

REFUGEE CAMP SECURITY IN WEST AFRICA: AN ECOWAS PRIORITY?

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INTRODUCTION

Camps are the form of shelter most commonly provided to refugees by host governments and international assistance agencies. They are set up as a temporary solution to the shelter needs of the displaced, thus they serve an important protection function. However, camps are increasingly becoming places of permanent insecurity and outright danger, not only for the refugees, but for relief workers and for those living around the camp as well. Camps are, and will continue to be an essential element of the humanitarian response to refugees, but they need to be rendered secure if they are to be truly 'humanitarian'.

While insecurity in refugee camps has long been an issue, it is one that has largely been left for humanitarian actors to resolve in collaboration with host governments, even though the latter often lack the capacity to deal with such complex and unsafe situations. Hence efforts to assist have mainly been focused on meeting physical needs, such as food and health, often at the expense of protection needs.

The primary responsibility for ensuring the physical security of refugees rests with the host government, in accordance with relevant international law and regional instruments.² However, host governments are often unable to ensure protection if the refugees themselves are, or are perceived to be compromising state security. Under increasing pressure from large influxes of refugees, host states look to the United Nations High Commissioner for Refugees (UNHCR) and other UN agencies, other states, NGOs and the refugees themselves to play a role in creating conditions that minimize threats directly within camp environments and indirectly to the state itself.

International concern about insecurity in refugee camps has heightened during the past decade. The mass movement of people displaced by war in the Great Lakes region of Africa as well as in places such as Macedonia, West Timor, Guinea, and Tanzania have underscored the challenges associated with maintaining the civilian and humanitarian character of refugee camps and settlements – especially when armed elements of fighting forces move alongside refugees. Failure to effectively address such circumstances can have important implications for regional stability and for the safety and security of civilians in and around those environments, including humanitarian workers assisting them³.

With the ongoing turmoil in West Africa, it may not be long before the region is faced with the burden of hosting thousands of refugees in camps. Refugee populations already affect almost all ECOWAS member states either directly or indirectly. In western Côte d'Ivoire, for example, camps housing hundreds of Liberian refugees have become recruiting pools for young foot

² Numerous UN and Regional documents have asserted the primary role of host states in providing security for refugees, including the Conclusions on International Protection of the UNHCR Executive Committee. See for example, UN Security Council resolution 1208 (1998), UN General Assembly resolution 39/140 (1984), UNHCR EXCOM Conclusion Nos. 22 (1981), 45 (1986), 48 (1987), 72 (1993).

³ See "Exploring the Role of the Military in Refugee Camp Security": International Seminar - Summary Report Eynsham Hall, UK July 10-12, 2001. http://www.dfait-maeci.gc.ca/foreign_policy/human-rights/role_mil_ref_camp-en.asp#1

soldiers to fight for Ivorian warring factions. In his February 2005 report on children and armed conflict, the UN Secretary-General claimed that approximately 20 child soldiers were recruited from the Niela camp for Liberian refugees close to the town of Guiglo in western Côte d'Ivoire.⁴ This event may not be on the scale and magnitude of similar instances that have occurred in refugee camps in Tanzania and elsewhere, but there is no need to wait for further deterioration of the situation before addressing the issue. It is essential that those dealing with refugees are sensitised to, and aware of, the potential threats faced by refugees as well as the threats to state security posed by refugees. While the UNHCR routinely monitors situations that are likely to lead to refugee flows, there is a need for greater awareness and long-term preparedness by individual governments and the Economic Community of West African States (ECOWAS).

The aim of this paper is to highlight the negative effects that the lack of security in refugee camps in West Africa can have on individuals and society as a whole, and to suggest measures to address the security gap. This is done by outlining the primary sources of insecurity in refugee camps, and examining the general capabilities and will of both host governments and the UNHCR to address the causes of insecurity. This provides the background to a discussion of possible measures for enhancing refugee security in general and specific recommendations for doing so in West Africa.

SOURCES OF INSECURITY IN REFUGEE CAMPS

Inhabitants of refugee camps and surrounding areas suffer a wide range of security problems, including attacks by external forces, the militarization of camps, and the breakdown of law and order.

Militarization and Violence

Conflict often results in mass movements of people, from civilians displaced by force or fear of violence to armed elements seeking sanctuary in neighboring districts or countries. This can lead to the intermingling of civilians and combatants on the move, as well as the movement of combatants into refugee camps. In African conflicts, armed elements have often infiltrated displaced populations, refugee camps or even settled civilian populations, forcing people to act for them - sometimes by fighting for them, sometimes by supplying or feeding them - and always endangering these civilians by their presence.

For example, in 1996, a mixed group of approximately one million Rwandans, including a sizeable number of armed elements fled into Zaire and settled in camps close to the Rwandan border. A few months into this crisis, humanitarian organisations alerted the international

⁴ See United Nations, Children and Armed Conflict, 9 February, 2005 at <http://daccessdds.un.org/doc/UNDOC/GEN/N05/215/07/PDF/N0521507.pdf?OpenElement>,

community that the civilian and humanitarian character of the camps was compromised and that the implementation of humanitarian programmes was becoming increasingly difficult. It soon became clear that the entire Great Lakes region remained highly volatile, and that the refugee camps in Zaire were one of the principal causes of instability. Canada proposed to lead a multinational force with the limited humanitarian objective of ensuring the peaceful repatriation of refugees to Rwanda.

The envisaged operation involved the insertion of armed forces into an area where the parties were still engaged in combat. Whilst Canada and the US continued to wrangle over the exact time-frame and mandate of the mission⁵, the issue was decided by default - in the form of attacks by the elements of the Rwandan army on the positions of Zairian government forces and refugee camps that were thought to be sheltering Hutu militia who had been involved in the 1994 genocide.

The attacks on refugee camps near the border led to the precipitous return to Rwanda of some 600,000 refugees. Requests by the UNHCR for military forces to assist in an operation to rescue the hundreds of thousands of others who fled westward into the forests of Zaire, remained unheeded. Together with other humanitarian organisations, the UNHCR was left to its own devices in searching and rescuing refugees, often inside conflict zones. Makeshift refugee sites were subjected to attacks and other atrocities by the military forces of both Mobutu and Kabila's Alliance of Democratic Forces for the Liberation (ADFL).⁶

When combatants are in their midst, the inhabitants of camps are perceived by antagonistic forces, either in the country of origin or in the host country, as giving assistance and protection to their enemies, and are therefore targeted for attack. The militarization of refugee populations, and the need to separate armed elements from refugees and local host populations, is a particular concern where refugee camps are located close to border areas and in close proximity to ongoing armed conflict. In addition, the presence of combatants in camps undermines civilian authority and sources of law and order, and can lead to camps falling under the control of political agents or military elements. Refugees are then more likely to be deprived of their rights and otherwise be subjected to violence and intimidation.

IDP and refugee camps are regarded by combatants as undefended repositories of resources, including food, vehicles and relief supplies, as well as people, who can be forcibly recruited for military or sex or labour purposes, or taken hostage. For example, in 2003, there was large-scale recruitment of adults and children in camps, by government and rebel groups in Liberia.⁷ A particularly worrying development was the recruitment of Liberian refugees, including children,

⁵ The mandate of the mission – dubbed ‘Operation Guardian Assistance’ by the US military – was never clearly articulated as a concept of operations for the troops on the ground. Because the creation of the envisaged ‘humanitarian corridors’ would have potentially brought the force into direct conflict with hostile factions, the severity and complexity of the situation was downplayed. For example, the US and British governments argued that there were ‘only’ 50 000 refugees to be repatriated, and that many of these may have been Zairian IDPs. See S Greenway and A J Harris, *Humanitarian Security: Challenges and Responses*, paper presented to the Forging Peace Conference, Harvard University, 13-15 March 1998, p. 26.

⁶ Excerpts from a Statement by Mrs. Sadako Ogata United Nations High Commissioner for Refugees, to the Third Committee of the General Assembly, New York, 3 November 1997.

⁷ UNHCR, *Child Soldiers: Turning refugees into gunmen*, Refugees Magazine, Issue 131, June 2003.

by government-allied groups in the Niela refugee camp in western Côte d'Ivoire, and in the Buduburam refugee camp in Ghana.⁸

In southeastern Guinea, one refugee camp was visited so frequently by Liberian rebel recruiters that the UNHCR was forced to start moving its 33,000 residents into a settlement some 250 miles away.⁹ On the western frontier of Côte d'Ivoire, in a camp nicknamed Peace Town, refugees testify to being trained at the nearby Ivorian military barracks and then dispatched to the front line to do battle with Ivorian rebels. Those who signed up have done so voluntarily, according to camp residents, though there have also been reports of young men being harassed and beaten up for refusing to enlist.¹⁰ Although the recruitment of refugees is forbidden by the guidelines of the UNHCR, it is not a war crime prosecutable under the Geneva Conventions. If it were, many governments and rebel leaders in the West African region would be liable for prosecution. This legal vacuum presents a significant challenge for the UNHCR in the discharge of its responsibilities. The presence of armed elements among displaced or refugee population has serious humanitarian consequences – especially for women and children, who are particularly vulnerable to rape, trafficking, forced recruitment, and other forms of physical abuse.

Inside camps, refugees are often subjected to intimidation, violence, and harassment from a variety of groups and individuals. These include other refugees, who use violence for reasons of ethnic conflict, or political pressure; and camp guards or other host government authorities, who use physical intimidation to extort resources or sex from refugees, or to pressure refugees to leave the camps, or enter them, or to repatriate. Clashes can also occur between refugees and local people, usually outside the camp, and most often when there is resentment by locals towards refugees for perceived wrongdoings, such as theft or immoral acts, or for inequities resulting from refugees' access to relief resources. For example, local populations in Tabou received information from fellow citizens in Grabo¹¹ that Liberians had been involved in looting, killings and violations of the human rights of Ivorians. As a result, they felt the traditional hospitality that had existed for Liberians for many years could no longer continue.¹²

⁸ See Human Rights Watch, *Recruitment of government-backed Liberian rebel fighters*, at <http://www.hrw.org/reports/2003/cotedivoire0803/10.htm>. The situation in the Buduburam refugee camp has improved drastically. In an interview with some of the residents of the camp on 15 October 2005, refugees confirmed that in the past they had felt insecure as some Liberian rebels were still operating within the camp. However after a crackdown on the camp by a joint Ghanaian police and military team, the situation changed for the better.. A police post was established, which s made it easier to report any suspicious activities to the police.

⁹ Somini Sengupta, *No Relief From War in African Refugee Camps*. The New York Times Company (<http://www.genocidewatch.org/cotedivoirecampsMay19.htm>), 19 May 2003.

¹⁰ Ibid

¹¹ A small town in Ivory Coast on the Atlantic coast, about 20 miles from the Liberian border.

¹² Cote d' Ivoire: IRIN Interview with the Acting Representative of UNHCR for Cote d'Ivoire, Panos Moutmzis, 14 March 2003. http://www.irinnews.org/report.asp?ReportID=32848&SelectRegion=West_Africa&SelectCountry=COTE_D_IVOIRE),

Breakdown of Law and Order

Refugees are sometimes intimidated, abused, violated or even killed as a result of the breakdown of social systems and basic law and order. There are two main reasons for this occurrence:

- Soon after an influx of refugees (especially in the emergency phase), camp populations consist of uprooted, often traumatized or destabilized people. Many refugees are rural people with little education, who have lost their ties to families and villages, and who find themselves cast adrift in an alien, unstructured shantytown-like culture. In normal communities, these ties may act as restraint on people who may resort to violent means to get what they want. People tend to use violence against those they have no ties with more easily. The result is often increased crime and violence, or increased likelihood of recruitment into militias or organized crime. Also many refugee camps are characterised by limited resources such as food, water and fuel. Competition over these resources may therefore give rise to people resorting to violence as a survival means.
- Transgressions go unpunished because there is no adequate force to enforce the rules and laws that exist in camps. In the absence of effective rule of law, petty and violent crime flourishes and can lead to camps becoming zones of drug smuggling, human trafficking, organized crime, illegal logging, and gun running, with the attendant problems of violence.

Relief supplies are diverted to enrich those who control or support the war effort, and the perpetrators are able to elude justice by hiding amongst the refugee population. As in any high crime area, the non-criminal population is subject to more generalized violence, and the climate of violence leaches out into the surrounding community. The presence of weapons (even when hidden) increases the combustibility of the situation in and around the camps, as does the problem of bored and frustrated young men in camps, who are candidates for involvement in crime or recruitment to militias.¹³

When deprived of the assurance of protection, people do not have the confidence to approach the few police available and instead increasingly opt for self-help. Vigilantism thus becomes a viable option for many. Disaffected communities breed violence and the inability or the lack of police to tackle resentments with fineness and diplomacy exacerbates the situation, sometimes spiralling it out of the sphere of negotiation into open confrontation. For example tensions between Liberian refugees and their host communities, many in the midst of or recovering themselves from armed conflict, have often been high. In one instance, fighting broke out between Liberian refugees and local villagers near the Jimmy Gbagbo refugee camp outside of Bo in Sierra Leone after children from the refugee camp raided a local village, setting fire to numerous houses, in March 2004. The raid was mounted in response to the failure of a secondary school to take adequate disciplinary action after two Sierra Leonean boys allegedly slapped a female Liberian refugee student. Sierra Leonean villagers responded to the raid by attacking the refugee camp, damaging its primary school and burning down a house. A series of

¹³ See Karen Jacobsen, A "Safety-First" Approach to Physical Protection in Refugee Camps, Working Paper, May 1999 at http://web.mit.edu/cis/www/migration/pubs/rrwp/4_safety.html#f1

similar incidents in the past in Sierra Leone had prompted Liberian refugees to spontaneously return to Liberia despite ongoing insecurity.¹⁴

The abuse of refugees is not limited to armed elements among the refugees. A disturbing development is the extensive sexual exploitation of refugee children by aid workers. In Liberia, Guinea and Sierra Leone, aid workers reportedly used “the very humanitarian aid and services intended to benefit the refugee population as a tool of exploitation. Male national staff and some international peacekeepers and community leaders traded humanitarian commodities and services for sex with girls under 18.”¹⁵

Bad policing can also contribute to the breakdown of law and order in refugee camps. Excuses for not stopping impunity are many and varied in refugee camps. Situations of conflict are often used as a reason for giving police free reign, based on the rationale that questioning police excess will somehow undermine their authority at a time when it is particularly vital for them to look invincible. This ignores the fact that violence and abuse of power are not restricted to moments of high national insecurity but are everyday occurrences. Arguments are put forward that prosecution and frequent disciplinary proceedings will demoralise the police organisation. This puts a few bad people above the whole population, as well as above the law. In their own defence, the police will often shun responsibility for wrongdoing by assuming helplessness in the face of “order from above”, ignoring the fact that their mandate is strictly limited to obeying only lawful direction.¹⁶

MAKING CAMPS SECURE

In recent years, a number of researchers have argued that camps themselves are the root causes of protection problems, and that scrapping them totally will go a long way to resolve these problems.¹⁷ However, camps cannot and should not be eliminated; despite their drawbacks, camps serve an important protection function and will continue to be established either spontaneously or deliberately; they are an essential element of the humanitarian response to refugees, and are needed for the efficacy of assistance programs. What is required is a re-orientation of humanitarian assistance to also integrate security needs alongside the physical needs of refugees in the planning stages of refugee camp establishment.

There is a vast amount of literature on how to secure camps. The problem lies with the implementation of the ways and means which have been suggested in the literature to ensure the safety of refugees in camps. Some of the suggestions may not be practical enough, others may be too generalized, but the main problem seems to be a lack of commitment and the lack of will by

¹⁴ Watch list on children and armed conflict, *Nothing Left to Lose: The Legacy of Armed Conflict and Liberia's Children* June 2004. <http://www.womenwarpeace.org/liberia/docs/watchlist.pdf>

¹⁵ UNHCR Press Releases: Extensive abuse of West African refugee children reported 26 February 2002. <http://www.unhcr.ch/cgi-bin/texis/vtx/news/opedoc.htm?tbl=NEWS&page=home&id=3c7bf8094>

¹⁶ See *Police accountability: too important to neglect, too urgent to delay*, Commonwealth Human Rights Initiative (CHRI), Report, New Delhi, 2005 Hereafter referred to as “police report”.

¹⁷ Barbara Harrell-Bond, “*Are refugee camps good for children?*” New issues in refugee research, Working Paper No. 2, August 2000.

donors and affected governments to implement the suggestions. Generally, it is agreed that for camps to be secure:

- Combatants must be disarmed and demobilized, and nonrefugees separated from bona fide refugees, by screening all those entering the host country (This could entail combatants and/or nonrefugees being located in separate camps from refugees);
- Camps must be maintained as nonmilitarized, weapon-free zones;
- Camps must be located (or relocated) at a safe distance from the border, and in a conflict-free area;
- A climate of law and order must be created and maintained within and outside of the camps.

These measures, if appropriately implemented, would address many of the safety problems associated with refugee camps and hosting areas. However, adherence to these principles and the implementation of these measures has been patchy or absent in a number of situations.

In March 2000, the Government of Canada hosted a “Workshop on the *Potential* Role of International Police in Refugee Camp Security” in Ottawa.¹⁸ In July 2001, a similar seminar was organized jointly by the Canadian Department of Foreign Affairs and International Trade and the United Kingdom Ministry of Defence, focussing on the role international military forces *might play* in dealing with serious insecurity in and around refugee camp environments.¹⁹ Participants of the UK conference in July 2001 agreed that while the internal security of a refugee camp remains a function for the police, international military forces *could* under certain conditions use their resources to assist in the protection of the external security of a camp. In this context, participants suggested that in order for international military forces to be deployed to refugee camp situations, they would need a clear and enforceable mandate, a clearly defined concept of operations and appropriate rules of engagement. In similar vein, participants in the Ottawa workshop stated that in order for international police to be deployed as a security presence in refugee camp environments, they must have a clear mandate and well-defined tasks.

Significantly however, there is still no meaningful military doctrine on how to separate combatants from civilian refugees and internally displaced persons (IDPs). Thus one of the recommendations of the 2001 UK workshop was that: “A better understanding of how to separate combatants and armed elements from refugee populations is urgently required, particularly in the context of mass movements. This includes, *inter alia*, an elaboration of relevant

¹⁸ Canadian Department of Foreign Affairs and International Trade (DFAIT), “Workshop on the Potential Role of International Police in Refugee Camp Security”, report from the workshop of the same name hosted at the Government Conference Centre, Ottawa, March 22-23, 2000. www.dfaif-maeci.gc.ca/foreignp/human-rights/ Hereafter referred to as the “Ottawa workshop”.

¹⁹ Canadian Department of Foreign Affairs and International Trade and the United Kingdom Ministry of Defence, Summary Report of the International Seminar “Exploring the Role of the Military in Refugee Camp Security” Eynsham Hall UK, 10-12 July 2001. Hereafter referred to as the “UK workshop”.

international principles and the development of doctrine or standard operating procedures, [and] the clarification of appropriate mandates and rules of engagement”.

Currently, there are two main actors charged with the responsibility of ensuring security in refugee camps; the host government and UNHCR. According to international legal instruments, including the Organization of African Unity (OAU) Refugee Convention, the Law of Armed Conflict, and the UN Charter, the physical protection and security of refugee camps is the responsibility of host governments, who are supposed to work with UNHCR to ensure the safety of refugees.²⁰ These principles require the host government to ensure that these camps remain civilian and humanitarian in nature, that military elements have been disarmed and removed, and that camps are situated away from border areas. In many other cases, this system of protection does not work, or is poorly implemented.

The Host Government

The primary responsibility of host states for the physical protection of refugees and the maintenance of the humanitarian and civilian character of refugee camps and settlements is a well-established principle in the international refugee protection regime.²¹ At the same time however, it has been increasingly recognized by the international community that there is a need to support host states which are unable to discharge such responsibilities.²² To some extent, this works, but the effort and resources invested in this direction is wholly inadequate to address the security concerns on the ground. Considering the fact that most countries in the West African region for example do not have enough police to deal with domestic security issues, it would simply be asking too much to expect host nations to provide sufficient police to take care of security concerns in refugee camps. Lack of capacity is especially problematic in border regions, which are less accessible and often beyond the reach of central governments.

Moreover, strengthening the national police to deal with refugee camp security crises will only be effective if the host nation is totally neutral to the conflict. Unfortunately, this is hardly ever the case in West Africa, as most of the conflicts in the region have spill-over effects, with considerable cross-border fighting taking place; a situation which can be attributed to the porous nature of borders. Refugee movement in the West Africa region occurs in the context of regional instability and intensified political manoeuvring, where the governments of both host and sending countries have a variety of political, security and economic interests at stake. Thus as zones of concentrated resources and people, camps have become integrated into the political and security context of the region, a situation which makes camps lose their neutrality, hence they are often viewed as components of the conflict, and as resources to further political ends.²³

²⁰ See Pirkko Kourula, *Broadening the Edges: Refugee Definition and International Protection Revisited*. Boston, Martinus Nijhoff, 1997, Chapter V.

²¹ UK workshop, op cit.

²² See UN Security Council resolutions 1208 (1998) and 1296 (2000).

²³ Jacobsen, op cit.

Host governments can determine the fate of camps, including whether or not they become militarized. Depending on whether the government is opposed to the regime of the sending country or in support of it, it can decide to turn a blind eye to events happening in the camps.²⁴ In Guinea, Liberian rebels who were recruiting from inside refugee camps enjoyed the blessing of the Guinean government. The problem was especially acute in a camp known as Kouankan, in south-eastern Guinea. By day and night, armed rebels marched past the Guinean police and left with recruits as young as 15. For months the Guinean government denied any knowledge of the practice. Only after months of pressure from the UN and donors did the government respond; it allowed for the refugees in Kouankan to be moved to a camp far from Liberian rebel strongholds.²⁵

The situation is exacerbated when a government that accepts refugees, and is by law responsible for security in refugee camps, is itself implicated in the recruitment effort. Côte d'Ivoire government forces, for instance, were responsible for policing around Peace Town. They were also accused of playing a part in the recruitment of its residents. Publicly, the Côte d'Ivoire government denies drafting refugees for its war efforts, saying that only some Liberians have volunteered to fight alongside those who sheltered them all these years.²⁶

Sometimes, for economic and environmental reasons, host governments may be reluctant to host refugees. This is often accompanied by the desire to see rapid repatriation, which can in turn translate into deliberate non-protection ("humane deterrence") as a way to encourage repatriation. As Jacobsen observes:

*"This absence of will to protect refugees on the part of governments can also lead to camps and refugees being located too close to borders, or in zones of conflict, and thus vulnerable to 'hot pursuit' raids or artillery fire. Badly located camps are targeted by rebel groups or bandits for their resources, especially vehicles, but also food and medical supplies, or for the purposes of forced conscription."*²⁷

Failure to provide physical protection is not only an issue of absent political will, but sometimes occurs because of lack of capacity. It is not always possible to locate camps in a deliberate way; refugees often spontaneously set up their own camps close to the border in order to facilitate return or monitor the situation in their home region, and then it is difficult to relocate them. Governments in the region do not have sufficient or adequately trained and equipped forces, either police or military, to provide adequate and appropriate physical protection in these camps. Coupled with this is the fact that a relatively high percentage of the military and police personnel of countries in the West African region are on UN peacekeeping missions around the world.

UNHCR

In situations where host governments will not or cannot implement protection measures, the UNHCR is charged with providing security for refugees, including physical protection. In a report to the Executive Committee of the UNHCR entitled "The Security, and Civilian and

²⁴ Ibid.

²⁵ Sengupta, op cit.

²⁶ Ibid.

²⁷ Jacobsen, op cit.

Humanitarian Character of Refugee Camps and Settlements" (14 January 1999), a "ladder of options" approach was proposed by UNHCR as a possible means to address insecurity within refugee camp environments. These options were put into three main categories; 'soft options', 'medium options' and 'hard options'.²⁸

Soft options

The soft options include preventive measures and cooperation with national law-enforcement authorities. The logic is that preventive measures should be taken from the earliest phase of refugee movement, in order to ensure the security, civilian and humanitarian character of refugee camps that are established. These include recommendations on where refugee camps should be located and the ideal number of refugees in each camp.²⁹ UNHCR also recommends community policing by the refugees themselves. This approach allows the police and the community to work together in creative ways to bring order and security to the refugee camps. This philosophy rests on the assumption that people deserve to be able to influence the policing process, in exchange for their participation and support. It also rests on the belief that solutions to today's community problems demand freeing both people and the police to explore creative ways to address neighbourhood concerns beyond a narrow focus on individual crime incidents.³⁰

However, the community policing approach ignores the fact that there may be no real sense of kinship in refugee camps (especially those newly established) and that there will be those who are guilty of violence and intimidation, making them unsuitable for policing responsibilities and preventing those who may be suitable from coming forward to contribute to community policing activities.

Medium options

The medium options include utilization of private security firms, the direct hiring of armed security personnel, the deployment of civilian or police monitors and the deployment of an international police force. Although the utilization of private security firms could be a timely and effective solution to refugee camp security, they are very expensive, and their utilization may detract from the host states' responsibility to ensure the security and civilian and humanitarian character of refugee camps and refugee-populated areas.³¹

Deploying multi-national civilian observers in a refugee situation could be potentially very useful. International observers could be invited, with the consent of the host states to conduct monitoring missions when there are reasons to suspect the presence of arms and armed

²⁸ Executive Committee of the High Commissioner's Programme, *The Security and Civilian and Humanitarian Character of Refugee Camps and settlements*, 14 January 1999.

²⁹ Ibid.

³⁰ Missouri Crime Prevention Information Centre, Ten Principles of Community Policing. <http://www.dps.state.mo.us/dps/programs/cmprev/commopol.htm> accessed on 18 June 2005.

³¹ Executive Committee of the High Commissioner's Programme, op cit.

elements in refugee camps. However, the information collected by such a mission would still need to be submitted to the international community, who would in turn have to mobilize the necessary support to restore the security in the refugee camps and settlement.³² Unfortunately, this could be very time consuming and it is not always the case that the international community is ready to react robustly in such circumstances. Deploying an international police force to manage a refugee camp may restore the security in refugee camps. However, this is easier said than done – the viability of the option would depend on the availability of police, and the authorization of a large budget, and deployment would be subject to the lengthy processes of authorization, planning and force generation associated with all UN missions.

Hard options

The hard option is the deployment of a full international or multi-national military operation under either chapter VI or chapter VII of the Charter of the United Nations. This would require a strong political convergence between states and in particular, members of the Security Council. Even the UN recognizes that deployment of a full international military force would and should remain an extreme option, since such a deployment is normally necessary to address situations that go beyond the issue of refugees.³³

As yet, the ‘ladder of options’ proposal has not been followed-up, as many, particularly in the military field, remain concerned about the implications of such engagement. Operationalising the ladder of options through engagement with the UN Security Council has also delivered disappointing results, leaving the UNHCR alone to grapple with the issue of security outside the framework of major regional and international peacekeeping operations.³⁴

To its credit, the UNHCR has come up with a variety of coping strategies that are rooted in reality rather than rhetoric – such as supporting the “*Contingent Zairois pour la securite dans les camps*”³⁵ during the Rwandan refugee crisis. The UNHCR also established a ‘security package’ in refugee populated districts in western Tanzania a few years ago, under which UNHCR met the cost of posting police officers in and around refugee sites and provided these officers with special allowances, equipment, vehicles, fuel and accommodation.³⁶ In 2000, UNHCR

³² Ibid.

³³ Ibid.

³⁴ Key note address by Mr. Anne-Willem Bijleveld, UNHCR Director of the Bureau for Europe, Seminar on “The role of the military in refugee camp security – policy and practice”, UK workshop, op cit.

³⁵ This was a Zairian contingent made up 1,500, troops who were responsible for policing the refugee camps run by the UNHCR during the Rwandan refugee crisis.

³⁶In Tanzania the UNHCR operates what it refers to as the “security package”. This is an assistance based on a memorandum of understanding concluded between the UNHCR and the government of Tanzania to provide assistance and support to the Tanzania authorities, in particular the police, to enable them to ensure the civilian and humanitarian character of the refugee camps and to maintain law and order in the camps. The main purpose of the initiative is to ensure a full-time presence in the refugee camps by a dedicated national police contingent. Under the scheme, the UNHCR agreed to cover mobilization and demobilization costs, daily subsistence allowances, basic office accommodation structures, and to provide logistical support, vehicles and radio equipment. The package also includes the presence of one international security liaison officer, with a mandate to support and advise the Tanzanian police contingent in security-related work.

transferred refugees away from the Guinean border to newly created camps deeper inside the country and assisted the Guinean Police and Gendarmerie with a similar 'security package' as applied in Tanzania.

The presence of the UNHCR itself in refugee camps helps in a way to improve security. However, since the basic role of the UNHCR in refugee camps is delivering humanitarian aid and monitoring events, it is limited in how much it can do when the security of the camps is breached. At best, the UNHCR, NGOs and donors can pressure host governments to provide the needed protection. When these diplomatic pressures fail to produce results, and camps become militarized or when attacks on personnel occur, relief agencies have basically two options: either to remain in the camps and continue to provide assistance, but turn a blind eye to the violations taking place; or to withdraw from the camps.

While international law recognizes the need to accept and protect refugees fleeing persecution in their home countries, it also recognizes the need to bring the perpetrators of serious human rights abuses to justice and to maintain state security. For this reason, the exclusion clauses³⁷ of the 1951 UN and 1969 OAU refugee conventions exclude those who have committed serious international crimes from their mantle of protection (although these individuals may meet all the other requirements for refugee status, they are considered undeserving of international protection as refugees because of their past actions). They may, however, still be protected by other human rights instruments, if applicable. For example, the Convention against Torture would forbid the return of someone excluded from refugee protection to their home country, if there were substantial grounds for considering that they would face torture upon return.³⁸ Unfortunately, the exclusion clause as a way to keep camps free of combatants has not been widely used, and it also requires the presence of a military or police force to carry out the ejection of combatants from the camps

Many of the security threats to the camps are usually most salient in the early stages of a camp's life, often before any help from the international community is available. Certain aspects of town planning, such as access to water, lighting, access to local resources (human and material), width of streets etc. have an impact on security and law and order, and should be factored into the planning equation. Even aspects such as availability of cooking fuel are important; rape, abductions and killings have occurred when women had to go out of the camp to collect firewood or water.³⁹ Poor organization in the early stages of camp development may lead to a chaotic and potentially irreversible situation with regard to camp infrastructure, with consequent security and health risks.

Relief and security agencies are however usually faced with one of two possible situations: either the camp is already established with a refugee population that has spontaneously settled on a site

³⁷ These clauses make it possible to exclude persons who have committed particularly serious crimes from refugee camps.

³⁸ See, *The Concept of Exclusion*, Security in Refugee Movements, Human Rights First, http://www.humanrightsfirst.org/intl_refugees/issues/security/security_02.htm accessed on 20 July 2005.

³⁹ Save the Children UK, *'If we collect firewood, we will be attacked'*, 16 November 2004. <http://www.savethechildren.org.uk/scuk/jsp/resources/details.jsp?id=2310&group=resources§ion=casestudy&subsection=details>

prior to the arrival of assistance agencies, or a situation where site planning is possible prior to their arrival, for example, when they are being transferred to a new camp. The possibilities with regard to site planning therefore depend largely on the type of situation. In most cases refugees have already settled on a site and planners may well be faced with chaotic conditions. Whatever the case, the immediate priority must be to improve or reorganize the existing site, and in some instances it may even be advisable to move the refugee population to another site.

OPTIONS FOR ENHANCING REFUGEE SECURITY

The Ottawa conference concurred that there are a number of actors in addition to host states and the UNHCR who *may* be involved in addressing the specific challenges and possible responses to insecurity in refugee camps, including:

- the **local judicial system and correctional facilities**, as police need the support of the other elements of the security triad;
- **international and local NGOs**, who play an important role in the care and maintenance of refugees;
- the **refugees** themselves, who can and will "self-police" the camps - the challenge here is to ensure that the genuine refugee leadership cadres are involved;
- **private security firms** which can be contracted by camp management to undertake various security tasks under the close supervision of the camp managers; and
- depending on the circumstances, **international police and the military** could play key functions in ensuring and maintaining security in refugee camps.⁴⁰

Obviously, the more actors and agencies involved, the greater the need for co-ordination. Hence the recommendation of the UK seminar that: "UNHCR in cooperation with Governments should continue to develop the concept of multi-disciplinary needs and security assessment teams, which can be made available to deploy in advance or as a lead element of a humanitarian operation to help determine local capacities, potential security requirements, and develop a security plan".⁴¹

Workshop participants focused on identifying circumstances where the presence of international police *might* be employed to assist humanitarian agencies responsible for camp management. In order for international police to be deployed as a security presence in refugee camp environments, they must have a mandate and clearly-defined tasks. International police have most frequently been deployed in contingents as part of a UN authorized peace support operation implemented by the UN or a regional organization. In the absence of an appropriate UN resolution, a negotiated arrangement is possible. Such arrangements can be made between the country hosting the refugees and a donor country, or between the host country and an appropriate organization, such as the UNHCR or in the West African case, ECOWAS.

Once a mandate is secured, the spectrum of tasks assigned to international police in refugee camp security is potentially quite broad. It has therefore been suggested that Multi-disciplinary

⁴⁰ Ottawa workshop, op cit.

⁴¹ UK workshop, op cit.

Security Assessment Teams should be developed which would be made available to deploy in advance or as a lead element of a humanitarian operation to reconnoitre, determine the security requirements, and develop a security plan. These teams could be composed of experts drawn from a number of fields including the police, the military, UNHCR and other humanitarian agencies, inter and non-governmental organizations, and local authorities.

Depending on the overall situation, international police can carry out tasks ranging from training the local police and carrying out liaison functions among all the parties involved in security matters, including the local communities, to executive policing, and to the provision of paramilitary crowd control units. However, the latter options require an appropriate legal framework, and can take many months to be fully operational. Therefore, the most rapid and flexible response, and the one which has the most potential for sustainable benefit to the refugee population and the host country, would be to support local police, *inter alia* through training and mentoring. Institutions such as the Kofi Annan International Peacekeeping Training Centre (KAIPTC) could play a significant role in this respect. The KAIPTC, in collaboration with the Pearson Peacekeeping Centre in Canada, currently delivers a number of training courses to police officers from the West African region. The syllabus of these trainings could be expanded to include refugee camp security issues, or new training packages specific to refugee camp security could be developed. However such training should be guided by and informed by clear doctrine.

Doctrine for the involvement of international civilian police in refugee camp situations should not be developed on an *ad hoc* basis in the middle of an emergency. An established doctrine is required both by planners and operators in order to provide for proper recruitment, training, deployment and employment of international police. Such doctrine should be developed in a “peacetime” situation and taught, practiced and understood by those responsible for refugee camp security. Moreover, standard operating procedures (SOPs) developed from appropriate doctrine must stress the role of the host country and the need to negotiate and agree on joint security arrangements as early in the process as possible.

All activities should ultimately reinforce or enhance the host country’s capacity to provide for the security of refugee population on their territory. Direct support to local police in the fulfilment of their protection responsibilities seems to be the most viable and practical mode of international engagement.

UN Security Council Resolution 1208⁴² aims to address and enhance refugee security by acknowledging that there are instances where host states may require assistance to ensure the security, and the civilian and humanitarian nature of refugee camps and settlements. This assistance could include law enforcement, the disarmament of armed elements, curtailment of the flow of arms and separation of refugees from persons who do not qualify for international protection. Measures to assist host governments with security threats might include training, logistical and technical advice and assistance, financial support, and the enhancement of national law enforcement mechanisms. Additionally, the approval of the “*Aide Memoire*” on the Protection of Civilians in Armed Conflict (S/PRST/2002/6) serves as a practical guide for improved analysis of key civilian protection issues that arise out of conflict. The Aide-Memoire

⁴² Security Council resolution 1208 (1998) on the situation in Africa, refugee camps.

provides a common point of reference aimed at supporting and strengthening the existing protection framework, including the training of security and peacekeeping forces on issues pertaining to the protection of civilians.

However, instead of requesting assistance in line with Resolution 1208 and the “*Aide Memoire*”, West African governments tend to turn a blind eye to what is happening in camps, especially when it is seen not to have any direct impact on national security. For example, at one point in time, there were only six policemen posted to the Budumburam refugee camp in Ghana; a camp with a population of over 40,000.⁴³ This means that each police officer was responsible for about 6,666 refugees. This is a gross underestimate when compared to the international average police to population ratio of 1:500.⁴⁴

Compounding the situation is the fact that, even though states in the region may not have enough police to cater for domestic security, many contribute police to UN missions. In addition, most African states provide only six months of basic training to their police officers. This does not allow sufficient time or resources for the type of specialized training needed for providing effective refugee camp security.

A Regional Solution for West Africa?

As discussed earlier, the most appropriate response to refugee camp security, one which has the potential for sustainable benefits to both refugees and host countries is to support local police through training and mentoring. However, the shortfall in police numbers will still affect the quality of response to any refugee situation, and training alone is unlikely to fill the gap in policing capacity in the region. Going by the UN figures of a minimum of 1 police officer to every 500 of the population, a country like Ghana which currently has 1 police officer to about every 1176 of the population would need to more than double its police strength before it would meet the UN standard. Even though the constitutions of countries such as Ghana, Sierra Leone, The Gambia and Nigeria provides for police councils that are to ensure that the police have sufficient personnel, resources and equipment to undertake their operational roles, these have failed. The justifications are many and may include an honest lack of finances, personnel and know-how.⁴⁵

There is therefore a need for quantitative as well as qualitative capacity building. However giving the current financial situation of countries in the region, building the capacity of police numerically would remain a long term goal. As a short term measure, ECOWAS countries could

⁴³See *UNHCR Moves To Check Crime At Buduburam Camp*, 14 November 2003. (<http://www.myjoyonline.com/frontarts.asp?p=3&a=7125>)

⁴⁴ See Third report of the Director of the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala (MINUGUA), 12 October 1995. http://64.233.161.104/search?q=cache:kQPvwcJ18KIJ:www.un.org/Depts/dpa/prev_dip/americas_europe/guatemala/minugua/informes/infodddh/thirdrep.htm+UN+police+population+ratio+1:500&hl=en

⁴⁵ Police report op cit.

adopt a regional approach to dealing with refugee security issues. ECOWAS has a firm desire to design, build, and maintain its own multifunctional peace support operations capability, which would include the deployment of regional police officers in support of peace processes, and ECOWAS Member States have agreed to make available to ECOWAS all military, police and civilian resources for the accomplishment of such missions (despite significant ongoing commitments to also provide UN police officers).⁴⁶ However, while there is ample scope for the inclusion of refugee camp security as an important operational task for ECOWAS police,⁴⁷ there has been no specific mention of this aspect in the ESF planning process or any related documents.

The Pearson Peacekeeping Centre (PPC) is presently engaged in West Africa in a number of capacities and considers itself well positioned to contribute to discussions regarding police/gendarmerie training needs in the region. The PPC currently administers three programs, funded by the Canadian International Development Agency, to assist in the strengthening of capacity of institutions involved in research, education and training in all aspects of peace operations. One of these programmes, the *Civilian Police in Peace Operations: Leadership Capacity Strengthening Program*, has aimed to conduct thorough consultations with West African officials to assess the capacity of ECOWAS states to provide police leadership in all aspects of peace operations. As part of this process, an ECOWAS Standby Force (ESF) Police Workshop and follow-up meeting were held by the Pearson Peacekeeping Centre in Ottawa, Canada, 14 June 2005 and 24 June 2005 respectively. These meetings were intended to review the inclusion of police/gendarmerie in the ESF.⁴⁸ The broad objective of the Workshop and follow-on meeting was to provide recommendations towards the establishment of police rapid reaction capability within the ESF. The meetings produced a number of recommendations on tasks and structure of the police component of the ESF.⁴⁹ However, they did not come up with any firm recommendations on the provision of security to refugee camps – despite the Canadian government’s vocal concern for and pre-occupation with issues of human security, civilian protection and refugee protection.

⁴⁶ As of 31 October 2005, there were 1,036 West African police officers from 12 countries serving with UN missions. The breakdown per country is as follows: Benin,72; Burkina Faso, 177; Cote d Ivoire, 8; Gambia, 32; Ghana, 110; Guinea, 97; Mali, 43; Niger, 95; Nigeria, 217; Senegal, 168; Sierra Leone, 7; and Togo, 10.
<http://www.un.org/Depts/dpko/dpko/contributors/>

⁴⁷ According to Article 22 of the Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security, the ESF may be tasked with the following missions: observation and monitoring; peacekeeping and restoration of peace; humanitarian intervention; enforcement of sanctions; policing activities; peace-building, disarmament and demobilisation; preventive deployment; and *any other operations as may be mandated* by the Mediation and Security Council.

⁴⁸ The only authoritative guidance on the structure of the ESF was provided by the Defence Staff Commission in the form of an ECOWAS military strategy which states that: The ECOWAS military component (ESF) will be comprised of pre-determined regional standby formations that are highly trained, equipped and prepared to deploy as directed in response to a crisis or threat to peace and security; the ECOWAS Task Force will be comprised of 1,500 soldiers within pre-determined units and upon order be prepared to deploy within 30 days and be self-sustaining for 90 days; and the ECOWAS Main Brigade will be comprised of 5,000 soldiers within pre-determined units and upon order be prepared to deploy within 90 days and be fully self-sustaining for 90 days. As approved by the 9th Defence & Security Commission (DSC) in 2004, and confirmed at the 12th Defence and Security Commission meeting in Niamey on 21 April 2005.

⁴⁹ Pearson Peacekeeping Centre, Report: *ECOWAS Standby Force Civilian Police Workshop*, Ottawa, Canada, 29 June 2005.

In its 2000 annual report, the UNHCR made a series of proposals in an effort to address the issue of refugee security comprehensively. Among the strategies is an emphasis on prevention. To this end, it proposed the establishing of a standby arrangement with governments for the provision of public security experts to be deployed as an integral component of UNHCR emergency response teams at the beginning of refugee crises.⁵⁰ In collaboration with ECOWAS, this idea could be further developed so that whatever support the UNHCR would require in the region could be provided from within the ECOWAS region. It could liaise with states even in times of peace to develop and enhance their police as part of an overall strategy to address refugee security issues. Even if there are no refugee crises, the collateral benefits of this approach are many – for example; a higher level of policing competence, human rights awareness, and professionalism for individual police officers. Police officers who undergo such training would also be better qualified to contribute meaningfully to UN missions.

While the UNHCR's proposals on standby arrangements have not been implemented, the idea of rostering non-military personnel for service with the African Union has subsequently gained much currency. For example the African Standby Force (ASF) Policy Framework Document specifies the need *to establish and centrally manage a roster of mission administration, plus a roster of civilian experts to fill the human rights, humanitarian, governance, DDR and reconstruction components of a complex peacekeeping mission.* As regards the police, the ASF Policy Framework Document defines the aim for *“the AU to establish and centrally manage [by 30 June 2005] a standby roster of at least 240 police officers in order to be able to establish the police component of complex peacekeeping missions. These individuals should be trained nationally to UN standards, or at regional and other centres of excellence, and be held in Member States at 14 days notice. By 30 June 2005 the AU should also establish and centrally manage a standby system that would contain at least two company level formed police units on 90 days notice, in order to be able to support complex peacekeeping missions”.*

However, implementation has been slow, and time lines have not been met. A draft document entitled “The African Standby Force (ASF) Vision 2010” has been produced by the African Union (AU) Commission.⁵¹ By the AU's own admission, this document is incomplete in several areas. For example, *“... although police and other civilian capabilities will form important components of the ASF, owing to the absence of a detailed related police/civilian policy, the focus at this stage had to be mainly on the military aspects. The urgency to address these is acknowledged ...”*

There is thus clearly a significant gap in continental and regional thinking on appropriate roles and functions for regional police deployed in support of peace processes, and little, if any, thought has been given to refugee protection as a priority function.

CONCLUSION

While primary responsibility for refugee security clearly rests with the host government, it has been repeatedly stressed that the problem of security should be an issue for which a multiplicity of actors share responsibility; refugees themselves, local populations, countries of origin, host countries, donor states, regional organisations, UNHCR and its operational partners, as well as

⁵⁰ United Nations Year Book, New York 2000.

⁵¹ AU Commission (PSO Division), draft discussion document, Addis Ababa, October 2005.

the political and military components of the United Nations System. With the increasing emphasis on the creation of AU and ECOWAS capabilities to launch and sustain multifunctional peace operations, these organisations should clearly be added – as a high priority – to the list of agencies that share such responsibility.

The involvement of UNHCR in issues of law and order and military security for refugees is an involvement by default. As a humanitarian organization managed by civilians, the UNHCR lacks the necessary skills, mandate and resources to manage refugee security by itself. Governments in the West African region must therefore acknowledge and accept that it is their foremost duty to ensure people's rights to safety and security – including those rights of refugees residing on their soil. This implies providing a police organisation that is efficient, effective and that upholds human rights and the rule of law – also in refugee camps within their borders. Where national capacities are lacking, this should be acknowledged by ECOWAS Member States and regional solutions sought to the challenge of providing effective security to refugees.

Given the fact that neither the AU nor ECOWAS has given much thought to the roles and functions of regional police in future peace operations, it is recommended that this issue now be prioritised and, as a matter of urgency, that appropriate policy-level meetings be convened on the issue. These meeting should focus on the development of appropriate structures for the deployment of regional police officers, as well as:

- Command and control arrangements and the broad concept of operations for regional police contingents;
- Specific tasks to be executed at the operational level – including the provision of safety and security in refugee camps;
- Standard operating procedures for regional police;
- Detailed training needs; and
- The process for mobilizing and deploying regional police officers – including the issue of standby rosters.

While this paper has focussed specifically on the needs of the West African region, there is obviously a need to link developments at this level to the planning and implementation framework for the African Standby Force. The ESF will be one of the core components of the ASF, and many West African police officers are already part of the 800-strong AU police contingent deployed in the Darfur region of Sudan. If ECOWAS Member States can muster the political will to contribute police to the AU Mission in Sudan, then the deployment of regional police teams in their own sub-region surely merits serious consideration. Needless to say, it is further recommended that policy devilment meetings be used as avenues to discuss and prioritise refugee camp security requirements, and to ensure that these are included it in all further planning stages at both ECOWAS and AU levels.

In conjunction with appropriate policy development initiatives, specific training relating to refugee camp security should be included into the curriculum of ongoing regional police training programmes in West Africa. This could provide the catalyst and a basic curriculum design for longer-term efforts by individual countries in the region to also include refugee camp security in their national police training programmes.

The ECOWAS Secretariat should also consider creative ways to raise money for refugee camp security; it should clearly articulate its refugee camp security requirements to its partners and donors. On their part, donor partners like Canada should also take steps to ensure that refugee security issues be integrated into the police training programmes that they support in the region. In short, the positive momentum provided by the series of activities related to operationalizing the ASF and the ESF should be utilised as an ideal opportunity to finally place the issue of refugee security firmly on the (West) African agenda – and to convert international commitments on paper into meaningful actions on the ground.