



## **UN Peacekeeping and Human Rights: The Problems and Possibilities of Military Interventions Event Summary July 1, 2010**

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### **Panelists:**

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The Great Lakes Policy Forum met on July 1, 2010 to hear a panel of practitioners and statesmen speak on the difficulties of military intervention in peacekeeping missions. In attendance were over 75 academics, peacebuilding practitioners and foreign policy professionals. The discussion was not for attribution, but this summary outlines some of the important points made on the most popular issues discussed.

The forum began with a frank admission of the existing situation in the Democratic Republic of Congo (DRC). The DRC celebrated 50 years of independence on June 30<sup>th</sup>, but the past 50 years have given the people of DRC little to celebrate. War in Congo has claimed millions of lives and the lingering conflict in the Eastern part of the country is a human rights disaster. Gross human rights abuses, namely the rape of hundreds of thousands of women and girls are common place and the UN supported offensive operation against FDLR rebels was a humanitarian disaster. Now, on the same day that the United Nations Mission in DR Congo (MONUC) receives a new mandate and becomes the United Nations Organization Stabilization Mission in DR Congo (MONUSCO), the Great Lakes Policy Forum seeks to answer questions about what MONUSCO will need to be successful in stemming violence in the DRC.

### **Challenges of Intervening in a Civil War**

The participants discussed the special situation of employing military force in a new kind of military environment, as in the Democratic Republic of Congo or places like Darfur, Sudan. The existing military warfare framework is “designed to regulate the actions of one sovereign’s military forces against other military forces”. This framework assumes that enemy combatants are clearly defined and that the ultimate goal for armed combatants is defeating the enemy. This model also allows for the “acceptable” loss of human life as an innate component of force. This concept of warfare worked well while conflict consisted between sovereign forces, but in modern conflict, combatant status is unclear and the primary mission of UN operations such as MONUSCO is to stop the fighting and protect civilians, not necessarily to defeat an enemy.

### **The Challenges of Peacekeeping**

Peacekeeping is more difficult than warfare. Troops train for war, where there is a concrete enemy. In peacekeeping, there is no concrete enemy; instead there are militias and criminals spoiling peace agreements. What might otherwise constitute a law enforcement officer’s duty becomes the responsibility of an outside military force. Because militaries have been trained in a context of defeating enemy combatants and not policing conflicted states, soldiers are poorly trained to handle many of the situations they are faced with. Troops are not prepared for policing human rights abuses, so when they are confronted with these issues, troops don’t know how to react. “Military forces are supposed to protect civilians, but from who?” The enemy of the civilians may in fact be their own government, causing more confusion and difficulties.

If peacekeeping forces are not faced with enough challenges in places like the DRC, they are further hindered by the lack of trust and camaraderie that are such important parts of domestic armed forces. Three of the most important pieces of successful military campaigns, intelligence, fire support and logistics, are impossible in multilateral military programs because the essential trust and impartiality needed to make them function do not exist. For these operations to be successful in multilateral operations, they need to be supported by long term alliances and close intergovernmental relationships.

In order to prevail in an environment such as DRC, military actors must first be given a new set of tools. It is impossible to preserve human rights and stop criminal activity with the standard tools of law of the land warfare. Presently, MONUSCO has no standards related to prisoner of war situations or human rights abuses by government and civilian players in the DRC. When UN soldiers encounter gross human rights violations in the DRC, they have not been trained to react, nor have they been given clear directives or the tools to arrest soldiers or civilians committing abuses.

### **Persistent Issues**

The Congolese army is a “shifting shape” at best and nonexistent at worst. The

ineffective integration of militias into the Congolese army, the FARDC, has resulted in a fractured system. Some of the worst human rights abusers from militias have been given commanding ranks. In the last 18 months in particular, the FARDC has committed severe human rights violations while running operations intended to increase civilian security.

Distrust, violence and human rights abuses run rampant in Eastern Congo and poorly designed military operations can make things worse. When the FDLR was attacked during FARDC's MONUC supported campaign last year, they took revenge on the local population. The FDLR had warned civilians that this would happen, but this key piece of information never reached MONUC commanders. MONUC's support of these operations and the failure of the Security Council to acknowledge the damage they caused are an embarrassment. There is a need for "detailed, planned missions", as opposed to "decision making driven by political pressure without clear objectives and little understanding of the consequences of employing militia forces in the Congolese army". It is important that MONUSCO recognize, and the existing mandate shows that it does not, that the Congolese government has not committed itself to protecting civilians and the national army continues to be a major violator of human rights.

Internal security is one of the biggest issues in conflicted states. Furthermore, peacekeeping military forces need to learn from the past, both the consequences of poor planning and the successes of proper planning. MONUC has provided much needed stability in the DRC, but has also made wrong decisions, such as providing arms to known human rights abusers. There is also a lot of denial circulating in MONUC, FARDC and the DRC government. To move forward with successful peacekeeping missions in the future, new methods of peacekeeping and joint operations must be developed and all military forces must take responsibility for.

### **Possibilities for Progress**

In spite of this, there have been positive and potential programs in the DRC including increased fielding of integrated military and local police teams. This program, led by the United Nations, blends military and civil law enforcement officers and effects. Programs that need more work include the catch and release strategy employed with militants. There is presently no broad mechanism for properly dealing with criminals in the DRC, frequently forcing UN soldiers to "catch and release" militia soldiers and criminals without any significant detainment or rehabilitation. This model does nothing to protect civilians or end impunity for human rights violations such as rape. However, a rehabilitation and reintegration program in Iraq utilizing prisoners' own desire to leave detention and lead productive lives provides a successful example that could be applicable to militants and criminals in DRC. The fundamental transformation of these kinds of programs will be essential to future peacekeeping missions.