

**AUSTCARE’S SUBMISSION  
TO THE SENATE STANDING COMMITTEE ON FOREIGN AFFAIRS,  
DEFENCE AND TRADE**

**TO THE INQUIRY INTO AUSTRALIA’S INVOLVEMENT IN  
PEACEKEEPING OPERATIONS**

March 2007

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An Australian UN peacekeeper with the Timorese community in Dili c.2003

## 1.0 Executive Summary

Austcare encourages the Australian Government to enhance Australia's commitment to peacekeeping, and believes that peacekeeping will remain a significant responsibility for Australia in the foreseeable future, particularly in the Asia-Pacific region. Austcare recommends that Australia adopt, and advocates for, a broad definition of peacekeeping to include peacemaking, peace enforcement and peacebuilding (as explained in this submission).

Austcare considers that Australia's participation in peacekeeping can be more efficient and comprehensive than at present, and that Australia could demonstrate world's best practice and become a regional and global centre of excellence.

Austcare supports peacekeeping interventions that are legitimate, in accordance with international law, and preferably authorised under mandate of the United Nations (UN) Security Council – Chapters 6, 7 or 8 of the Charter – or at least not contested by the UN where the Security Council is unable to approve action for political reasons.<sup>1</sup> Implementation of peacekeeping operations must always be consistent with international humanitarian, refugee and human rights laws.

In addition to stabilising a fragile government and helping it to establish the rule of law, Austcare believes that successful peacekeeping assists host communities to build strong and stable civil societies and enhances prospects for sustainable peace. Austcare contends that successful peacekeeping helps to break the cycle of conflict-displacement-poverty by empowering local communities to achieve their human rights. Conflict undermines development, imperils human security and denies human rights. In particular, Austcare considers that displacement caused by conflict is a specific dimension of poverty, depriving people of basic rights and contributing to longer-term insecurity. Quality peacekeeping can help people overcome this burden.

Austcare considers that there are strong linkages between effective peacekeeping and the achievement of the Millennium Development Goals (MDGs). Clearly, the absence of peace, justice and security only serves to nurture poverty and breed future reprisals and conflict. There is a strong correlation between the least developed countries and those in and/or returning to conflict.

Austcare supports peacekeeping interventions that ensure the protection of civilian populations from human rights violations, especially the prevention of genocide, ethnic cleansing and crimes against humanity, including under the aegis of the *Responsibility to Protect (R2P)*. Austcare contends that the Australian Government should do more to implement the requirements for protection. Implementing peacekeeping operations through a "protection prism" will help forge greater understanding, coordination, and closer linkages between the responsibilities of the military, humanitarian agencies and non-government organisations (NGOs). Protection should be a cross-cutting issue that is reflected in a consistent manner in Government policies and White Papers on foreign policy, defence and aid. Austcare considers that the Protection Guide (2005), prepared by the Active Learning Network for Accountability and Performance in

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<sup>1</sup> Australia's Regional Assistance Mission to the Solomon Islands (RAMSI) is an example of where political difficulties obviated UN leadership. (Taiwan's involvement in the Solomon Islands would have almost certainly have resulted in a China veto in the Security Council.)



Humanitarian Action (ALNAP), provides useful guidance to all involved in peacekeeping operations.<sup>2</sup>

Austcare notes that the frequency and longevity of peacekeeping interventions has been increasing worldwide, including in Australia's immediate neighbourhood. Post-mission reports have repeatedly indicated a failure of adequate civil-military preparation and planning. Austcare calls on the Australian Government to rectify this situation and to take a leading role within the region, and globally, to redress current inadequacies in peacekeeping training and implementation. In particular, Australia should work more closely with the UN Department of Peacekeeping Operations (DPKO), the UN Office for the Coordination of Humanitarian Affairs (OCHA) and UN agencies, seeking to influence and shape continuous improvement and to adopt consistent doctrine and standard operating procedures.

Australia's impressive record of contributing to peacekeeping operations notwithstanding, Austcare contends that more needs to be done to coordinate "whole-of-government" and "whole-of-nation" effectiveness. Improved coordination between government departments and inclusion of the broader civilian community is required to better understand, support and strengthen the effectiveness of peacekeeping operations. Austcare recommends that the Australian Government establish an independent national institute as a "centre of excellence" to undertake necessary training and research on peacekeeping, including disaster management and complex emergencies more generally. This institute should be linked with the UN and other relevant research institutes, be under civilian control, and have regional focus and representation. Because peacekeeping goes beyond military intervention, this centre of excellence should give particular focus to strengthening civil-military relations. Such an institute might be called the Regional Institute for Complex Emergencies (RICE). Austcare recommends that a study be commissioned to confirm the structure, location and costs for the establishment of a regional centre of excellence in peacekeeping and complex emergencies.

Austcare stands ready to work with the Australian Government to enhance Australia's peacekeeping efforts for the achievement of sustainable peace and enhanced human security. Austcare contends that communal peace and prosperity - globally as well as regionally - is in Australia's best national interests, and that peacekeeping is an important means to helping reduce poverty, achieve the MDGs, and ensure the attainment of human rights for the most vulnerable and marginalised.

In this submission Austcare addresses the Terms of Reference (ToR) of the Inquiry and provides the Committee with recommendations for improving Australia's involvement in peacekeeping.

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<sup>2</sup> Refer Hugo Slim and Andrew Bonwick, *Protection: An ALNAP guide for Humanitarian Agencies* (London: Overseas Development Institute, August 2005).

## **2.0 Terms of Reference**

On 8 November 2006, the Senate referred the following matter to the committee for inquiry and report by 16 August 2007:<sup>3</sup>

"The changing nature of Australia's involvement in peacekeeping operations and the implications for the Australian Defence Force (ADF), the Australian Agency for International Development (AusAID), the Department of Foreign Affairs and Trade (DFAT) and the Australian Federal Police (AFP) and other departments and agencies likely to be called on to assist a peacekeeping operation, with particular reference to:

- a) reviewing and further developing the policy framework, procedures and protocols that govern the Government's decision to participate in a peacekeeping operation, for determining the conditions of engagement and for ceasing to participate;
- b) the training and preparedness of Australians likely to participate in a peacekeeping operation;
- c) the coordination of Australia's contribution to a peacekeeping operation among Australian agencies and also with the United Nations (UN) and other relevant countries; and
- d) lessons learnt from recent participation in peacekeeping operations that would assist government to prepare for future operations."

## **3.0 Austcare's Response to the Inquiry's Terms of Reference**

Austcare supports the Terms of Reference and welcomes the opportunity to contribute to the Committee's inquiry into Australia's role in peacekeeping.

Austcare considers "peacekeeping" to be of national and global significance, impacting directly on the lives of millions of people. Effective peacekeeping can assist people to live in peace and with enhanced human security. People everywhere have the right to live in *freedom from fear* and *freedom from want*. Quite apart from these humanitarian imperatives, Austcare also considers that Australia's national interests and security are better served in situations where peacekeeping is effective and where the cycle of conflict-displacement-poverty is absent.

### **3.1 Austcare's Interest in Peacekeeping**

Austcare is a wholly Australian, independent, specialist humanitarian aid and development non-government organisation (NGO) that is non-profit, non-sectarian and non-political. Since 1967, Austcare has worked in conflict and disaster situations in over 30 countries to reduce poverty, build local capacity and

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<sup>3</sup> Terms of Reference as articulated by the Parliament of Australia Senate Standing Committee on Foreign Affairs, Defence and Trade in relation to the Inquiry into Australia's Involvement in Peacekeeping, as stated in the Secretary of the Committee's letter to Austcare dated 9 February 2007, and on the Committee's website at [http://www.aph.gov.au/Senate/committee/fadt\\_ctte/peacekeeping/tor.htm](http://www.aph.gov.au/Senate/committee/fadt_ctte/peacekeeping/tor.htm) [accessed February 2007].

enhance human security. Austcare's mission is to assist refugees overseas, displaced people, returnees and those affected by landmines to rebuild their lives and to reduce poverty through the expert delivery of development programs in partnership with local and other agencies.<sup>4</sup>

Austcare's position on peacekeeping has been shaped by lessons learned from studying a number of peacekeeping missions and from its humanitarian involvement in conflict and post-conflict situations for almost 40 years.

Austcare's submission concentrates on three main areas relevant to the Terms of Reference:

- the changing nature of peacekeeping and Australia's involvement,
- Australia's future participation in peacekeeping, and
- the need for improved training, preparedness and coordination.

### **3.2 The Changing Nature of Peacekeeping and Australia's Involvement**

#### **3.21 Understanding Peacekeeping**

Peacekeeping has changed remarkably since its inception in the immediate post World War 2 era. Peacekeeping is no longer limited to its traditional roles of monitoring a ceasefire through military observation. Since the end of the Cold War, peacekeeping has become a comprehensive set of activities focused towards creating the conditions for sustainable peace, economic advancement, and fulfilment of human rights. Increasingly, peacekeeping missions are more complex, comprised of multifaceted components, and comprised of a diverse range of nations and cultures with varying levels of competency. For military forces, the requirements of modern peace operations have blurred the traditional boundaries between warfighting and peacekeeping. General Sir Michael Rose, Commander of the UN Protection Force in Bosnia in 1994-5, expressed this well when he noted that "...the traditional activities of peacekeeping – chiefly persuasion, persistence and pressure" still had relevance, but modern peacekeeping "...demanded of them the same fighting qualities that soldiers need in battle: guile, courage, determination and endurance; but, without the clarity of purpose of war."<sup>5</sup> The Deputy Force Commander of the UN Peacekeeping Force in East Timor in 2000-1, Major General Michael G. Smith, came to the same conclusion, noting that complex peace operations required "...multiskilled personnel and units to be trained across the full spectrum of warfighting and constabulary-CMA [civil-military affairs] tasks."<sup>6</sup>

The UN Department of Peacekeeping Operations (DPKO) describes *peacekeeping* as "...a way to help countries torn by conflict create conditions for sustainable peace. UN peacekeepers – soldiers and military officers, police and civilian personnel from many countries – monitor and observe peace processes that emerge in post-conflict situations and assist conflicting parties to implement the peace agreement they have signed. Such assistance comes in many forms, including promoting human security, confidence-building measures, power-

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<sup>4</sup> Refer Austcare website for more information: [www.austcare.org.au](http://www.austcare.org.au).

<sup>5</sup> General Sir Michael Rose, *Fighting for Peace: Lessons from Bosnia*, 2<sup>nd</sup> ed. (London, Warner Books, 1999), pp. 4, 11.

<sup>6</sup> Michael G. Smith, *Peacekeeping in East Timor: The Path to Independence*, International Peace Academy Occasional Paper Series, (Lynne Rienner, Boulder & London 2003), p. 153.

sharing arrangements, electoral support, strengthening the rule of law, and economic and social development.”<sup>7</sup>

Austcare agrees with DPKO’s description of peacekeeping, but in addition notes that peacekeeping may also require the imposition of peace and protection of civil populations, sometimes without agreement of the contesting combatants. Therefore, Austcare supports the widest interpretation of peacekeeping commensurate with the securing of a sustainable peace, providing that intervention is legitimate under international law and that implementation of peacekeeping operations are in accordance with international humanitarian, refugee and human rights laws. Modern or “extended” peacekeeping operations are increasingly referred to simply as “peace operations”, because they include a range of activities, including:

- peacemaking initiatives, such as preventive diplomacy and peace accords,
- peace enforcement, to forcibly restore stability and/or protect civilians against genocide (such as under the *Responsibility to Protect (R2P)*),
- peacekeeping, to preserve, observe, monitor and/or ensure the maintenance of security and protection of civilians, and
- peacebuilding, to enhance the prospects for peace and development in a post-conflict environment.

These activities are not mutually exclusive and elements of each of them may occur in the same peacekeeping operation. Moreover, history shows that too light a footprint, too early an exit, under-resourcing, and lack of coordination between civilian and military actors, have too often resulted in renewed hostilities and entrenched poverty. Austcare contends that successful peace operations can play a significant role in helping to achieve the targets agreed in the Millennium Development Goals (MDGs). Clearly, the absence of peace, justice and security only serves to nurture poverty and breed future reprisals and conflict. There is a strong correlation between the least developed countries and those in and/or returning to conflict.

### **3.22 Embracing Peacekeeping**

Successful peacekeeping demands far more than the provision of military forces for limited periods to restore a temporary peace. Despite Australia’s long involvement in peacekeeping, Austcare considers that the Australian Government can contribute more positively to peacekeeping in the future, particularly within the Asia-Pacific region, and with greater collaboration between government departments, and with regional nations, the UN and relevant Australian NGOs. These issues are addressed in more detail in this submission.

Austcare is concerned by the recent trend of the Australian Government (and other western governments) to prosecute peacekeeping outside the UN framework, and without adopting or applying the considerable amount of UN doctrine and experience. Austcare recommends that the Australian Government strengthen its commitment to UN efforts to enhance peacekeeping, and to ensure that relevant Ministers and senior bureaucrats are knowledgeable about UN policies and procedures. More effort is required by Australia to influence and

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<sup>7</sup> UN Department of Peacekeeping Operations website, ‘Questions and Answers’, 11 July 2006, [www.un.org/depts/dpko/dpko/faq/q1.htm](http://www.un.org/depts/dpko/dpko/faq/q1.htm) [accessed 25 February 2007].

shape peacekeeping developments. This should include the appointment of senior officials to key UN positions and on UN missions. DFAT, ADF, AFP, and AusAID should strengthen ties and work more closely with their UN counterparts. In particular, these government departments should forge closer relations with DPKO, the UN Office for the Coordination of Humanitarian Affairs (OCHA) and UN agencies, seeking to influence and shape continuous improvement and to adopt consistent doctrine and standard operating procedures.

### **3.23 Protection and Peacekeeping**

The protection of civilians has become a central element of modern peacekeeping operations, but "protection" can mean different things to different organisations. Holt and Berkman have correctly noted that: "Operationally, military and civilian leaders may face a proliferation of approaches to protection but lack a common language to discuss them.....Clarifying the divergent approaches, how they fit together, and when each is appropriate could improve peace operations."<sup>8</sup> Holt and Berkman have provided an excellent summary of the various categories and concepts of protection, pointing out that more work needs to be done to coordinate these separate interpretations.<sup>9</sup> A summary of these concepts is at Annex A to this submission.

Central to the concept of protection is the definition agreed by the International Committee of the Red Cross (ICRC) and the UN Inter-Agency Standing Committee (IASC), namely that protection includes "...all activities aimed at ensuring full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law".<sup>10</sup> This is the definition of protection applied by Austcare as part of its "Protect Now" Program, a summary of which is attached at Annex B to this submission. Consistent with this humanitarian approach to protection, Austcare considers that the *Protection Guide* (2005) prepared by the Active Learning Network for Accountability and Performance in Humanitarian Action (ALNAP), provides useful guidance to all involved in peacekeeping operations.<sup>11</sup> As a supporter of ALNAP, AusAID is to be commended for promoting humanitarian protection, but its importance is yet to be mainstreamed and promoted throughout the Australian aid program. Austcare recommends that, in consultation with the NGO community in Australia (particularly the Australian Council for International Development and NGOs such as Austcare), AusAID advance the effectiveness of humanitarian protection in peacekeeping operations and mainstream protection throughout its programs.

Protection is no less important to military forces. Increasingly, peacekeeping mandates have required military forces to provide protection to civilian populations, yet there is limited agreed doctrine (including by the ADF) to undertake these tasks. As Holt and Berkman have recently noted: "While debates over sovereignty and responsibility continue in capitals around the world, more than 55,000 troops serve in six UN-led operations in volatile environs, with mandates to protect civilians, but without guarantee of the capacity to meet that

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<sup>8</sup> Victoria K. Holt & Tobias C. Berkman *The Impossible Mandate? Military Preparedness, the Responsibility to Protect and Modern Peace Operations*, Henry L. Stimson Centre, Washington, 2006, p.183.

<sup>9</sup> Holt and Berkman, op.cit., Ch3.

<sup>10</sup> Caverzaslo, S. G. (2001) *Strengthening Protection in War – A Search for Professional Standards: Summary of Discussions Among Human Rights and Humanitarian Organisations*, International Committee of the Red Cross.

<sup>11</sup> Refer Hugo Slim and Andrew Bonwick, *Protection: An ALNAP guide for Humanitarian Agencies* (London: Overseas Development Institute, August 2005).

mandate."<sup>12</sup> Austcare recommends that the ADF work quickly and closely with military allies and DPKO to confirm doctrine for protection.

At the UN Summit in 2005, "...world leaders agreed, for the first time, that states have a primary responsibility to protect their own populations and that the international community has a responsibility to act when these governments fail to protect the most vulnerable among us."<sup>13</sup> R2P was adopted by the international community to prevent future occurrences of genocide, ethnic cleansing and crimes against humanity, such as occurred in Rwanda and Srebrenica.

The requirement for military forces to be deployed under R2P further emphasises the critical need for protection doctrine. More specifically, however, Austcare is concerned that Australia and other governments have not insisted on the implementation of an R2P mandate in Darfur, Sudan, where human atrocities have continued for several years, resulting in the deaths of thousands of innocent civilians, and the displacement of millions of people. Austcare calls on the Australian Government to do all that it can to improve the security situation in Darfur and to advocate for enhanced protection measures, including under R2P. Although the peacekeeping force provided by the African Union has protection as part of its mandate, it is evident that they have insufficient resources and expertise to adequately protect civilians under threat. Austcare is currently providing civilian Protection Officers to UN agencies in Sudan with funding from AusAID, but without adequate security provided by military peacekeepers the full protection of civilians will remain incomplete.

Austcare contends that the Australian Government should do more to implement protection in peacekeeping operations and disaster management. Implementation through a "protection prism" will help forge greater understanding, coordination, and closer linkages between the responsibilities of the military, humanitarian agencies and NGOs. Protection should be a cross-cutting issue that is reflected in a consistent manner in Government policies and White Papers on foreign policy, defence and aid.

### ***3.3 Australia's Future Participation in Peacekeeping***

#### **3.31 Should Australia Participate?**

Peacekeeping has increased globally since the end of the Cold War, primarily activated through the auspices of the UN but increasingly through US, regional and multinational coalitions. Generally, peacekeeping requirements have become more complex, requiring significant and more robust civil-military commitments for longer periods in order to achieve a sustainable peace. In the decade from 1993-2003, deaths from conflicts around the world reduced about five fold, from around 200,000 to 27,000. Despite the many successes of peacekeeping during this period and since, particular attention has focussed on failures in places like Rwanda and Srebrenica, and on the cycle of repeating violence in places like Haiti, the Democratic Republic of the Congo, and East Timor (to name but three examples). In these places and many others - such as Afghanistan, Bosnia, Kosovo, and the Solomon Islands - peacekeeping missions have failed to bring sustainable peace. Considerable criticism has been levelled at the UN for these failures, despite evidence by the RAND National Defence

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<sup>12</sup> Holt and Berkman, op.cit., p.181.

<sup>13</sup> Refer <http://www.responsibilitytoprotect.org/> [accessed 27 February 2007].

Research Institute that assesses UN peacekeeping to be far more cost effective than US-led interventions. According to a RAND study of all forms of post-conflict international intervention in 2005, UN peacekeeping was judged the most likely to prevent a resumption of conflict.<sup>14</sup>

The need for peacekeeping is unlikely to diminish in the foreseeable future, including in the Asia-Pacific region where political instability, economic uncertainty, endemic poverty, displacement and climate change may require peacekeeping interventions of one kind or another. Peacekeeping commitments in Australia's immediate neighbourhood - where Australia is likely to remain a major actor - will be those of necessity to ensure Australia's national interests and security. Peacekeeping in these areas has double significance for Australia. From a moral and humanitarian perspective, successful peacekeeping can enhance human security and reduce poverty, develop human capacity, and build stable and more economically viable civil societies. From the perspective of *realpolitik*, successful peacekeeping can create more stable, friendly and economically viable states that enhance Australia's national security and reduce the risks of violence, mass displacement, terrorism, criminal activity including illegal trafficking, pandemics such as HIV Aids and bird flu, and *in extremis* the preparation of staging bases by more distant potential enemies. In summary, the pressing imperatives of geography remain relevant to Australia (and all nations) even in a globalised world. By comparison, peacekeeping commitments more distant from Australia's shores are likely to have less immediate impact on Australia's national security interests, relegating them to commitments of choice rather than necessity. Nevertheless, distant peacekeeping commitments by Australia may be warranted on humanitarian grounds including under R2P, to support global UN action, or even to repay or gain support from other nations - to pay one's dues.

Austcare supports Australia's participation in and leadership of peacekeeping operations on humanitarian grounds to relieve suffering, restore and maintain security, protect civilian communities, enhance human security and reduce poverty, and to help build stable civil societies that are committed to implementing universal human rights.

### **3.32 When, Where, How and for How Long?**

Peacekeeping is costly in money, time and personnel. It is understandable and appropriate that governments justify this expenditure to their constituents. However, the longer-term cost of ineffective peacekeeping, or failing to act at all, can be much higher in the long run. Most importantly, lives can be lost needlessly, and future generations can be forced to live in poverty and without proper human rights. The Australian Government will always be faced with the dilemma of when and where to commit to peacekeeping, and how and for how long such commitments should be sustained.

While Australia should support peacekeeping in principle, it is important that each situation be considered on a case-by-case basis. For the reasons already covered in this submission, Austcare considers that a decision by the Australian Government to contribute to a specific peacekeeping operation must give due weight to the humanitarian imperatives as well as those of *realpolitik*. Austcare contends that humanitarian intervention should be given more prominence as part of Australia's national interests, and that humanitarian intervention may also

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<sup>14</sup> James Dobbins, *Nation-Building: Comparing UN and US operations*, RAND National Defence Institute presentation, UNITAR peacebuilding conference, Hiroshima, Japan, 2005.

benefit Australia's security in the longer-term. Moreover, the composition of Australia's commitment to peacekeeping operations should be considered holistically and go beyond the allocation of troops and police, based on a clear understanding of the specific requirements for mission success. In some cases, this may require greater commitment of civil servants, specific infrastructure development, or more support to NGOs. At the end of the day, peacekeeping will have proved successful if a strong and stable civil society has been created through capacity-building. Successful peacekeeping is as much about the means as the ends, and Australia's contribution should be considered in such terms.

The decision to commit to peacekeeping operations will hinge on many factors. Major General Smith has suggested a *Peacekeeping Baker's Dozen* of 13 factors that should be considered for successful intervention, cautioning that all factors may not always apply but that they should at least be considered.<sup>15</sup> Austcare regards this checklist as a useful tool for decision-makers, not only to help determine whether Australia should commit, but more importantly to address the requirements for success.

Austcare believes that it is sensible for all peacekeeping commitments to be kept under review, and for their effectiveness to be monitored closely. Austcare contends that sunset clauses are important for the purpose of reviewing commitment timetables and achievements, but considers that more emphasis be placed on the achievement of "end state" rather than "end date". Placing artificial time constraints on peacekeeping operations, mainly for political purposes, is unlikely to be helpful to the people living in conflict-affected countries. That said, Austcare acknowledges the reality that longer-term and more substantial peacekeeping commitments by Australia are more likely within its immediate region, where it is more able to assist and would be expected to do so by the international community.

### **3.33 Supporting the UN System**

The UN's ability to prosecute peacekeeping operations is far from perfect, but no better option has yet been devised. The current trend for coalition and regional commitments has merit only to the extent that they operate under UN mandate or approval, using doctrine and procedures that are consistent with the UN's. If such commitments are limited to regime change, or focussed on countering terrorism, or propping-up particular governments, then they are unlikely to be successful in the longer-term. The focus of peacekeeping must always be on achieving sustainable human security through capacity-building and local decision-making.

Major UN reforms to improve peacekeeping operations have been ongoing for the past 25 years. Particularly since the *Report of the Panel on United Nations Peace Operations* in 2000 (more commonly known as the *Brahimi Report*, after its chairman Lakhdar Brahimi),<sup>16</sup> significant steps have been taken to improve the effectiveness of UN peacekeeping operations, including better preparation and planning, improved doctrine and stand-by arrangements, and increased coordination within the UN system. Much more needs to be done, but this requires support from (and critical assessment by) all contributing countries, including Australia. Generally speaking, there is limited understanding within the

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<sup>15</sup> Smith, op.cit., p.97.

<sup>16</sup> Lakhdar Brahimi, *Report of the Panel on United Nations Peace Operations* [Brahimi Report], UN General Assembly Security Council, A/55/305-S/2000/809, 21 August 2000.

Australian Parliament, government departments, and Australian NGOs about UN doctrine and operational procedures relevant to peacekeeping operations. This lack of knowledge is particularly prevalent in senior ranks of the ADF, where UN service is still seen as secondary to traditional warfighting.

In recent years there has been a failure by many developed countries, including Australia, to contribute significant troop numbers to UN peacekeeping missions, leaving much of the work to less capable developing countries. Holt and Berkman have noted that, in 2007: "Of the more than 100 countries supplying upwards of 70,000 uniformed personnel to UN operations each month, the top contributors are developing states, traditionally nations with less military capacity, doctrine and training. The US, UK, Canada and France, for example, provide less than a thousand military personnel, combined."<sup>17</sup> Australia can be added to this list. In February 2007, Australia was ranked a lowly 66 in troop and police contributing nations with a grand total of 108 deployments to UN missions (75 police, 23 military observers and 10 troops).<sup>18</sup> This number is well short of earlier commitments to the UN by Australia.

The ADF is currently engaged in a number of peacekeeping operations (including where the UN is present) which are not under UN control. This includes Afghanistan, the Solomon Islands and East Timor. (Austcare considers Iraq to be a disputed peace operation given that its legitimacy has been questioned by the international community.) Australia's military commitment to East Timor is of particular interest, and different from Australia's commitment as part of the UN in 2000-5. Following the violence in 2006, Australia actively campaigned not to deploy troops as part of the new UN Mission (UNMIT), despite initial contrary advice from the UN Secretary-General's Personal Representative, and an initial request from the East Timor Government. Instead, the ADF is deployed under bilateral arrangements as part of an International Security Force (ISF) including New Zealand, Malaysia and Portugal. In contrast, Australia agreed to deploy the AFP and civil administrators as part of UNMIT. As an NGO active in East Timor, Austcare greatly appreciates the deployment of the ADF and the work the ISF has and is doing to help maintain security in an unstable and uncertain environment. However, Austcare considers that more cohesion would be achieved if the ADF was under unitary control of UNMIT, if UNMIT was properly resourced by the international community, and if better civil-military coordination mechanisms were in place through the auspices of UNMIT.

Austcare considers that, wherever feasible, ADF and AFP deployments should be part of a unified UN mission. Austcare recommends that the Australian Government review its policy and provide more military and police support to the UN to enhance the effectiveness of UN military and police contingents in peacekeeping operations. In advocating this policy, Austcare believes that the effectiveness of the UN is directly related to the support it receives from member states. The tendency of some member states to "blame" the UN for incompetency is a poor reflection on those nations who fail to support the UN with what it requires to fulfil its various missions, as mandated by the Security Council. Austcare agrees with General Sir Michael Rose's assessment that:

"The UN can only become effective in its principal role of peacekeeping if there is a will in the international community to make it so. The UN represents the political will of all nations, and it is pointless blaming the UN as if it were some

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<sup>17</sup> Holt and Berkman, op.cit., p.193

<sup>18</sup> [http://www.un.org/Depts/dpko/contributors/2007/Feb07\\_1.pdf](http://www.un.org/Depts/dpko/contributors/2007/Feb07_1.pdf) [accessed 4 March 2007].

autonomous organisation. The UN represents all of us. Its peacekeepers belong to all of us.”<sup>19</sup>

Austcare is a strong supporter of the UN and its humanitarian agencies, partnering with the UN where feasible and appropriate. Nevertheless, Austcare and most other Australian NGOs have more to learn about UN doctrine and procedures relevant to complex emergencies and peacekeeping. It is too late and inefficient for NGOs to learn this in an ad hoc manner on the ground when operations have commenced and people are most in need of humanitarian assistance. Post-mission reports have consistently revealed that the NGO community is often disorganised, with considerable duplication of effort. More work should be done by AusAID and Australian NGOs to redress this problem as part of pre-mission planning and preparation, including with the ADF and AFP.

Austcare believes that if all developed countries contributed more to the UN the world would be a safer place with improved levels of human security, better standards of human rights, and lower levels of poverty. In such circumstances the MDGs would seem more achievable.

### **3.4 The Need for Improved Training, Preparedness and Coordination**

Despite the variety of peacekeeping operations, and the necessity for each to be planned and implemented individually, a lesson consistently re-learned has been the need for better preparation, planning and training. A lack of resources combined with poor coordination on the ground can invariably be traced to inadequate pre-deployment analysis and preparation. It is too easy to blame these problems on the need for a rapid response when the major problem has more often resided with inadequate preparation and planning. In his analysis of the successful UN-mandated interventions in East Timor in 1999-2000 (INTERFET and UNTAET), Major General Smith highlighted numerous problems that could have been overcome by better planning and improved financial and human resources.<sup>20</sup> Smith concluded that: “The question raised from this [Smith’s] study, therefore, is not so much whether UN intervention was successful in East Timor, but rather how much more successful it might have been had many of the lessons from previous missions been acted upon fully”.<sup>21</sup>

Austcare recommends that it is now time for Australia to take a more positive and leading role to help rectify many of these problem areas and to enhance the successful outcome of peacekeeping operations. To do so, Austcare believes that Australia will need to do three things: first, gain a better understanding of the linkages and coordination mechanisms to more effectively implement the requirements of governance, security and development; second, promote and be able to implement better civil-military relations; and third, establish a specialised centre of excellence to ensure proper training and research in peacekeeping and its related disciplines. Each of these is discussed briefly in this submission.

#### **3.41 Linking Security, Governance and Development**

Increasingly, peacekeepers are required to work with host governments and communities across a range of disciplines to achieve a sustainable peace.

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<sup>19</sup> Rose, op.cit., p.14.

<sup>20</sup> Smith, op.cit., Chs. 4&5.

<sup>21</sup> Ibid., p.163.

Austcare supports the view that security, governance and development are essential in many peacekeeping operations, and believes that they must be tackled in an integrated manner. The analogy of a three-legged stool helps explain the interdependence and importance of each of these components. Clearly, unless all three occur together then the stool – already fragile - will collapse. Equally important are the struts that strengthen and bind the legs. The first is the assurance of justice through the proper application of human rights, and the second is the allocation of sufficient financial and human resources to ensure that peace can be sustained.



Austcare recommends that the Australian Government give more attention to synchronising Australia’s contribution to these three “legs”, and to do so in a way that helps build stronger civil societies. Generally in peacekeeping operations and post-conflict development the Australian Government has tended to think primarily in terms of supporting and strengthening the host government’s apparatus. Such support is undoubtedly required, but Austcare argues that this will be of limited value unless underpinned by robust democratic development strategies focussed at the grassroots. “Development” must include and encourage capacity-building at the local community level. Good “governance”, which includes the rule of law, means more than “government”: it is the building of community structures and standards that are more resilient than the term of any political party, government or peacekeeping operation. “Security” means more than promoting the development of the host government’s security apparatus – it involves the development of proper human security at individual and communal levels, with a strong focus on protection. Security sector reform must be owned by the community that their security forces represent. In East Timor, for example, Australia committed significant resources to the defence force and the police force only to discover that much of the problem behind the security crisis in 2006 emanated from and between these competing entities. Security sector reform must go much deeper. In each of these areas – development, governance and security – NGO’s are able to make a significant contribution. Accordingly, Austcare recommends closer collaboration between the Australian Government and NGOs in the planning, preparation and implementation of peacekeeping operations.

### **3.42 Civil-Military Relations**

A key determinant of successful peacekeeping operations and complex emergencies is the degree to which military and civil entities can co-operate to achieve a sustainable peace. Increasingly, military forces are operating in “humanitarian space” and alongside humanitarian agencies and NGOs. The military have significant assets that can assist in the humanitarian effort of peacekeeping operations, but they are not and can never be humanitarian workers. The military can assist with logistics, infrastructure, transport and immediate life-saving support, but they are not development agencies and should not purport to be so. The main focus of military forces is to provide and guarantee security, to assist with the protection of civilian communities, and to enable freedom of movement so that civil society can be re-established. Humanitarians on the other hand can never jeopardise their humanitarian code of neutrality, impartiality and humanity. They are likely to be on the ground before hostilities commence and will probably remain long after the military depart. Humanitarians will assist people in need regardless of who they are: whereas the military may screen off certain areas and even prevent the access of humanitarian workers. The military will crave information (intelligence) to fulfil their security tasks; but humanitarians will not want to betray any confidences that may risk their neutrality or cause harm to anyone. The two entities can never be part of the same team because they have different missions. But they can understand each other better, and even cooperate on specific issues. Military forces and humanitarians reflect different cultures and implement different means, yet both play critical roles in peacekeeping operations and both are often to be found at the coalface where human misery is at its worst.

Despite these difficulties, Austcare believes it essential that greater understanding is developed between the ADF and Australian NGOs. In particular, Austcare supports the guidelines agreed by the UN IASC on civil-military relationships in complex emergencies (2004), as well as the growing array of guidance, policies and operating procedures promulgated by OCHA and DPKO to improve civil-military coordination (CMCoord). Austcare recommends that the ADF and AFP align their respective doctrine and procedures with that of the UN, thereby ensuring a uniform standard based on UN experience. Additionally, Austcare recommends that AusAID takes greater leadership in promoting the correlation of UN doctrine and procedures within Australia, including encouraging and facilitating a common understanding amongst Australian NGOs.

A significant lesson for many military forces over recent years, including the ADF, has been the need to develop specialist civil affairs doctrine and capabilities. The ADF has moved some way towards this, but needs to invest more resources, conduct more training, and align its doctrine with UN CMCoord. Current ADF doctrine - referred to as Civil-Military Cooperation (CIMIC) - remains classified and focuses on the disparity of civil actors within the area of operations and how cooperation with these civil actors can be implemented to achieve the commander’s mission. The ADF needs to go further and be prepared to share and adjust its doctrine to accommodate the views of key civilian agencies, or risk criticism of being unable to reflect civilian requirements. The adoption of CMCoord doctrine would obviate this dilemma. More important has been the slow response by the ADF to develop and prioritise CIMIC/CMCoord capabilities within its force structure and to deploy these assets effectively on peacekeeping operations. The latter was particularly evident in the ADF’s response to the East Timor crisis in 2006 where civil-military assets were not applied with optimal effect, causing dissatisfaction with the local community as well as among humanitarian agencies and NGOs.

Austcare notes the growing trend of military forces, including the ADF, to deploy “reconstruction teams” on peacekeeping operations as part of a strategy to win the “hearts and minds” of local communities. Austcare does not necessarily object to this strategy, but would be concerned if such projects were not initiated, agreed and owned by local communities, or if they did not fit with the country’s longer-term development objectives and strategies. Austcare recommends that the ADF and AusAID consult more closely with Australian NGOs to ensure that best development practice is being adhered to. Through this mechanism it may be possible to forge closer relations between the ADF and Australian NGOs.

### **3.43 A Regional Institute for Complex Emergencies (RICE)**

Austcare believes that Australia can and should do more to improve the prospects for successful peacekeeping operations. Australia’s impressive record of contributing to peacekeeping operations notwithstanding, Austcare contends that more needs to be done to coordinate “whole-of-government” and “whole-of-nation” effectiveness. Improved coordination between government departments and inclusion of the broader civilian community is required to better understand, support and strengthen the effectiveness of peacekeeping operations. Austcare recommends that the Australian Government establish an independent national institute as a “centre of excellence” to undertake necessary training and research on peacekeeping, including disaster management and complex emergencies more generally. This institute should be linked with the UN and other relevant research institutes, be under civilian control, and have regional focus and representation. Because peacekeeping goes beyond military intervention, this centre of excellence should give particular focus to strengthening civil-military relations. Such an institute might be called the Regional Institute for Complex Emergencies (RICE).

Austcare notes that similar recommendations for the establishment of a peacekeeping institute were made to this Committee during the 1990’s, at a time when Australia’s commitment to UN peacekeeping operations was significantly higher than at present. At that time the Government determined that sufficient expertise and knowledge existed within the ADF Peacekeeping Centre at Williamstown, and in other national research institutes. In 2007, the same verdict would have limited credibility: not only has the Peacekeeping Centre contributed little to the development of peace operations, it has been starved of resources for many years, staffed by only 2-4 middle ranking officers, and having little clout within the ADF. More important, however, are the significant developments that have occurred in peacekeeping operations since the Committee last considered this matter. As this submission has shown, the complex nature of peacekeeping requires a multifaceted approach, of which the ADF is but one important player. Not only must there be greater coordination across government departments, but also with the broader Australian community, as well as with the UN and a growing number of specialist peacekeeping centres globally. Once a leading nation in the realm of peacekeeping operations, Australia risks being left behind at a time when it is being asked to do more as a major regional player.

Austcare recommends that a study be commissioned to confirm the structure, location and costs for the establishment of a regional centre of excellence in peacekeeping and complex emergencies.

#### 4.0 Recommendations

- Austcare recommends that the Australian Government establish an independent national institute as a “centre of excellence” to undertake necessary training and research on peacekeeping, including disaster management and complex emergencies more generally. Austcare recommends that a study be commissioned to confirm the structure, location and costs for the establishment of this institute.
- Austcare supports the widest interpretation of peacekeeping commensurate with the securing of a sustainable peace, providing that intervention is legitimate under international law and that implementation of peacekeeping operations are in accordance with international humanitarian, refugee and human rights laws.
- Austcare recommends closer collaboration between the Australian Government and NGOs in the planning, preparation and implementation of peacekeeping operations.
- Austcare contends that successful peace operations can play a significant role in helping to achieve the targets agreed in the Millennium Development Goals (MDGs).
- Austcare supports Australia’s participation in and leadership of peacekeeping operations on humanitarian grounds to relieve suffering, restore and maintain security, protect civilian communities, enhance human security and reduce poverty, and to help build stable civil societies that are committed to implementing universal human rights.
- Austcare considers that the Australian Government can contribute more positively to peacekeeping in the future, particularly within the Asia-Pacific region, and with greater collaboration between government departments, and with regional nations, the UN and relevant Australian NGOs.
- Austcare recommends that the Australian Government strengthen its commitment to UN efforts to enhance peacekeeping, and to ensure that relevant Ministers and senior bureaucrats are knowledgeable about UN policies and procedures. More effort is required by Australia to influence and shape peacekeeping developments. This should include the appointment of senior officials to key UN positions and on UN missions. DFAT, ADF, AFP, and AusAID should strengthen ties and work more closely with their UN counterparts. In particular, these government departments should forge closer relations with DPKO, OCHA and UN agencies, seeking to influence and shape continuous improvement and to adopt consistent doctrine and standard operating procedures.
- Austcare believes it essential that greater understanding is developed between the ADF and Australian NGOs. In particular, Austcare supports the guidelines agreed by the UN IASC on civil-military relationships in complex emergencies (2004), as well as the growing array of guidance, policies and operating procedures promulgated by OCHA and DPKO to improve civil-military coordination.
- Austcare contends that the Australian Government should do more to implement protection in peacekeeping operations and disaster management. Implementation through a “protection prism” will help forge

greater understanding, coordination, and closer linkages between the responsibilities of the military, humanitarian agencies and NGOs. Protection should be a cross-cutting issue that is reflected in a consistent manner in Government policies and White Papers on foreign policy, defence and aid.

- Austcare recommends that, in consultation with the NGO community in Australia (particularly the Australian Council for International Development and NGOs such as Austcare), AusAID advance the effectiveness of humanitarian protection in peacekeeping operations and mainstream protection throughout its programs.
- Austcare recommends that the ADF work quickly and closely with military allies and DPKO to confirm doctrine for protection.
- Austcare calls on the Australian Government to do all that it can to improve the security situation in Darfur and to advocate for enhanced protection measures, including under R2P.
- Austcare contends that humanitarian intervention should be given more prominence as part of Australia's national interests, and that humanitarian intervention may also benefit Australia's security in the longer-term.
- Austcare recommends that the composition of Australia's commitment to peacekeeping operations should be considered holistically and go beyond the allocation of troops and police, based on a clear understanding of the specific requirements for mission success. In some cases, this may require greater commitment of civil servants, specific infrastructure development, or more support to NGOs.
- Austcare considers that, wherever feasible, ADF and AFP deployments should be part of a unified UN mission. Austcare recommends that the Australian Government review its policy and provide more military and police support to the UN to enhance the effectiveness of UN military and police contingents in peacekeeping operations.
- Austcare considers that in East Timor more cohesion would be achieved if the ADF was under unitary control of UNMIT, if UNMIT was properly resourced by the international community, and if better civil-military coordination mechanisms were in place through the auspices of UNMIT.
- Austcare recommends that AusAID and Australian NGOs redress duplication of effort as part of pre-mission planning and preparation, including with the ADF and AFP.
- Austcare supports the view that security, governance and development are essential in many peacekeeping operations, and believes that they must be tackled in an integrated manner. Austcare recommends that the Australian Government give more attention to synchronising Australia's contribution to these three areas, including at the grassroots level.
- Austcare recommends that the ADF and AusAID consult more closely with Australian NGOs to ensure that best development practice is being adhered to. Through this mechanism it may be possible to forge closer relations between the ADF and Australian NGOs.

## A Summary of Protection Concepts <sup>22</sup>

### Category 1: Civilian Protection and Traditional Military Approaches

- **Concept 1:** Protecting Civilians as an Obligation of Military Actors during the Conduct of War (**the Geneva Conventions Concept**)
- **Concept 2:** Protecting Civilians as the Result of Using Force Traditionally (**the Warfighting Concept**).

### Category 2: Civilian Protection and Humanitarian Thinking

- **Concept 3:** Civilian Protection as the Provision of Broad Security (**the "Humanitarian Space" Concept**)
- **Concept 4:** Protecting Civilians through the Operational Design of Assistance (**the Relief Agency Concept**)

### Category 3: Civilian Protection and Coercive Protection Operations

- **Concept 5:** Civilian Protection as a Set of Tasks in Peace Operations (**the UN Peacekeeping Task Concept**)
- **Concept 6:** Protecting Civilians through a Military Intervention to Prevent Mass Killings (**the "Responsibility to Protect" Concept**).

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<sup>22</sup> Taken from Holt and Berkman, op.cit., Ch 3.

## **"PROTECT NOW" – AUSTCARE'S PROTECTION PROGRAM**

Austcare's "Protect Now" program was established in 2005 in response to the global challenge facing the international community to protect refugees and internally displaced persons (IDPs). Austcare has appointed the Hon. John Dowd AO QC, a leading international human rights jurist, as our Ambassador for Protection.

Austcare's "Protect Now" program aims to contribute to the international protection effort to ensure the safety and human rights of the most vulnerable in situations of conflict, natural disaster and protracted displacement. Austcare is currently undertaking a process to mainstream protection across all of our programs, including disaster preparedness, emergency response, humanitarian aid and development programs.

Austcare adheres to the definition of protection developed by the International Committee of the Red Cross (ICRC) and endorsed by the United Nations (UN) Inter-Agency Standing Committee (IASC). *"The concept of protection encompasses all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law (i.e. human rights law, humanitarian law and refugee law)."* Austcare's definition of protection and protective activities are further explained in Attachment 1.

### **The Austcare "Protect Now" Program**

To date, Austcare's "Protect Now" program has consisted of four integrated elements. Austcare's Ambassador for Protection, the Hon. John Dowd AO QC has led the development of this program.

#### **1. The Rapid Response Register (RRR)**

The RRR is a roster of protection experts available for quick deployment to UN operations on a short-term basis. These protection deployments aim to enhance the capacity of the UN agencies to address protection issues in emergencies or protracted crises. The RRR also aims to increase Australian expertise on protection issues by developing a pool of specialists who can be called upon to assist new and developing crises.

Since November 2005, Austcare has deployed fifteen Protection Officers to the UN High Commissioner for Refugees (UNHCR), the UN Children's Fund (UNICEF) and the UN Office for the Coordination of Humanitarian Affairs (UNOCHA). These Protection Officers have been deployed to UN field offices in Sudan, Kenya, Pakistan, Timor-Leste and Sri Lanka.

#### **2. Research Partnerships**

Recognising the importance of linking research and practice, Austcare partners with Australian and international universities and researchers.

Austcare and Griffith University were awarded a three year Australian Research Council (ARC) grant for a project entitled *A Place to Call Home*. The project is investigating protracted displacement in Sri Lanka, the Thai-Burma border, Bangladesh, Afghanistan and Nepal.



Austcare works in partnership on international displacement issues with the Centre for Refugee Research (CRR) at the University of New South Wales and with the Refugee Council of Australia.

### **3. Austcare's Protection Chapter**

Austcare's Protection Chapter (APC) is a group of four leading corporate legal firms in Australia. The APC provides financial, professional and pro bono contributions to Austcare for the "Protect Now" program and provides opportunities for Australian lawyers to enhance their skills and expertise in international humanitarian, refugee and human rights law.

### **4. Projects focused on protection**

Austcare has implemented projects focused on protection concerns, such as sexual and gender-based violence in Sri Lanka following the 2004 tsunami.

## **The Way Forward for Austcare and Protection**

Austcare is now increasing its protection capacity and is embarking on a process of mainstreaming protection through all programs. 'Protection mainstreaming' is the expression used to describe the integration of protection principles into assistance programs, policy and operational practice. A core component of mainstreaming will be advocacy on protection both within the agency and with external audiences.

Our aim is to increase the impact of our humanitarian programs by reducing threats and risks to the most vulnerable and increasing community capacity.

Austcare is undertaking a process of consultation with all head office and country office staff to develop the parameters for protection at Austcare. Most importantly, Austcare will be defining the vulnerable groups that we will prioritise for assistance and protection and the protection activities that we will carry out.

The protection mainstreaming process at Austcare will include the following key actions:

- Integration of protection into Austcare's strategic planning process and country strategy development process.
- Revision of existing tools in stakeholder analysis, contextual analysis, program design and monitoring and evaluation to incorporate protection.
- Protection training for Austcare staff at Head Office in Sydney and at Country Offices.
- Protection training and support for local partners (if required).
- Provision of technical support to Program Managers and Country Offices, particularly during program development and design.
- Research in partnership with leading Australian Universities on refugee and IDP protection issues.
- Advocacy on protection issues within Austcare and externally with governments, including the Australian Government, UN agencies and NGOs.

### **The following principles will shape protection mainstreaming at Austcare:**

- "Do No Harm".
- Austcare will work with local communities to identify and develop solutions.
- Austcare will support and build on local protection capabilities.
- Austcare will take account of the context and community priorities, values and traditions at all times.

Additional background information on humanitarian protection is at Attachment 1.

## Protection Background Paper

### Part One: Defining Protection

#### What is protection?

Protection aims to improve the safety and basic human rights of people who are facing severe threats to their physical security and freedom. Protection activities aim to reduce the vulnerability of communities to threats and risks, and increase the capacity and resilience of communities to defend themselves. Protection activities are carried out within an international human rights law framework. Protection can be both short-term emergency interventions and longer-term programs.

Protection can sometimes be difficult to define and the term "protection" can have a different meaning to different actors<sup>23</sup>. The most widely accepted definition of protection was developed after a series of workshops organised in the late 1990s by the ICRC with humanitarian practitioners and academics. This definition is below:

*"The concept of protection encompasses all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law (i.e. human rights law, humanitarian law and refugee law)."*

#### Who needs protection?

Refugees and internally displaced people (IDPs) flee war, persecution, political instability and/or natural disaster in search of safety. Refugees and IDPs are particularly in need of protection as they do not have the protection of their families, communities and government.

During displacement, populations can have a heightened risk of intimidation, physical and sexual abuse, forced recruitment, landmines, attacks by armed groups and disease. The displaced can be vulnerable to deliberate discrimination and deprivation in health, education, property rights, access to water and economic opportunities.

Conflict and natural disaster affected-communities who have not been displaced can also need protection. These communities can face threats to their safety and human rights, particularly when the rule of law is disrupted. Like displaced people, these communities may be targeted for disappearances, torture, discrimination or exploitation.

#### Who has the responsibility to protect?

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<sup>23</sup> Military and humanitarian actors often have a differing view on what "protection" entails and what their respective roles are in providing protection. This is outlined in ***The Impossible Mandate? Military Preparedness, the Responsibility to Protect and Modern Peace Operations*** by Victoria K. Holt & Tobias C. Berkman (Henry L. Stimson Center, Washington, 2006). The book can be accessed from the website at [www.stimson.org](http://www.stimson.org)

Although the protection of civilians is the responsibility of governments, people cannot always rely on their governments to ensure their safety and basic rights. Where governments are unable or unwilling to prevent or respond to violations of human rights, the international community has the duty to ensure that the rights, dignity and safety of refugees and displaced people are respected.

Protection has traditionally been carried out by the International Committee of the Red Cross (ICRC) and protection-mandated UN agencies, such as the United Nations High Commissioner for Refugees (UNHCR) and the UN Children's Fund (UNICEF). Increasingly the international community has recognised that in order to address the complexity and magnitude of the global protection needs of civilians, a wider and more diverse range of actors is needed. Many other UN agencies, local and international NGOs have initiated protection activities or have integrated a "protection lens" across their work.

Furthermore, at the World Leaders' Summit in September 2005, governments agreed that they had a "Responsibility to Protect" (R2P) civilians when another government is unable or unwilling to do so. This decision created the opportunity for the UN or regional bodies to launch peacekeeping and peace enforcement interventions without the approval or invitation of the country where civilians' rights are at risk.

## Part Two: Protection Activities

Protection activities can be divided into four types of action<sup>24</sup>:

1. **Humanitarian assistance:** health, water, shelter or livelihood programmes are best designed with IDPs' protection from violence in mind.
2. **Humanitarian presence:** the physical presence of humanitarian workers can provide a restraint on some of the acts of violence.
3. **Monitoring and reporting:** particularly important for protection assessments and situation analysis.
4. **Advocacy:** with knowledge of, and information on, violations, humanitarian agencies are in a position to engage authorities to ensure their respect of the rights of IDPs. Advocacy activities should be impartial, target the right actors and be well-timed. It is important to assess whether humanitarian advocacy will in a particular context jeopardise humanitarian access and staff security.

### **How is protection different from other humanitarian or development activities?**

Humanitarian interventions aim to meet basic needs, such as food, water, or shelter. However, the provision of basic relief supplies does not necessarily provide protection unless consideration is given to analyzing the threats, risks, community assets, livelihoods strategies. For assistance interventions to be protection-sensitive, protection considerations must be integrated into the design and implementation of assistance programs from the outset, together with Do No Harm principles. When humanitarian assistance programs are designed well and appropriately implemented they can serve to reduce threats to communities and/or increase their capacity to protect themselves.

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<sup>24</sup> Internal Displacement Monitoring Centre, *Training on the Protection of IDPs: Protection during Displacement*.

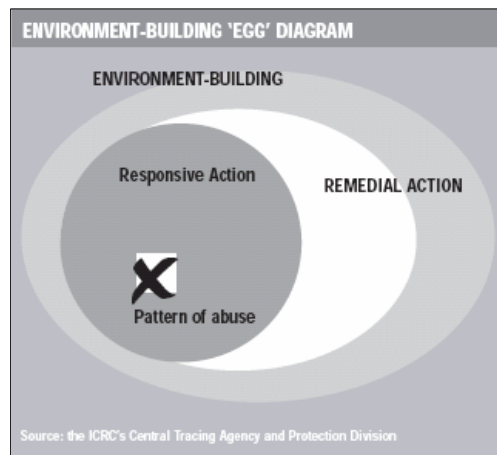
Protection actions need to be tailor-made to each context, as every situation has different factors that will create protection risks and threats. It is important to consider<sup>25</sup>:

- Who are you trying to protect?
  - What are the social, cultural, political, security and economic contextual factors?
  - From what are you trying to protection them? What risks or threats exist?
  - Who poses these threats? What do you know about their motives?
  - What capacity do people have to protect themselves?
- 
- How will you help them? What resources will you use? What is your capacity?
  - Who will you do it with? What are others doing about this issue?
  - How will you know you will have succeeded?

### The Egg Model

The International Committee of the Red Cross (ICRC) devised a model in the 1990's which explains humanitarian protection. The model is called the "Protection Egg" (see below) and it represents an approach to protection which is composed of three types of action: responsive action, remedial action and environment building. The overlapping circles represent the relationship between patterns of abuse and protection activities, as well as the interdependent and complementary nature of these protection interventions.

The Egg Model of protection action can help to provide the parameters for Austcare's protection program. It can help to better understand the relevance of protection when devising and evaluating their assistance interventions. The model can also be effective in transition planning as it highlights the need for decision makers to be cognizant of vulnerable communities' likely rehabilitation needs and longer term development needs when determining emergency response interventions



*SOURCE: the ICRC's Central Tracing Agency and Protection Division*

The three types of protection action in the Egg Model are described as:

<sup>25</sup> *Protection: An ALNAP Guide for Humanitarian Agencies*, H. Slim and A. Bonwick, Oxfam Publishing, 2005



**Responsive Action:** is any immediate activity to address an emerging or established pattern of violation and aimed at preventing its recurrence, putting a stop to it, and/or alleviating its immediate effects. *Examples: provision of (or referral for) medical assistance to women who were raped while collecting firewood outside a refugee camp; and advocating with military commander to arrest the soldiers responsible for the attack.*

**Remedial Action:** is aimed at restoring people's dignity and ensuring adequate living conditions. Remedial activities are longer term and aim to assist people living with the effects of a particular pattern of abuse. *Example: accompaniment of women to collect firewood outside of refugee camps, when these collections have previously led to women being raped and sexually abused by soldiers.*

**Environment Building Action:** is aimed at creating and/or consolidating the political, social, cultural, institutional, economic and legal environment. Environment building is a deeper, more structural process that challenges society as a whole by aiming to change policy, attitude, belief and behaviour. It is likely to involve the establishment of more humane political values and improvements in law and legal practice. *Example: provision of training to the military forces on refugee, IDP and women's rights; and advocacy with the Government to improve access for women to justice mechanisms.*