REFUGEE CAMP SECURITY IN THE GREAT LAKES REGION

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## CONTENTS

### PURPOSE OF THE STUDY

1

### GENERAL OBSERVATIONS AND RECOMMENDATIONS

2

### FRAMEWORK OF THE STUDY: CONCEPTS

7

- The concept of security
- The responsibility of States with regard to security
- Reminder of similar situations

### THE SITUATION IN THE GREAT LAKES REGION

9

- The context
- The refugee population
- The situation in the refugee camps
- The response of the international community
- The chosen solutions

### MAINTENANCE OF ORDER IN THE CAMPS

14

- Overview
- The difficulties to be overcome
  - The situation
  - Impact on security
  - Causes of poor security

### EVALUATION OF SECURITY MEASURES

22

- The nature of the measures
- The limitations of the measures
- The causes of these limitations
PURPOSE OF THE STUDY

The main purpose of this study is to evaluate the effectiveness of the measures implemented under the auspices of UNHCR since 1995 in order to ensure the security of the refugee camps and settlement areas in Zaire and the United Republic of Tanzania. A second purpose is to draw lessons from the way in which security issues have been addressed and resolved, as a basis for conclusions and recommendations which might be used in future situations when identical or similar problems arise.

Owing to the events in Zaire since September 1996, this study did not have the benefit of travelling to the region. It is therefore based on interviews in Geneva with colleagues who have served in the Great Lakes region and on the examination of many internal documents and external sources.

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GENERAL OBSERVATIONS AND RECOMMENDATIONS

1. Between April and July 1994 almost two million refugees fled Rwanda and took refuge in neighbouring countries, in particular Zaire and the United Republic of Tanzania. The continuing conflict and unconfined exodus posed immense problems for the international organisations and entailed the mobilisation of massive resources.

2. The complexity of the problems was due to the suddenness and massive scale of the influx of refugees as well as its composition. The people who fled Rwanda were a mixture of refugees that included former politicians, soldiers and militiamen who had taken an active part in planning, organising and carrying out the genocide in Rwanda. To a large extent, the refugees remained under the control of the same groups, which had forced them into exile and continued to use them for political and military purposes. As the former leaders saw it, the refugee camps were to serve as a base for winning back power in Rwanda by any available means. The MNDR propaganda machine survived the crisis and started up again, military operations were carried out in Rwandan territory, and the refugees were made to support this effort, by force if necessary. The anti-Tutsi violence in and around the camps did not abate. It was directed just as much against the Tutsis who had lived in the asylum countries for generations as against Tutsi spouses in mixed couples and all the refugees who arrived in the camps after July 1994 and were thus suspected of being spies in the pay of the Rwanda Patriotic Front (RPF). On top of this there were the problems of criminal activity inherent in any sizeable community living in precarious and impoverished circumstances.

3. The violence and atmosphere of insecurity in and around the camps jeopardised the very basis of the humanitarian efforts. It became increasingly imperative to find solutions which would prevent the Rwanda conflict from spreading and further destabilising the entire Great Lakes region. The reaction of the international community proved timid. Consulted by the Secretary-General of the United Nations about the deployment of peacekeeping forces or provision of personnel to train and lead local security forces, the Member States avoided the issue. When every possible option had been exhausted, all that could be done was to fall back on the last proposal, i.e. to use local security forces. Thus, the United Nations High Commissioner for Refugees was requested to negotiate with the Governments of the asylum countries on the provision of security forces and the implementation of measures to restore public order in and around the refugee camps and settlement areas.

4. An evaluation of the conditions under which these measures were devised and carried out has to take into account the political realities prevailing in the region at the time and recognise that such measures, given that the political situation was difficult to control, were no more than stopgaps and could certainly not eradicate the underlying causes of the lack of security but only, at most, keep the situation under relative control.

5. The restoration of public order, guarantee of the refugees’ security and promotion of voluntary return as the only feasible lasting solution meant that a number of decisions should have been taken at the start of the operation and implemented by the asylum States and the humanitarian workers with the support of the donor States. The refugees should have been separated from the former leaders, soldiers and militiamen implicated in the genocide, who should have been dealt with separately. The former Rwanda Armed Forces (FAR) and
Interhawme militias should definitely have been disarmed, if possible immediately on their entry into the territory of the asylum country. The refugee camps should definitely have been located at some distance away from the Rwanda frontier and in areas where coexistence with the local ethnic groups would have been possible. From the outset of the crisis a global assessment should have been made of the needs of the authorities of the asylum countries with respect to the maintenance of public order and guarantee of the refugees’ security, and the necessary resources should have been provided without delay.

6. The decisions which should have been taken would have demanded from the States concerned, whether asylum or donor States, a clear political will and an entirely unambiguous commitment to settle what was a humanitarian crisis of unprecedented scale. That will was lacking from the very outset, and the desire of certain States to exploit the crisis for their own ends then obstructed the quest for a coherent and global solution. In a situation where urgent action was essential, the Security Council debates on security in the camps in the Great Lakes region did not take place until October 1994, six months after the outbreak of the crisis, only to become deadlocked in January 1995. Precious time had been lost.

7. Hence, compelled to act but having no control of the political factors in play, UNHCR could only opt for measures designed to limit the damage and contain any deterioration in the situation.

8. The principles to be applied in this case, especially the ones stated in the international and regional instruments and the various conclusions of the Executive Committee, namely unfailing respect for the humanitarian and non-political nature of the refugee camps and settlement areas and the need to locate them some distance away from the frontiers of the country of origin, were not respected by States.

9. For the future it is thus essential to reopen the debate in order to reaffirm that these principles are indispensable, to ensure that the States Members of the United Nations reiterate their commitment to adhere to them, and to take any necessary action to this end.

Recommendation 1

- The question of the security of the refugee camps and settlement areas must be discussed at the next session of the Executive Committee and a specific conclusion should be adopted. A similar discussion should take place in the Economic and Social Council and the General Assembly under the item on the work of UNHCR and it must produce a reaffirmation of the principles to be applied with respect to security in the refugee camps and settlement areas.

10. The measures adopted and implemented to restore public order and guarantee the security both of the refugees and of the humanitarian personnel have been an indisputable success. The security of the personnel and of the infrastructures and installations has been generally maintained. Incidents constituting a danger to the refugees have declined markedly. This success warrants all the more emphasis because the political context was unfavourable and indeed because the operations cost little. Nevertheless, and without wishing to play down this success, it must be pointed out that a number of practical deficiencies have been
identified. They must be attended to and corrected, so that UNHCR can equip itself with the means of solving security problems in the future.

11. Issues of security in refugee camps and settlement areas are not given the priority they deserve in UNHCR emergency operations. They generally do not receive attention until after the emergency phase of the operation when a number of problems have already taken root. This is especially surprising since increasingly the Office is called upon to take action in conflict zones or in their immediate vicinity, where security matters are a major issue. They must be given greater attention in the planning of UNHCR emergency operations policy.

12. This will require action at several levels. First of all, use must be made of the Office's prior experience by making a systematic analysis of operations in which the security of refugee camps and settlement areas has constituted a major problem in the past, including establishment of the main causes of poor security, evaluation of the various responses, and identification of the ones which have proved effective and practicable in other contexts and of any adjustments which may be needed.

**Recommendation 2**

- On the basis of acquired experience UNHCR should devise a set of security measures forming an integral part of its emergency operations programme and focused on three essential objectives: guaranteeing the security of humanitarian personnel; guaranteeing the security of their aid and protection activities; and guaranteeing the security of the refugees, in particular the vulnerable groups, by adopting effective measures for the maintenance of public order.

13. Within the framework of this programme, and as part of human resources management, it is essential to devise a training module for the personnel who are to work in conflict zones. In this connection it would be wise to draw on the experience acquired by some other organisations in these matters, in particular the International Committee of the Red Cross (ICRC). All personnel to be deployed in emergency operations should attend a training programme in order to prepare them and equip them with the capacity to identify and analyse the security problems and the necessary solutions. This training programme should also attend to the mental preparation of the personnel and train them to tackle and deal with extremely tense situations. The programme should be run in a specialised training centre managed jointly by all the United Nations agencies active in conflict zones (UNICEF/WFP/WHO) in order to rationalise the costs and avoid duplication.

14. In addition, these situations and the methods of dealing with them must be described in a handbook which the personnel can use as a reference tool, along the lines of the one published by UNHCR and the United Nations security co-ordination service under the title "Security Awareness", and it should be incorporated in the revised and augmented "Emergency Handbook".

15. In order to be effective and supplement the training provided, the handbook must offer answers to all the questions which the personnel may have to deal with, from the simplest, such as the location of facilities (offices, warehouses, aid assembly and distribution points), to
the most complicated, such as respect for national laws and maintenance of public order by
refugees in chaotic situations.

Recommendation 3

- UNHCR human resources management policy should be rethought in the light of the many
different kinds of action taken in conflict zones. A training programme on security
problems should be devised and offered in a specialised centre for all United Nations
agencies. To supplement this training, a section on these problems and their solutions
should be incorporated in the "Emergency Handbook".

16. The implementation of such solutions will also require an effort to recruit qualified
and experienced security specialists. Every emergency response team deployed in the field in
the initial phase of any operation should include one or more security officers. Their role
would be to study the features of the local situation, identify the actual or potential security
problems, establish the needs and draw up a plan for the security of the camps or settlement
areas on the basis of the general guidelines contained in the handbook, and ensure that these
guidelines are properly followed by all personnel.

17. It is also essential that, following the emergency phase, the teams should include
sufficient numbers of security experts to ensure liaison with the competent local authorities in
matters of security and maintenance of order. In order to ensure the availability of such
experts and limit recourse to external recruitment, UNHCR should conclude agreements for
the provision of personnel (police or armed forces officers) with States which have shown an
interest, along the lines of existing agreements on certain aspects of emergency operations.

Recommendation 4

- A policy for the recruitment of security experts should be established in order to equip the
teams deployed in the field with qualified personnel both during and following the
emergency phase. In order to meet its needs UNHCR should also conclude with interested
States agreements for the provision of personnel experienced in policing matters.

18. Respect for national laws and maintenance of order in the refugee camps and
settlement areas is not limited to the deployment of police forces or military contingents.
Action must also be taken downstream. This implies first of all that the refugees must be
told, by means of information campaigns, about their obligations towards the asylum country,
especially the obligation to respect national laws, and that they will have to answer for any
infringement of such laws. This means that offenders may be called to account for their
actions before the competent judicial authorities and be punished by them. Otherwise the
efforts made in the camps will all be in vain, and the failure to mete out punishment may
foster a sense of impunity and exacerbate the security situation. It is thus important in such
circumstances for the penitentiary and judicial institutions of the asylum country to be capable
of responding to the needs and to be equipped, where necessary, with the human, financial
and logistical resources to cope with the situation.
Recommendation 5

- On arrival in the territory of the asylum country the refugees must be informed about their obligation to respect national laws. In addition, a policy of strengthening the penitentiary and judicial institutions of the asylum country must be envisaged, in order to guarantee respect for national laws and maintenance of public order downstream.

19. In some situations the behaviour of certain refugee groups poses problems of the legal characterisation of their acts. In Zaire, for example, it has been pointed out that the intimidatory actions of persons who use violence to deter any voluntary return of refugees to Rwanda could not be legally characterised for want of corresponding provisions in Zaire's criminal code. Attention has also been drawn to the problems of interpretation and application of certain provisions of the criminal code which make it difficult to maintain public order and co-ordinate the various agents active in the field (contingent members, civilian security liaison group officers and UNHCR protection officers).

Recommendation 6

- In any operation in which security measures are carried out UNHCR should ensure that experienced legal advisers with sound training and experience of judicial procedures, especially criminal ones, should be deployed in the field to take responsibility for co-ordination between security officers, local police forces and the judicial institutions of the asylum country, in order to ensure appropriate application of national laws.
FRAMEWORK OF THE STUDY: CONCEPTS

The concept of security

20. In this study the term "security" must be understood as covering the questions of the protection of refugees' physical integrity and of their property and personal freedom in the country where they have taken refuge.

21. In very many situations the security of refugees is threatened by two kinds of factor: external and internal. The external factors are military activities connected with an armed conflict, in the context either of an international conflict or of a civil war. Such military activities constitute an immediate danger to refugees because all too often the camps are situated close to the combat zones and the refugees find themselves caught in the crossfire between the parties to the conflict. Moreover, the proximity of the camps to the frontier of the country of origin constitutes a further danger because the camps are often transformed into "safe havens" by one or other of the parties, which may even go as far as taking refugees hostage and using them against their will for political, military or logistical purposes. The internal factors consist mainly of attacks by refugees themselves on the security of persons and property and on individual freedoms, attacks which constitute violations of the laws of the asylum country and threaten public order.

The responsibility of States with regard to security

22. When refugees cross an internationally recognised border into the territory of a sovereign State, it is that State which is primarily responsible for their security.

23. Thus, the laws in force in the State's territory constitute the legal basis for the security of the refugees. All criminal codes prohibit and punish attacks on the physical integrity of persons, and almost all legal systems accord the victims the possibility of recourse to the courts. It is therefore important, first of all, for the asylum States to apply the provisions of their national laws to refugees in their territory under the same conditions as for their own nationals, or at least under the same conditions as apply to foreigners granted legal residence in their territory.

24. Secondly, this obligation has a legal basis in several international instruments. In a note dated 5 May 1993 prepared for the Subcommittee of the Whole on International Protection (EC/1993/SCP/CRP.3), concerning the personal security of refugees, UNHCR stressed that:

"Respect for refugees' fundamental rights as human beings is the first principle of international protection. The 1951 Convention relating to the Status of Refugees is expressly premised upon the principle that 'human beings shall enjoy fundamental rights and freedoms without discrimination' and on the United Nations' endeavours to assure refugees 'the widest possible exercise of these fundamental rights and freedoms'."

25. With regard to the legal bases of the obligation of States to guarantee the personal security of refugees, paragraphs 21-27 of this document list the essential principles and refer
to the role in this matter of the Executive Committee of the High Commissioner's Programme.

**Reminder of similar situations**

26. Similar situations threatening the security and physical integrity of refugees have been encountered in the past.

27. For example, in the camps established along the Khmer-Thai border the refugees suffered both from the fighting between the Khmer-Vietnamese troops and the troops of the government of national unity in exile in Thailand. The camps were a target because they depended on various Khmer movements in exile and contained a mixture of combatants and refugees. In addition, the refugees were prey to the violent activities of armed gangs, both Khmer and Thai, which plundered, took prisoners for ransom, raped and murdered. The Thai authorities then reacted by establishing a security force - Task Force 80 - whose function was to guarantee the security of the refugees in and around the camps. It soon became apparent that this force, owing to the conditions of recruitment of its members and their lack of training, could not perform its function and itself constituted a source of insecurity, including subjecting the refugees to extortion. As a consequence, the force was disbanded in 1989 and replaced by a new entity, the Displaced Persons Protection Unit (DPPU). Furthermore, the United Nations Border Relief Operation (UNBRO) established in the camps security liaison officers whose function was to train members of the DPPU and to create and supervise a Khmer police force in the camps to attend to the security of the refugees and displaced persons.

28. In Latin America and Africa the security problems were connected with the proximity of the camps to the frontier, the fact that they were besieged by political factions using the refugees for political, military and logistical purposes and exposing them to reprisals and armed incursions by troops of the country of origin or other armed political groups. In order to protect the refugees’ security UNHCR was forced to relocate some of the camps further away from the frontier, attempting thereby to separate refugees from combatants. It was on the basis of the experience gained in Latin America and southern Africa that UNHCR constructed the security doctrine reflected in a series of Executive Committee conclusions.
THE SITUATION IN THE GREAT LAKES REGION

The context

29. The fatal accident which befell the President of Rwanda in April 1994 gave the signal for the start of a brutal genocide which was to last for several months and involve the massacre of several hundred thousand civilians, most of them Tutsis but including Hutus as well. It was also served to extinguish peace efforts, in particular the plan accepted by the parties at Arusha, and prompt the Rwanda Patriotic Front (RPF) to resume hostilities against the Government in Kigali and the troops remaining loyal to it.

30. Developments in the military situation, in particular the conquest of most of the territory of Rwanda by the RPF, forced almost two million Hutus to flee in haste to neighbouring countries. The United Republic of Tanzania was the first country to be affected by this mass exodus which in April 1994 resulted in more than 600,000 people seeking refuge in its territory. Zaire was the most seriously affected neighbouring country. In July 1994 more than a million people flooded into its territory.

31. Even if these refugee flows were predictable in view of the evolution of the situation in Rwanda, all the humanitarian agencies were caught unawares by the massive and sudden nature of the exodus, and nothing was ready in the way of shelter and assistance for these people. In Zaire the refugees settled in camps in the provinces of northern and southern Kivu, a few kilometres from the frontier with Rwanda, around the villages of Goma, Bukavu and Uvira. In Tanzania most refugees were unevenly distributed throughout three districts (Ngara, Karagwe and Biharamulo).

32. It is clear from these data that the camps contained large concentrations of refugees, much more numerous that the populations of the towns around which they were established. It is useful to point out by way of comparison that the total population of the provinces of northern and southern Kivu was smaller than the refugee population by a factor of three. Thus, these regions did not have suitable infrastructures for receiving such an influx. This situation was to create tensions between the local people and the refugees and cause security problems.

1 The Goma region received the largest number of refugees -more than a million in July 1994 - distributed among nine camps whose populations ranged from 222,000 in the biggest (Katale) to 60,000 in the smallest (Lac Vert). The Bukavu region received 302,521 refugees distributed among 27 camps whose populations ranged from 52,294 in the biggest (Inera) to 510 in the smallest (Bagira). In the Uvira region the refugees from Rwanda and Burundi totalled 180,000 distributed among 12 camps, four of which had populations of over 10,000 and the other eight populations ranging from a few hundred to several thousand.

2 For example, the Ngara district received the biggest number of refugees (417,681) distributed among three camps: Benaco (211,370), Lumasi (126,408) and Masura Hills (79,903). In the Karagwe district the refugees totalled 165,600 distributed among five camps whose populations ranged from 67,994 in the biggest (Chabilisa I) to 10,846 in the smallest (Muongo). The only camp (Kitale Hills) in the Biharamulo district received 20,212 refugees.
The refugee population

33. Several different kinds of people sought refuge in Zaire and Tanzania. In addition to those fleeing Rwanda because of the violence raging there and out of fear of persecution there were also people who had planned, organised and participated in the genocide.

34. This latter category included political officials of the preceding regime, members of the former Rwanda Armed Forces (FAR) and members of the Interhawme militias, together with a large number of people who, while having no responsibility for political activities, had participated in the genocide and had various crimes to their names.

35. Such a massive and sudden influx into the neighbouring countries was due to several factors: on the one hand the impact of the propaganda of the former regime and the militias and their continuing influence on people; on the other hand the fear of reprisals by the RPF against those actually or allegedly involved in the genocide, and of course the effects of an ethnic and political conflict which had been raging for several decades.

36. Before July 1994 the FAR numbered 40,000 officers and men, and it is estimated that 30,000 of them managed to leave Rwanda for Zaire. Initially in northern Kivu former FAR soldiers and refugees were located in the Saké region, seven kilometres from Mugumba camp. A joint UNAMIR/UNHCR mission was carried out to identify sites suitable for accommodating the former ‘Forces Armées Rwandaises’ (FAR) men, at a distance from the rest of the refugees. The mission, however, was not successful. Furthermore, while it had been possible to distinguish former combatants from refugees in the early days of the influx since most combatants were still wearing their uniforms, this distinction quickly disappeared when the military put on civilian clothing and merged with the mass of refugees. It was, nevertheless, possible to separate out former FAR chiefs of staff and senior officers and house them in the place known as “the Bananeraie”.

37. In southern Kivu, around Bukavu, the members of the former FAR were accommodated outside the camps designated for refugees in special camps: Panzi for those accompanied by their families, and Bulonge for unmarried men. The population of these camps has been estimated at 10,000.

38. It is also accepted that between 10,000 and 15,000 members of the Interhawme militias, from Rwanda’s 147 communes, managed to flee to Zaire and find a haven in the refugee camps. Unlike the former soldiers, they could not be distinguished from the mass of refugees as they did not wear uniforms, badges or any other distinguishing marks. On the other hand, they knew each other and they remained an integral group despite having had to flee. The presence of these two groups inside or close to the refugee camps was to have serious consequences in terms of security problems.

The situation in the refugee camps

39. From the outset the refugee camps were structured according to the same administrative system as in Rwanda, i.e. prefectures, communes, sectors and cellules.
Contrary to what might have been expected, the exodus of Rwandan refugees was not anarchic. Organised groups travelled together or were later reformed. This was due partly to the hierarchical structure of Rwandan society and partly to the effectiveness of the leadership of the authorities and militias.

40. The result was that the groups were reconstituted in the camps, headed by the very people who bore responsibility for the genocide and continued to preach a policy of revenge and reconquest. This factor also had a marked impact on the security of the camps, especially in Zaire.

41. Tanzania also had security problems, but not on the same scale as in Zaire - owing to the different composition of the refugee population, in particular the relatively small numbers of leaders of the former regime and members of the former FAR and the Interhawme militias.

42. The combined effect of these factors led quickly to a number of incidents which created a climate of insecurity in the camps, not only for the refugees but also for the personnel of the humanitarian agencies.

43. Murder, theft, rape, intimidation, plundering of aid stocks, incidents during the distribution of food, demonstrations and threats against local and expatriate personnel reached such a scale that some humanitarian workers began to wonder whether it was sensible for them to remain in the camps or whether they should withdraw. Some did withdraw, convinced that this climate of insecurity was the work of the former authorities, who had taken control of the camps and were making aid work impossible.

The response of the international community

44. In October 1994 it was thus becoming urgent for action to be taken to regain control of the situation and guarantee the security of the camps. The international community considered various possibilities.

45. First of all, a joint UNAMIR/UNHCR mission went into the field in September-October 1994 to examine the problems and identify possible solutions. This mission was unsuccessful.

46. Next, on 30 November 1994 at the request of the Security Council the Secretary-General of the United Nations consulted the States which might be willing to contribute to the formation of a peacekeeping force with an estimated strength of 5,000 men, not counting logistical needs.

47. This peacekeeping force would have had three aims: to guarantee the safety of the personnel of international humanitarian organisations, to protect the storage and distribution of humanitarian aid, and to enable refugees who wanted to return home to cross the border into Rwanda in safety. Only one of the 60 States consulted indicated a readiness to contribute to the force, with the result that the option was abandoned.
48. A second possibility was to deploy security experts seconded by the Governments of Member States or recruited under contract in order to train and supervise the Zairian security forces responsible for security in the camps. This scenario envisaged the mobilisation of 150-200 civil police officers and 30-50 military observers. When it was consulted, the Government of Zaire stated that it was willing to provide a security force of 1,500-2,000 men. Only one of the Member States approached agreed to contribute, with the result that this more modest proposal also had to be discarded.

49. The United Nations Secretariat also explored a third possibility - a contract with a private organisation specialising in security matters. This organisation would have deployed in Zaire a team of 50 international instructors to train and supervise the local security forces, with 10 instructors remaining in post after the training period, supported by 40 international experts responsible for monitoring the situation and performing liaison and co-ordination functions. The cost of the operation was estimated at $60 million a year. That undoubtedly contributed to the option being discarded.

50. There thus remained no other possibility than the offer of the Government of Zaire to provide security forces, which was made in the Security Council by Zaire's Prime Minister on 15 December 1994. The Council therefore requested the United Nations High Commissioner for Refugees to negotiate with the Government of Zaire and to make acceptable arrangements to guarantee the security of the Rwandan refugees in Zaire.

The chosen solutions

51. The negotiations between the Government of Zaire and UNHCR led to the signature of an Aide-Mémoire on 27 January 1995. In this document the Government and UNHCR agreed to establish a security force with four functions:

(i) To improve public order in the refugee camps;

(ii) To prevent intimidation and violence designed to deter candidates for voluntary return;

(iii) To protect humanitarian facilities and personnel;

(iv) To provide escorts from the camps as far as the Rwanda frontier for convoys of refugees opting for voluntary repatriation.

52. In order to attain these four objectives the Government of Zaire undertook to deploy 1,500 security officers (police or military), 1,000 in northern and 500 in southern Kivu.

53. For its part, UNHCR undertook to pay the Zairian personnel three dollars a day and to provide uniforms, the necessary resources for establishing two command centres and 10 camps, and vehicles and radio and office equipment.
54. In addition, it was agreed that UNHCR would provide a liaison group of security advisers, who would be attached to the Goma and Bukavu sub-offices. This group would be responsible for liaison between UNHCR and the Zairian contingent and provide support in training, logistics, telecommunications and administration.

55. The project was to run for an initial period of five months (February to June 1995) and then to be rolled over for three-month periods, with an absolute limit of December 1995.

56. Specific instructions contained in a document entitled "Standard Operation Procedures" described in detail the practical modalities of the duties to be performed by the Zairian contingent. These can be grouped into three categories: activities connected with the maintenance of order as such, including standing and mobile patrols in the camps in order to ensure the physical protection of the refugees, investigation of traffic accidents, criminal investigations to detect and arrest violators of Zairian law, and judicial investigation of criminal activities followed by prosecution or other action. Specific activities were also mentioned, i.e. escorting convoys of refugees wishing to return to Rwanda and providing physical protection for personnel and guaranteeing the security of storage and other facilities.

57. During discussions with the special representative of the Secretary-General the Tanzanian Government, which from the start of the crisis had deployed 310 police officers to maintain security in the refugee camps, agreed to increase this strength to 500 men, with logistical assistance from the international community.

58. Several field missions seem not to have produced any tangible results, and it was through an agreement with UNHCR that resources were made available to the Tanzanian authorities to enable them to increase the strength of the police force.
Overview

59. It is thought that on balance the measures adopted both in Tanzania and in Zaire improved the security conditions in the camps. Although a number of incidents was significantly reduced, insecurity was not entirely eliminated. Furthermore, some of the principal objectives were not achieved, in particular the objective of preventing intimidation and violence against potential voluntary repatriants was never realised.

60. This was due mainly to the structure and organisation of the camps, where refugees and persons involved in the genocide lived side-by-side. The latter group was able to maintain a hold on the refugees by means of their propaganda which violently opposed any thought of repatriation. Furthermore as they outlined plans for the reconquest of Rwanda they kept up military incursions into Rwanda from the camps.

61. It would have been desirable to separate the refugees from those involved in the genocide, preferably from the start of the crisis. Once the situation had been allowed to establish itself, any attempt at separation would have risked violence, with the refugees and humanitarian workers as the victims and with no guarantee of success.

62. The use of military or police forces to guarantee the security of the refugee camps in Tanzania and Zaire can be regarded as a success when viewed against the difficulties confronting these forces. However, there were a number of failings which prevented the full attainment of the objectives. Furthermore, if the events which completely overturned the situation in Kivu from September 1996 had not happened and if things had remained as they were, it is to be feared that these failings might have spread, to the point of imperilling the whole operation.

63. The failings were the result of a combination of factors which did not receive sufficient attention or could not be controlled.

64. First of all, the sitting of the camps close to the frontier with Rwanda facilitated the military incursions by members of the former regime, and these incursions were followed by reprisals which helped to increase the climate of insecurity both for the refugees and for the local people.

65. Then the modelling of the organisation of the camps on the Rwanda administrative system and the confirmation of the leaders of the former regime in their positions of authority prevented full control of camp security, for the interests of these leaders clashed with the aims of the international community, which very quickly concluded that the voluntary return of the refugees was the only acceptable solution.

66. In addition, some aspects of the question of ensuring respect for public order were not taken into consideration. Although the arrest of offenders was made possible by the establishment of security forces, nothing was done to provide the necessary means of securing their detention and effective prosecution.
67. Lastly, the conditions under which the security officers were made available by the Zairian authorities, the lack of training and the poor leadership, especially of the second group, and their consequent behaviour led to incidents which intensified the feeling of insecurity in the camps.

The difficulties to be overcome

(i) The situation

68. The massive influx of refugees into the countries bordering Rwanda in the space of a few weeks posed considerable logistical problems to the humanitarian agencies deployed in the field. The first challenge was to set up the camps and furnish food and medical aid to almost two million refugees in areas regarded as unsuitable for their reception. The main effort was therefore focused on problems of logistics and aid to meet the most urgent needs.

69. In such a context the security problems were relegated to second place, where they had to wait until the practical aspects of the operation had been dealt with.

70. Hindsight prompts the feeling that the actors in this tragedy - the asylum countries and the humanitarian agencies - were taken by surprise and that they were unable to manage a crisis whose scale they did not perceive.

71. In the light of what was happening in Rwanda and the evolution of the situation, a certain amount of information was available and should have been acted upon before the flood of refugees crossed the border. It seems that a failure to make a global analysis of the situation and of its causes prevented those involved from appreciating the essential elements of the crisis and, consequently, from devising the necessary responses in certain fields.

72. As a result of this failure to analyse the situation they disregarded or did not pay attention early enough to a number of factors which later generated in the asylum countries a climate of insecurity hostile to the identification and implementation of durable solutions.

73. One example of a factor which was disregarded or not given sufficient attention is the heterogeneity of the refugee population, which included both refugees as such and persons involved in the genocide. It would have been essential, even before these people crossed the frontier, to study the available information, in particular the composition of the refugee flow, in order to devise, even on an emergency footing, the most appropriate solutions.

74. This leads inevitably to questions about the problem of regional co-ordination and, in that context, about the efficiency of the system for sharing and circulating the available information among the various UNHCR offices in the region.

75. This information was available. In fact, the movement of the refugees from one country to another took place in successive stages determined by military developments on the ground. The movement did not become definitive until it became apparent that the RPF troops had conquered the whole of the territory and France brought "Operation Turquoise" to
an end, compelling the politicians, former militiamen and refugees who had found a haven in the emergency humanitarian zone to flee to Zaire, in particular to southern Kivu.

76. It was also known that the members of the former FAR were travelling with arms and baggage, that they had not been totally disarmed by the French troops during their stay in the emergency humanitarian zone, and that indeed even in that zone they had constituted themselves into "refugee-fighter" communities.

77. Thus, a number of scenarios ought to have been formulated more clearly, especially with regard to security problems in the areas where the refugees were going to find shelter.

78. The result was that the camps established both in Zaire and in Tanzania to deal with the refugee influx were organised according to the administrative structure existing in Rwanda before the exodus.

79. In her book *Terreur Africaine* (Fayard Ed., Paris, 1996, p. 305) Colette Braekman gives the following assessment: "In the camps the `blindés', the shelters built of branches where families lived, were allocated to `communes', `sectors' or `cellules'. The administrative structure was the same as in Rwanda, as were the people in charge. Taking the easy option, UNHCR chose to collaborate with the leaders who presented themselves as officials in charge of the refugees, maintaining the social control of former days."

(ii) Impact on security

80. The way the camps were organised and controlled by the former Rwandan leaders created a genuine climate of insecurity.

81. In November 1994, in its magazine *Messages*, the French section of Médecins sans Frontières made the following statement: "... the administration which runs the camps fairly efficiently is a faithful reconstitution of the administration which presided over the genocide, and the `police' and `justice' in these camps is in the hands of this same administration, which resorts to threats, extortion, summary executions, and manipulation of crowds."

82. In his report to the Security Council dated 25 January 1995 the Secretary-General of the United Nations describes the security conditions in the camps in Zaire in the following terms:

"... the refugee population in Zaire tends to include more political, military and militia elements of the former Government than the camps in the United Republic of Tanzania or Burundi and their hostility towards the Government in Kigali is reflected in actions that have led to insecure conditions in the camps.

More specifically, the refugees are intimidated from publicly expressing their desire to return to Rwanda. The lives of such people, as well as the lives of politically moderate refugees or those who may have intermarried or are suspected of being infiltrators are seriously
threatened and some of them are known to have been killed. There is also a significant threat of civil disturbances in the camps. This threat is especially acute when refugees congregate together, for example, when relief supplies are distributed. In addition, as in any area containing a large number of people living in highly dense and impoverished conditions, common crime is prevalent in the camps.

Initially, the leaders in the camps were called upon to facilitate the delivery of relief assistance. Unfortunately they misused this responsibility by using the delivery of assistance to persuade refugees to behave according to their interests and by hoarding and/or selling such assistance rather than distributing it."

83. This situation manifested itself in widespread criminal activity. First of all there was the physical violence inflicted on individuals. It was aimed primarily at mixed couples. A spouse who was Tutsi or perceived as such was systematically threatened and subjected to physical violence up to and including execution, simply because of his or ethnic origin and on suspicion of being an RPF agent. The same suspicion could attach to new arrivals in the camps, who might be accused of being agents infiltrated by the Kigali regime and therefore subjected to physical violence, including their elimination. Violence was also used against refugees regarded as hostile to the political line of the camp leaders. To express the wish to return to Rwanda was considered to be an act of opposition liable to lead to the person's elimination.

84. The evaluation commissioned by OECD states in this connection: "The level of violence within the camps was extremely high, with one estimate based on a retrospective survey in one camp suggesting that 4,000 refugees died as a result of violence at the hands of the militia, undisciplined Zairian soldiers and other refugees."

85. Then there was the intimidation of refugees by activists of the former regime to deter them from expressing their wish to return voluntarily to Rwanda under the UNHCR programme.

86. This violence as a means of intimidation could also be directed against humanitarian personnel. Any act or activity regarded as hostile to the interests of the camp leaders could lead to mass demonstrations which might degenerate into acts of violence against individuals, including the taking of hostages. Sexual attacks on women refugees were also recorded. And theft was commonplace in and around the camps - from refugees, the local people and humanitarian organisations.

87. Attention must be drawn here to the fraudulent diversion of some of the humanitarian aid. Over several months, owing to lack of individual registration of refugees, the volume of aid to be distributed was calculated on the basis of a global assessment of the number of refugees. The number was over-estimated, usually at the instigation of the camp leaders, through whom the distribution was made. These leaders appropriated for themselves not only the surplus but also a part of the aid intended for the refugees, especially the most vulnerable among them, in order to resell it outside the camps to fund some of their activities.
Numerous attempts to steal from the warehouses of humanitarian organisations were also recorded. The local people were also victims of theft, from their harvests, livestock or firewood, and these thefts increased as the refugees' own resources and the aid declined.

88. In an article in *Journal of Refugee Studies* (Vol. 9, No. 3, September 1996) Bonaventure Rutinwa writes: "External security apart, refugees also threatened internal security through their various criminal acts. The Minister for Foreign Affairs and International Cooperation stated that Tanzania's hospitality to refugees had left 67 innocent Tanzanians killed by refugees and 2,500 livestock and other property worth more than 150 million shillings stolen in Kagera region alone."

89. The violence also spread beyond the camps. The presence of hundreds of thousands of Hutu refugees in Zaire constituted a source of political destabilisation in a region where Tutsis had long been settled. Conflicts erupted, especially in northern Kivu, where pitched battles were fought in Masisi, leading to pillaging, destruction and murder. Many Hutu refugees from the camps were involved in this fighting, side by side with or even leading the local Hutus. Similar conflicts, although less fierce, also occurred in southern Kivu, where the activists among the refugees continued or tried to continue their genocidal practices against the Tutsis settled in this region. This indeed was one of the causes of the developments which began in September 1994.

(iii) Causes of poor security

90. The situation must be viewed differently, depending on the country of asylum and the nature of its refugee population.

91. In Tanzania, shortly after the arrival of the refugees and their installation in the camps, the authorities brought in a police force to ensure respect for the law and maintenance of public order. Although this force was very small in relation to the number of refugees, it is nevertheless true that its activities helped to keep the number of incidents down, for it arrested, detained and prosecuted trouble-makers. This was made easier by the fact that the refugee population in the Tanzanian camps was less politicised than in Zaire, where most of the leaders of the former regime had taken refuge.

92. In Zaire the climate of insecurity created in the camps had many causes. First and foremost, owing to the prevailing political situation the authorities normally responsible for the maintenance of order were so disorganised that they could not and would not perform the functions assigned to them. Many policemen and soldiers had not been paid for several months and were primarily concerned with their own survival.

93. Moreover, in order to cope with the problems caused by the massive influx of more than a million refugees into Zaire priority was given to the logistical aspects of the operation, and the problems of protection did not receive attention until later, after the logistical problems had been solved.

94. On page 14 of a recent study on the lessons to be drawn from the emergency operations in Rwanda and Burundi the Inspection and Evaluation Service notes: "While
UNHCR has made outstanding progress in many technical areas of emergency preparedness and has specially trained administrative staff on stand-by for emergency service, it is a matter of serious concern that no comparable effort has been made to bring about an effective strategic response to protection concerns."

95. The study stresses that the failure to take protection problems into account was one of the most glaring weaknesses of the emergency operation and points to the omission of personnel qualified and experienced in security matters from the emergency response teams deployed in the field.

96. It may be wondered whether the security problems could have been solved by deploying a greater number of experienced protection officers in the field in the early days of the operation. They would certainly have been able to identify the protection needs of the most vulnerable refugee groups, but it is not certain that they alone would have been able to take the necessary action, both because they were unable to find reliable spokesmen among the refugee population owing to the role played by the self-appointed leaders and because of the negligence of the Zairian security forces.

97. The concentration of such a large number of people in a chaotic situation inevitably leads to security problems of far greater scale than the usual considerations of protection, posing the question of respect for the law and maintenance of public order and consequently demanding specific responses beyond the competence or training of a protection officer. In such a situation, in addition to experienced protection officers, whose role would certainly have been important, it was nevertheless essential for suitably trained security professionals, from either the police or the military, to be included in the emergency team and deployed in the field from the start of the operation.

98. Their primary function would have been to analyse the security problems, with regard both to the refugees and to the humanitarian personnel, and establish at the local level the possible responses and the means necessary for their implementation.

99. Analysis of security problems must be regarded as an essential element of any emergency operation and given priority in its initial phase in order to identify any difficulties in advance and devise possible ways of dealing with them. Security issues should be regarded as an integral part of the guidelines on the organisation of refugee camps, even if the application of the guidelines may depend partly on the authorities of the asylum country. Just like the logistical aspects of an operation, security measures must be envisaged in advance and form part of contingency planning.

100. It is interesting to note in this connection that both the UNHCR emergency operations handbook and the guidelines for emergency operation managers contain only a few lines on security problems, with the guidelines referring only to the security of United Nations personnel and the instructions to be carried out in emergencies.

101. As pointed out in the study by the Inspection and Evaluation Service mentioned earlier, one of the glaring weaknesses of the operation in the Great Lakes region was due to
the lack of analysis or failure to take into account the political, cultural and social factors in the country of origin, even though UNHCR had been present in Rwanda for many years.

102. Once the refugee camps had been set up and organised, it was realised that their structure, by reproducing the Rwandan structure, played into the hands of the authorities of the former regime, that the persons responsible for the genocide were in positions of authority in the camps, that they were imposing their wishes on the refugees, by force if necessary, and that consequently they were directly responsible for the climate of insecurity in the camps.

103. The separation of these leaders from the rest of the refugee population came to be seen as a necessity in the months following the establishment of the camps, but by then it was impossible since it would have required the use of force which would probably have led to acts of violence against the humanitarian personnel and the refugees. Furthermore, although the officials of the former regime were known and could have been isolated, as the members of the former FAR had been, it was difficult to identify the activists of the former regime among the refugee population of the camps, especially the Interhawme militiamen, who were indistinguishable from the refugees. And if an attempt had been made to isolate them, they would have stirred up trouble in the camps, as happened later when attempts were made to arrest persons guilty of intimidation.

104. The separation should have been effected even before the camps were set up. However, such an operation would probably have been risky without the effective support either of an international force or of the Zairian authorities, which found such a prospect less than enchanting and certainly did not want to take such action. The proof of this is that they showed very little determination, whatever they may have said, when it came to disarming the former FAR members and the Interhawme militias.

105. Thus political factors came into play and vitiated the purely humanitarian character of the operation. Since separation was difficult a priori and impossible a posteriori, and since the structure of the camps was designed to enhance the authority of the extremists of the former regime and jeopardised the implementation of any lasting solution, the choices were limited.

106. This point was highlighted by Gérard Prunier, a consultant working for UNHCR through Writenet, in the conclusion of a study completed on 24 July 1994 at the height of the exodus of Hutu refugees and published by Refugee Survey Quarterly (Vol. 13, Nos. 2 and 3, summer/autumn 1994).

107. Prunier warned anyone going to work in the field that adequate attention must be paid to the political factor when tackling the practical problems.

108. He wrote at the time:

"Thus, if the bourgmestres and the MRND officers who followed (or often drove) the people into exile are allowed to retain their role of leaders of the refugee population, a number of negative consequences will certainly ensue: (a) they will take their cut from the aid given to the refugees, either for their own pockets or to finance their political
activities; (b) they will use their grip on a largely illiterate population to terrify it and deter it from returning home, in order to retain a mass of people who can be used for political and military manoeuvring beyond Rwanda's frontiers; (c) they will undertake, at least from Zaire, military guerrilla operations against the new regime in order to block any possibility of national reconciliation which might be applied to the mass of the population but not to them, and which would mean the definitive loss of any chance of ever recovering their power and privileges. Thus, from the untreated or poorly treated heart of a crisis will sprout the roots of the next crisis."

This, unfortunately, is exactly what happened.

109. It is regrettable that the analysis of this highly respected scholar employed by UNHCR was not taken into account. It is evident that more attention needs to be given to external analysis which often provides a broader perspective than can be found within the organisation.
EVALUATION OF SECURITY MEASURES

The nature of the measures

110. The measures adopted in Tanzania to ensure respect for the law and maintenance of public order were different from the ones adopted in Zaire.

111. In Tanzania the authorities deployed a force of 310 police officers in the initial phase of the operation, and its strength was increased to 500 a few months later. The Tanzanian authorities requested assistance from UNHCR to enable its police to perform their functions. This led to a project for the provision of funds to increase the pay of the personnel and the supply of material resources (vehicles, telecommunications, food and accommodation).

112. The choice of police forces to maintain order proved a wise one since the officers and men had been trained for such work and had the status of members of a criminal investigation force, i.e. competence to act in criminal cases.

113. For the purposes of co-ordination with the Tanzanian police forces UNHCR recruited a local security officer, a former senior officer in the Tanzanian police, and an expatriate, also a former police officer.

114. In addition, in order to back up these security arrangements UNHCR established in the camps in the Ngara region a group of 300 guardians recruited from among the refugees and deployed in the camps in a ratio of one guardian to a thousand refugees. They were paid by UNHCR and placed under the authority of the Tanzanian police. Their main tasks were to maintain order at gatherings of the refugees and to go to places known to be dangerous to collect information.

115. In Zaire the authorities made available to UNHCR a military contingent of 1,500 men. These men were deployed along the axis of the camps and placed under the authority of a headquarters located in Goma. The Goma sector had 860 security officers and men, divided between a command centre and three camps, the Bukavu sector had 490 with a similar distribution, and the Uvira sector 150. The first contingent to be deployed had been recruited from the Special Presidential Division, an elite force whose standard of training and leadership have been judged adequate. However, following the first rotation, in January 1996, the new members of the contingent were recruited from among other regular units of Zaire's armed forces, less well trained and led.

116. In order to ensure co-ordination of the contingent and liaison with UNHCR, a civilian security liaison group was formed, consisting of police officers provided by European and African Governments. This group was intended to have 50 officers distributed among the three sectors. It was often below strength owing to rotations and the difficulties which the Governments participating in the operation encountered in filling the posts.

117. The conditions for the selection of personnel to serve as security officers in both Tanzania and Zaire were a matter for the authorities of the asylum countries, and UNHCR was unable to intervene to ensure that the standard of training and the aptitude of the officers
concerned were satisfactory. While it is recognised that the police deployed in Tanzania showed great professionalism, in Zaire the members of the second contingent were found not to satisfy the criteria stated in the Aide-Mémoire.

118. It is admitted on all sides that the deployment of these police forces in Tanzania and Zaire considerably improved the security conditions in the camps. The security of the humanitarian personnel was assured, and even if incidents did occur from time to time, especially in Zaire, they were not the fault of the refugees or the contingent but rather of the local military forces.

119. The improvement in the security conditions can be verified by reading the daily situation reports made by the members of the civilian security liaison group, for they show a steady decline in the number of offences recorded and in the number of arrests.

120. Over the whole operation, i.e. from February 1995 to October 1996, this decline was undeniably due in part to the effectiveness of the measures taken. However, it was due to other factors as well: a drop in the number of complaints made by victims and reports of offenders made by sector heads; and a degree of laxness on the part of the contingent or police forces during the latter months of the operation.

121. In addition to its acknowledged effectiveness, the operation cost relatively little: $10 million a year for the programme in Zaire, and $1,847,221 for 1995 and $565,750 for 1996 for the programme in Tanzania. The difference between the two years is due to the fact that in 1995 an amount for equipment costs was included in the budget and disbursed, while in 1996 there were only operating costs.

122. Despite this positive balance sheet, it is nevertheless true that the security problems were not addressed comprehensively, with the result that a number of flaws reduced the effectiveness of the measures.

The limitations of the measures

123. Although upstream - in the camps - arrangements had been made to overcome the security problems, nothing had been done downstream to ensure adequate follow-up at the penitentiary and judicial level.

124. In Tanzania, for example, a few months after the start of the operation offenders arrested by the police were being released and returned to the camps owing to overcrowding in the prisons. Similarly, the judicial procedures for dealing with offenders became bogged down owing to a shortage of magistrates to apply the procedures and bring cases to a conclusion. The two problems were connected, for the slowness of the judicial system meant that offenders were kept in detention awaiting disposition of their cases, with consequent overcrowding of the prisons. It was also noted that some criminal acts were not investigated very thoroughly and that some of the cases opened were not followed up.
125. The assessment commissioned by OECD, "The International Response to Conflict and Genocide: Lessons from the Rwanda Experience", states (Vol. 3, p. 145, para. 3): "A particularly unsettling effect of the refugee presence has been the large increase in the incidence of violent crime in the areas around the camps, even though the violence has mostly been between refugees, and has not involved local people. The Tanzanian police have had to spend more time investigating incidents around the camps, and the Ngara prison has been holding five times the normal number of suspects. Indeed, in local and national government in general, there has been a diversion of managerial and administrative resources away from normal activities to those associated with the relief programme."

126. It was also noted in Zaire that the poor standards of training of the criminal investigation police meant that the inquiries, especially criminal ones, were not conducted properly and that some suspects were released for lack of evidence or as a result of amicable agreements without notification of the competent judicial authorities, although they ought definitely to have been notified when a person was arrested and held for questioning.

127. We also have the following information from a protection report for December 1995 drawn up by the UNHCR sub-office in Goma: "Total arrests - 191; Total releases - 99. All these releases were ordered by ZCSC police officers following remand in custody in the camps. The reasons are rarely given, and when they are given, they usually amount to 'lack of evidence' or 'absence of the complainant'." And the author of the report concludes: "The training currently being given to criminal investigation officers will, we hope, improve matters with respect to such releases."

128. It is clear that such practices had an adverse effect on the maintenance of order, for the release of offenders, either in dubious circumstances or because of prison overcrowding, diminished the effectiveness of the efforts to maintain order. It also conferred a sense of impunity on trouble-makers and could endanger refugees serving as guardians in support of the security forces.

129. Some of the duties of the contingent in Zaire, in particular the arrest of persons publicly opposing voluntary repatriation, posed special legal problems. It proved difficult to find in Zaire's criminal code a legal characterisation providing a legal basis either for the arrest of trouble-makers or for legal proceedings. Only acts characterised as violent disturbances of the public order constituted offences within the purview of the criminal code. This grey area in the law did not therefore encourage the members of the contingent to ensure the systematic arrest of persons engaging in intimidation.

130. There was another grey area in the respective responsibilities of the contingent and UNHCR with regard to arrests in cases of intimidation. The contingent seemed to expect to receive from UNHCR a list of persons to be arrested, while UNHCR considered that the identification and arrest of the persons concerned fell within the exclusive competence of the Zairian authorities and that such matters were not UNHCR business. This confusion had an impact on the contingent's conduct from mid-December 1995.
131. The recruitment of the second Zairian contingent, which was deployed in the Kivu region in January 1996, caused further problems. This contingent was made up of soldiers from regular units of Zaire's armed forces and it lacked discipline and experience. Some of its members immediately began to engage in illegal activities at the expense of the refugees, extorting money, levying taxes on refugees illegally carrying on economic activities, and allegedly using refugees for sex or for prostitution.

132. In a note for the file dated 27 June 1996 concerning sexual violence in the Rwandan refugee camps in northern Kivu the protection officer stated: "It is an open secret that the ZCSC takes money for agreeing not to follow up complaints or for releasing suspects from gaol. The members of the contingent are themselves often involved in cases of sexual exploitation in the form of prostitution of young female refugees."

133. This lack of discipline and experience on the part of the contingent led to serious incidents. Beatings occurred in the places of detention or during the interrogation of persons arrested following commission of offences; some of them had to be hospitalised, and in December 1995 one of the detainees died.

134. In January 1996 members of the contingent trying to arrest a person suspected of stealing wood used their weapons even though the individual was not armed, and two young children standing nearby were killed.

135. In the protection report quoted above the author states: "A meeting with the ZCSC headquarters staff, the CSLG and the protection service provided an opportunity to raise the question of the deterioration in the behaviour of the new contingent towards the refugees. The military authorities cited as reasons the poor standard of training of the troops and to some extent the difficulty of controlling some elements in the contingent."

The causes of these limitations

136. One probable cause of the shortcomings described above is that the Aide-Mémoire signed with the Government of Zaire was couched in very general terms and did not include a mechanism for monitoring the implementation of its provisions.

137. For example, it was agreed that the Government would make available to UNHCR "security officers possessing experience and the highest professional skills, competence and integrity" (para. 8.i). It was discovered following the rotation in January 1996, as mentioned above, that this was not the case.

138. It had also been agreed "to determine the security officers' modalities of intervention in close cooperation with UNHCR." It can be seen from the relevant guidelines (Standard Operating Procedures, revised June 1996) that the phrase "modalities of intervention of the Zairian contingent" was qualified by "to be issued later". There is every reason for thinking that they were never in fact issued, so that the activities of the contingent in the camps were never covered by written instructions to which reference could have been made.
139. There was also a contradiction between the definition of the role of the civilian security liaison group (CSLG) in paragraph 5 of the Aide-Mémoire and the provisions of the guidelines handbook.

140. Paragraph 29 of this handbook states that the contingent teams must notify their patrol plans and, whenever appropriate, liaison group teams should accompany the patrols. The handbook gives this reason for the provision: "This activity will have the benefit of improving the monitoring of operations and camp activities." This amounts to conferring on the liaison group the role of monitoring the contingent, an arrangement which was indeed desirable for the proper conduct of the operations but not mentioned in the Aide-Mémoire, which conferred on the group only a liaison function. This contradiction led to difficulties and finally to a worsening of the relations between the liaison group and the contingent, especially its headquarters staff, with the result that there was almost no monitoring of the contingent's activities.

141. A number of practical difficulties did not receive sufficient attention and were not resolved, with consequences which might have proved very serious.

142. It was common knowledge that the extra pay was an essential factor in motivating the security forces deployed in the field. There were some difficulties in making the basic and supplementary payments on time, and this caused problems and incidents with the persons concerned.

143. It was noted that in Tanzania the sums earmarked for the security forces and paid out to the central administration did not always reach the recipients, and this prompted some of them to misappropriate money or property belonging to refugees.

145. In Zaire delays in making the supplementary payments owing to problems in obtaining the necessary currency, a shortage of certain denominations of banknotes which made it difficult to pay the exact amount due to each officer, and the men's refusal to accept damaged or used notes sometimes created tensions which could have jeopardised the security of the UNHCR staff and the refugees.

146. At times problems with the provision of equipment (vehicles, telecommunications) to the security officers in both Zaire and Tanzania seriously impeded the proper conduct of the operations.

147. One additional problem, in Zaire in particular, was the rotation of personnel - members of the liaison group and the UNHCR heads of security operations - and the fact that their posts might be left unfilled for some time and they had no designated deputies with the necessary skills and knowledge to fill the gap.

148. It must be pointed out that these difficulties were known to the UNHCR officials responsible for supervising the Great Lakes operation and that they were aware of the need for a thorough revision of the programme. In April 1996 they requested the Inspection and Evaluation Service to make an evaluation of the programme in terms of the security of the camps, in Zaire in particular, with a view to identifying the problems and suggesting possible
solutions. This evaluation could not be undertaken then within the desired time-frame, and when it could have been undertaken the events in Kivu in September 1996 rendered it pointless. All that could be done was to make a post mortem examination and draw lessons from the operation - the purpose of the present study.

149. While acknowledging the specific nature of each operation and of the context in which it takes place, it may be asked whether, in addressing the security problems in the Great Lakes region, UNHCR built on the lessons of past experience. In fact, the solutions adopted give the impression that the action was taken on the spur of the moment and on an ad hoc basis. There did not seem to be any overall consistency which would have produced a set of complementary measures and proper supervision of the measures introduced.

150. Apart from the purely practical considerations, there is one vital question to which a clear answer must be given. Are the security of the refugee camps and settlement areas and respect for the law and maintenance of public order the exclusive prerogative of the asylum country? Or should some thought be given to other options when the authorities of the country concerned are either unable or reluctant to discharge their obligations? The need for this is all the more obvious because in emergency situations security and the quest for lasting solutions are parts of the same process, each essential to the achievement of the other.

151. Given these conditions, if the authorities of the asylum country will not or can not meet their responsibilities and obligations, it is essential for some alternative mechanism to operate in their place. The international organisations, including UNHCR, may therefore be required to play a more active part and they must prepare themselves to do so.

152. To this end, greater priority must be given to these issues by analysing the situations in which security posed a major problem, identifying the solutions which have proved their worth, and devising a coherent and effective policy in the matter. Such a policy ought then to make it possible to equip UNHCR with the necessary tools for analysing security problems in emergency situations, identifying the most suitable response measures, and providing the necessary means, by way of personnel in particular, for implementing these measures.