often incompatible with that of other national contingents or civilian agencies. In many areas of deployment, telephones and other

means of communication are likely to be unusable. Compatible equipment with shared frequencies is essential for coordination on the ground.¹⁴⁽²⁰⁾ In this regard, coordination of frequency allocations should take place in the pre-deployment stage of an operation. The establishment of a single point of contact for the coordination of frequency allocations will ensure, to the greatest extent possible, that all actors are able to communicate. The same considerations apply to the establishment of satellite communications networks. To ensure that these concerns are addressed, contingents may wish to include signals officers in pre-mission reces.

Collocation

Collocation or location in close proximity to one another allows peacekeeping units and other agencies to maintain constant contact for better coordination. Where the military mandate includes duties related to the security of United Nations personnel and installations, collocation or location in close proximity reduces strains on military resources.

Liaison

Effective liaison is a means of establishing and preserving continuing communication and cooperation. The exchange of officers for humanitarian liaison duties at both the operational and battalion levels has proven productive in this regard. These individuals become well-known in both organizations. The military liaison officer will develop a certain expertise in humanitarian affairs which can be brought back to his or her unit. Similarly, some troop-contributing States have, in the past, seconded individuals to UNHCR as military liaison officers in order to ensure better cooperation. Military units should also be prepared to receive civilian liaison officers. This offers the advantages of quick dissemination of information and a focal point for enquiries and better coordination of efforts. Liaison officers may also bring with them their own communications equipment, and they introduce a human element between two organizations with the ability to interpret the messages of one into the "language" of the other.

Inter-agency Meetings

Regular inter-agency meetings will improve cooperation and avoid duplication of efforts. Where the military contingent has a mandated responsibility to ensure the security of humanitarian actors, these meetings are also an appropriate forum for sharing security information, conducting security briefings and organizing security training. Such meetings will ideally take place at each level, focusing on the sphere of interests appropriate to each. Inter-agency meetings, at a minimum, provide an opportunity for the participants to gain greater familiarity with the programmes of other agencies; for the presentation of plans and evaluation of past activities; for the coordination of activities and the sharing of resources and information; and for the creation and implementation of common strategies.

Routine Contact between Desk Officers

Communications should take place between officers of each organization who have complementary responsibilities. For routine matters, this implies a pairing of counterparts: the Special Representative of the Secretary General with the Special Envoy of the High Commissioner; the Force Commander with the UNHCR Chief of Mission; battalion commanders with UNHCR Heads of Office; military operations officers with UNHCR logistics officers; civil-military affairs (G5/J5/S5) officers with UNHCR field officers, military public information officers with UNHCR public information officers (and so on). To ensure that communications between civil and military organizations takes place at these levels, civil and military counterparts should be identified and should maintain frequent contact.

Civil-Military Operations Centres

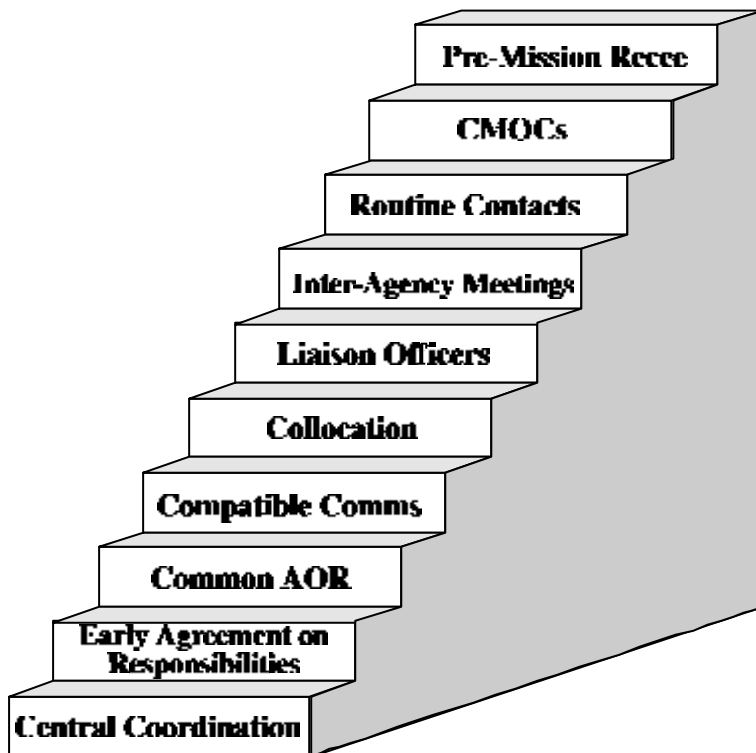
The establishment of Civil-Military Operations Centres (CMOCs) has proven an efficient means of overcoming coordination difficulties. Located within military headquarters, these units provide a convenient focus for civilian agencies' requests for military assistance. They have the significant advantage of providing a meeting place where all members of the military chain of command can have access to civilian actors and organizations. For civilian actors, they provide a convenient access to the military, and help overcome problems associated with a lack of familiarity with the military structure.

Although CMOCs have no tasking authority, they introduce to an operation the advantage of a passive information-sharing focal point.

Pre-mission Recce or Assessment

Reconnaissance or assessments missions prior to deployment are an important tool in establishing achievable mission objectives. These allow incoming members of the international military to meet departing colleagues and humanitarian agency counterparts who are already in theatre, to take advantage of information gathered and lessons learned, to be introduced to local contacts - in general, to pursue all of the coordination mechanisms outlined above. Reconnaissance missions in advance of rotation deployment will give incoming units the benefit of another's experience and help avoid "reinventing the wheel" after their predecessors depart the theatre of operations. Outgoing units and UNHCR can assist incoming units by preparing briefing kits on humanitarian operations and conducting joint familiarization meetings.

Ten Steps to Effective Coordination



Chapter 5: The Humanitarian Implications of Peace Support Activities in Emergency Operations

This chapter examines the relationship between peace support and humanitarian activities, and how typical military tasks contribute to UNHCR's humanitarian function.¹⁵

(21)5.1 Campaign Plans, Mission Statements and the Relationship between Peace Support and Humanitarian Action

Campaign Plans and Mission Statements

The last chapter presented some suggestions as to how the military and UNHCR can work together to achieve a common end. In a purely military endeavour, commanders will have formulated a campaign plan (operation order), in which the political objective and the end state of the mission are described, and the available assets are listed. The formulation of a written campaign plan and a mission statement provides an early opportunity for commanders, UNHCR and other humanitarian actors to establish a common approach to the humanitarian aspects of a military mission.

Familiarity with Humanitarian Principles

The scale and logistical difficulties of operations in complex emergency environments often, inevitably, require recourse to the resources and rapid deployment capacity of the military to ensure the timely delivery of humanitarian assistance. In practice, military contingents will always be involved to some extent in the humanitarian aspects of a common operation. For this reason, familiarity with and application of the humanitarian principles of humanity, impartiality and neutrality is essential.

Military Involvement in Humanitarian Activities

Undertaking humanitarian activities will enhance the image of a peacekeeping force, both locally and, through the media, internationally. This morale-boosting benefit may hold hidden dangers. Close association between the military and humanitarian components of an operation, for example, may be misunderstood by local populations.¹⁶⁽²²⁾ Peace-building initiatives implemented by the military might be viewed as coercive, appearing to compromise the principle of neutrality by conditioning the delivery of humanitarian assistance on acquiescence to a particular peace plan.¹⁷⁽²³⁾ The role of unarmed military observers and humanitarian workers may be similarly confused, and their safety thereby endangered.¹⁸⁽²⁴⁾ Allowing humanitarian objectives to become linked to military or political events can cause paralysis in missions, where extraneous issues are allowed to cloud the primary principle of *humanity*.¹⁹

(25)5.2 Protection Issues (Refugees, Displaced Persons, Detainees)

The Meaning of International Protection

Protection refers to the reasonable guarantee of human rights and physical security that most people can expect to receive from their own Governments, either at home or abroad (through embassies). Because refugees and others lack the option of relying upon their own Governments for protection, recourse to an alternate agent is needed. This is the basis upon which the notion of international protection was founded. International protection is intended to be a temporary substitute, until such time as the benefit of national protection can again be extended to the individual - either through voluntary return, where the individual avails him/herself of the protection of his/her own Government; or through the extension of the protection of a different Government through the acquisition of another nationality.

Protection in Emergencies Involving Armed Conflict

Protection also refers to a set of activities to be performed by international organizations such as UNHCR and ICRC. In emergencies involving armed conflict, physical protection is a primary concern. International standards and Conventions designed to protect civilians are often ignored by the parties to the conflict. Humanitarian action to protect the victims of conflict may broach a whole range of undesirable political implications, such as complicity in "ethnic cleansing", compromising neutrality or impartiality, or manipulation for political, military or criminal ends. In ethnicity-based conflicts, for example, minority populations may come under threat. International actors may be manipulated into evacuating threatened civilians, which may unintentionally assist one party to the conflict in concentrating its own populations or expelling another; or which may assist criminal elements to profit from selling safe passage. UNHCR and ICRC deploy specially trained officers to deal with these issues. Where protection issues arise which call upon the military to become involved, consultation with UNHCR and ICRC is highly recommended.

Protection Activities by the Military

The presence of international armed forces as both witnesses and a stabilizing influence can lend significant passive protection to endangered civilians. Patrolling in vulnerable communities, for example, reduces the opportunities for anonymous acts of aggression against minorities. Decisions about involvement in protection activities on behalf of victims of conflict, however, should be deferred to the expertise of trained protection officers, unless, of course, lives are in imminent danger. Standard Operating Procedures, specifying a cautious approach to these situations, should be developed to deal with situations where contact with specialized agencies is not possible. In general, intervention for protection purposes should be proportional to the threat. Where moving an individual out of danger would suffice, for example, moving the individual across an international frontier might not be warranted. Many simple measures can be taken to reduce the vulnerability of a given population. These include, but are not limited to, the following:

- maintaining presence in proximity to buildings and installations essential to the life of a community, such as hospitals, water and power generating stations, places of worship, schools and nurseries;
- maintaining presence in areas of dispute to ensure maximum freedom of movement of civilian populations, including freedom to flee to a place of safety;
- maintaining presence in rural communities to facilitate the safe conduct of agricultural activity and food production;
- maintaining presence in proximity to the location of valuable cultural properties;
- ensuring access by local population to medical care, including escorting medical practitioners in areas of confrontation;
- liaison between opposing parties to a conflict to ensure continuity of commercial activity;
- liaison between opposing parties to a conflict to ensure continuity and repair of essential infrastructure.

Other Agents of Protection

Protection is not the exclusive province of UNHCR. Many other organizations are involved in protection activities. The most noteworthy of these is the ICRC, which has a specialized mandate to protect victims of conflict. Because refugees and internally displaced persons are very often people who are victims of conflict, the constituencies of UNHCR and ICRC may at times overlap. UNHCR and ICRC each have their own working methods, following from the requirements of their respective mandates.

5.3 Support to Civil Administrations

Description

The continuity of consent to peacekeeping and humanitarian activities is inextricably intertwined with the trust which derives from a perception of impartiality and neutrality. Confidence-building measures reinforce consent. In this regard, the United Nations military should give high priority, particularly at the battalion level, to civil military (G5/J5/S5) activities. One means of garnering trust and confidence is by lending support to local authorities and institutions through visible humanitarian and social activities. The caveat must be, however, that support which does not follow the principles of humanity, impartiality and neutrality, and which is not coordinated with the appropriate humanitarian institutions, can have a detrimental effect. Although these agencies do not have a monopoly on the humanitarian concern, deferral to "humanitarian expertise" and coordinated programmes are recommended.

Activities in Support of Civil Administrations

The timing of support to civil authorities is also important. Where a viable ceasefire has emerged, the

opportunity is ripe to turn the tide of public support in favour of a lasting peace. This can effectively be achieved without compromising the neutrality or impartiality of military forces, by activities designed to help civil authorities on both sides of a line of confrontation to restore law and order and civilian administration.

Such activities might include assisting the parties to the conflict with the collection of weapons/disarmament; explosive ordnance and mine disposal; repair of essential infrastructure; leading joint supervision of ceasefire agreements and establishing mechanisms for peaceful dispute resolution. Needless to say, the establishment of conditions of peace and security will accelerate the transition from the crisis phase, through the stabilization phase, into the reconstruction, rehabilitation and development phases.

The Humanitarian Aspects of Peace Support Tasks

Peacekeepers will frequently encounter requests for assistance from local authorities, typically having to do with engineering, explosive ordnance disposal and mine-clearing, medical support including medical evacuations, provision and delivery of humanitarian aid stocks and transmission of messages. The military implications of such requests will be obvious to members of armed forces. The humanitarian implications may be less clear. One might ask, for example, to what extent humanitarian activities undertaken by the military will create dependence on outside assistance; and to what extent will independent humanitarian activities undertaken by the military compromise other humanitarian programmes? The principles of humanity, impartiality and neutrality must always be the basis upon which decisions are made on requests for humanitarian assistance. Members of the military are asked, in this respect, to defer to "humanitarian expertise", in the same way that humanitarian agencies should defer to the expertise of the military on security issues.

5.4 Liaison with Military Authorities

Deferral to "military expertise" by civilian agencies is equally important. In a consensual peacekeeping and humanitarian operation, the establishment of goodwill between the United Nations and the various local authorities will encourage the re-establishment of law and order, economic growth and the restoration of an effective civil administration. It is the common political, military and humanitarian goal to bring about the transition from emergency to reconstruction, rehabilitation and development. In effect, the military component of this objective is to create the conditions where the presence of international armed forces is no longer required. This is a task uniquely suited to the experience and training of the military. Military-to-military liaison plays a vital role.

5.5 Negotiations

Description

Military and humanitarian actors alike will work with the lawful or the *de facto* authorities, within the guiding principles of humanity, impartiality and neutrality, in order to encourage such authorities to resume full responsibility for their populations, as well as to reinforce the consensual basis upon which activities are founded. Considerable time and effort will be spent on negotiation and mediation at every level by the political, military and humanitarian components of a United Nations mission. As local war-time administrations tend to be headed by military leaders, the interlocutors of each component may well be the same individuals.

Linkage

The mission objectives of the political, military and humanitarian actors of a joint operation are essentially the same - or, at least, parallel. At the field level, however, short-term objectives may differ among the international elements. Each of the political, military and humanitarian components must exercise caution and sensitivity in order to avoid interference with the others' pursuits. In practice this requires restraint and strict limitation of negotiations and mediation to the sphere of competence of each. The alternative is the nightmare of linkage, where the parties to a conflict condition humanitarian activities upon other humanitarian actions or the progress of political or military events. The acceptance

of such linkages violates the principle of impartiality, and the right to receive international humanitarian relief. From an operational point of view, it creates utter paralysis by setting preconditions for humanitarian activity which are beyond the control of the humanitarian agencies, and by creating precedents upon which further demands for linkages will inevitably be based. In short, linkages assail the very root of consent.

Sharing Information

The political, military and humanitarian components of an international operation will find their interlocutors in the respective political, military and civil authorities in the mission area. In internal conflicts, negotiators and mediators will become aware that there is a frequent divergence of opinion and action between the local military and civil leadership. Coordinated and prompt information-sharing regarding negotiations carried out by the various organizations is therefore essential.

5.6 Information

Description

The effective use of information is of vital, common interest to the military and humanitarian actors engaged in joint missions. As noted by the Secretary General in his Report to the 48th session of the General Assembly,

In the atmosphere of heightened tension in conflict areas, public information activities play a vital role in facilitating the mission's work by disseminating timely and objective information, and counteracting propaganda and misinformation. Effective public information activities can also be instrumental in generating and sustaining the support of the international community for the success of the mission.

Public information can also mobilize public support within the theatre of operations. Where the conflict in question is of an internal nature, effective public information activities will be essential to maintaining and reinforcing the consensual basis of operations. The importance of agreements reached at a high level very often does not reach local actors. In this regard, the United Nations or the UNHCR-military partnership should play a proactive role in explaining to local populations its mandate, what it can and cannot do, and the reasons for its successes and failures. If truth is the first casualty of war, an independent and reliable source of information will be crucial to the success of the military-humanitarian mission. Whereas resources are usually dedicated to international media coverage, efforts ought to be made to take local audiences into account in order to promote the mission mandate and its inherent impartiality and neutrality.

Public Information

Military and humanitarian organizations will each have their own public information structures. Separate public information offices have the advantage that officers will not be required to answer questions beyond their sphere of competence. Coordinated activities, including joint statements or press conferences, will allow passage of information without requiring one organization to answer questions on the other's behalf.²¹⁽²⁶⁾

Military Information

Equally important is the effective use of military information. Commanders and heads of humanitarian missions alike require military information for the purpose of executing tasks in the conflict environment. The collection, collation and dissemination of military information is a skill that civilian organizations will most certainly lack. Sharing of military information - giving early warning of population movements or a change in security conditions, for example - will be of great benefit to a humanitarian operation.

The Use of Military Information

The collection and use of military information is obviously a matter of great sensitivity. The parties to the conflict will doubt the neutrality of any party which is in contact with their opponents, especially where the neutral party shows an interest in military matters. It is difficult to demonstrate the need for military information for operational uses by civilian organizations. Military expertise in the handling of such information may therefore be central to humanitarian operations.

5.7 Protection of Humanitarian Mandates

It is clear that the military have a tremendous contribution to make toward the viability, effectiveness and overall success of UNHCR emergency operations. While mission objectives may be divergent - and occasionally inconsistent - coordinated activities and deference in matters beyond one component's mandate by and large will produce constructive results. The task for the military in complex emergencies in this regard is not merely support to and protection of elements of a humanitarian operation; it is also the protection of the integrity of the humanitarian mandate.

Chapter 6: Military Tasks in Support of UNHCR in Emergency Operations

This chapter describes the kind of military assistance that may be provided to UNHCR in emergency operations. It covers two broad themes: creation of a secure environment; and humanitarian support tasking.

6.1 UNHCR Staff Security and Evacuation Plans

Description

The security of all United Nations and associated personnel is the responsibility of the lawful and/or the *de facto* authorities of the parties to the conflict. This is a fundamental component of the principle of consent. Nevertheless, authorities will at times be unable or unwilling to control all threats to the safety of United Nations personnel, installations or operations. Consent at the operational level does not always follow at the tactical level. Peacekeeping forces will always have a mandate to use force in self-defense (which includes the defense of all United Nations personnel), and may have duties specified in their mandates regarding the defense of personnel, installations and operations or the use of force under Chapter VII of the Charter of the United Nations.²⁽²⁷⁾1 A principal task of peacekeeping commanders will therefore be to support local authorities to create conditions necessary for consensual operations, both military and civilian, to be carried out in reasonable safety and security.

Limits of the Peacekeeping Force's Responsibility for Security

Where the United Nations military is responsible for the security of humanitarian personnel, it is the position of UNHCR that the military is relieved of this responsibility where security advice and instructions are ignored by such personnel.

United Nations Security Coordinator

In military-humanitarian missions in complex emergencies, the overall responsibility of the United Nations Security Coordinator is likely to be delegated to the Special Representative of the Secretary General. Local security and evacuation plans should be designed to conform with United Nations procedures and guidelines, in consultation with the official designated by the United Nations Security Coordinator's office with overall responsibility for security matters.

Avoiding Security Incidents

Avoidance of security incidents is, of course, preferable to extraction of personnel from tense or volatile situations. Activities directed to reinforcing the consent of local authorities and winning the confidence of local population, and the use of static or mobile patrols to ensure the security of routes from points of departure to destinations (supported by the appropriate military information) and security awareness training for humanitarian workers are the best guarantee that personnel will not come to harm. Collateral

benefits for the humanitarian work of local or non-associated personnel will also result.

Information on Military Activities

Information on military activities may not always be available to civilian humanitarian workers. Regular security briefings by military force contingents are essential if humanitarian workers are to assess properly the risks associated with carrying out a particular activity. Civilians will require advice about safety procedures, but may resist control by the military, viewing control as interference with their independence. Nevertheless, the security situation may be such that safety dictates central control of movements. Military control of routes and movements might be explained using the analogy of a police officer closing a route because a bridge has been washed out. In doing so, the police officer in no way interferes with the right of the driver to operate a vehicle, but merely passes information - albeit conclusive - upon which the driver can make a decision as to whether to proceed.

6 2 Humanitarian Aid Convoys and Escorts

Advantages and Disadvantages of Military Escorts

The use of military escorts for humanitarian convoys has both advantages and disadvantages. On the positive side, military escorts provide deterrence against potential aggressors. Where armoured vehicles are used in the convoy escort, greater physical security (not to mention psychological security) is offered. In the event of an actual attack, escorts provide a self-defensive capability. On the negative side, however, escorted convoys tend to move slowly, especially where heavy armoured vehicles are used. Aggressors tend not to differentiate between convoys and their escorts, and may therefore target unarmed humanitarian workers. Civilians tend to expose themselves to greater risk than do members of the military and may compound this problem by an incomplete understanding of the degree of protection which escorts make available.

Implications of the Need for Escorts

The need for escorts points to a failure of consent: where the consent of the parties to the conflict is continuing and complete, access to beneficiaries by humanitarian personnel is unhindered. Nevertheless, humanitarian operations will normally seek to continue, subject to local constraints, where access is partially or wholly obstructed.

Alternative Convoy Security Measures

Alternative techniques for the protection of convoys should be considered, and employed where appropriate. These include advance notice to warring parties of convoy movements and route condition negotiations, alternate route selection, static and mobile patrols and the employment of local police escorts.

6.3 Support to Local Authorities

Description

Local authorities will tend to view a joint mission as capable of meeting all its own needs. This notion will be reinforced by the presence of international armed forces which provide security for humanitarian personnel, convoys and premises. Local authorities may, as a result, feel absolved of any obligation and seek to abdicate responsibility for security to the United Nations or other international military. Local authorities are responsible for the security of operations, and should be reminded as required of this obligation. It goes without saying that intervention by peacekeepers, especially where the use of force is necessary, should occur only as a last recourse, where local authorities fail to meet their obligations.

Implications of Security Support by Peacekeepers

Where local authorities fail to protect personnel or premises from warring factions or criminal elements, there is an implication that the consent under which humanitarian operations are undertaken is disavowed. On a more practical level, peacekeepers may compromise or be perceived to have

compromised their neutrality if they are put in a position of having to enter into direct engagement with one party to the conflict. Liaison with and assistance to local police by peacekeepers (especially by the United Nations Military and Civilian Police) is therefore a preferable and more effective means of reinforcing local responsibilities and ensuring continuing local cooperation. Peacekeepers are also highly visible, both locally and, through the media, internationally. They therefore have the opportunity to set a good example of peaceful and civilized conduct.

Responsibility and Planning

The peacekeeper's mandate frequently includes responsibility for the protection of United Nations personnel and premises. This element of the peacekeeper's mandate requires a clear understanding of why and where attacks might take place. Familiarity with the local political and economic situation is essential. Without limiting the generality of the above, warehouses will always be prime targets for attacks by the disaffected. Aid stocks are likely to be the only valuable commodity in a war-affected area, alluring for criminals and the distressed alike.

6.4 Transporting Humanitarian Aid

Availability of Military Logistics Resources

In the absence of the standing force arrangements envisaged in the Charter of the United Nations, peacekeeping and other international military contingents will continue to rely on their own logistic and other assets for their own support, and will continue to be subject to funding constraints. While this has the advantage of promoting a perception of the neutrality of peacekeepers - their deployment seeming or perceived as too small to pose a threat to the interests of the parties to the conflict - it is likely that the capacity of peacekeeping contingents to contribute logistic support to humanitarian aid efforts will be restricted. Nevertheless, the availability of logistic assets for support of humanitarian activities should be taken into consideration by the Department of Peacekeeping Operations and contributing nations when deciding on the appropriate structure of the peacekeeping forces.

Tasking Military Logistics Resources

When the mandate for the peacekeeping force requires it to support UNHCR's humanitarian activities, commanders at all levels should be encouraged to task resources to provide visible and effective military support. The scope and priority of the humanitarian task, however, should remain a decision of the humanitarian agency, which will have previously negotiated such matters with the relevant civil authorities as part of the overall programme of activity within the mission area.

6.5 Repair and Maintenance of Infrastructure

Description

Vital infrastructure repairs may be undertaken for operational or humanitarian reasons. Infrastructure repairs may also be undertaken to establish goodwill in a given community. The extent of the commitment of civil or military agencies to infrastructure repair will depend on the mandate provided by the Security Council and the availability of international resources. To the extent that ensuring the delivery of humanitarian assistance requires efficient and accessible lines of communication, infrastructure repair will also be a component of a United Nations military mission, to create the minimum necessary infrastructure to provide protection and support to the population.

Infrastructure Repair for Humanitarian Purposes

The benefit of military engineering elements for humanitarian operations is beyond question. Rarely will humanitarian organizations be in a position to provide similar expertise and resources. Repair of infrastructure as a humanitarian endeavour should be coordinated by the lead individual or humanitarian agency, which is likely to have funds available for the repair of infrastructure for humanitarian purposes. Military expertise and resources may be specifically deployed to the mission area for infrastructure repairs. Where infrastructure repair is not a mission objective, assets may be provided on an "as available" basis. In the latter case, priorities for repairs should be established between the civil

authorities and the appropriate humanitarian agency.

Scope of Repairs

The scope of repairs should provide adequate function of infrastructure. It need not address complete reconstruction. When planning this type of assistance, engineering elements should always bear in mind that the aim of humanitarian assistance is to sustain life and to strengthen local institutions' efforts to relieve suffering and build self-reliance, as a first step toward reconstruction, rehabilitation and development. Caution is recommended in accepting direct requests from local authorities for the repair of infrastructure, particularly where there might be military implications or the possibility of linkage to extraneous issues.

6.6 Health and Medical Support

Description

Military contingents will normally be self-sufficient with respect to medical care, and will often bring with them what appear to local populations to be large medical structures and resources. They are generally not deployed for humanitarian purposes, but rather for the care of their own and associated personnel. Where populations are medically at risk, lack of access to these facilities may generate local resentment.

Military Tasks in the Health Sector

While the mandate of medical components of military forces may not allow direct assistance to local populations on a humanitarian basis, medical officers can make meaningful contributions. Assistance to UNHCR medical programmes, the World Health Organization and other medical components of a humanitarian operation (including NGOs) in programme development, technical assistance and especially medical logistic support have all been central aspects of past activities. Medical resources may be made available to local medical authorities, either directly or through a United Nations or NGO health sector programme. The role of military medical personnel in this respect is essentially the same as military engineers. It is suggested that commanders give consideration to humanitarian tasks for these professionals when formulating campaign plans.

6.7 Conduct of Peacekeepers Undertaking Humanitarian Tasks

Description

Peacekeeping forces not detached to civilian agencies undertaking the kind of humanitarian tasks mentioned above should do so in uniform, armed, and under the Rules of Engagement for their mission. Material resources should be made available by the civil authorities or appropriate humanitarian agency.

6.8 United Nations Civilian Police (UNCIVPOL) and Military Observers (UNMOs)

Description

Members of UNCIVPOL and UNMOs are generally unarmed and widely deployed in the field. These two features can make UNCIVPOL and UNMOs more readily acceptable to local populations and well-placed to receive and disseminate information. In past and present missions, both have offered UNHCR the advantage of a field presence, and have undertaken specific humanitarian support duties.

Role of UNCIVPOL in Protection

The role of the civilian police officer is to maintain law and order and to ensure that the rights and freedoms of individuals are respected. In the environment of emergency operations, where the maintenance of law and order may be quite tenuous, the police officer will rely principally upon credibility and a perception of fairness. A police officer in this regard is bound by the same principles humanity, impartiality and neutrality as are all humanitarian actors. Duties have varied in operations in which civilian police have played a part. The role of UNCIVPOL has generally been to monitor the performance

and conduct of local police (including militias) and to assist them in the execution of their duties. UNCIVPOL's duty is to the war-affected population and not the local administration. As such, UNCIVPOL and UNHCR have complementary protection mandates, and can do much to assist one another in achieving the ends of their respective missions.

Role of UNMOs in Protection

UNMOs' duties are more specific to the military component of a United Nations emergency operation, and their responsibility is not directly to local civilian populations. Nevertheless, they are generally widely dispersed in the field and are therefore an excellent source of "eyes and ears" on the ground. UNMOs have proven an invaluable source of information on the effect of military activities upon a local population. Their very presence in vulnerable communities has acted as a stabilizing influence, providing significant "passive" protection to local populations.²²⁽²⁸⁾

Humanitarian Duties

Duties will vary from mission to mission. In general, police and UNMO duties with a humanitarian component will include a combination or aspects of the following: activities related to ensuring the maximum freedom of movement of local populations, supervision of the passage of humanitarian aid, monitoring and reporting on the situation of minorities, investigating reports of missing persons, maintaining buffer zones between opposing parties to a conflict, manning police/observation posts and conducting mobile patrols, and ensuring that local police and other authorities carry out their duties in a manner consistent with accepted standards of conduct. Complementary humanitarian tasks (in addition to the foregoing) might include assisting UNHCR to gather information on beneficiary needs and monitoring aid distribution, as well as investigating reports of killings, atrocities and human rights violations. UNCIVPOL and UNMOs may also undertake duties related to the security of warehouses, transportation routes and airports.

6.9 Evolution from Emergency Relief to Reconstruction, Rehabilitation and Development

Description

Humanitarian operations evolve, from the emergency or crisis phase, through the stabilization or standard phase, to reconstruction, rehabilitation and development, and return to normality. Humanitarian operations will be designed to have sufficient flexibility to accommodate these changes.²³⁽²⁹⁾ The objective will be to pass as quickly as possible along the chain of evolution. This is achieved by implementing programmes designed to provide assistance without engendering dependence; and by supporting and revitalizing local institutions, pressing them toward sufficient independence to meet the needs of their own communities.

Evolution of Military Tasks

Military contingents participating in humanitarian efforts may be confronted with evolving tasks coincident with the unfolding of humanitarian programmes. Initial security and logistic support, for example, may be overtaken by engineering activities for the repair and improvement of local infrastructure. Requests may be made by local civil or military authorities for assistance in explosive ordnance disposal. Military engineers and EOD teams are in a unique position to provide expertise and resources to speed the progress of these changes.

Concepts of Operations

Tasks in support of humanitarian activity may be unfamiliar to military commanders. Operational planning should reflect humanitarian priorities, and be geared toward the achievement of humanitarian ends - namely, return to normality. A commander's Concept of Operations should therefore address the prerequisites necessary to success in humanitarian endeavours. As described elsewhere in this Handbook, these include a secure environment, confidence-building measures and operational support. Demilitarization, a central aim of most peacekeeping missions, is also key to the success of humanitarian operations.

The Role of the Military in Voluntary Repatriation

A vital aspect of a community's return to normality will be the voluntary repatriation of its displaced members. Repatriation is one of the High Commissioner's primary responsibilities and has been at the forefront of UNHCR's activities since the organization's inception in 1951. Before sponsoring repatriations, UNHCR must be satisfied that individuals can voluntarily return in conditions of safety and dignity. The military can provide significant assistance to creating such conditions, for example, through engineering, EOD and mine clearing tasks.

Chapter 7: The Organizational Culture of UNHCR

This concluding chapter describes some less tangible characteristics of UNHCR. It is designed to assist the military to become better acquainted with the manner in which UNHCR implements its mandate, by highlighting UNHCR's approach to problem solving and decision-making, and how these differ from those of the military. This chapter is an important segment of this Handbook. The experience of past emergency operations has shown that cooperation and coordination between the military and UNHCR staff members is greatly enhanced by familiarity with each other's organizational culture.²⁴

(30)7.1 The Organizational Structure of UNHCR

The management structure at UNHCR's Headquarters in Geneva does not resemble that of the military, except, of course, that staff have different "ranks" in the UNHCR hierarchy. The Headquarters organization is a complex structure of regional, legal, technical and administrative responsibilities.

Both the military and UNHCR are diversified on a functional basis, but in many other respects the similarity between the organizational structure of the military and UNHCR differs. On the military side, the administrative, intelligence, operations, logistics and civil-military affairs elements report directly to the commander. For UNHCR, the functions of the administrative, public information, programme, supply and transport, and protection units are more autonomous. In common operations in the field, this difference can prove frustrating for the military. Heads of UNHCR offices are not commanders in the military sense. UNHCR offices, therefore, may lack the single point of contact which the military might seek. This means, for example, that a commander will have to deal with a logistics officer on operational matters, or a protection officer on legal matters. Without knowledge of UNHCR's functional divisions, this can be confusing.

Another common area of difficulty is the difference between the military and UNHCR logistic support network. The resourcing mechanisms of these two organizations are not the same. UNHCR lacks the rear support from which military units benefit. UNHCR's operations are almost entirely donor-driven, and will therefore be subject to "pipeline" delays, where circumstances change faster than additional/appropriate resources can be acquired. In that it is not feasible for UNHCR to stockpile resources in more than 100 theatres of operation, resource constraints will always be a feature of UNHCR operations - even where funding shortfalls do not exist.

7.2 Cultural Issues

Description

UNHCR staff members are trained to be sensitive to, and take account of, cultural differences among themselves, refugees and government interlocutors. In military humanitarian operations, two additional cultural variables are added. These are the cultural differences among the various nationalities of personnel participating in the operation; and the cultural differences between the military and civilian components of the operation. A passive function of any United Nations activity is to promote international understanding and cooperation among participants. With respect to the military-civil disparity, experience indicates that many failures of cooperation and misunderstandings have resulted from the neglect to consider the diverging perspectives of the military and civilian actors. The following paragraphs describe some of the more common cultural difficulties.

Decision-Making

UNHCR devolves a great deal of decision-making authority to staff members in the field. UNHCR's activities take place throughout the world. Field staff will in general have the greatest amount of information and expertise in carrying out activities in a particular location. For UNHCR, therefore, it is more sensible and feasible to operate in this manner. By contrast, policy decisions in the military are generally made higher up the reporting chain. This makes the most sense in a more hierarchical organizational structure, because all channels of communication and reporting are directed toward the decision-maker.

Command Structure

The analogy of UNHCR's organizational structure to a military command structure is not completely accurate. The analogies break down because command and control in UNHCR do not always emanate from a single central point. Command is influenced by broad policy considerations produced by the General Assembly and refined by the High Commissioner and her Headquarters staff, but it is implemented by decision makers in the field. As a self-funded organization, the High Commissioner is accountable to the international donor community.

Generation Gap

UNHCR counterparts to military officers - and especially NGO counterparts to military officers - tend to receive decision-making authority at a younger age than do military decision-makers. This generation gap has been known to exacerbate the cultural difference between civilians and the military.

Accountability

UNHCR, and humanitarian agencies in general, particularly those working in emergency relief operations, seek to achieve maximum efficiency in the use of limited resources. Humanitarian aid workers measure success in utilitarian terms, by promoting the greatest good for the greatest number. The approach of humanitarian agencies, therefore, is to stretch resources - material and human - as far as possible. UNHCR operations tend to be less geared toward "end games" or "goals". As such, accountability is much lower than that in the military, because the achievement of UNHCR's objectives does not depend on UNHCR alone.

Flexibility

UNHCR is increasingly an emergency-oriented organization. Because UNHCR operations take place in volatile environments and are often subject to resource constraints, long-range planning is often difficult. Experience has taught UNHCR staff members to maintain maximum flexibility. The military approach requires identification of variables, controlling them to the greatest extent possible, and planning for contingencies. Civilian flexibility and military precision often conflict in joint operations.

Realistic Expectations

Civilians tend to judge military achievements solely by their end results, without paying due regard to the careful training, preparation and planning upon which military success is founded. An outsider may view a military unit as well-resourced, in human and material terms. Individuals holding this view might therefore be led to hold unrealistic expectations of what can be achieved through military means.

Appendix 1: A History of UNHCR Cooperation with the Military

This appendix describes some examples of the relationship between UNHCR and the military in field operations over the course of the last several years. It is intended to illustrate the variety of forms of these operations, from mere coincidence of missions to formal agreements under which responsibilities are delineated. The descriptions are not meant to be exhaustive.

Nicaragua

There was no formal relationship between UNHCR and the United Nations Observer Group in Central America (ONUCA). The 1987 agreement on a peace process among Central American States titled "Procedures for the Establishment of a Firm and Lasting Peace in Central America" included a significant repatriation component. ONUCA's mission, under Security Council Resolution 650 (1990), was expanded to include the voluntary demobilization of Nicaraguan resistance and the reduction of the Sandinista army. Some interdependence of missions therefore arose. The majority of the Contras who were repatriated, however, were moved under the auspices of the Organization of American States, and not UNHCR. The need for coordinated activities between the ONUCA peacekeepers and UNHCR, therefore, rarely arose. In field locations, ONUCA and UNHCR offices were frequently located in close proximity, and sharing of information was regular. In result, the two missions were able to complement each other.

Namibia

Although the United Nations Transition Assistance Group (UNTAG) was composed of civilian, police and military components, it was essentially a political organization, the principal mandate of which was to monitor the dismantling of the South African military presence in Namibia and to supervise free elections. Under the general framework of the demands put forward by the Security Council in Resolution 385 (1976), UNTAG entered into several Memoranda of Understanding with the Government of South Africa in 1989 which addressed the presence of the United Nations in Namibia. No formal relationship between UNHCR and UNTAG was mandated by the Security Council. However, Resolution 385 and subsequent Resolutions referred to the return of refugees as a precursor to registration of voters and elections. UNHCR's role as the United Nations organ responsible for voluntary repatriation of refugees was therefore implicit. UNHCR concluded a separate Memorandum of Understanding with the Government of South Africa with respect to the repatriation. Some national contingents expressed frustration with the apparent inability of UNHCR to define military support tasks. At the same time, UNHCR was able to bring to bear significant resources, due to its independent sources of funding.

Northern Iraq

The United Nations Guard Contingent in Iraq (UNGCI) was established and deployed with the consent of the Government of Iraq, detailed in a Memorandum of Understanding signed in Baghdad in April 1992. The principal task of this semi military multinational contingent was to protect United Nations personnel, assets and operations. As a single-purpose support Force having no direct humanitarian role, few significant problems of interface arose. The previous year, the Security Council in Resolution 688 (1991) authorized Coalition Forces to deploy in Iraq for humanitarian reasons, without the consent of the Iraqi Government. UNHCR was the lead agency for humanitarian relief, having entered operations with the consent of the Iraqi Government. It was felt by some senior UNHCR personnel that UNHCR priorities and policy were, at times, subordinated to the will of Coalition Forces. In particular, the creation of safe areas in Northern Iraq allowed the Turkish Government to prevent Iraqi Kurds from seeking asylum in that country, contrary to the provisions of the Universal Declaration of Human Rights (1948). Coalition Force members disagreed with UNHCR, at times, as to whether the conditions existed for refugees to return to Iraq in safety and dignity. On the other hand, the presence of Coalition Forces in Turkey allowed UNHCR to have access to the southeastern region for the first time. The hand over of responsibility for displaced persons was generally felt to be successful, despite UNHCR's lack of preparedness at the time.

Cambodia

Cambodia represents the United Nations most ambitious attempt to implement a comprehensive plan to establish a lasting peace. Following the signing in Paris in 1991 of the framework agreement "A Comprehensive Political Settlement of the Cambodia Conflict", the Security Council established, by Resolution 745 (1992), the Transitional Authority in Cambodia (UNTAC). UNTAC's mandate included seven distinct components: human rights, civil administration, electoral, police, repatriation, rehabilitation and military. UNHCR and the military remained independent under the umbrella of UNTAC, allowing each to maintain credibility and the confidence of all parties, even when UNTAC's relations with

the Khmer Rouge were strained. The relationship between UNHCR and the military was limited, in that the Force Commander's instruction did not require substantial support to UNHCR; and in any event, there was no UNTAC military presence on the Thailand-side of the border. The main task for the military in Cambodia was security.

Former Yugoslavia

In the former-Yugoslavia, operations are carried out where armed conflict is continuing. UNHCR's operations predated the deployment of the United Nations Protection Force (UNPROFOR), and take place throughout all of the former Yugoslav republics. UNPROFOR's mandate is restricted to Croatia, Bosnia and Hercegovina, and the Former Yugoslav Republic of Macedonia. Joint activities between UNHCR and UNPROFOR commenced in mid-1992 when, under Security Council Resolutions 764 and 776, UNPROFOR was requested to take measures to ensure the delivery of humanitarian assistance. Since that time, military contributions in support of humanitarian activities have included demining, security, repair of roads, bridges and essential infrastructure; providing Air Force assets for the implementation of the humanitarian aid airlift into besieged Sarajevo and air drops of humanitarian aid into other inaccessible areas. In this theatre of operations, humanitarian and military operations have become closely entwined. The lack of a political framework under which objectives are delineated, and a military mandate which potentially includes enforcement action have been the most serious threats to ongoing cooperation. Increased coordination at all levels, however, has ensured good collaboration.

Rwanda

The United Nations Assistance Mission for Rwanda (UNAMIR) was authorized by Security Council Resolution 872 (1993). By the terms of the Resolution, UNAMIR was assigned particular duties, including "to assist in the coordination of humanitarian assistance activities in conjunction with relief operations". In early 1994, the Security Council passed Resolutions 918 and 925, recognizing that UNAMIR's role included the facilitation and security of humanitarian relief operations. UNAMIR's mandate, however, was not extended beyond the borders of Rwanda. There is no specific reference to UNHCR in any of the Security Council Resolutions concerning UNAMIR, and therefore no formal legal link between UNAMIR and UNHCR. Nevertheless, substantial coordination of effort has followed, particularly having to do with the operation of Kigali Airport and UNHCR's emergency relief airlift. Because the Secretary General was unable to raise sufficient troops to meet the authorized strength of UNAMIR, the Security Council, in Resolution 929 (1994), authorized the deployment of the Armed Forces of Member States as a temporary humanitarian measure. The French-led multilateral OPERATION TURQUOISE then ensued. OPERATION TURQUOISE achieved substantial success in establishing safety zones for threatened populations, but undertook few activities related to UNHCR's humanitarian operations. The American OPERATION SUPPORT HOPE was instrumental in establishing and maintaining the air bridge and supporting humanitarian activities. Coordination was maximized in both cases by the secondment of Air Force officers to UNHCR's Air Operations Cell in Geneva and by the establishment of Joint Logistics Cells and Civil-Military Operations Centres in the field.

Georgia

The 1994 Quadripartite Agreement on the Voluntary Return of Refugees and Displaced Persons, signed by representatives of Georgia, Abkhazia, Russia and UNHCR provides for the repatriation to Abkhazia of persons displaced by the internal conflict which broke out in 1992. The agreement specifies that the repatriation is contingent upon the deployment of an international peacekeeping force. Already present in the area was the United Nations Observer Mission in Georgia (UNOMIG) deployed under the authority of Security Council Resolution 858(1993). UNOMIG then had a mandate limited to ceasefire verification. Subsequent fighting invalidated this mandate. A series of Resolutions beginning with 892(1993) extended the mandate of UNOMIG and included more general military observation duties. At the time of the signing of the Quadripartite Agreement, only 21 of the authorized 55 UNOMIG observers had been deployed. At the same time, the Russian Federation deployed troops in Georgia as peacekeepers, the impartiality of whom may be questioned by local authorities. It remains to be seen whether the parties to the Quadripartite Agreement will accept the Russian force as fulfilling the deployment requirement. The terms of the Agreement, establish in effect a relationship between UNHCR and the peacekeeping force.

Given the lack of an "arms length" international military presence, UNHCR's principal military contact will be the Russian Force, despite the presence of UNOMIG. Should a multinational deployment take place under the terms of the Quadripartite Agreement, a unique chapter in UNHCR's involvement with the military will have been written, because, for the first time, UNHCR played a pivotal role in the creation of the peacekeeping force's mandate.

Appendix 2: United Nations Humanitarian Organizations

This appendix describes three United Nations humanitarian organizations. As this Handbook is designed to assist the military to work with UNHCR, and not United Nations organizations in general, the following information is for reference purposes only. For more information, the reader should contact the organization in question directly.

UNICEF

UNICEF was established as the United Nations International Children's Emergency Fund in 1946 by the General Assembly of the United Nations. Its initial, time-limited mandate was to provide emergency relief aid for children in Europe following the devastation of World War II. In 1950 the General Assembly, satisfied that UNICEF's original task had successfully been carried out, extended the mandate for a further three years. UNICEF was directed to shift its attention from emergency aid to longer term programmes for the improvement of the health and nutrition of children in developing countries. In 1953, the General Assembly made this UNICEF's permanent mandate, changing the name of the agency to the United Nations Children's Fund.

UNICEF operates more than 200 offices in 117 countries, assisting Governments to implement programmes concerned with children's health, nutrition, education, training and social services. UNICEF is also an international advocate of children's rights and is, for example, responsible for publicizing and implementing the General Assembly's 1959 Declaration on the Rights of the Child.

The Nobel Peace Prize was awarded to UNICEF in 1965.

WFP

The World Food Programme, the food aid organization of the United Nations, was established in 1963. WFP helps poor people by combatting hunger and poverty. WFP provides relief assistance to victims of natural and man-made disasters, and supplies food aid to poor people in developing countries aimed at building self-reliant families.

WFP operates in more than 90 countries worldwide. The largest multilateral food aid organization in the world, WFP provides twenty-five percent of global food aid, reaching more than 47 million people. The hungry poor who receive WFP assistance include landless agricultural workers, small-scale farmers, the urban poor and others lacking food resources. Among these, some sixty percent obtain family rations by participating in labour-intensive programmes to construct infrastructure and create assets essential for their longer-term advancement. Most of the remaining beneficiaries receive WFP assistance through human resource development projects.

WFP is the largest source of grant assistance to developing countries within the United Nations system; the largest supporter of development projects involving and benefitting poor women; the largest provider of grant assistance for environmental protection and improvement; and the largest purchaser of food and services in developing countries - and, thus - a major supporter of South-South trade.

WHO

The World Health Organization was established in 1948. The first Article of its constitution states its purpose to be "the attainment by all peoples of the highest possible level of health." In pursuit of this goal, WHO cooperates with national health authorities, other specialized agencies, professional groups, and other organizations concerned with health. It may also respond to Government requests for assistance in the technical, emergency relief and national health service sectors. WHO functions as the

international health coordination authority.

Within the United Nations system, WHO's Division of Emergency and Humanitarian Action (EHA) coordinates the international response to emergencies and natural disasters in the health field, in close partnership with other member agencies of the United Nations Inter-Agency Standing Committee (IASC), and within the framework set out by the Department of Humanitarian Affairs (DHA). In this context, WHO's vast technical network is utilized to provide expert advice to Member States on, among other things, epidemiological surveillance, control of communicable diseases, public health information and health emergency training. The Division's emergency relief activities include the provision of emergency drugs and supplies, fielding of technical emergency assessment missions and technical support. Its emergency preparedness activities include coordination, policy-making and planning, awareness-building, technical advice, training, publication of standards and guidelines, and research on emergency preparedness issues. EHA's main objective is to strengthen national capacity of Member States to reduce the adverse health consequences of emergencies and disasters.

Appendix 3: Non-Governmental Organizations

The following is a list of some of UNHCR's major NGO partners and a key word description of their areas of specialisation. Mention or omission does not imply any form of endorsement by UNHCR. Target sector descriptions are not comprehensive.¹⁽³¹⁾¹

Organization	Target Sector
ACORD (Agency for Cooperation and Research in Development)	Emergency Assistance, Development (Consortium of Agencies)
ADRA (Adventist Development and Relief Agency)	Transport/Logistics, Health/Nutrition, Shelter, Community Services, Education, Food Production, Legal Assistance
AICF (Action Internationale Contre la Faim)	Food, Water, Health/Nutrition, Shelter
AI (Amnesty International)	Human Rights, Legal Assistance
ARC (American Refugee Committee)	Sanitation, Health/Nutrition
CARE (Cooperative for American Relief Everywhere)	Food, Transport/Logistics, Health/Nutrition, Shelter, Community Services, Legal Assistance
CARITAS	Food, Transport/Logistics, Domestic Needs, Water, Sanitation, Health/Nutrition, Shelter, Community Services, Education, Food Production, Income Generation, Legal Assistance
CONCERN	Water, Shelter

CRS (Catholic Relief Services)	Food, Domestic Needs, Health/Nutrition, Sanitation, Education, Income Generation
CWS (Church World Service)	Transport/Logistics, Domestic Needs, Health/Nutrition, Shelter, Community Services, Education, Income Generation
DRC (Danish Refugee Council)	Transport/Logistics, Shelter, Community Services
Equilibre	Food, Transport/Logistics, Shelter
HI (Handicap International)	Food, Transport/Logistics, Health/Nutrition, Shelter, Community Services, Legal Assistance
ICMC (International Catholic Migration Services, Commission)	Transport/Logistics, Domestic Needs, Health/Nutrition, Community Services, Education, Legal Assistance
IFRC (International Federation of Red Cross and Red Crescent Societies)	Food, Transport/Logistics, Health/Nutrition, Shelter, Community Services
IIRO (International Islamic Relief Organizations)	Emergency Assistance, Logistics/Transport
IRC (International Rescue Committee)	Food, Transport/Logistics Domestic Needs, Water, Sanitation, Health/Nutrition, Shelter, Community Services, Education, Food Production, Income Generation, Legal Assistance
LCHR (Lawyers Committee for Human Rights)	Advocacy, Human Rights
LIRS (Lutheran Immigration and Refugee Service)	Advocacy, Migration
LWF (Lutheran World Federation)	Food, Transport/Logistics, Domestic Needs, Water, Sanitation, Shelter Health/Nutrition, Community Services, Education, Food Production, Income Generation, Legal Assistance
MDM (Médecins du Monde)	Health
MSF (Médecins sans Frontières)	Food, Transport/Logistics, Domestic Needs, Water, Sanitation, Health/Nutrition, Shelter, Community Services Food Production

NRC (Norwegian Refugee Council)	Transport/Logistics, Shelter, Community Services
OXFAM	Food, Transport/Logistics, Water, Sanitation, Community Services, Income Generation
PSF (Pharmaciens sans Frontières)	Health
Radda Barnen	Domestic Needs, Community Services, Education
Refugees International	Advocacy, Migration
SCF (Save the Children Fund)	Transport/Logistics, Domestic Needs, Water, Sanitation, Health/Nutrition, Shelter, Community Services, Education, Food Production, Income Generation
WUS (World University Service)	Education
World Vision	Water, Food Production

Endnotes

1

1 The Office of the United Nations High Commissioner for Refugees is described in Section 2.1. The mandate of UNHCR is described in Section 3.4.

2

2 UNHCR and other humanitarian organizations are described in Chapter 2 and Appendix 2.

3

1 Statute of the Office of the United Nations High Commissioner for Refugees 1950.

4

2 ECOSOC may make recommendations to the General Assembly in this regard.

5

3 These international instruments are described in detail in Section 3.4.

6

4 The terms 1998protection1998 and 1998international protection1998 have a special meaning. Refer to Section 5.2 for a detailed description.

7

/1 See the Universal Declaration of Human Rights (1948).

8

/2 The parties to a dispute may request the deployment of an international peacekeeping force as a peaceful means of conflict resolution. In general, the deployment of a peacekeeping force in internal conflicts has followed a specific request from the Government of the concerned State.

9

3 The authority to deploy a peacekeeping force does not rest exclusively with the Security Council, although the Charter does reserve to the Security Council the exclusive right to impose mandatory measures under Chapter VII. General Assembly Resolution 377/5 1950 titled 1998Uniting For

Peace1998 was an attempt to overcome deadlock in the Security Council. This Resolution has been referred to as the legal foundation for the deployment of two peacekeeping missions by the General Assembly: the United Nations Emergency Force Egypt-Israel border, 1956-1967; and the United Nations Security Force Dutch West New Guinea, 1962-1963.

10

/4 The result has been, in the former-Yugoslavia in particular, denial of the delivery of sufficient quantities of fuel to meet humanitarian needs, out of concern that fuel may be misappropriated for war-like purposes.

11

5 The threat of air strikes against the Bosnian Serbs to enforce the Sarajevo exclusion zone is a case in point. The close association between UNHCR and UNPROFOR, coupled with the perception of the belligerents that UNPROFOR and NATO were engaged in a common military enterprise against the Bosnian Serbs on behalf of the Bosnian Government, raised the possibility that UNHCR might have to publicly distance itself from the military in order to preserve the perception of its own neutrality.

12

/6 A refugee is a person who, 1998owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country...1998 [Article 1A2].

13

/7 Article 35 1.

14

8 1998No Contracting State shall expel or return refouler a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion...1998

15

9 The Geneva Agreement of 18 November 1993, in which the parties to the Bosnian conflict gave assurances of unimpeded humanitarian access, is a case in point. The Agreement, despite constant affirmation at the highest levels, was routinely ignored by the local authorities of all parties.

16

/10 In addition to the general principles which prohibit extraneous agenda in humanitarian action, UNHCR is bound by Article 2 of its Statute, which requires the work of the High Commissioner to be of 1998an entirely non-political character1998.

17

/11 Some means of achieving these objectives are described in Section 4.4.

18

/12 Although the creation of DHA may limit future 1998 lead agency 1998 designations, the concept has not become obsolete. In Northern Iraq, UNICEF continues to act as the lead agency, having assumed that function upon the departure of UNHCR in 1992. In Angola, WFP operates as the main United Nations humanitarian relief organization.

19

13/ Compatible equipment and shared frequencies, however, only address the technical aspect of communication difficulties. Communication cannot take place unless there is an ability and a willingness to do so. In this respect, liaison officers are essential.

20

/14 The use of radio frequencies may be subject to licensing conditions by the government of the State in which operations occur. UNHCR will generally reserve its frequencies for strictly humanitarian traffic, in order to avoid confusion about its humanitarian, impartial and neutral status. The sharing of UNHCR Monday, July 20, 1998s communications equipment with the military may be subject to these two conditions. The use of military frequencies by UNHCR is likely to be subject to similar conditions.

21

/15 Chapter Six of this Handbook examines the kinds of tasks which the military can undertake in support of UNHCR Monday, July 20, 1998s humanitarian activities.

22

/16 UNAMIR air-dropped pamphlets into refugee camps in Zaire in August 1994 in an attempt to draw attention to favourable conditions in Rwanda for the return of Hutu refugees. This action was interpreted by refugees as support for the new regime in Rwanda and promotion of involuntary repatriation.

23

/17 Bosnian Government authorities accused UNHCR, throughout the winter of 1993-1994, of withholding humanitarian relief supplies as part of an international conspiracy to coerce acceptance of the Owen-Stoltenburg Peace Plan.

24

/18 In attempting to prevent the intervention of UNPROFOR and NATO in the siege of Gorazde in April 1994, Bosnian Serb military and civil authorities arrested and detained all UNMOs and UNHCR international staff in the Serb-controlled areas of Bosnia.

25

/19 Political negotiators agreed to link humanitarian access to besieged East Mostar to medical evacuations from the Croat-controlled Vitez pocket in Central Bosnia in September 1993. Bosnian Government authorities in turn threatened to prevent medical evacuations unless other conditions were fulfilled. This spiralling linkage of extraneous objectives led to the frustration of critical humanitarian operations.

26

/21 The Secretary General has recommended the creation of a unit in the Department of Peacekeeping Operations "with responsibility for the development of doctrine, standard operating procedures, operationality and related matters... The unit should closely coordinate its work with DPI

and the information units in UNHCR, UNDP, UNICEF and the specialized agencies." ("Report of the Secretary General - Progress report on the in-depth evaluation of peacekeeping: start-up phase," 14 March 1994).

27

1 In Agenda for Peace, the Secretary General recommended that the Security Council 1998gravelly consider what action should be taken towards those who put United Nations personnel in danger1998. Recommended options included collective measures, possibly under Chapter VII. The General AssemblyMonday, July 20, 1998s Special Committee on Peacekeeping Operations has created an Ad Hoc Committee on the Elaboration of an International Convention Dealing with the Safety and Security of United Nations and Associated Personnel, the work of which is ongoing.

28

/22 UNMOs are uniquely situated to carry out many of the activities mentioned in Section 5.2.

29

/23 UNHCR relief activities concentrate on the immediate protection and assistance needs of individuals of concern to the High Commissioner. While UNHCRMunday, July 20, 1998s planning will attempt to ensure compatibility with rehabilitation and development needs, and may indeed provide for development-related activities, as a humanitarian organization UNHCRMunday, July 20, 1998s mandate does not extend to long-term commitments to rehabilitation and development. The United Nations Development Programme UNDP, the main operational agency in the United Nations system for development, will ensure, together with the Department of Humanitarian Affairs, that a smooth transition is made from relief to rehabilitation and development.

30

/24 A Training Module containing similar material has been produced for the use of UNHCR staff members who will be participating in joint operations with the military. See "Working With The Military".

31

I More complete NGO information may be obtained from the NGO Coordinator's Office at UNHCR Headquarters in Geneva (telephone (41 22) 739 87 81 or fax (41 22) 739 87 89).