

involved in providing protection for refugees and displaced persons. A recent joint exercise between the military and NGOs in the UK shows that both type of actors use different frameworks for analysis. While NGOs have a bottom-up approach and start from the purpose of responding to the needs of the civilian population, military forces start from the end-state, i.e. a stable and secure situation, and work backwards. Such difference in thinking can have huge implications in planning and implementing operations in refugee areas.

Another essential element is the military forces' understanding of protection and security. A military understanding of these concepts focuses on the security and protection of the troops. When this way of thinking is applied to humanitarian operations, it is believed that humanitarian staff want the military to protect their operations and convoys. However, many aid workers would find that their security derives from the quality of protection and security provided to the refugees. As such they want to see the military provide protection and security for the refugees and civilian population, rather than having military escorts.

The troops that become involved or provide military support for activities such as the movement of camps further away from international borders, separation of armed elements and refugees, disarmament and arrest and detention of alleged war criminals, should make sure that they operate within the parameters set by international law, in particular refugee law and human rights law. If the contribution of the military forces aims to protect the refugees, the need to respect the rights of refugees in these operations is a minimum condition. One potential problem of the presence of military forces in refugee areas is in fact the risk of violating the civilian character of camps and settlements.<sup>5</sup>

The role of the military should go further than maintaining public order. The mandate of the *Zairian Contingent pour la Sécurité des Camps*, which was eventually deployed as a last resort measure following months of fruitless negotiations by the UN Secretary-General on the deployment of a UN peacekeeping force in the Rwandan refugee camps in Eastern Zaire in 1994, did not include any activities in the direction of separation, disarmament, or arrest and detention. The camps in Goma, therefore, remained the time bomb for regional security until their dismantling by the Kabilla forces at the end of 1996.

## **Conclusion**

Several recent initiatives have been taken to further crystallize the interface between military forces and humanitarian organisations through the development of guidelines or codes of conduct.<sup>6</sup> However, as has been argued, the focus of the conceptualisation of the relationship so far has been on the delivery of aid. A shift of the debate from the military's role in the delivery of aid to their contribution in providing security and protection to refugees, internally displaced persons and the civilian population at large is urgently needed. It is hoped that this seminar will mark an important first step in shifting the debate.

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<sup>5</sup> The international community has repeatedly stressed the need to maintain the civilian character of refugee camps and settlements, See, for example, Executive Committee of the UN High Commissioner's Programme, Conclusion # 48 (1987).

<sup>6</sup> For example, the effort to develop "Guidelines on the Use of Military and Civil Defence Assets in Disaster Relief - also known as the Oslo Guidelines," led by UN OCHA Military and Civil Defence Unit (