

CIVIL-MILITARY INTERACTION: BUILDING CIVIL SOCIETY DURING CONFLICT

Major General Michael G. Smith AO (Retd)
Chief Executive Officer
Austcare

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Introduction

‘...the greater danger for a more just world order comes from too little, rather than too much, humanitarian intervention; there should be more, rather than fewer, military-civilian interactions; we should be less preoccupied that military action will be taken too often for insufficient humanitarian reasons, and more so that it will be taken too rarely for the right reasons.’¹

This quote by Thomas Weiss signals the importance of civil-military interaction for the right reasons. But when states and non-government organisations (NGOs) are not in agreement about the reasons for or conduct of military operations, civil-military coordination is likely to be problematic.

I have titled my paper *Civil-Military Interaction: Building Civil Society During Conflict*. This title reflects the name of this conference, but in reality civil society cannot be built or rebuilt during conflict or stabilisation. Rebuilding is required well into the post-conflict period. The Australian Defence Force (ADF), the Australian Federal Police (AFP), The Australian Agency for International Development (AusAID), the Australian Electoral Commission (AEC), and other government departments can play a role both during stabilisation and well into the post-conflict rebuilding phase. The nature and extent of the ADF’s role (or that of any defence force) in statebuilding and peacebuilding remains a contested issue. So, this conference is very timely.

I would like to thank the Vice Chief of the Defence Force, Lieutenant General Ken Gillespie, for the invitation to be part of this important conference, and congratulate Defence for their initiative in convening this gathering. I think this is a critical conference given the commitment of the ADF to stabilisation and reconstruction efforts, and the growing commitment of the various departments and agencies to develop a more coherent ‘whole of government’ approach. I

¹ Thomas G. Weiss *Military-Civilian Interactions: humanitarian crises and the responsibility to protect*, Rowman & Littlefield, Oxford, 2nd ed, 2005, p.214.

would also like to acknowledge the conference sponsors: the ADF, Engineers Australia, the Society of Defence Engineers, and Worley Parsons.

I apologise for not being able to attend the conference yesterday. Some fantastic presentations were billed which I wanted to hear. But I had the best excuse in the world for not being with you yesterday. My mother turned 100. How's that? And before you say gee you must be old, I want to emphasise that she started very late and that I have told my sisters that the last born male (moi) inherits the longevity genes.

I have been asked to explore the extent to which non-government organisations (NGOs) and military forces might be able to work together to achieve results that benefit the 'indigenous people'. I doubt that many NGOs would have actually used the words 'indigenous people', which in part highlights the different cultures between military forces and humanitarian workers, but I understand the VCDF's intent. I will not talk about Australian domestic indigenous issues because Austcare only operates overseas. However our Ambassador for Cambodia, Lieutenant-General John Sanderson, is doing considerable work on the indigenous Australian issue with the Western Australian Government and I commend his views to you. My organisation, Austcare, has been working with displaced communities for 40 years, in more than 30 countries. Austcare is one of the few all-Australian humanitarian and development NGOs, and we focus on building human security in conflict and post-conflict environments, as well as in disaster mitigation and recovery situations. Austcare and the ADF have worked in a number of the same locations, but we have never worked together in the way suggested by this conference. Our current President is the Rt Hon. Ian Sinclair, and our first President for more than 20 years was Major General Paul Cullen.

Scope

In considering the challenges of *reconstruction during conflict* (the title of this conference), I do not think it wise to limit our thinking to the development of infrastructure, although this is a critical component of statebuilding and peacebuilding. What seems more relevant is to build a sustainable peace and a strong civil society. There is little point undertaking reconstruction if five years later you're back to where you started and you're sending in another military force to try and stabilise things yet again. The United Nations defines peacebuilding as: 'measures aimed at reducing the risk of lapsing or relapsing into conflict, by strengthening national capacities for conflict management, and laying the foundations for sustainable peace'.² Consequently, the role of the ADF and AFP, as well as AusAID and NGOs, should be considered in this light.

² *United Nations Peacekeeping Operations: Principles and Guidelines*, Department of Peacekeeping Operations and Department of Field Support, New York, 2008, p.97.

In this presentation I will cover six key areas. I will briefly explain the relationship between the military and NGOs, emphasise the importance of building human security together, highlight the importance of international legitimacy for successful intervention, discuss the role of the United Nations, highlight a couple of contemporary issues in Afghanistan and Timor-Leste, and conclude with a few comments about the future direction for the ADF and NGOs.

I certainly agree with Colonel Roger Noble's three lessons that he learned from Iraq: the need for professional forces to maintain a low profile, to be culturally aware, and to have a disciplined posture. I think these are excellent guidelines for all military forces involved in these types of operations. But I also think that within the ADF there is a tug-of-war going on between proponents of *warfighting* and proponents of *peace operations*, with the latter in the minority. It will probably require a Chief of Defence Force, or a Chief of Army, to break with this artificial distinction and to accept that we are sending our troops in harms way to do both – what we might call grey operations, or what General Charles Krulac, Commandant of the US Marine Corps, termed 'Three Block War (3BW)'. Krulac noted that:

'In one moment of time, our service members will be feeding and clothing displaced refugees, providing humanitarian assistance. In the next moment, they will be holding two warring tribes apart – conducting peacekeeping operations – and, finally, they will be fighting a highly lethal mid-intensity battle – all on the same day... all within three city blocks.'³

3BW demands sending the brightest and the best - the First 11 - to as many UN and multinational appointments as possible, and to ensuring that expertise in civil-military relations is mainstreamed and as an essential requirement for command selection as combat proficiency. Equally, NGOs have a responsibility to better understand the dynamics of 3BW peacebuilding requirements beyond traditional notions of humanitarian assistance.

The Military – NGO Relationship

The term 'NGOs' can be misleading and is often used by military personnel to describe a panoply of organisations that are neither a government department nor a commercial business. In the broadest sense this is true, but in this presentation I will restrict my remarks to humanitarian aid and development NGOs, such as Austcare. Another important point to stress is that not all humanitarian NGOs may always agree or follow the same policies, which makes it more difficult for military forces to categorise too generically.

³ Gen Charles C. Krulac "The Three Block War: Fighting in Urban Areas", cited in Sarah Jane Meharg (ed), *Helping Hands & Loaded Arms: Navigating the Military and Humanitarian Space*, Canadian Peacekeeping Press, Nova Scotia, 2007, p. 143.

When we talk about rebuilding civil societies there are two specific scenarios. One is in situations of conflict which is the subject of this conference, and the other is reconstruction from natural disasters, such as occurred in Aceh following the 2004 tsunami. The track record suggests that when responding to natural disasters, NGOs and military forces have tended on balance to have cooperated more and to have achieved better results. This suggests that conflict and ongoing insecurity complicates issues of coordination and cooperation between military forces and NGOs.

The military-NGO relationship has been evolving. Senior US military leaders have been addressing the need for closer civil-military interaction for more than a decade, albeit with some misunderstanding of the proper role of humanitarian NGOs. In the mid-1990s, the US Chairman of the Joint Chiefs of Staff, General John Shalikashvili, emphasized the need for military partnership with NGOs in handling crises: 'If you are successful, they are successful; and if they are successful, you are successful. We need each other.'⁴ A similar sentiment was expressed by US Secretary of State Colin Powell at an NGO leaders' seminar in 2001, a month after the Al Qaeda terrorist attack on New York and Washington. Powell stated:

'I am serious about making sure we have the best relationship with the NGOs who are such a **force multiplier** for us, such an important part of our **combat team**. We are all committed to the same, singular purpose to help every man and woman in need, who is hungry, who is without hope, to help every one of them fill a belly, get a roof over their heads, educate their children, have hope.'⁵

Whilst Powell's sentiments were undoubtedly sincere he misread the essential point that NGOs do not want to be part of any military's 'combat team' or in any way thought of as a 'force multiplier'. It is encouraging that Shalikashvili and Powell recognised the importance of NGOs, but somewhat disheartening that the military's entrée into civil-military cooperation should view success in terms of fulfilling a military mission. NGOs are never concerned in achieving a military mission but should always be focused on improving human security through the achievement of human rights and sustainable livelihoods of the poor and the vulnerable. This view is now better understood by the US military, as reflected in recent Army and Marine Corps doctrine which advises commanders that:

⁴ US Joint Warfighting Center, *Joint Task Force Commander's Handbook for Peace Operations*, 16 June 1997, p. II-2.

⁵ Colin Powell, 'Remarks to the National Foreign Policy Conference for Leaders of Nongovernmental Organizations', 26 October 2001, < <http://www.state.gov/secretary/former/powell/remarks/2001/5762.htm> > [Accessed 20 November 2007].

‘Gaining the support of and coordinating operations with these NGOs can be difficult. Establishing basic awareness of these groups and their activities may be the most that commanders can achieve. ... many NGOs arrive before military forces and remain afterwards. They can support lasting stability. To the greatest extent possible, commanders try to complement and not override their capabilities. Building a complementary, trust based relationship is vital.’⁶

ADF doctrine on civil-military cooperation (CIMIC) continues to develop, but it is based on the presumption that such cooperation enables the commander to fulfil his/her mission.⁷ Humanitarian NGOs may not always agree with this approach, particularly if humanitarian principles are jeopardised. There are four humanitarian principles, originating from the work of the International Committee of the Red Cross (ICRC), all aimed at ensuring that humanitarian action must *Do No Harm* to people affected:

- **Humanity:** To bring assistance to people in distress without discrimination.
- **Impartiality:** Action is based solely on need.
- **Neutrality:** Humanitarian action must not favour any side in an armed conflict.
- **Independence:** Humanitarian action must be kept separate from political, economic, military or other objectives.

These humanitarian principles are the equivalent of the NGOs’ ‘rules of engagement’. These are the lines that must not be crossed and that all military forces need to understand in their negotiations with NGOs and UN humanitarian agencies. These principles, however, are themselves being contested by some NGOs, particularly rights-based NGOs who increasingly see the need to be less impartial and less neutral in standing-up for the rights of people affected by conflict, injustice and poverty. If the humanitarian principles have become somewhat blurred, so too has the concept of ‘humanitarian space’ where significant tensions and dilemmas persist in the difficult area of statebuilding in post-conflict situations.⁸ One such dilemma is the increasingly contested ‘space’ occupied by military forces and humanitarian workers. For those interested in this important area of work I commend to you a recent book published by the

⁶ Headquarters, Department of the Army, Field Manual 3-24 / Marine Corps Warfighting Publication 3-33.5 *Counterinsurgency* (December 2006), 2-1.

⁷ Refer ADDP 3.11, *Civil-Military Cooperation*, August 2004; and LWD 5-2 *Civil-Military Operations*, June 2006.

⁸ For example, see Roland Paris and Timothy D. Sisk, *Managing Contradictions: the Inherent Dilemmas of Postwar Statebuilding*, International Peace Academy, November 2007.

Pearson Peacekeeping Centre titled *Helping Hands and Loaded Arms: Navigating the Military and Humanitarian Space*. If multinational operations have converged and overlapped into 3BW, so too has military and humanitarian space become blurred and contested. Military space represents a geographical area of operations in which military forces are assigned specific responsibilities and undertake assigned tasks. Humanitarian space is a geographic area where humanitarian principles and policies can be applied free from violence and conflict, and where humanitarians can work in safety.⁹ Optimally, humanitarian space should be considered as a place where humanitarian principles are not jeopardized and as a place where human rights policies are assured and implemented. When the military 'battlespace' and the NGOs 'humanitarian space' are not agreed, and when endstates and approaches are not compatible, then problems between military forces and humanitarian agencies are likely to occur. Military forces prosecute the orders and intentions of their governments (and the United Nations if they're under a United Nations mandate), whereas humanitarian NGOs focus on what they perceive to be the rights of the people for whom they're working. Sometimes these approaches become contested, not only the physical space in which military forces and humanitarians operate, but the philosophic space of how different organisations will work. Certainly, if the population becomes a military target then cooperation is extremely difficult for humanitarian actors.

Generally speaking, NGO interaction with the military and police works best in the field when:

- security exists and humanitarians have freedom of movement to undertake their work;
- military forces do not undertake humanitarian action except as a last resort or in a short-term supporting role;
- civilian authority predominates and the military is subordinate and accountable to it;
- the intervention has unambiguous international legitimacy, with no question of military forces or humanitarians being considered the proxies of belligerent donors;
- the military do not attempt to overtly include humanitarians as part of their 'hearts and minds' campaigns; and
- the majority of the host government and population is supportive of the intervention and generally approves of the behaviour of security forces.

These optimum situations are, however, rare in international politics, which means that relations between military forces and humanitarian actors will frequently be under strain. Experience suggests that when the military secures, but does not occupy, the humanitarian space, the best areas for civil-military coordination are in the provision of logistic support, communications, and

⁹ For a fuller analysis of humanitarian space and 'three block wars', see Meharg, *Helping Hands and Loaded Arms*, pp.1-7.

transportation, with some short-term possibilities in the areas of training, infrastructure development, and the exchange of information (but not intelligence gathering). Conversely, the main areas of discord occur when security is threatened or breaks down, when humanitarian actors are denied freedom of movement, when the military encroaches on the humanitarian space by undertaking tasks that should be the responsibility of civilian agencies, and/or denies the provision of assistance to people in need.

Building Human Security Together

I will now address my second point about building human security together. In the Malayan Emergency in the early 1950s - an era when British doctrine of 'keeping the peace' preceded UN peacekeeping norms and when humanitarian organisations barely existed - the British High Commissioner, Field Marshal Sir Gerald Templer, commented that the shooting side of the business was only 25 per cent of the trouble and the other 75 per cent was in 'winning the hearts and minds' of the Malayan people to support the British. In contemporary complex emergencies the problem remains the same, but the solution rests not with the people supporting intervening or neo-colonial powers, but rather the other way around. Only then will the prospects for sustainable peace be realised, and for this to occur a greater commitment to human security will be required based on a willingness to listen harder to those that are being supported. In this difficult business of peacebuilding and statebuilding, military forces and NGOs increasingly find themselves on the ground in the same space.

Human security is a relatively new security paradigm.¹⁰ Human security as a concept first emerged in the 1994 United Nations Development Programme (UNDP) *Human Development Report*, and stresses the need to achieve and maintain a minimum quality of life. In the words of the more recent Commission on Human Security, it 'complements state security, enhances human rights and strengthens human development. It seeks to protect people against a broad range of threats to individuals and communities and, further, to empower them to act on their own behalf. And it seeks to forge a global alliance to strengthen the institutional policies that link individuals and the state – and the state with a global world. Human security thus brings together the human elements of security, of rights, of development'.¹¹

The concept of human security is based around the rights of individuals and communities to live in 'freedom from fear' and 'freedom from want', and possessing the freedom to make their own decisions that impact on their well-being. Fundamental to human security are *protection* and *empowerment*. People

¹⁰ For a fuller discussion on the relevance of human security to Australia see Michael G. Smith and Jacqueline Whelan, 'Advancing Human Security: New Strategic Thinking for Australia', *Security Challenges* (forthcoming June 2008).

¹¹ Commission on Human Security, 'Human Security Now', 2003, <<http://www.humansecurity-chs.org/finalreport/finalreport/index.html>> [Accessed 16 August 2007].

are entitled to be *protected* from human rights abuses, and to be *empowered* with the capacity to make decisions in their own and their community's interests. International initiatives – such as the Millennium Development Goals (MDGs) and the Responsibility to Protect (R2P) - present opportunities to enhance human security, but such initiatives need concerted commitment from the international community.

While traditional concepts of security focus on the territorial sovereignty of the state and its vital national interests, human security recognises that the state has not always been able to assure the protection of its citizens and sometimes has been the perpetrator of insecurity and genocide. On such occasions the international community has a 'responsibility to protect' people under threat or attack – a commitment agreed to unanimously by nations (including Australia) at the United Nations Leaders' Summit in 2005.¹² The adoption and implementation of human security by the Australian government would assist in fulfilling the responsibility of states to protect their own citizens, and in strengthening the rule of law in states emerging from complex emergencies. A human security commitment would help strengthen the governance-security-development nexus, whereby governance is about building social stability through the rule of law, security is about protecting the individual and the community, and development is about the sustainable well-being of the community.

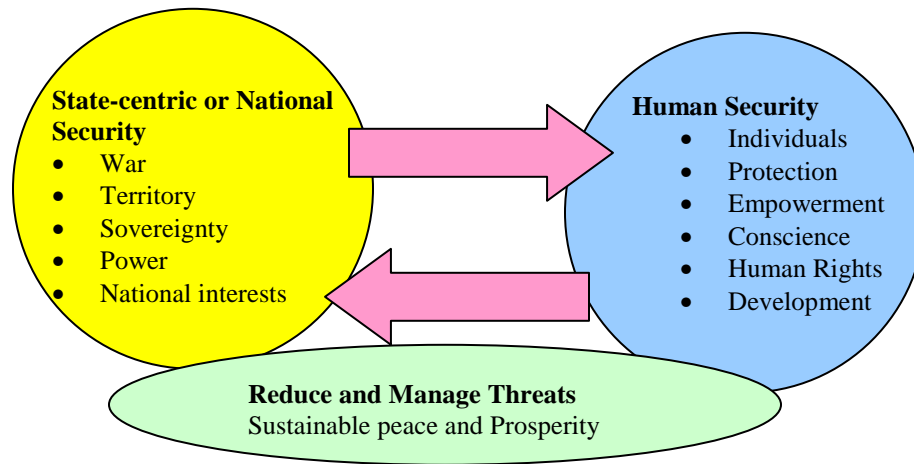
The achievement of human security is likely to require more, not less, international interventions. Moreover, the three categories of multinational operations – warfighting, humanitarian and peace operations - have converged, giving rise to 3BW and contested humanitarian and military 'space' where military and police forces are increasingly deployed alongside humanitarian agencies, and where the reality of the civil-military interface will require a more unified understanding by all the actors involved. As well, the need for effective community policing and riot control capabilities has become increasingly important in maintaining the rule of law during stabilization, de-militarisation, and post-conflict reconstruction. Security forces have significant resources that may assist in the humanitarian effort, but they are not and can never be humanitarian workers. Improved levels of mutual understanding and respect are required by security forces and humanitarian actors if strong and stable civil societies are to emerge and cycles of conflict and poverty are to be averted. In this complex environment a more coordinated 'whole-of-government' and 'whole-of-nation' approach will be required by Australia, accompanied by a long-term commitment, as well as better understanding of local culture.

While the concept of human security may be imprecise and contested, this is not necessarily dissimilar to the elastic interpretations by state leaders of the more traditional concept of territorial sovereignty and vital interests. In the real world

¹² Responsibility to Protect Engaging Civil Society, <<http://www.responsibilitytoprotect.org/index.php>> [Accessed 15 February, 2008].

– as illustrated in Figure 1 – it seems more sensible to consider human security and state-centric security as being complementary and mutually reinforcing, rather than as competing concepts. As Pauline Kerr has emphasised, states should not feel threatened by human security because they are the key agents in its implementation: ‘the role of properly functioning states will continue to be central to improving human security.’¹³

Figure 1: Convergence of State-centric and Human Security:



Human security is not currently reflected in Australian Government strategic guidance which predates the APEC Leaders Declaration in Sydney, September 2007, at which the importance of human security was acknowledged. Recognising the linkages between human security and global economic development, APEC leaders (as part of a range of other commitments) ‘resolved to enhance our cooperation on challenges to human security’ and ‘agreed on the need to further strengthen APEC’s efforts to build community resilience and preparedness for emergencies and natural disasters’.¹⁴ Prior to APEC the Howard government had failed to incorporate human security in strategic guidance despite calls for it to do so.¹⁵ Extant strategic guidance fails to

¹³ Kerr, op. cit., p.106.

¹⁴ APEC 2007 Leader’s Declaration, op. cit..

¹⁵ For example, see Minister for Veterans Affairs, Bruce Billson, presentation to the Australian Strategic Policy Institute (ASPI): Bruce Billson, ‘Human Security’, 26 March 2007, <<http://www.aspi.org.au/admin/eventFiles/Billson%20Speech.pdf>> [Accessed 20 February

acknowledge or explain human security as part of its whole of government approach to crisis prevention and response. This situation should be redressed in forthcoming strategic guidance, where human security should form an important pillar of Australia's national security outlook and strategy, to be included in government White Papers on foreign policy, defence and overseas aid. Thus, Australia will be better able to plan for and respond to regional and global crises, and to effectively contribute to prospects for sustainable peace and development.

Within Australia, a shared understanding of human security should be agreed by the Australian government and civil society stakeholders. Looking at Australia's national security through a human security lens will better enable Australia to contribute to strategies that will prevent conflict and crises. As well, an understanding of human security will better shape Australia's interventions in humanitarian and peace operations, thereby enhancing prospects for achieving long-term stability. Incorporating human security in Australian government strategic guidance – as well as in strategic plans of Australian humanitarian NGOs – will better enable Australia to implement long-term strategies that prevent or reduce the impact of crises. A human security focus will also better inform the entry and exit strategies for military and police commitments. An understanding of human security would also inform the development of Australia's overseas aid program, as well as the development of doctrine and capabilities for the ADF and the AFP. Importantly, a national commitment to human security would encourage Australian NGOs to better coordinate their activities for disaster risk reduction and response.

History records that in almost 50 per cent of cases, countries emerging from conflict have reverted within five years. Although politically motivated, this resumption of conflict also occurs because of a breakdown in the implementation of effective policies on governance, security and development. The international community often contributes to this situation by providing too light a presence with too early an exit, under-resourcing, and lack of coordination between civilian and military actors. Such strategies may contribute to the renewal of hostilities and entrenched poverty. By contrast, successful interventions have played a significant role in helping to restore peace and establish the mechanisms to achieve the targets agreed in the MDGs. The absence of peace, justice and security only serves to nurture poverty, prolong displacement, deny protection, and breed cycles of discontent characterized by reprisals and conflict.

2008].; and Michael G. Smith 'Addressing Human Security' in *Strategy: Scoping Studies: New Thinking on Security*, ASPI, October 2004, pp. 27-30.

The successful implementation of human security as part of conflict prevention and post-conflict reconstruction efforts depends largely on the degree to which governance, security and development can operate in unison. ‘Governance’ means more than ‘government’; it includes the rule of law, security sector/system reform (SSR), and the building of community structures and standards based on cultural norms that are more resilient than the term of any political party, government or peacekeeping mission. ‘Security’ means more than ensuring the viability of the host government’s security apparatus; it involves the development of individual and communal protection mechanisms. ‘Development’ means more than measuring an increase in a nation’s wealth; it is about the distribution of wealth to bring people out of poverty and to ensure the sustainable well-being of its people, as well as creating options and possibilities for people.

Integrating and implementing effective policies in governance, security, and development is hard work, as much in developed states as in fragile ones.¹⁶ The analogy of a three-legged stool helps explain that if any one of these pillars is not working then the stool will collapse. Equally important are two factors which serve to strengthen the legs of the stool: the assurance of justice by securing and protecting human rights, and the allocation of sufficient financial and human resources to develop a stable government and free people from poverty.

Figure 2: Governance, Security and Development



¹⁶ For an analysis of failing states based on social, political and economic indicators see the Fund for Peace “Failed State Index” http://www.fundforpeace.org/web/index.php?option=com_content&task=view&id=229&Itemid=366.

It is important to understand that efforts by the international community to promote governance, security and development must avoid propping-up unstable or corrupt governments. This is where a human security approach is particularly helpful, because it provides a focus on the well-being of people at the community level, and shifts accountability to host national governments to ensure this occurs. Clearly, international efforts will be stillborn if they fail to enable governments to address unemployment, ensure that food is available, provide education, improve health and sanitation, and ensure local ownership of infrastructure development. This has been recognised by the Organisation for Economic Cooperation and Development (OECD) in their Disaster Advisory Committee (DAC) handbook on *Security System Reform*.¹⁷ The OECD DAC handbook provides useful guidelines to help achieve ‘greater coordination and integration of development, security and justice policies and practices’.¹⁸ Effective SSR strategies acknowledge the need to create viable security services, as well as strengthening civil society whose interests the security services have been created to serve. As stated in the DAC handbook, SSR ‘relates to personal and state safety, access to social services and political processes. It is a core government responsibility, necessary for economic and social development and vital for the protection of human rights.’¹⁹ For this reason the DAC handbook recognises civil society as a discrete sector.²⁰

A 2007 collaborative NGO study on the effectiveness of the UN Peacebuilding Commission in Sierra Leone and Burundi noted that: ‘in situations of civil war, conflict typically emerges from struggles emerging from pre-conflict governance with substantial legacies in the post-conflict period. In other words, governance is usually both part of the solution and part of the problem.’²¹ The same report recommended greater emphasis on ‘soft’ interventions of governance to ‘promote civilian oversight, political accountability and social empowerment’.²² Generally in peace operations and post-conflict development, the Australian government has tended to think primarily in terms of strengthening the rule of law by enhancing the host government’s security forces, legislature and judicial sector. Such support is undoubtedly required, but this is of limited value unless underpinned by robust development strategies focused at community level. A human security approach will enable Australia to better coordinate and integrate its commitment to post-conflict and natural disaster recovery efforts. Importantly, a human security model would help shape Australia’s contribution to protection and SSR by placing greater importance on the development of civil society, in addition to the more traditional development of government infrastructure and security forces. NGOs play a crucial role in

¹⁷ *OECD DAC Handbook on Security System Reform: Supporting Security and Justice*, OECD Publishing, Paris, 2007.

¹⁸ *Ibid.*, p. 3.

¹⁹ *Ibid.*, p. 13.

²⁰ *Ibid.*, pp. 224-35.

²¹ ActionAid, Care International, Cafod Shadow Report on *The UN Peacebuilding Commission*, June 2007, p. 2, www.actionaid.org.au.

²² *Ibid.*

helping to develop capacity, enhance protection, and strengthen governance at the community level; the very essence of human security and the foundations for sustainable peace.

Efforts to establish and maintain the rule of law in fragile states – particularly those emerging from conflict with limited local capacity – are difficult and lengthy. There are no quick-fix solutions. Moreover, internationals providing assistance to the judiciary, police and penal sectors often have little understanding of long-standing local cultural practices. In such situations a neo-colonial approach is in danger of being adopted, with internationals transplanting practices from their own country that are often inappropriate to the needs of the local population. Australia will continue to assist countries in the Asia-Pacific region to strengthen the rule of law, but its track record in places like PNG, the Solomon Islands and Timor-Leste suggests that a deeper understanding of culture and language will be required. The development of professional and non-corrupt security forces will be particularly critical and challenging. The AFP can play an increasingly important role but will require the necessary training, capabilities and cultural understanding to be effective. The AFP has the potential to work alongside local police forces to help them perform many functions which are complementary to the human security agenda.²³ Community policing will be of particular importance in such countries, requiring Australian police to be specifically trained for this purpose. Policing must be implemented in such a way that is mindful of local customs and is able to enhance the protection and empowerment of the local population.²⁴ NGOs also have an important role to play in monitoring the implementation of the rule of law, ensuring that the principles of protection and empowerment are not violated.

In each of these areas – governance, security and development – humanitarian agencies and NGOs are able to make a significant contribution. Accordingly, closer collaboration is required between the Australian government and humanitarian actors in the planning, preparation and implementation of interventions. Moreover, when we look at civil military actors in these environments we realise that most of the actors are civilian, requiring the military to understand how to work (or not work) with all these agencies.

Humanitarians NGOs work for and with the civilian population, particularly those elements that have been marginalised and impoverished. I was delighted to hear Colonel Roger Noble speak this morning about how the Australian contingent operated in Iraq, and the particular importance placed on talking with local communities to find out what the people at the grassroots really needed,

²³ The AFP has significantly enhanced its operational capability through the International Deployment Group, see < <http://www.afp.gov.au/international/IDG.html> >

²⁴ For an analysis of the role and capabilities of the AFP in international deployments see John McFarlane “The Thin Blue Line: The Strategic Role of the Australian Federal Police” in Security Challenges Vol.3 no.3 August 2007.

and then to work out mechanisms to make that happen. This is the right approach, and an old lesson relearned by ADF. Less clear are the best protocols to be used by the ADF in providing this assistance, or whether it is always practicable for military forces to undertake such action at all.

Legitimate Intervention

The third issue I would like to cover briefly concerns the legitimacy of the intervention in which the ADF and AFP may have to operate. The legitimacy of the intervention – not only in international law but also how it is perceived by the majority of the host population – may ultimately determine success or failure. Clearly, mandates sanctioned by the UN Security Council provide an important aspect of legitimacy. Where this does not occur it is unlikely that humanitarian NGOs will be able to work closely with military forces. There are some exceptions to this, such as in the Solomon Islands, where a UN mandate was not sought for political reasons, but generally a UN mandate is the preferred option. In cases where legitimacy is contested, such as has occurred in Iraq, NGOs and local communities are likely to perceive such military forces as belligerent donors, and sometimes even contributing to the conflict.

In 2003, I wrote a book with Dr Moreen Dee on the lessons learned from the intervention in East Timor, titled *Peacekeeping in East Timor: the Path to Independence*. We identified 13 factors (the Peacekeeping Baker's Dozen) which should be considered to assess the likelihood of successful intervention.²⁵ The first and most important of these was 'legitimacy'. While legitimacy will often be contested to some extent by some groups, and particularly by spoilers, it is unlikely to result in a sustainable peace if it is contested by significant international resistance. This question of legitimacy was a key factor prompting 42 former Australian ambassadors and senior military officers advocating against the government's decision to intervene in the Iraq war in 2003.

The Role of the United Nations

The role of the United Nations in peacebuilding and statebuilding deserves a presentation in its own right, and I will touch on it only briefly. The UN's ability to prosecute peace operations is far from perfect, but no better option has yet been devised.²⁶ The current trend for coalition and regional commitments has merit only to the extent that they operate with legitimacy under UN mandate or approval, using doctrine and procedures that are consistent with the United Nations. If such commitments are limited to regime change, or focussed

²⁵ Michael G. Smith with Moreen Dee, *Peacekeeping in East Timor: the Path to Independence*, Lynne Rienner, Boulder, 2003, pp. 97-118

²⁶ For examples see James Dobbins et al, *The History of Nation-Building*, RAND, 2005, which contends that UN-led peacekeeping has been more successful than US-led interventions, and at far less financial cost; and William Durch and Tobias Berkman, *Who Should Keep the Peace?*, who emphasise the need for the UN to be resourced more adequately to undertake peacekeeping tasks.

primarily on ‘the war on terror’ or to prop-up particular governments, then they are unlikely to be successful in the longer-term.

The UN provides the best mechanism for ensuring international legitimacy for intervention, and it has the most advanced practices to implement peace operations effectively. Based on his experience in Bosnia, General Sir Michael Rose expressed this view more trenchantly:

‘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 autonomous organisation. The UN represents all of us. Its peacekeepers belong to all of us.’²⁷

Major UN reforms to improve peace 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),²⁸ significant steps have been taken to improve the effectiveness of UN peacekeeping, including better preparation and planning, higher levels of integration, improved doctrine and stand-by arrangements, and increased coordination within the UN system and with the World Bank group. The UN World Leaders’ Forum of September 2005 reaffirmed international commitment to the MDGs, agreed on the R2P framework, and established a Peacebuilding Commission. In November of the same year the Under-Secretary-General of the Department of Peacekeeping Operations (DPKO), Jean-Marie Guehenno, distributed a memorandum to all staff titled *Peace Operations 2010* where he set out five goals for the continuing reform of DPKO, covering preparedness, doctrine, partnerships, resources and integration. In its first two years considerable progress had been made, including the important development of *United Nations Peacekeeping Operations: Principles and Guidelines* (the draft version was referred to as *Capstone Doctrine*). From 2006, improvements have continued to enhance the UN’s capacity for emergency response and disaster management, including the establishment of a UN Central Emergency Response Fund (CERF),²⁹ the assignment of lead UN agencies to better coordinate various sectors in emergencies under the ‘cluster approach’, and the re-launch of the *Oslo Guidelines on the Use of Military and Civil Defence Assets (MCDA) in Disaster Relief*. In late 2007, the UN is scheduled to release the *United Nations Civil-Military coordination Officer Field Handbook* which provides important guidance for all civil-military actors.

²⁷ General Sir Michael Rose, *Fighting for Peace: Lessons from Bosnia*, second edition, London, Warner Books, 1999, p. 14.

²⁸ 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.

²⁹ The CERF was launched on 9 March 2006, and aims to have a fund of US\$500m to commit to emergencies. Refer <http://ochaonline.un.org/FundingFinance/CERF/tabid/1109/Default.aspx>.

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. But in recent years there has been a failure by many developed countries to contribute significant troop numbers to UN peacekeeping missions, leaving much of the work to less capable developing countries. 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.'³⁰ Australia can be added to this list. In 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).³¹

The United Nations is an amorphous organisation comprised of many parts. In terms of advancing civil-military coordination in complex emergencies and peacebuilding Australia needs to work closely with three particular parts of the UN: the Office for the coordination of Humanitarian Affairs (OCHA), DPKO, and the Peacebuilding Commission. OCHA and DPKO have excellent policies and practices in place, but they need to be better resourced and held more accountable. The Peacebuilding Commission should also be resourced appropriately and held accountable if it is to make an impact. It is instructive to consider the key areas in which the United Nations contributes to peacebuilding. The UN's *Principles and Guidelines* handbook notes that each peacebuilding situation is unique, but that 'the achievement of a sustainable peace requires progress in at least four critical areas:

- Restoring the State's ability to provide security and maintain public order;
- Strengthening the rule of law and respect for human rights;
- Supporting the emergence of legitimate political institutions and participatory processes;
- Promoting social and economic recovery and development, including the safe return or resettlement of internally displaced persons and refugees uprooted by conflict.'

The UN considers its six main peacebuilding activities to be:

- Disarmament, demobilization and reintegration (DDR) of combatants;
- Mine action;
- Security Sector Reform (SSR) and other rule of law-related activities;
- Protection and promotion of human rights;
- Electoral assistance; and
- Support to the restoration and extension of State authority.

³⁰ Holt and Berkman, op.cit., p.193

³¹ http://www.un.org/Depts/dpko/contributors/2007/Feb07_1.pdf [accessed 4 March 2007].

Considerable work is occurring in the area of *protection*. This is an ambiguous word that means different things to different people. To the military the word protection means one thing. To a humanitarian worker it means quite another. According to the UN Inter-Agency Standing Committee (IASC) and the ICRC humanitarian 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).’

In terms of civil-military interaction, it is critical that military forces and humanitarian agencies understand their responsibilities for protection, and where appropriate are able to work collaboratively to benefit the host population. This has become even more important since the 2005 World Leaders’ Summit when nations unanimously agreed to R2P. Short of R2P, there are currently about seven UN missions in Africa— more than 50,000 troops – where the mandate requires the protection of civilian communities. Yet no country has yet promulgated doctrine for this assigned task. Australia can and should take a leading role in this, given that it is now plausible that the ADF may be committed to protection operations in the future. Earlier this year I had the pleasure of attending an enlightening senior leader’s seminar on protection in Accra, where we role-played the requirements for an R2P mission. It became clear that the specific mission of civilian protection was very different from the more general mission of resorting and maintaining security. Critical to success was the need to ensure an integrated approach with a high level of civil-military planning.³²

Afghanistan and Timor-Leste (East Timor)

I will briefly make a few points about Afghanistan and Timor-Leste, as these are locations where both the ADF and Austcare are present. Undoubtedly, the lack of a secure environment is the greatest impediment to progress in both countries, although the scale of violence is very different in each location.

I will restrict comment on Afghanistan to the role played by Provincial Reconstruction Teams (PRTs). There is no unified military understanding of what a PRT is or how it should operate. I think there are around 26 different national PRTs currently operating under different national commands, about half of them reporting to the US and about half reporting to ISAF, and they’re all quite different. Professor William Maley has recently returned from Afghanistan and in the forthcoming Autumn edition of the NATO Review he provides a reflection on PRTs in Afghanistan. Maley makes the very sensible observation that:

³² For further information on the military and R2P see Victoria K. Holt & Tobias C. Berkman *The Impossible Mandate? Military Preparedness, the Responsibility to Protect and Modern Peace Operations*, Henry L. Stimson Center, Washington, 2006.

‘no matter how well-run and efficient a PRT appears, if it does not lay a foundation for stable local development once it departs, it will have done little to foster the activity of reconstruction to which its title refers.’³³

This does not mean that all PRTs in Afghanistan have been unsuccessful or that NGOs can never work with PRTs. For example, Professor Maley points to the success of the New Zealand military operating with NGOs in the relatively peaceful province of Bamian, compared with the less successful Canadians operating in the very insecure area of Kandahar. The essential point is not so much whether PRTs can win the hearts and minds of the local population, but rather if, how and when humanitarians and PRTs might work together, and the mechanisms to assess effectiveness. Another point that Professor Maley makes is the considerable difficulty that the Afghans have in distinguishing between PRTs on the one hand and international military forces on the other. So when is it a reconstruction job and when is it a real security fighting job? This confusion has resulted in some NGOs refusing to work with military PRTs. Austcare considered whether it would operate at grassroots to build local capacity in Oruzgan Province where the ADF is deployed. We concluded that we could not work with the ADF because we could not guarantee the security of the people who could be targeted because of this association. We would, however, be prepared to liaise with and exchange information with the ADF in Kabul. In another recent report, Barbara Stapleton, a political advisor to the office of the European Union Special Representative for Afghanistan, has questioned the strategic effectiveness of PRTs, and I commend her article to you.³⁴

Success for military and police forces intervening in peace operations depends as much (if not more) on understanding the people and culture of the countries in which they are required to intervene, than it does on their proficient use of firepower (as important as this can be). Success for PRTs will be measured not so much by winning the ‘hearts and minds’ of the local population, as it will about the local community winning over the PRTs. For PRTs to be effective they will need to adopt the practices of aid agencies. It is not so much whether the project is worthwhile and can be finished within budget and on time, but whether it has local ownership, whether it is truly what the local community and central/provincial governments want, and whether it can be sustainable after military forces depart? In other words, if civil society is not behind it – if it does not have true ownership - then the value of PRTs must be questioned.

³³ William Maley, *Provincial Reconstruction Teams in Afghanistan: Some Reflections*, NATO Review, Autumn 2007. Maley identified a diverse range of 25 provincial reconstruction teams, about half led by the US, and the remained led by NATO and non-NATO states (including Australia and New Zealand).

³⁴ Barbara Stapleton, ‘A Means to What End? Why PRTs are Peripheral to the Bigger Political Challenges in Afghanistan’, *Journal of Military and Strategic Studies*, Fall 2007, Vol. 10, Issue 1.

In Timor-Leste the situation is very different. The intervention by the ADF in 2006 was, in my view, a case of an ‘opportunity missed’ in terms of civil-military coordination. Timor provided an opportunity to really help build civil society much more collegiantly with the NGOs who’d been there for a long time, but I saw a real reluctance by the ADF in wanting to embrace this approach, and they took a very stand-off approach. Please don’t misinterpret me. Everyone was very happy that the ADF deployed to Dili to restore security. I was present when this happened, but there were some great opportunities missed and you might want to explore that further during question time.

Future Directions

I will conclude by suggesting some future directions for civil-military collaboration, focusing on the building of civil society and human security. The

- First, the ADF and NGO community should analyse some case studies where the military and NGOs have deployed to consider the lessons learned and assess prospects for future collaboration. I have previously recommended to the ADF that they partner with Austcare to undertake this analysis. I have recommended that we look at both natural disasters and conflict situations. Aceh provides a good example of the former because the Red Cross assessed that coordination between military and civil agencies was weak and that a ‘black hole’ of information occurred.³⁵ – Aceh as the black hole of information. I think it would be useful to analyse Aceh to see the extent of ADF-NGO collaboration, and what lessons could be distilled for future emergencies and disaster management? In terms of conflict analysis, I have suggested three at varying levels of threat: Afghanistan at the high level, Timor-Leste where the ADF has taken a leading role, and the Solomon Islands where the ADF has been in a supporting role. These studies would be enhanced with AusAID and AFP involvement.
- Second, there needs to be increased focus on community needs and a commitment to build human security together. I have heard a number of presenters at this conference emphasise the need for military forces to work more closely with local communities: to better understand and respect the customs and needs of local communities. This suggests that more needs to be done to see if, when and how the ADF and NGOs can collaboratively work in a joint manner.
- The third issue concerns training. It is clear that the ADF would like NGOs to be more involved in training exercises. This would be useful, but most NGOs would require funding to devote resources to this task.

³⁵ See, International Federation of Red Cross and Red Crescent Societies, ‘World Disasters Report 2005: Focus on Information in Disasters’ In particular see Chapter 4, ‘Information Black Hole in Aceh’, <http://www.ifrc.org/publicat/wdr2005/index.asp>.

NGOs operate on slim financial margins and are accountable to their Boards and donors for all money expended. Donors expect their money to go to the field. Some military training courses go for a week or more, and it is difficult for NGOs to allocate resources for this, unless specific funding was provided. Austcare would be supportive of this approach.

- Fourth, peace operations must be mainstreamed within the ADF to reflect the realities of 3BW, and the potential requirements under R2P. CIMIC capabilities need to be enhanced and high calibre personnel should be assigned to CIMIC duties.
- Fifth, selected NGOs need to be involved in contingency planning. It is too late to consider this issue after deployment. Currently, there are no mechanisms in place for civil-military pre-deployment planning and preparation. Such an initiative would also help improve the level of coordination within the Australian NGO sector.
- Sixth, and following from the earlier point, the NGO community in Australia needs to be better organised and coordinated than at present. I believe that AusAID and the Australian NGO peak body, the Australian Council for International Development (ACFID) could do more to improve collaboration. This would probably require modest funding from AusAID.
- Seventh, I have emphasised the need to strengthen our commitment to the United Nations, and to hold them more accountable. We need to do this in a coordinated manner across a number of departments and the ADF, ensuring that we provide high quality candidates and that we secure a number of senior UN billets.
- Finally, and most important of all, Australia needs to establish a civilian-led centre of excellence to advance civil military relations. It is noteworthy that this has been a recommendation in a number of submissions, including Austcare's, to the Joint Senate Standing Committee which is currently undertaking its enquiry into Peacekeeping Operations. I also note that the Australian Labor Party has undertaken to establish such a centre if elected to government in November.

Before opening for questions, I would like to conclude with a quote from a senior US Aid officer in Afghanistan a couple of years ago. That person said:

‘The war will be won by humanitarian workers and not soldiers because they, the humanitarian workers, address the root causes of the conflict.’

Having served in the ADF and now in leading Austcare, I don't think that humanitarians will win the war in Afghanistan, or any other war. But I would

like to think that humanitarians will help win the peace, and the civil-military dimension of that peace is becoming increasingly important.