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SPECIAL REPORT:

## Ethical Security

Does Lebanon Require Peacekeepers?

Global Attitudes Series: Australia

Is Peace Imminent in Somalia?



# Afghanistan Somalia Congo Bosnia Sudan Iraq

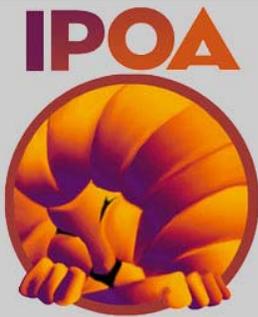
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**JOURNAL OF INTERNATIONAL PEACE OPERATIONS**

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**ARTICLES** must be the original work of the author and no more than 800 words. Articles must be accompanied by a photograph and a short biography of the author. All submissions should be sent to the address above, submitted electronically at [www.peaceops.com/writeforus](http://www.peaceops.com/writeforus) or e-mailed to [jmessner@ipoaonline.org](mailto:jmessner@ipoaonline.org).

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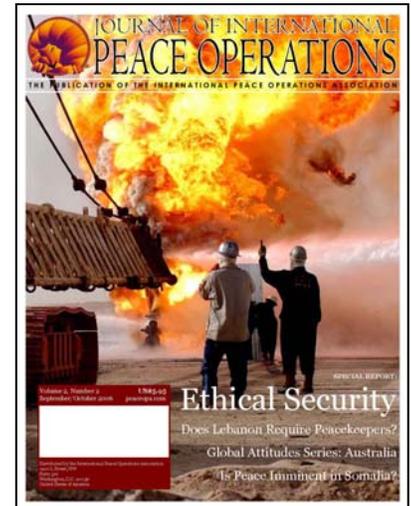
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PICTURE: U.S. DEPARTMENT OF DEFENSE  
**COVER PHOTO:** The destruction of the Kuwaiti oil fields at the end of the first Gulf War demonstrated the security issues facing extractive companies in hazardous environments.



PICTURE: ISRAELI DEFENCE FORCE  
**ISRAEL AND LEBANON:** As Israel storms its northern neighbor, is the UN capable of maintaining peace in the Middle East? Pages 14-15.



PICTURE: SOUTH AFRICAN GOVERNMENT  
**THE COMMITTEE STRIKES BACK:** South Africa reconsiders its anti-mercenary legislation. Page 17.

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# Ethical Security: A Challenge and a Necessity

## *Helping to End Conflict in an Effective, Professional Manner*



DOUG BROOKS

**T**HIS MONTH IPOA is delighted to partner with the Fund for Peace for our 2006 Ethical Security Conference in Gaithersburg, Maryland (see ad on page 5). This conference will address the many challenging security issues confronting private sector operations in developing countries and regions of the world suffering from low-intensity conflicts.

Appropriate corporate behavior, ensuring effective and professional security, and the complexities of working in conjunction with local authorities are all topics that will be addressed in interactive forums. Few serious analysts fundamentally challenge the argument that private sector investments can bring enormous benefits to nations and populations. The Ethical Security Conference moves beyond ideological issues to focus on practical steps to improve the quality and humanitarian responsiveness of commercial security, while minimizing inadvertent damages and maximizing local and national benefits.

IPOA's Code of Conduct and the Voluntary Principles on Security and Human Rights, of which the Fund for Peace is a key advocate, will be the centerpieces of the conference. They are two of the most forward-looking private sector commitments to ethical operations in developing countries and conflict and post-conflict environments, and go far towards ensuring responsible private sector operations.

There are many overlapping interests between the extractives and the peace and stability industries, and the synergies generated by this conference should go far to ensure practical field results. Many extractive companies have been proactive in designing and fielding security frameworks that address the very valid concerns of international nongovernmental organizations, civil society activists and most importantly, local populations.

This conference will assist companies in translating the codes and principles into techniques and strategies for the field.

### **SOUTH AFRICAN LEGISLATION**

Another issue we are following is in South Africa where the Defence Portfolio Committee has finalized modifications to the legislation regulating private sector involvement in conflict and post-conflict operations (see page 17 in this issue). The hard work of the Committee has improved the bill, but significant flaws and loopholes still remain that are likely to make it both unconstitutional and counterproductive to international peace efforts. Although it is unlikely that the law will come into effect before April 2007,



PICTURE: NOAA

*The first Gulf War provided a hazardous environment for the extractive industry.*

the impact of South Africa demonizing its own citizens working in support of international peace operations is already being felt from Darfur to Kabul. South Africans bring enormous talents and a unique robustness to peace and stability operations around the world, and their loss will be a stunning blow to beleaguered efforts at world peace. We believe that the Committee was largely a victim of domestic South African politics, but we are dismayed that more attention was not paid to the terrible worldwide humanitarian impact which may result from the bill's passage.

### **IPOA CODE OF CONDUCT XI**

In light of these and other changing worldviews and demands on private sector companies active in conflict and post-conflict environments, IPOA is currently finalizing the 11th iteration of our Code of Conduct, which is viewable online at <http://ipoaonline.org/code>. The Code of Conduct is very much a living document, and we are constantly striving

to improve its comprehensiveness, value and clarity. The new version will include enhancements suggested by humanitarian organizations and IPOA member companies, and will codify several additional guidelines on human and employee rights. It will also be formatted to be easier to operationalize, and thus make the vital connection between theory, intent and field operations. The IPOA Code of Conduct is an evolving document, and will always endeavor to remain as relevant as possible to changes in international law and ethics. IPOA encourages everyone with an interest in ensuring ethical operations by the peace and stability industry to take a look at our Code and contact us with suggestions and improvements to be considered.

Once again, it has been particularly gratifying to work with our member companies on issues like the Ethical Security Conference and enhancing our IPOA Code of Conduct. These are projects our members see as critical to their reputation, important for their moral underpinnings, and vital for their long-term competitiveness.

Finally, I should mention that we often receive recognition of the value that IPOA brings to peace operations from the clients we work with in governments and the United Nations, but one of the most frequent questions I am asked is why is a particular company not a member of IPOA? As the President of an association that is striving to represent and guide an entire industry, I reiterate that we are keen to involve as many players as possible. We encourage all non-member companies active in the peace and stability industry to review their corporate strategies and find one good reason why membership in IPOA does not coincide with their best interests.

IPOA believes that only the most responsible and professional companies should be working in the delicate environments common to states emerging from conflict. Joining IPOA is the best way that companies in the peace and stability industry can prove their industry leadership and visibly and actively demonstrate a commitment to high levels of ethical and moral standards for their operations in the field.

IPOA MEMBER PROFILE

# Creative Associates International, Inc.

*Specialists in Helping Societies Recover from Conflict*

**A**S A PRIVATE provider of technical services, Creative Associates International, Inc. has a long history helping societies recover from conflict. Its services span disarmament, demobilization, and reintegration of ex-combatants, conflict mitigation, and education in conflict and crisis settings. Creative is also expanding its practice to encompass community policing, civil affairs training for peacekeeping forces, the social dimensions of security sector reform — along with its longtime efforts in helping former gang members in Guatemala become responsible citizens of their communities. In rapidly changing environments, such as countries striving to emerge from



PICTURE: JOANNE MURPHY/CREATIVE ASSOCIATES

*In Uganda, assemblies are part of Creative's HIV/AIDS prevention and life skills.*

conflict, Creative helps governments, companies and nonprofit organizations improve services to their clients. Creative

also works to build communities' capacities to direct their own development.

Creative is owned and managed by women whose professional and cultural backgrounds enhance and inform their leadership of a diverse, dynamic and highly trained staff.

Creative seeks a leadership position in the emerging professional disciplines of security and development. Our mission helps clients turn a changing environment into a positive force — an impetus for creating more empowered, sustainable and efficient systems, improved performance and a more inspired view of the future.

*Profile contributed by Creative Associates*



CREATIVE ASSOCIATES INTERNATIONAL, INC.	
<b>Founded:</b> 1977	<b>Joined IPOA:</b> 2006
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<b>Locations:</b> Afghanistan, Albania, Benin, Guatemala, Haiti, Iraq, Liberia, Nigeria, Panama, Philippines, Southern Sudan, Uganda	<b>Contact:</b> Mark Bidus, Vice-President and Director, Business Development
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## Ethical Security Conference <sup>2006</sup>

September  
24-26  
Gaithersburg  
Maryland



This day and a half conference will bring together leading companies from the extractive and the peace and stability industries to discuss implementation of existing norms regarding ethical corporate responsibility as established in the Voluntary Principles on Security and Human Rights and the International Peace Operations Association Code of Conduct. Organized by the Fund for Peace and IPOA, the forum will address key ethical questions, share lessons learned, formulate best practices and discuss operations in complex environments. We expect high level representatives of major Energy and Extractive Companies, as well as a select list of invitees including IPOA member companies.

**IPOA Members \$350 Non-Members \$750**

Note: Fee does not include accommodation.

*The first 50 Conference Attendees are entitled to a 25% discount on the room rate at the Marriott.*



**Attendance is limited and is by invitation only!**  
If you wish to attend, kindly e-mail [JMessner@IPOAonline.org](mailto:JMessner@IPOAonline.org) for an invitation.

**[www.IPOAonline.org/conference](http://www.IPOAonline.org/conference)**



## PEACE OPERATIONS UPDATES

# UN Seeks Up to 24,000 Peacekeepers for Darfur

In a report to the Security Council, UN Secretary-General Kofi Annan has proposed a 24,000-strong peacekeeping force for Sudan's Darfur region. The force, which would be comprised of both international troops and civilian police officers, would be larger than the largest current UN mission, the 17,500-strong UN force in the Democratic Republic of Congo.

## EU TO CONTINUE PEACEKEEPING MISSION FOLLOWING DRC ELECTIONS

The European Union will maintain its garrison in Kinshasa following the historic parliamentary and presidential elections in the Democratic Republic of Congo. The 1,100-strong EU contingent, based in Kinshasa, are scheduled to remain in Congo for at least four months after the elections.

Meanwhile, the UN is investigating child sex allegations made against members of the MONUC peacekeeping force in D.R. Congo. Similar allegations were made last year, and it was discovered that UN peacekeepers in D.R. Congo had been trading money and food for sex with local women and girls.

## CALM RETURNS TO TIMOR-LESTE AFTER PRIME MINISTER RESIGNS

After widespread rioting and the deployment of an ad hoc Australian-led multinational peacekeeping force in Timor-Leste, Prime Minister Mari Alkatiri resigned. Former Foreign Minister and Nobel Peace Prize laureate Jose Ramos Horta assumed the post of Prime Minister shortly afterward. Since the leadership transition, calm has returned to the fledgling democracy, however the peacekeeping force will remain in place for the foreseeable future.



PICTURE: JOHN CHARLES/UNMIS  
Nepalese UN peacekeepers arrive in Sudan as part of the UNMIS mission.

## SOUTH AFRICAN ANTI-MERCENARY LAW RETURNS TO DRAWING BOARD

A South African parliamentary committee has revised its proposed anti-mercenary bill, however its future implementation is still considered a significant threat to South African involvement in peace and stability operations worldwide.

SEE ALSO *South Africa*, Page 17

## CONTRACTOR CONVICTED FOR BEATING

David A. Passaro has become the first and only civilian convicted with mistreating a detainee during the U.S. operations in Iraq and Afghanistan. Passaro, who was a civilian contractor and not subject to military justice, was charged under the USA Patriot Act. Prosecutors argued that the law allowed the government to charge U.S. nationals with crimes committed on land or facilities designated for use by the U.S. government. Passaro was not charged with the death of the detainee; instead, he faced two counts of assault with a dangerous weapon and two counts of assault resulting in serious injury. He

faces up to 11 years imprisonment and up to \$250,000 in fines.

## PSCs CALL FOR UNIVERSAL RULES OF ENGAGEMENT

The International Committee of the Red Cross has been called upon by private security companies to formulate universal rules of engagement for the industry. PSCs are active in over 50 countries worldwide, where rules of engagement vary considerably from one country to another. Current international humanitarian law dictates that staff of PSCs, which are not part of the armed forces of a state, may not be targeted and may not take a direct part in hostilities.

## UNIFIL POST IN LEBANON BOMBARDED FOR 6 HOURS

Four UN peacekeepers were killed during Israel's assault on south Lebanon in August. The UNIFIL post was hit at least 16 times (including five direct hits) over a period of six hours. UN Secretary-General Kofi Annan described the attack as "apparently deliberate." Israel's Prime Minister Ehud Olmert confirmed that his government was investigating the attack, but claimed that the UN Secretary-General's allegations of deliberate targeting of the post were "inconceivable."

SEE ALSO *Israel-Lebanon*, Pages 14-16

## CUSTER BATTLES CASE THROWN OUT

A U.S. court has dismissed a fraud case brought against Custer Battles, an American contractor that worked on contracts for the Iraq Coalition Provisional Authority. The plaintiffs have stated their intent to appeal the verdict.

Updates by Zamira Yusufjonova

## HUMANITARIAN DEVELOPMENT SUMMIT

3-5 October 2006 — Nairobi, Kenya

The Humanitarian Development Summit is being organized as a high level meetings-based event to bring the international private sector closer to the business of the United Nations and international aid agencies. Sustainable development to support the humanitarian sector is one of the key themes. International companies and local operators will have the chance to demonstrate their capabilities to potential partners from UN Agencies, NGOs and Aid Agencies, Foundations and International Donor Agencies. The summit is about promoting partnerships for ongoing sustainable development required to ensure that humanitarian aid is at its most effective.

For further details, call +44 (207) 749-9695, e-mail [info@developmentprogram.org](mailto:info@developmentprogram.org) or log on to [www.humanitariandevelopmentprogram.org](http://www.humanitariandevelopmentprogram.org)



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## COVER STORY: ETHICAL SECURITY

# The First Line of Defense

## *Extractive Companies Faced with Conflict Zones Forced to Rely Heavily on Security*



KRISTA HENDRY AND  
PATRICIA TAFT

**T**HE price can change — sometimes even drastically — but man's thirst for oil and gold has not changed much over the decades. What has changed is the amount of transparency and accountability expected from companies in the extractive industry, particularly publicly traded corporations. Increased scrutiny combined with the greater availability of information has led extractive companies to switch tactics, building fences to protect communities as opposed to erecting them to protect themselves. In fact, many leading companies are realizing that to be compliant and competitive, the community must become their first line of defense.

Natural resources are often extracted in areas that are prone to conflict, impoverished, and lack legitimate governments. These factors, combined with the capital-intensive nature of oil and mining projects, means that extractive companies will be operating in hostile or fragile environments for the long haul. In such conditions, a successful corporate responsibility initiative must reach far beyond being a mere "social good" and seek to address the underlying nature of the hostility or fragility. If they don't, then the company's workers, equipment, bottom line, and reputation can be threatened.

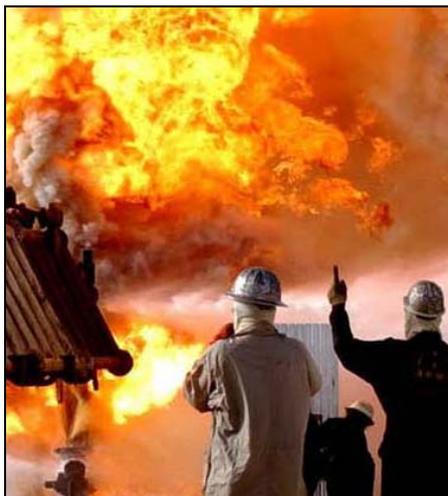
Some have argued that it is the presence of the resources that causes or increases conflict and corruption, yet there are plenty of examples where resources were extracted competitively and the environment and human rights were protected. It is the primary responsibility of governments to ensure that resource extraction leads to sustainable benefits and limit any potential harmful effects of resource extraction, be they environmental, economic or social. When a legitimate, capable and representative government does not exist, however, resource extraction can be a source for greater hostility and instability.

In such situations, as companies

*Krista Hendry (pictured right) and Patricia Taft (pictured left) are senior associates at Fund for Peace. Ms. Hendry is also the director of the Human Rights & Business Roundtable at Fund for Peace.*

invest millions of dollars into operations, they must simultaneously invest in the neighboring communities. Communities can provide workers and supplies and, should things go awry, intelligence and diplomatic assistance. When trust has been built and a positive relationship exists between a company and a local community, the community is motivated to protect the company and its operations.

Building that relationship is,



PICTURE: DEPARTMENT OF DEFENSE  
*The Kuwaiti oil fires of the first Gulf War demonstrated the vulnerability of the extractive industry in conflict zones.*

however, very difficult. Challenges arise in determining the appropriate means to provide support, dealing with inter- and intra-community rivalries, and managing relationships with state and/or local governments. Governments should be ultimately responsible for development, but sometimes they are unable or unwilling to meet community needs. In these cases, companies can be faced with a difficult balancing act: providing development assistance while not supplanting the national or local government. If demands on government are met by companies, this could facilitate the siphoning by corrupt officials of funds meant for public welfare, undermine the legitimacy of the state, and encourage a culture of dependency. Nonetheless, when companies have to operate in zones that lack adequate government support, carefully managed community engagement can provide hope for the communities and protection for company assets, allowing both to prosper.

There are other challenges that confront companies as they undertake community relations in potentially unstable environments. First, since companies must receive the concession from national governments, they can become closely associated with government policies and actions, especially when partnering with a state-owned enterprise. This is particularly worrisome when dealing with communities that are violently opposed to the government.

Second, a company must comply with national laws, which can prevent it from following some of its own codes of conduct. For example, a company may be dedicated to making its relationships with governments transparent, but be prevented from publishing certain contracts because of national laws.

Third, contracts with the governments may include a clause dictating who will provide security at the site. Since the government owns the resource, it has the sovereign right to determine who will protect it. This could be the police, the military, or a private security provider that may be selected only from a government-sanctioned list. The company has an ethical responsibility to learn as much as possible about the security provider chosen by the government and try to ensure that its training and practices are in compliance with international human rights law. However, the company's ability to influence the security provider varies widely.

Finally, understanding the relationship between the security provider and the local community is vital. For example, it may be necessary to develop very specific strategies to mitigate contact between the two or, on the other hand, create a grievance mechanism to increase communication. Getting this component of the community engagement strategy correct can be crucial to developing and maintaining trust with the community. And trust is the key to ensuring that community development projects are sustainable, which is critical to the success of the relationship.

If expectations are not managed or if projects are unsuccessful, the relationship between the community and the company can quickly deteriorate. Then the first line of defense can become the first line of attack.

## COVER STORY: ETHICAL SECURITY

# A New Morality: A Rising Tide to Lift All Boats

## *The Needed Change in International Conduct, both State and Private*



KEVIN STREETER

**G**OOD CORPORATE governance, sound international laws, a sense of idealism and morality have all become fashionable chatter in recent years in terms of a global context.

The 'morality' with which we, in the West, approach the world in the next 10 to 20 years will affect both the world and the way in which the West – and in particular, the U.S. – is perceived and treated, for generations to come. It is no longer good enough to point to profits, the intent to do good, or being within the bounds of (woefully inadequate) law as a justification for irresponsible behavior. Being good enough to clear a low bar will not suffice. A new, higher moral code that reflects true commitment to a rising tide that will lift all boats, must be observed for both national security and market-related reasons.

### **NATIONAL SECURITY**

"If I worked in this mine, I would be a communist too," Bobby Kennedy stated after he emerged from a tour of a South African mine at the height of the Cold War. Today, disenfranchised populations do not so much move left and right on a political continuum as much as they move up or down in their views of the West, especially of the United States. Correspondingly, the willingness of members of those disenfranchised populations to take active steps to harm societies perceived as threatening or oppressive, or to give safe harbor to those who do, also moves up and down depending on how the West conducts itself.

The attacks of September 11, 2001, vindicated Hillary Rodham Clinton and Al Gore in at least one respect: The world had shrunk considerably and had become a global village. In this new global village, the consequences of not doing everything within our power to take an active role in the positive development of other nations had enormous consequences. No longer can governments implement policies with relative impunity in world affairs, nor can private entities act solely in the interest of

the bottom line in international business. Global policies and global market places have become village policies and village markets. And if the other fellow greatly dislikes your policy or the way you conduct yourself in the marketplace, he may give safe harbor to a party who wishes to do you harm. Or worse, take it upon himself to strike at you.

In short, disenfranchised populations, when left with no other options, can now threaten America in new and devastating ways – either by acting directly, or by helping to enable those who act directly. A higher morality is called for on the part of the West. This will not eradicate foes, but will diminish the number and intensity of those foes.

### **SUCCESS IN GLOBAL MARKETS**

Markets are now seen as global entities in many ways. Numerous individual companies have suffered or profited in the marketplace because of the perceptions of the American public concerning how those companies conduct themselves overseas. Perceptions of environmental practices, labor practices, and practices of supporting corrupt or repressive foreign governments all factor into purchasing habits. This trend is likely to expand because global demographics point out that a disproportionate percentage of the world population is young, and the younger generation is increasingly likely to become interconnected through the internet. Domestically, Americans are likely to become more in-tune with world events as a result of such things as 9/11, the ongoing conflict in Iraq, North Korean missile advancement, and global business competition.

In short, a higher morality helps to enable America's success in the market place.

### **REMEDIES AND CARDINAL SINS**

Aid groups, both non-profit and for-profit, should answer to a higher morality. One way to act responsibly is stop coddling the people these groups are trying to help. A quick progression from helping the affected population, to helping the affected population to get on its feet, to expecting that population to stand on its own must be recognized. The phrase "follow-on project" should be stricken from aid discussion.

A second great responsibility that aid groups ought undertake is to walk away from relief or development projects that

make as much sense as building a bridge in Alaska that goes nowhere. Many aid groups scamper after money regardless of the merit of projects or that group's ability to execute the project. Aid groups must act honestly and morally in assessing the merits of an individual project, and the likelihood of executing the project in a timely, efficient, and effective manner.

It is imperative that private entities, in general, also answer to a higher moral code than at present. Frequently in a post conflict or developing nation-state situation there is a dearth of law. The temptation, in such circumstances, is for private entities to act in any fashion that suits their particular need at that time, while pointing out that they are within the bounds of the law. Custom and ethical standards take a backseat to short-term profit or expediency in a given situation. The managers of private entities must begin to see business undertakings in foreign lands, and their practices undertaken there, as something not on a distant stage, but in the terms of a village arena.

Private security companies have an especially important role to play in post conflict situations and developing countries. Private security firms, and their logistics counterparts, are highly visible and frequently seen as possessing special status, especially in post conflict situations. Personnel are often former military, well trained, and armed. Frequently, this means private security personnel are deemed as 'above the law' by the population of the country in which they are deployed.

In too many instances, elements of the industry act the part, exploiting any situation in which they find themselves. Acting responsibly within this new moral code dictates adherence, not to the grey area that exists in the absence of formal law, but instead to a new higher morality that shuns special status and exploitation.

Raising the bar above existing standards and practices, infusing international business and development practices with a new morality, and not merely accepting the status quo, constitutes the single greatest challenge in international development and business in the coming ten to twenty years. The stakes are decidedly high and the failure to meet that challenge will have unprecedented consequences.

*The author is a lawyer and returned Peace Corps volunteer who holds IRR status in the Army National Guard. He has been active in international humanitarian assistance for more than 12 years in such places as Bosnia, Afghanistan and Sudan.*

## COVER STORY: ETHICAL SECURITY

# Civilian Contractors: Ethical and Legal Parameters

*A First-Hand Account of Relations Between Contractors, the Military and Civilian Iraqis*



LTC PAUL CHRISTOPHER (RET.)

**A**S A PRIVATE contractor working in Iraq for the past two years, I have observed confusion over the roles of the military and the private sector. In one case, while responsible for the perimeter security of an Iraqi military base, our staff were instructed by senior U.S. military officers to conduct combat patrols up to 10 kilometers outside the perimeter, and apprehend and interrogate civilians. Not only were such actions clearly outside the terms of our contract, but they would also have been violations of our charter as civilian security employees.

I have also encountered numerous instances where the line between what is permitted and what is prohibited was not understood by the private contractors, and certainly not by Iraqi civilians. While traveling “low profile” in light traffic along highways in Baghdad, I have been physically forced off the road by personal security teams in SUVs. I have been subjected to intimidation with loaded weapons for no apparent reason. I have seen the lives of innocent Iraqis disrupted and their property destroyed without provocation.

Sometimes the line between the role of civilian security operator and that of the military may seem blurred, because both protect the movement of persons, materials and supplies throughout Iraq, and both sometimes engage in similar military-type actions. But the jobs are different in a very fundamental way, and understanding this difference is crucial.

The mission of the military in Iraq is to secure supply routes, maintain peace and seek out and destroy insurgents and criminals. I include criminals — thieves, kidnappers and others of their ilk — because from the perspective of the private contractor, our treatment of them is identical. As civilian contractors, we do not share the responsibility to engage in combat operations against insurgents; our mission is protect our clients and their property.

Sometimes in the process of protecting our clients we may be required to employ potentially lethal force in order to defend them against attacks by insurgents. In such instances, our actions may seem no different than those of



PHOTO: BART A. BAUER /U.S. NAVY  
*The lines between military and contractor, civilian and insurgent have become blurred in the Iraqi conflict, leading to a difficult and tense situation.*

military units. However, private contractors are only permitted to engage in the use of lethal force to the extent necessary to extract their clients, their cargo, and themselves from a threatening situation. Private contractors must not pursue or otherwise engage in any offensive operations that are not required by self-defense or defense of our clients.

This prohibition against offensive operations is what distinguishes private civilian contractors from mercenaries or hired military forces. Unlike mercenaries, private civilian contractors do not conduct any offensive military operations, and they conduct defensive operations only to the extent required to protect their clients and their property. Our clients can be expatriates, third country nationals, or Iraqi workers. In all cases, our job is to ensure their safety, and that of the cargo they transport, even at the risk of our own lives.

There is another group of people with which we must be concerned — Iraqi civilians. Again, our mission and that of military units differs in our obligation to them. The military has an obligation to protect them; private contractors have no such positive obligation.

When insurgents attack security or coalition forces, they often also kill and wound innocent Iraqis. Understandably, security contractors feel a strong moral

obligation to come to the aid of these victims, and while this may be permissible, private contractors should do so only when it does not involve increased risk to their primary mission. While we do not share the military's obligation to protect innocent people who are not our clients, we do share with the military the absolute duty to not harm innocent people.

Our job as security operators in Iraq requires that we take risks. It is inappropriate for us to increase the risk to Iraqi civilians in order to decrease the risk to ourselves. We are part of an international effort undertaken in order to improve the lives of the citizens of Iraq. We must always act with this greater mission in mind.

Our role in Iraq is critically important to the coalition's mission, and all security personnel should take pride in their contributions to establishing normalcy in Iraq. We have been given great authority and latitude to accomplish this mission. With great authority, however, comes great responsibility. We must always hold ourselves to a higher standard even than the military forces that are deployed here. Our actions in Iraq must demonstrate to the people of Iraq the moral acumen of those involved in the reconstruction effort and a commitment to improving the lives of Iraqis.

*The author is Director of Business Development at Falcon Group.*

## COVER STORY: ETHICAL SECURITY

# A Plan for Keeping Private Security Accountable

*As Private Security Companies Expand Their Reach, So Too Should Oversight*



SAMIYA EDWARDS

**T**HE PRIVATIZED security industry is far better known now than five years ago. This is in part due to media coverage on the wars in Iraq and Afghanistan, and the tireless work of a growing number of industry experts and a genuine desire by corporations providing such services to seek legitimacy. The time is ripe to create a regulatory framework for the industry that promotes transparency, respect for rule of law and accountability — and a key partner should be nongovernmental organizations and civil society groups.

The role of nongovernmental organizations to act as watchdogs on human rights, governance issues and corporate practice is increasing in scope, particularly at the regional level, as local groups receive greater guidance and funding from foundations and international organizations. The Internet has also enabled wider dissemination of information quickly and empowered local leaders to push for a higher level of accountability in their communities.

One of the keys is for companies active in sensitive conflict or post-conflict regions to engage local groups and agree to a genuine level of transparency on contracts and operations for scrutiny. Too often, foreign companies are seen as out of touch with local communities and linked with governments in far-away capitals. This is particularly sensitive when it comes to questions of security and stability, and opening doors to local groups can create better understanding and awareness of operations and codes of conduct.

Likewise, the industry has made significant strides in establishing its own voluntary codes of conduct. Through the International Peace Operations Association, member companies agree to support a Code of Conduct, which includes support of international humanitarian law. In the U.K., the British Association of Private Security Companies has similar standards.

Conversely, international efforts such as the Extractive Industries Transparency Initiative and Publish What You Pay Campaign should seek to include the corporations that provide security for

personnel and installations in their dialogue as stakeholders when negotiating transparency guidelines with corporations active in oil and mining activities and national governments.

At the international level, it is time for the United Nations to re-examine its definition of mercenaries under the International Convention Against the Recruitment, Use, Financing and Training of Mercenaries, which is narrow in scope and legally problematic, to incorporate the changing dynamics of the industry. There also needs to be a shift in the mandate of the UN's Special Working Group on Mercenaries to acknowledge the positive supporting role of the industry in conflict zones, while seeking to prevent the onerous activities of coup attempts, human rights violations, and the flouting of arms embargos.

There is a growing consensus that there is not a lack of relevant international law regulating private military contractors, but a problem of enforcement. NGOs, particularly global outfits like U.S.-based Human Rights Watch and U.K.-based Global Witness, have led highly effective campaigns to name and shame companies engaged in bad behavior in conflict zones, as has the UN in various reports on exploitation of natural resources in the Democratic Republic of Congo. But often these campaigns begin and end with information on bad actors, and there is room for regulatory mechanisms to set

the standards for good behavior.

Currently, the U.K. government is reviewing the possibility of a licensing regime to control the sale of military services and/or the registration and notification of companies and contracts. It would not be difficult to implement and would follow the same regulatory structure as that applied to licensing for the export of defense articles. Under such a licensing system, companies would be required to apply for a license if they wanted to sell military services, which would be defined and partitioned into categories. Similarly, the UN could consider a simple monitoring scheme that would keep track of companies in the industry and serve to enforce standards.

Far from shying away from such regulation, the majority of companies in the industry are anxious to separate themselves once and for all from the moniker of mercenaries-for-hire and those fly-by-night-companies who operate without stringent ethical standards.

## Key Ethical Security Web Links

**IPOA Code of Conduct**  
[www.ipoaonline.org/code](http://www.ipoaonline.org/code)

**Voluntary Principles**  
[www.voluntaryprinciples.org](http://www.voluntaryprinciples.org)

**Publish What You Pay Campaign**  
[www.publishwhatyoupay.org](http://www.publishwhatyoupay.org)

**Extractive Industries Transparency Initiative**  
[www.eitransparency.org](http://www.eitransparency.org)

**UN Working Group on Mercenaries**  
[www.ohchr.org/english/issues/mercenaries/](http://www.ohchr.org/english/issues/mercenaries/)

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## COVER STORY: ETHICAL SECURITY

# Blue and White: Engaging with Militaries

## *Life and Death Challenges Facing Contractors in Active Conflict Zones*

DAVID CARRAWAY

**O**PERATION IRAQI FREEDOM has seen more civilians working in close proximity with the military than in any previous conflict. This expanded role of the civilian logistics, construction and private security companies on the battlefield, has also resulted in problems. Lack of command, control and coordination between the military and these companies has resulted in allegations of friendly fire incidents. Some of these incidents are even between the companies themselves. Until recently, many of these incidents were hard to prove because one or both parties left the scene and their identities were unknown. With the expanded use of vehicle transponders in Iraq, incidents like these can be captured electronically and all parties operating in the area of the incident can be identified.

In Iraq, widespread civilian use of vehicle transponders began in August 2005, when the Projects and Contracting Office's (PCO) Director of Logistics, Jack Holly, established the Logistics Movement Control Center. The PCO was familiar with the interim Logistics Command and Control system developed by Tapestry Solutions Inc called the Logistics Common Operating Picture. LCOP was initially developed for U.S. Army Europe, and it provides a single platform that integrates multiple sources of logistics and operational movement data into a map based PC product.

The PCO recognized the value of the application and requested that a civilian version be built to suit the needs of the PCO. The Global Distribution Management System (GDMS) was developed based on the technology and experience gained from LCOP. By November 2005, PCO Security had also established a Reconstruction Operations Center in the Green Zone in Baghdad with satellite operations centers through out Iraq. They chose GDMS as their tracking software and were able to provide a redundant and mutually supporting network with the Logistics Movement Control Center.

Because of the close proximity in which military and civilians were working in hostile territory, it was decided that

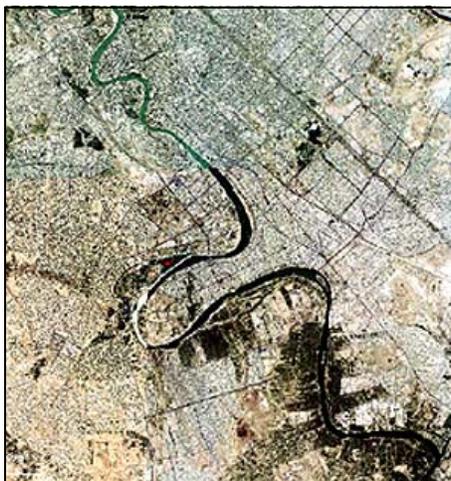
*The author is Senior Director, Business Development and Technology Integration at Tapestry Solutions, Inc.*



PICTURE: JAMES VOORIS/U.S. MARINES

*Civilian contractors must interact with the military on a daily basis in Iraq.*

providing the operational view on GDMS to the military was not only possible, but necessary. By this time the U.S. military had expanded Tapestry's initial LCOP product into a Joint Force accepted Logistics Command and Control System



PICTURE: NASA

*Tapestry system integrates data from multiple sources to graphically represent civilian and military operations.*

renamed Battle Command Sustainment Support System. It was fielded with a much more robust logistics and force protection capability than initial versions of LCOP. As it matured, military commanders were becoming increasingly concerned with the possibility of friendly fire incidents

involving civilian security companies operating in their areas of operations. By providing a positional and message data from GDMS to the military system, commanders now had the means to track both civilian and military traffic.

By mid-2005 the Reconstruction Operations Center and Logistics Movement Control Center were tracking over 700 civilian vehicles operating in Iraq. With so many civilian convoys operating in Iraq, many in low profile — vehicles that look like those driven by the local population — the chance of those vehicles being fired upon by military or other civilian companies became a real possibility. In the unfortunate circumstance of a friendly fire incident, data that is archived in GDMS can be replayed to identify all parties in the area at the time of the alleged incident. In July 2005 when the Iraqi Minister of Interior spoke at the Private Security Association of Iraq meeting, he stated that he was receiving reports of private security companies firing on Iraq civilians. Holly offered to use his GDMS workstations to identify who may have been responsible for these alleged shootings.

Currently there are several incidents of friendly fire or inappropriate behavior being investigated in Iraq. GDMS is being used to facilitate investigations into these suspicious incidents. The system has enhanced security and facilitated the painful after action process so necessary in today's asymmetrical battlefield.

## COVER STORY: ETHICAL SECURITY

# Private Security: The Human Rights Challenge

*Significant Progress has been Accomplished, but a Long Road Remains Ahead*



SCOTT GREATHEAD

**T**HE PRIVATE security industry has grown exponentially since the events of September 11, 2001. The industry's services to government and the private sector have become increasingly essential. With this growth comes the challenge of addressing the concerns of a growing chorus of media and NGO critics.

Ted Koppel, writing in *The New York Times*, stated:

"The United States may not be about to subcontract out the actual fighting in the war on terrorism, but the growing role of security companies on behalf of a wide range of corporate interests is a harbinger of things to come. Is what's good for companies like Exxon Mobil, Freeport-McMoRan (the mining company that has paid the Indonesian military to maintain security) or even General Motors necessarily good for the United States?"<sup>1</sup>

According to Koppel, the private security business and its relationship with government and business "requires far greater scrutiny" than it has received to date.

Watchdog groups such as the British American Security Information Council have called on Congress to require "closer regulation, mandatory audit trails, regular reporting and greater public access to non-sensitive records" of private security companies.<sup>2</sup>

Major human rights NGOs have joined the debate. In order to "raise awareness about human rights abuses associated with private military companies," an August 16 communication from Amnesty International USA urges its members to buy a documentary film, *Shadow Company*, "which explores the history of mercenaries, the PMC industry and regulation of it."

Leading members of the industry understand the need to address these issues. Working through the International Peace Operations Association, they have adopted a Code of Conduct setting forth in general terms the basic principles to which all IPOA member companies must subscribe. The Code of Conduct also requires every signatory to comply with

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PHOTO: JACOB BAILEY/U.S. AIR FORCE

*Just as the U.S. military has focused on good relations with the local populations of conflict zones, so too must private companies be concerned with "winning hearts and minds."*

several international human rights and humanitarian conventions, including the Universal Declaration of Human Rights, the Geneva Conventions and Protocols, and the Voluntary Principles on Security and Human Rights.

IPOA has also begun the process of engaging with the humanitarian and human rights NGO community in roundtable discussions aimed at creating a dialogue to address issues of concern, particularly the industry's compliance with fundamental human rights norms.

In June 2006, IPOA's Standards Committee organized a unique Simulation exercise attended by representatives of leading NGOs. Company representatives addressed human rights concerns implicated in four fictional operational scenarios. A discussion with the NGO representatives followed each simulation.

These are important steps, but the complex challenges confronting the industry require more. IPOA and its member organizations should consider a strategy that includes further engagement with NGO stakeholders to address their concerns, and the development of a set of standards providing detailed and specific guidance for its members in conducting their operations.

A model for this set of operating standards is the Voluntary Principles on Security and Human Rights, a unique agreement among multinational extraction companies and leading members of the NGO community adopted in December 2000 under the auspices of

the U.S. and British governments. The Voluntary Principles addressed the difficult problem of how mining and oil companies meet their security needs in areas of conflict. The Voluntary Principles created an ethical framework governing industry use of security forces in foreign operations.

The creation of the Voluntary Principles followed a decade of highly publicized charges of human rights abuses by major oil and mining corporations operating in conflict zones. The framework provides oil and mining companies detailed and specific guidance tailored to their security needs and operations.

IPOA's members need their own set of guidelines, beyond the Code of Conduct, tailored to their operational and business needs. To be credible, these guidelines should be developed in a process that includes leading representatives of the NGO community, just as the Voluntary Principles were.

Human rights operating standards acceptable to both the business and NGO communities can provide the tools companies need to avoid legal liabilities and reputational risks for conduct that falls outside the scope of existing law or government regulation.

## ENDNOTES

1. Koppel, Ted. 2006. These guns for hire. *The New York Times*, May 22.
2. Isenberg, David. 2006. Waging war with private forces. *The New York Times*, May 28.

# Private Contractors in Australia

## *Developing Accountability Regimes for Military Contractors: An Australian Approach?*



BRUCE OSWALD

**A**USTRALIAN MILITARY contractors, and in some cases Australian military companies, are currently serving in military operations that range from the Pacific Rim to the Middle East. In relation to the engagement and use of military contractors, the Australian media and the public sometimes focus on the extent to which the employment of military contractors should be regulated. More particularly, the focus centers on the debate as to whether military contractors should be regulated by their own industry (self-regulated) or regulated by the Australian government).

Within this general debate, the area of primary concern frequently relates to the accountability and safety of Australian military contractors. Recent reports in the Australian media have considered whether the Australian Government should do more to regulate military contracting firms that are based and recruit from Australia, and whether the Government should do more to protect and support military contractors who are serving in places such as Iraq.

It is generally accepted that on most, if not all, overseas military operations involving the Australian Defence Force (ADF) the ADF will employ military contractors to provide operational support and logistics. It is therefore not surprising that the Australian Government regulates such situations through legislation and contractual requirements. In relation to accountability, the Australian Government primarily uses three legislative frameworks: the *Defence Force Discipline Act 1985*, the *Crimes (Overseas) Act 1964* and the *Criminal Code Act 1995*.

On deployments where a military contractor accompanies the ADF, the contractor may be designated a 'defence civilian' for the purpose of the *Defence Force Discipline Act*. A defence civilian is

defined as a person, other than a defence member who, with the authority of the ADF, accompanies the ADF outside Australia or on operations against the enemy, and who has consented in writing to subject himself or herself to Defence Force discipline. The purpose of designating a person a defence civilian is twofold: first, to enable the commander of the force to exercise the necessary control



PICTURE: AUSTRALIAN DEP. FOREIGN AFFAIRS &amp; TRADE

*An increasing number of Australians are being employed as contractors.*

over the civilian for the purposes of discipline and security; and second, to enable a civilian who is charged with an offence to be tried where appropriate by an ADF tribunal rather than by the local courts of the country in which the forces and the civilian are serving. However, defence civilians are not liable to all service offences and they are only subject to imprisonment or a fine if found guilty of committing a service offence.

In circumstances where Australians, including military contractors, are working overseas in an area deemed by regulation to be a 'declared foreign country' or under an agreement between the Australian Government and the UN, they may also be subject to Federal criminal law jurisdiction by the application of the Overseas Act. As of August 2006, Iraq, the Solomon Islands, Papua New Guinea and Jordan are 'declared foreign countries'.

The Australian Government also regulates the behavior of Australians through the application of the Criminal Code in relation to certain serious offences such as war crimes and crimes against humanity. This legislation applies to Australian military contractors regardless of whether they are working for

the Australian Government or not.

In relation to the safety of military contractors, the ADF's policy is to protect contractors from environmental and hostile threats on operations and to prohibit contractors from carrying weapons or taking a direct part in hostilities. These requirements stem from a combination of Australian occupation, health and safety laws, and international humanitarian law. In relation to the recruitment and training of military contractors the Australian Government may impose contractual obligations on the contractor or the company they work for. Thus, there may be obligations relating to security clearances and specific qualifications imposed upon contractors. One area where standards could be set is in the areas of armed conflict law and human rights training. The Australian Government, in conjunction with the industry, could set up an independent

body to certify the competence of military contractors employed by Australian firms.

A more complicated and contentious area in the context of regulation is where military contractors are employed by entities or organizations other than the ADF. In such cases, the only extra-territorial accountability framework applicable to Australian military contractors is the Criminal Code. However, as stated above, the Criminal Code's jurisdiction is limited to dealing with certain serious offences such as war crimes and crimes against humanity. It appears that for the time being, the Australian Government is willing to permit the Australian military contractor industry to regulate itself in relation to other matters such as recruitment, training, safety and conduct.

Where the Australian military contractor is working for an organization incorporated outside Australia it is difficult to see how self-regulation will work in the context of Australian domestic law. In such situations there is clearly a need for a much more universal approach that harnesses other countries and the industry to develop more effective and efficient means of holding contractors

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## CRISIS IN LEBANON

# Can an International Force Solve Lebanon's Woes?

## *The Legacy of Peacekeeping Failures Threatens Stability in the Middle East*



EMILE EL-HOKAYEM

**A**S THE FIGHTING intensifies and the humanitarian crisis deepens in Lebanon, there seems to be a growing consensus among UN, peacekeeping and Middle East experts: without Hezbollah, Syrian and Iranian consent, the international force envisioned by the United States and others will fail to accomplish its mission and may very well become entangled in a messy war.

The UN is no stranger to Lebanon. UNIFIL, a UN peacekeeping force has been present since 1978. Resolution 425, adopted in the aftermath of Israel's invasion, called for an Israeli withdrawal that took 22 years to materialize. In 2000, the UN certified that Israel had completely withdrawn from Lebanon and demarcated what became known as the Blue Line. It was then that Hezbollah and the Syrian-dominated Lebanese government revived the long-forgotten issue of the Shebaa Farms, which serves until today to justify Hezbollah's weapons.

During its 28 years, UNIFIL proved incapable of preventing the use of Southern Lebanon as a launching ground for anti-Israeli attacks; it failed to halt the second Israeli invasion of 1982; and it also failed to protect Lebanese civilians from Israeli aggression and Israel's northern region from Palestinian (and later) Hezbollah attacks. UNIFIL's low point came in April 1996, when an Israeli bomb hit a UN camp in which Lebanese civilians had taken refuge, killing more than 100 people.

UNIFIL was tasked with regulating the violent relations between a state, Israel, and a non-state actor, Hezbollah, in a security environment characterized by the weakness of the Lebanese state.

In fact, UNIFIL is often derided for merely counting the blows and compiling regular reports about violations by the two sides without doing anything about them. At the same time, this impotence came at the cost of some 250 UN personnel, the heaviest death toll ever for a UN peacekeeping mission.

The other peacekeeping force deployed in Lebanon was the short-lived Multi-National Force (MNF). Originally,

U.S. and European troops went in to stabilize the situation in Lebanon after the 1982 Israeli invasion, facilitate the departure of Palestinian fighters from Beirut, and later support the central government to assert its control over the country. Very quickly, the complexities of the Lebanese civil war and the emergence of new actors transformed the environment in which the MNF operated. The MNF was soon perceived by significant segments of the Lebanese population, Syria and Iran as a hostile



PICTURE: UNFICYP

*An explosion from an Israeli airstrike rocks the southern Lebanese city of Tyre.*

presence that sometimes acted as a party in the war.

The simultaneous attacks by Hezbollah against the U.S. Marine and French paratroopers barracks in October 1983 put an end to the illusion that somehow the MNF could play a stabilizing force in the country. The death toll was so high that the U.S., followed by France, Italy and the U.K., decided to withdraw its troops, creating an even bigger security void and ingraining the belief that if hit hard, the U.S. will leave.

The history and lessons of UNIFIL and the MNF must be factored into any initiative by the UN. Understandably, Israel does not want yet another UNIFIL-style mission, but a robust force with a clear mandate to disarm Hezbollah, whether voluntarily or forcefully.

Current efforts at the UN seek to work out a ceasefire agreement in the first phase, followed by a Chapter VII

resolution to set up a UN-mandated, but not necessarily UN-operated, force to implement the terms of the ceasefire agreement.

The mandate of this force will be shaped by the international community's desire, however realistic and attainable, to put an end to the Hezbollah threat to northern Israel and help the Lebanese state reclaim full sovereignty and authority over its country. Another likely mission will be to monitor the traffic of goods and people at Lebanon's ports, airports and land crossings to prevent the re-supply of Hezbollah by Iran and Syria, and to help the Lebanese Army patrol its borders with Syria.

Israel has made it clear that it will hold on to the territory it occupies as long as its security requires it — unless and until the international community sends a robust force with a clear mandate to secure a wide strip of land in the south, interdict Hezbollah activity inside this zone and stop the launching of missiles above it. By announcing that it intends to hold on to any territory it invades until an international force is deployed, Israel has in effect taken the international community hostage to its own conditions.

The Lebanese government wants an international force to deploy as soon as possible but rejects a ceasefire that would not provide for an immediate Israeli withdrawal. It also plans to deploy Lebanese troops, something the UN has been calling for since 2000. Hezbollah has indicated that it would accept a ceasefire if Israel withdraws and accept only a beefed-up UNIFIL but not a new international force.

A force charged with forcefully disarming Hezbollah will run the risk of being attacked by the Shiite militia. Other sources of danger include other Lebanese or non-Lebanese groups joining the fight (as is the case in Iraq), Lebanon becoming yet another battlefield for global Islamist organizations, and the possibility of state collapse. Here lies the dilemma for the international community: it may well send peace-enforcers instead of peace-keepers, and if history is of any guidance, this is no comforting picture.

The composition of the international force is another thorny issue. Major European countries have reportedly offered troops. France and Italy are

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## CRISIS IN LEBANON

# Keeping Peace Between Israel and Hezbollah

## *An Alternate Vision for UN Peacekeeping Missions in the Middle East*



MATAN CHOREV

**F**ROM THE ONSET of hostilities between Israel and Hezbollah on July 12, two equally untenable approaches framed the debate on how best to manage the conflict.

The first, advocated by Israel and its American ally, argued that the conflict must be allowed to “play out” to reach a moment conducive to sustainable peace. Israel rejected calls for a halt to its overwhelming reactions to Hezbollah’s provocations by saying that a premature cessation of hostilities would allow Hezbollah to regroup, rearm, and constitute a greater threat to Israel in the future.

The alternative approach, carried forward by the plurality of European states and governments in the Middle East, is all too familiar to those tortured by past follies of well-intentioned peace operations. This near-term humanitarian perspective sought to achieve an immediate end to hostilities without establishing mechanisms to address the underlying causes for the conflict. The former approach allowed Israel to continue its strategically myopic air campaign while causing inexcusable humanitarian carnage to many innocent Lebanese. The latter approach would inevitably fail to address Israel’s long-term security needs, as well as Lebanon’s political imperatives.

The irony of the conflict is that from the beginning, both the Lebanese and Israeli governments sought the intervention of a robust international force with a significant mandate to secure the peace. For Israel, this represents a sea change from its usual recalcitrance at any mention of UN-led forces in the region. For Lebanon, this offers a guarantee that Hezbollah forces would be restrained and the government granted the cover of legitimacy to establish its due authority in the south. Unfortunately, past peacekeeping operations showed that international forces rarely managed to adequately defend their mandate.

The United Nations Interim Force in Lebanon (UNIFIL) is a perfect example. Since 1978, UNIFIL fulfilled barely one and a half of its three mandates. Even in

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light of Israel’s withdrawal from Lebanon in 2000, and Syria’s in 2005, UNIFIL could not help the Lebanese government restore its effective authority between the Blue Line and the Litani River. UNIFIL sat impotent as Hezbollah received sophisticated weapons technology and expertise from Syria and Iran, and entrenched itself in southern Lebanon. It continued to muddle along with minimal



PICTURE: UNDPKO  
*A French peacekeeper keeps watch from a battered UNIFIL installation in Lebanon.*

consent or legitimacy on one hand and no enforcement capability on the other. The result was that Israel, unwilling to reoccupy southern Lebanon or to engage in an extended regional war, sought a new international commitment to secure its northern frontier. Instead of appealing directly to the UN Security Council after Hezbollah’s cross-border raid, it controversially chose to go on the offensive. Israel felt it had to undertake the ground-clearing operation that no impartial force would have the will or the means to perform. The legacy of peacekeeping played an important, though not an exclusive, role in another bout of failed peacemaking in this volatile region.

### A WAY AHEAD

The role of peace operations, whose goal is to present a force capable of providing a security environment that aids oftentimes difficult political processes, comes into stark contrast with existing transformational approaches to the Middle East. Although the status quo of secular, authoritarian regimes is indeed crumbling, as U.S. Secretary of State Condoleezza Rice has asserted before, a long-view approach that accommodates organic reform – which inevitably is painfully slow, non-linear, but in the end far more effective than one led at the point of the gun barrel – is clearly preferable.

The presence of a multinational force in the region with the legitimacy and capability to guarantee security while helping catalyze economic development, civil society, and other mechanisms for change, is likely to offer a better alternative to the domino approach that has served only to enflame extremism, weaken moderate alternatives and fuel a vicious global insurgency. By securing a requisite space under which true political arbitration is allowed to take place, the presence of multinational peacekeeping forces in the region might hold great promise for ending the cycle of violence in the region. Resolution 1701 offers a true test.

As scholars of peacekeeping operations remind us – it is easier to stipulate conditions for successful peacekeeping than to live up to them in practice. It is therefore not clear that Resolution 1701 bodes well for success, as the resolution ignored some important lessons. First, the mandate is both unclear and open to multiple, and contradictory, interpretations by all the parties. Second, there is a mandate-capabilities mismatch. It offers at once a broad, yet practically infeasible definition of self-defense. As we have seen with other operations in the grey area between Chapter VI and Chapter VII operations, the commander will inevitably lack the means to evoke the self-defense provision.

To work around these challenges, UNIFIL can build on two precedents: the Belgian-led operation in Eastern Slovenia and the UN takeover of INTERFET in Timor-Leste. Like these operations, UNIFIL will have to resemble a

**SEE Legacy, Page 16**

# The Sad Reality of Deploying UN Peacekeepers to Lebanon

**FROM** page 14  
EMILE EL-HOKAYEM

thought to be best positioned to lead it, although capacity, cost, risk and history are all obstacles. Either nation would nevertheless accept this role to assert its influence in the region.

Turkey is often mentioned as a must-have because of its good relations with Syria and Israel. These may be good reasons to include Turkey, but at the same time could prove problematic as Turkey pursues other, more pressing regional interests and could become a complicating factor in the long-term.

Other non-Arab Muslim nations like Malaysia have also pledged troops. The presence of these troops is very important to counter the perception that the international force is there to do Israel's bidding. For obvious and wise reasons, the U.S. will stay out, but has indicated its willingness to help with logistics and other support functions. Indeed, this will also be a challenge in terms of perception. The force will have to create a secure area, assist the return of IDPs and help the Lebanese government with reconstruction and humanitarian aid.

Estimates for the size of the force range from 10,000 to 20,000. It is hoped that over time, building up Lebanese military capabilities will translate into a smaller force, but this won't happen in any foreseeable future. Moreover, the very presence of the force may quickly become an element of stability that none of the parties will want to remove.

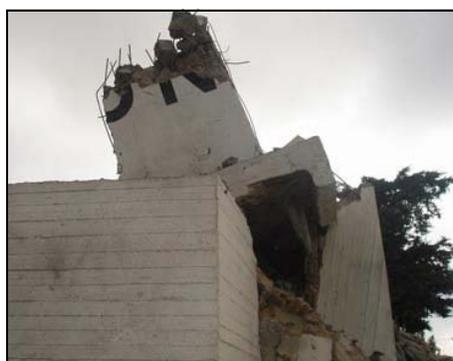
Providing such a large force for such an open-ended period will be a challenge for an already overburdened UN. Given what the international community envisions, it must include a real fighting capability, including heavy weaponry, artillery and air support. This is no mission for the UN *per se*, especially given how overstretched it is.

Many pundits are pushing for a NATO command, but as President Jacques Chirac of France rightly noted, NATO would come to the region with significant baggage and a Western color. The best model may well be Sierra Leone, where a UN-mandated force supported by British fighting units cooperated.

An international force is heralded by many as the solution, but the working assumptions behind this initiative are flawed. The fundamental weakness of this approach is that it isolates the Hezbollah



ALL PICTURES THIS PAGE: UNIFIL  
*The El-Khiam UNIFIL base before the Israeli forces are alleged to have destroyed it.*



*The El-Khiam UNIFIL base after it was attacked during the Israeli campaign in Lebanon. Four peacekeepers lost their lives.*

issue from the larger regional dynamics and treats Hezbollah as the only source of instability rather than an element and factor in the conflict. It could also antagonize the regional players and provoke a repeat of the violence inflicted on the MNF in 1983. The international community should carefully weigh the risks associated with this mission and realize that sending a force without the will and capacity to sustain casualties will only worsen rather than improve the situation.

# Legacy of Failure Makes Future Peacekeeping Ops Difficult

**FROM** page 15  
MATAN CHOREV

multinational coalition with a lead nation under nominal command and control of UN forces. This lead nation, presumably France or Italy in this case, would have to set clear rules of engagement so that the diverse set of nations participating in the mission can all interpret the mandate in roughly the same way.

For Resolution 1701 to work, let alone become a new model for the future, expectations of participating parties have to be realistic. Hezbollah will not be coercively disarmed, nor is that necessarily the best way forward. UNIFIL's goal should be to provide Israel with enough security so that it is not instigated to undermine Lebanon's impending political maneuvering. The force should work with great speed to build up the Lebanese army. Security sector reform, especially in a deeply divided multiethnic state, will take time. Private sector companies can play an important role here as force multipliers, allowing scarce peacekeeping forces to remain along the blue line.

Most importantly, it is time to realize that we are in a new age of peacekeeping; no force has had to contend simultaneously with a regional hegemon, a guerilla group of Hezbollah's stature and capability, and a host of other state sponsors and spoilers. For the new age of peacekeeping, it is due time for new doctrinal concepts, even as earlier generations of peace operations could not manage the inherit tensions in the traditional concepts of these type of missions. These include how an international force maintains neutrality without being impartial in the protection of its mandate, and how it balances peacekeeping with enforcement.

Without the constructive involvement of the international community, the Middle East is unlikely to see much progress in the near-term. Like most conflicts, the post-conflict stage offers a unique opportunity window for setting alternative realities. The urgency to get it right ought only to be bolstered by the now well known potential for failure's unseemly fallout.

## GOVERNMENT AFFAIRS

# South Africa Goes Back to the Drawing Board

*Despite Improvements, South African Bill Leaves the Peace & Stability Industry in a Pickle*



PETER LEON AND  
KEVIN WILLIAMS

**A**FTER PUBLIC hearings in May 2006, the South African Parliament's Defence Committee deliberated on the *Prohibition of Mercenary Activity Bill* from August 1 to 4 and voted on it August 15. The bill was passed by the Committee, despite votes against it by opposition parties.

The bill passed by the Committee represents an improvement on the bill as introduced into Parliament in October 2005 and considered at the Parliamentary hearings held in May 2006. The bill may not become law until early 2007, as it must still pass through both chambers of Parliament, Presidential assent must be obtained and regulations to it need to be drafted and gazetted.

### SOME IMPROVEMENT

The amendments to the bill address in part, but not in substance, criticisms raised at the public hearings. In particular:

*Peter Leon (pictured right) is a partner and Kevin Williams (pictured left) is a senior associate at the Johannesburg-based law firm Webber Wentzel Bownes.*

- The bill's sweeping extraterritoriality has been curtailed. The amended bill has largely reverted to the position under the current *Regulation of Foreign Military Assistance Act* 1998. The amended bill applies only to South African citizens, permanent residents, South African juristic persons and those who contravene its provisions within South Africa. (The bill introduced into Parliament would have applied to any person, anywhere in the world). The only exception is in respect of so-called "mercenary activity" committed "against [South Africa], its citizens or residents" by persons who would otherwise not have been regulated by the bill;

- The bill now provides for a transitional period to enable those whose activities were legal under the *Regulation of Foreign Military Assistance Act*, but will be illegal under the bill unless authorized, to seek authorization from the National Conventional Arms Control Committee (NCACC) within six months of its proclamation;

- The prohibition against providing humanitarian assistance without

authorization in a country where there is an armed conflict, has been significantly amended. Under the amended bill, South African humanitarian organizations who wish to provide humanitarian assistance in a country where there is an armed conflict are required to register with the NCACC, whereas the previous version of the bill required all providers of humanitarian assistance to obtain authorization (a more onerous procedure). The bill's previous provisions had been criticized by, among others, the



International Committee of the Red Cross (ICRC). Unfortunately, the bill provides no guidance as to what constitutes a "South African humanitarian organization." It is therefore unclear whether, for example, the ICRC's mission in Pretoria would be considered a South African humanitarian organization and would therefore need to register with the NCACC;

- While South African citizens or permanent residents are still required to obtain authorization to be enlisted in the

**SEE South African, Page 18**

# Role of Third Country Nationals in Iraq Queried

*Congressional Committee Seeks Data on TCNs Employed by Contractors*



BUJANA PEROLLI

**A**MERICAN contractors in Iraq employ thousands of migrant workers, also called "Third Country Nationals" (TCNs) to work in support roles. Recently, the U.S. Congress requested data from IPOA on TCNs operating in Iraq. This article details IPOA's findings and summarizes IPOA's report to Congress.

TCNs are employed in diverse roles, as truck drivers, cooks, carpenters, construction workers, warehousemen, and laundry workers. TCNs come mainly from Asian countries including the Philippines, India, Pakistan, Sri Lanka, Nepal, and Pakistan. Contractors in Iraq outsource their work to subcontractors based in Middle Eastern nations.

*The author is a Research Associate at IPOA.*

According to the U.S. military's biggest private contractor in Iraq, KBR, about 35,000 of the 48,000 people hired by its 200 subcontractors in 2004 were TCNs. The pay for such workers can range from \$65 to \$112 weekly. While low when compared to western incomes, it is a high salary compared to their countries' per capita annual incomes. Although Iraqis get many of the subcontracted jobs, they are barred from others because the U.S. military requires that contractors hire foreigners to avoid the possibility of insurgent infiltration.

Some subcontractors and labor brokers have engaged in human rights violations in the past, such as seizing the passports of foreign workers to keep them from accepting jobs with other firms, deceiving them about pay and working conditions, and even about the country they are going to work in. Some countries,

such as Philippines and Nepal, have forbidden their nationals to work in Iraq because of the danger. However, the prohibition is not strictly enforced due to these countries' reliance on remittances sent from abroad. Therefore, many illegal labor brokers are able to operate and charge high fees to help workers migrate. In fact, it is estimated that more than 5,000 Nepalese work in Iraq.

Contractors in Iraq are not always required to take any responsibility for the recruitment, transportation, or protection of foreign workers leaving all the responsibility to subcontractors. According to contractors in Iraq, subcontractors are required to respect local labor laws and engage in legal and ethical hiring and deployment practices of TCNs.

## GOVERNMENT AFFAIRS

# Pressure Mounts on Fijian Government

## *Calls for Government to Actively Discourage Citizens from Deploying to Iraq with PSCs*



BUJANA PEROLLI

**T**HE ISLAND nation of Fiji comprises approximately 900,000 people. Of this population, 3,000 Fijians are serving in Iraq as contractors, 1,000 of whom are working as private security guards, earning around US\$3,000 per month. These contractors, mostly former Fijian soldiers, have generally served previously with UN peacekeeping missions. They are highly trained and skilled employees and are thus in high demand.

With Fiji's poverty line at \$172 per month, jobs in private security appeal to Fijians who are otherwise faced with unemployment and low paying jobs at home. However, the high pay of contractors is also associated with high levels of risk. Concern has increased over the rising numbers of Fijian casualties in Iraq, and critics have attacked the Fijian government's failure to actively discourage its citizens from serving with private security companies.

Recruitment of Fijian nationals in

*The author is a Research Associate at IPOA.*



PICTURE: AUSTRALIAN DEFENCE FORCE  
*Most Fijian private security contractors previously served with the Fijian military in peacekeeping operations. These Fijian soldiers were taking part in Operation Helpem Fren, the multilateral operation in the Solomon Islands.*

Iraq has led to many issues for the Fijian government. These issues include the government's responsibility to analyze all contracts for equipment, insurance, and training provisions, the social consequences on family life, and the ability of the government to support workers with health problems after their contract is finished. The Fijian Minister of Labor, Krishna Datt, was reported as

saying that while the government examines contracts to ensure that its citizens have proper insurance, it does not concern itself with other terms of employment.

The Fijian government has an interest in Fijian citizens serving abroad as this leads to a decrease in the number of the unemployed in Fiji. Above all, the income of Fijian nationals in Iraq provides a good source of remittances for the Fijian economy, which is facing a decline in sugar and garment exports. According to Fiji's Central Reserve Bank, remittances from Fijians working abroad rose by US\$20 million from 2002 to US\$158 million in 2004. Remittances from Fijians employed in the private security industry surpass the country's revenue from sugar, its leading agricultural export and tourism, its largest non-security revenue source.

While domestic critics continue to lobby the Fijian government to discourage its citizens from serving as private security contractors, more than 200 former Fiji soldiers are reported to be getting ready for private security jobs in Lebanon.

## South African Legislation: The Committee Strikes Back

**FROM** page 17

PETER LEON AND KEVIN WILLIAMS

armed forces of foreign states, under the amended bill, their authorization will not be automatically revoked if they take part in an armed conflict as part of that foreign armed force. Instead, the Committee may revoke their authorization if the authorization contravenes one of the grounds of refusal contained in the bill. For example, if the authorization is in conflict with South Africa's obligations in terms of international law; the authorization would contribute to the escalation of regional conflicts; or the authorization would prejudice South Africa's national or international interests. Obviously, as the grounds are very wide, it appears that the NCACC might use this provision to revoke the authorizations of, for example, South African members of the British armed forces who are deployed to Iraq.

### **SIGNIFICANT CONCERNS REMAIN**

Two areas not adequately addressed

in the bill are:

- The broad definition of "armed conflict"; and
- The regulation of "security services" in an area of armed conflict.

The definition of "armed conflict" under the bill remains very wide, which means that a person (as defined in the bill) may on one day provide security services in a foreign country without contravening the bill and, owing to an outbreak of hostilities in another part of that country may, the following day, without his or her knowledge, commit an offence under the bill.

Another area which ought to have been addressed in the bill is the regulation of security services in countries where there is an armed conflict. While the Committee (sensibly) amended the definition of "service or assistance" so that authorization would only be required if such service or assistance was "to a party to an armed conflict," no similar amendment was made to the definition of "security services." Accordingly, all

security services in a country where an armed conflict is taking place require authorization, whether or not the security services have any link whatsoever to the conflict.

### **LAST MINUTE CHANGES**

Regrettably, the ANC-dominated Committee, at the last minute discarded changes to the bill they appeared to have already accepted. These changes would have addressed, among others, some of the concerns regarding the regulation of security services. Indeed, the Department of Justice state law adviser had circulated a draft to the Committee which appeared to incorporate the agreed changes. Many of these amendments were, however, discarded from the bill voted on by the Committee.

The result is that those providing security services in a country which could become an area of armed conflict face significant uncertainty under the bill. On the positive side, the bill's worst extraterritorial features have been ameliorated.

## C O L U M N I S T S

## Somalia at the Crossroads

*Peace in Somalia Presents as Many Problems as it Solves*

AMBASSADOR HERMAN COHEN

FROM THE perspective of the global war on terror, Somalia in the Horn of Africa is starting to emit some ominous signals.

After 15 years of total anarchy following the overthrow of the Siad Barre regime in 1991, the power situation in Somalia is beginning to shift. Until early 2006, power was all local and had been under the control of clan-based warlords, a situation that could best be described as "government by thugs." Warlords and their hired guns would take their commissions from imports and exports, the drug trade, road blocks, and kidnappings for ransom. Life for the Somali people, especially the 25 percent of the population living in the capital city of Mogadishu, was hellish. The Islamic courts provided a modicum of neighborhood relief, and therefore grew in support and popularity over a decade.

By late 2005, the situation in Mogadishu had become so bad that business owners decided to finance the arming of the Islamic courts in order to fend off the increasingly predatory exactions of the warlords. The Islamic courts, while maintaining their separate existences, decided to establish a common armed militia. Sensing a growing threat to their power, the warlords joined forces in early 2006 to counter the Islamic courts. Between January and July, extensive fighting broke out between the warlord and Islamic court forces, with hundreds of casualties on both sides.

When the dust settled in July, the Islamic courts emerged victorious, driving the warlords out of Mogadishu. The population breathed a sigh of relief because they were suddenly able to circulate in the city without road blocks and the payment of bribes and ransoms.

As in most such internal conflicts, outside interests played a role. The Islamic courts were assisted with arms shipments brokered by the Government of Eritrea as a way of putting pressure on their main adversary, Ethiopia. The U.S. Government, holding intelligence that the Islamic courts were sheltering terrorists responsible for the bombings of the

American embassies in Nairobi and Dar Es Salaam, provided "covert" assistance to the warlords in the hope that the terrorists could be captured. The victory of the Islamic courts constituted a setback for U.S. policy in Somalia because U.S. support for the hated warlords was perceived as an American attack on Islam. The Islamic courts also denied that they were harboring terrorists, or that they have any connection with the international "jihadist" network, and indicated a primary interest in establishing a united Somalia under a



PICTURE: WFP

*Somalis may have to wait longer for peace.*

government of Islamic law (*Shari'a*).

After consolidating power in Mogadishu, the Islamic courts extended their writ to other towns. By mid-August 2006, the courts were essentially in control of southern Somalia and parts of central Somalia. The reaction of the African Union and the east African states to the Islamic courts phenomenon has been to encourage negotiations between the courts and the very young Transitional Federal Government (TFG) that has been in existence since the end of 2004. The result of three years of arduous mediation among warlords and clan elders, the TFG has not been able to take hold and govern Somalia. Clan and warlord rivalries have prevented the TFG from taking power despite its international legitimacy.

The existence of the Islamic courts is of great interest to neighboring Ethiopia which feels threatened by any advance of fundamentalist Islam in the sub-region. Ethiopia has decided to support the TFG and has deployed troops to the TFG's headquarters in the central city of Baidoa in order to prevent its capture by the Islamic courts. The courts are taking advantage of Ethiopia's incursions to stimulate traditional xenophobia and anti-Ethiopian feeling within the Somali

population as a basis for generating unity around the courts' authority. While the Islamic Courts have brought freedom from chaos and warlord repression, there are troubling signs that the eventual outcome may be negative for Somalia, its neighbors, and for American and western interests. What are those signs?

Several Somalis who have a history of support for "jihadist" organizations, and may be linked to the terrorists who perpetrated attacks in Kenya and Tanzania, have infiltrated the Islamic Courts and hold key political and military positions.

Even the so-called "moderates" within the Islamic Courts Union are conservative Islamists who want to impose an orthodox form of *Shari'a* that would go against the normal Sufist, secular tendencies of the average Somali. Some analysts are beginning to see Talibanist tendencies within the courts.

There is a growing tendency within the Courts to return to a rabid form of Somali irredentism which demands the in-gathering of Somalis living in Djibouti, Kenya, and Ethiopia. This could be translated into insurgent activity in neighboring countries, especially in Ethiopia, which has a large population in its "Somali State", formerly called the Ogaden. This could be highly destabilizing to the entire Horn of Africa sub-region.

The U.S. has stated that it will not talk to the Islamic Courts until they turn over known terrorists who are they are believed to be sheltering. There are some analysts who consider this position counter-productive because it is likely to shore up the position of the hardliners. A policy of engagement with the Courts might reveal exploitable fault lines within the clans that house the courts in keeping with the Somali tradition of inevitable clan rivalries.

Because of its focus on counter-terrorism, the U.S. remains very friendly and supportive of the Ethiopian Government that has the best military capability in the sub-region and that shares the U.S. suspicions about the Islamic Courts. The U.S. has a military base in neighboring Djibouti that is responsible for monitoring the sub-region for terrorist activity, and for taking appropriate action against any such activity. It is clear that recent events have moved Somalia into the highest position of concern for Washington and the region.

*The author is a former assistant secretary of state for Africa, and is president of Cohen & Woods International. Ambassador Cohen's column appears regularly in the Journal.*

## STUDY OF PEACE OPERATIONS

## Rediscovering Counter-Insurgency

*The Carrousel of Military Doctrine*

JOHN STUART BLACKTON

**O**PERATION FORWARD Together, the “Iraqi-led” effort to secure Baghdad by flooding the city with 75,000 newly minted soldiers and policemen is being hailed in some corners of Washington as a return to the proven doctrine of counterinsurgency. “What they’re trying to do is take back the city, sector by sector,” says Dr. Andrew F. Krepinevich, Executive Director of the Center for Strategic and Budgetary Assessments, an independent defense policy research institute in Washington.

Frustrated by little progress in a war that has lasted more or less as long as our conflict in Korea, our part of World War II, and our Civil War, military theorists and Pentagon planners are looking for a new formula. Some think they have found it in the rediscovery of counter-insurgency doctrine. Can the peacekeeping and post-conflict communities anticipate major changes as a result of this rediscovery? Will the dynamics of the security and post conflict businesses be radically changed by new counter-insurgency doctrine?

In an article entitled “Learning counter-insurgency; observations from soldiering in Iraq,” Lt. Gen. David Petraeus, who commanded the 101st Airborne in Iraq, wrote: “The insurgencies in Iraq and Afghanistan were not, in truth, the wars for which we were best prepared in 2001; however, they are the wars we are fighting and they clearly are the kind of wars we must master.”

From Napoleon in Spain to Westmoreland in Vietnam large armies have been stymied by small insurgent forces. Clever infantry colonels and cavalry colonels serving on the large-army side often sized-up the situation and rediscovered the basic truth that force-on-force doesn’t work well in fighting insurgencies.

These colonels described the essence of insurgent movements and insurgent tactics with considerable insight and they produced books and doctrine suggesting how the large-armies might respond in kind.

But their advice has seldom been heeded, and, when heeded, seldom worked as well as anticipated.

*The author is a senior advisor at Creative Associates International, Inc.*

Why do armies continually discover, analyze and document their failures in counter-insurgency without making material progress the next time around? Because they are dull? Because they have deficient memories? Because they don’t care?

Not at all. Large armies fail to internalize and practice what they have observed and analyzed because they are large armies. “Largeness” and the



PICTURE: MICHAEL LARSON/U.S. NAVY  
*U.S. soldiers patrolling the surroundings of Mushahada, Iraq, searching for weapons caches used by insurgents.*

concomitants of largeness are in their genes. Even when large armies create commando units, recon forces, special ops units and the like, these creations remain the offspring of large armies. These special units are exceptions that are tolerated within limits, but the greater military ethos within which they must operate is always the ethos of a large army.

The American counter-insurgency war in the Philippines begun in 1899 cost more than 4,000 American lives and left hundreds of thousands of civilians dead. The British counter-insurgency operations in Malaya forced the relocation of nearly half a million peasants in the 1950’s. The list of counter-insurgencies undertaken by large armies is a long one. The dour lessons of the past are very much on the minds of American officers trying to implement a workable strategy in Iraq, but they are playing catch-up.

In the 1990’s, and in fact until September 11, 2001, counterinsurgency had again been relegated to a musty corner of the American military. The Pentagon had begun to refer to counter-insurgency as “military operations other

than war” or “low-intensity conflict.” As the Iraq situation shows all too grimly, however, counter-insurgency is war, and there is nothing low-intensity about it. Perhaps not altogether surprisingly, counter-insurgency lessons have been rediscovered once again, this time by a colonel who is both a Rhodes scholar and a veteran of combat command in Iraq.

Colonel John Nagl sits today in the Pentagon as a special advisor on counter insurgency, reflecting the good reception of his book “Learning to Eat Soup with a Knife: Counterinsurgency Lessons from Malaya and Vietnam.”

In my day in the Army, during the early phase of our Indochina war, Col Edward Lansdale was the guru of counter-insurgency, and his inspiration was the somewhat successful British effort against the insurgents in Malaya. Lansdale was later succeeded in this role by Col Dave Hackworth whose inspiration was the somewhat less salubrious experience of the early years of our fight against the insurgents in Vietnam.

Colonels Nagl, Lansdale, and Hackworth all grasped the essence of their enemy and documented the lessons with clarity. All three of these insightful Colonels melded field experience and political savvy in their doctrinal recommendations. But in the end, nothing changed. Armies are armies and insurgents and guerillas are what they are.

Once in a century a general may appear who challenges the conventional wisdom of large armies. I think of the extraordinary General Vo Nguyen Giap, who combined brilliant mastery of applied guerilla operations with leadership of a real army. But these men are rare, and more likely to emerge in a young revolutionary state like Vietnam in the 1950s than in a large, established industrial nation.

Despite the Pentagon’s rhetorical new-look and the emergence of a new counter-insurgency guru on the Joint Staff, we in the peace-keeping and post-conflict communities probably should not hold our collective breath waiting for the “lessons learned” in the Iraq war to help us transform the dynamics of the current conflict setting in Iraq or the post-conflict aftermath of the next counter-insurgency wherever it may be.

History strongly suggests otherwise.

THE IPOA LION

# PSCAI Director Addresses IPOA Roundtable

*Despite Significant Advances, Challenges Remain for Companies Operating in Iraq*



CARRIE SCHENKEL

ON JULY 20, IPOA hosted an informal roundtable discussion with Johann Jones, Director of the Private Security Companies Association of Iraq (PSCAI) over dinner at The Bombay Palace restaurant in Washington, D.C. The roundtable was attended by several IPOA members, who were joined by other industry representatives operating in Iraq as members of PSCAI.

Mr. Jones highlighted recent improvements in the ease of obtaining licenses for private security companies

from the Interior Ministry of Iraq, while also noting the many challenges that the industry still faces in attempting to fully comply with procedural regulations put in place by the young Iraqi government. In addition, he addressed ongoing concerns of coordination with the Departments of Defense and State and with U.S. Government Contract Officers, blue on white concerns, enhancing association coordination, and developing greater accountability procedures.

Mr. Jones stressed the importance of both PSCAI and IPOA in the peace and stability industry in Iraq, and hopes that the two organizations will continue to expand upon their existing partnership.



PICTURE: J. J. MESSNER/IPOA  
PSCAI Director Johann Jones addresses IPOA's July Roundtable

*The author is a research associate at IPOA.*

# IPOA Standards Committee Meets to Discuss Reforms

*Code of Conduct Set for Tenth Revision; Field Implementation Guide Mooted*



ZAMIRA YUSUFJONOVA

THE IPOA STANDARDS Committee met on August 16, 2006 to discuss ideas that had been developed from meetings between IPOA and the NGO community (including the June IPOA Standards Committee Simulation).

The meeting focused on the lessons learned from the Standards Committee Simulation, proposed changes to the IPOA Code of Conduct and the development of the IPOA Code of Conduct Field Guidelines.

After receiving feedback from several NGOs, IPOA decided to revise its Code of Conduct. Currently, version 11 is under review; a draft will be released soon to IPOA Members, and then to the general public shortly thereafter.

Beyond reforming the Code of Conduct itself, IPOA is trying to address implementation and operationalization of the Code. In order to accomplish this, IPOA is developing field guidelines for IPOA Member Company employees on the ground, especially since the lofty ideals of an international agreement may seem quite distant to those operating in the field.

companies is making the international conventions listed in the Code (including the Universal Declaration on Human Rights and the Geneva Conventions, among others) accessible to those attempting to follow the Code. Currently, the conventions are only listed by name in the Code and their content is not expanded upon.

Once the Code of Conduct has been formally revised by the IPOA Membership, and the Field Guidelines are developed, IPOA hopes to begin a program of training sessions to educate member companies, their employees and the wider peace and stability operations community on implementing the Code.

A major issue for many member

*The author is a research associate at IPOA.*

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Contact Carrie Schenkel at +1 (202) 464-0721 or CSchenkel@IPOAonline.org for more information.

## NGO PROFILE

# Winrock International

## *Increasing Economic Opportunity and Environmental Sustainability*

**W**INROCK INTERNATIONAL is a nonprofit organization that works with people in the United States and around the world to increase economic opportunity, sustain natural resources, and protect the environment. A global team of more than 600 members is active in some 65 countries each year.

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### **EMPOWERING PEOPLE**

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PICTURE: WINROCK INTERNATIONAL  
*In Guatemala, renewable energy is powering local villages and economic development.*

### **MARKET-LED APPROACHES**

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communities. Winrock volunteers assist farmers, businesses, organizations, and governments worldwide by sharing their expertise. Winrock volunteers have traveled to 45 countries and completed more than 4,000 assignments. Domestic programs address development challenges in U.S. rural communities, stabilizing local economies, creating new sources of income, and promoting public and private sector partnerships.

### **MANAGING NATURAL RESOURCES**

Supporting the food and income needs of growing populations while conserving habitat and biodiversity. Renewable energy is essential to economic stability and growth, creation of jobs and small businesses, improved living standards, and a healthier planet. As a leader in ecosystem assessment and forestry, Winrock deploys a broad range of technologies to provide accurate data and comprehensive planning for decision makers.

*Profile contributed by Winrock International.*



### WINROCK INTERNATIONAL

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## Australian Attitudes on Private Contractors

**FROM** page 13  
BRUCE OSWALD

accountable and ensuring that military contracting companies take their responsibility to protect their employees seriously.

Generally, very little monitoring is undertaken of contractors and consequently, there is limited information available concerning the terms of their employment. While it is true that the terms of employment for contractors are based on contractual obligations, there is very little oversight or international regulation of their employment. Furthermore, the involvement of corporate companies in employing contractors further complicates the accountability of individual contractors because there is very little oversight of the

types of people employed or the terms on which they are employed.

The accountability of contractors also needs to take into account the tensions that exist between achieving internationally recognized standards of human rights and corporate profitability. The industry and governments involved should consider (1) developing more effective jurisdiction over individuals and firms; (2) developing an international and/or national licensing body that can vet contracting firms that intend to, or are operating in peace operations; and (3) creating a permanent international body and a subsidiary independent complaints system in the operational area to monitor, investigate, and make recommendations. In addition, such a body could provide feedback on complaints made against contractors to employers, mission

managers, other affected organizations and local stakeholders.

There is no doubt that military contractors play an important role in military operations in the 21st Century. A challenge facing Australia is whether the industry and the Australian Government can find the appropriate balance between commercial reality and the need to adhere to government requirements, such as safety, transparency and accountability. Where the ADF employs military contractors, both the ADF and the industry appear to be engaged in seeking the appropriate balance. However, striking this balance is not a matter only for Australia but one that the international community and the industry need to consider on a universal level.

*The author is grateful to Louise Parrott and Liz Saltnes for their assistance with this paper.*

# Peacekeeping and Stabilisation Operations Asia Pacific 2006

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## Conference focus

The UN currently has over 71,000 members deployed in 19 peacekeeping operations around the world. New UN peacekeeping operations are being launched on average once every six months with four of the top five peacekeeping personnel contributing nations being regional states (Bangladesh, India, Pakistan and Nepal combined provide 42.5% of the total amount of UN Peacekeepers). In addition to this, the need to assist regional neighbours post natural disasters, and those experiencing internal instability is on the rise. The cost of these varied operations is escalating, with the need to minimise costs and broaden the base of contributors becoming powerful across the Asia Pacific region. By participating in this forum a greater understanding of the composition and conduct of future peacekeeping and stabilisation operations will be achieved. Organisational structures for effective future operations will also be proposed. The need for streamlining stability efforts through increased civilian and private enterprise participation will be examined, accentuating the need for unification of interagency cooperation. The event will also include an in depth look at the future requirements for training and education of personnel prior to peacekeeping and stabilisation operations.

## Key issues to be covered

- Civilian police and their role in peacekeeping and stabilisation programmes
- Corruption and mismanagement: their effect on the success of an operation
- Creating stable economic development and nation building efforts
- Cross cultural/language differences – dealing with these factors
- DDR – disarmament, demobilisation and reintegration
- Effective use of contractors, maximising value and oversight
- Force command, composition and structure
- Foreign aid, aid organisations and their role in intervention efforts
- Intervention operations: Ensuring a swift and sure response
- Military preparedness to protect civilians in conflict
- New and future technologies for peacekeeping and stability operations
- New possibilities for humanitarian intervention
- Reviving infrastructure – restoring public confidence
- The changing threat environment – using the right amount of force
- UN Peace-building Commission and the need for ongoing support
- Understanding the military role within large multi-organizational operations
- Unifying interagency operations – an integrated system
- Winning the hearts and minds of a populace

## Potential case studies

- Afghanistan
- Iraq
- Namibia
- Sierra Leone
- Somalia
- Darfur
- Korea
- Rwanda
- Solomon Islands
- Timor-Leste

## Past speakers

Previous **marcus evans** defence speakers include:

Admiral Robert Willard  
US Navy

Lieutenant General Camporini  
Italian Army

General Al Gray  
USMC

Lieutenant General Sattler  
USMC

General Richard Meyers  
USAF

Lieutenant General Shea  
USMC

Vice Admiral Harms  
US Navy

Brigadier Andrew Smith  
Australian Army

Vice Admiral Doug Katz  
US Navy

Brigadier General Joseph Votel  
US Army

## Defence profile

- Academics and Public Think-Tanks
- Attorney General's Department
- Directors of Operations
- Directors, GS 13-15 and O-6 to O-10
- Future Warfare Analysts
- Interior Departments / Ministries
- Joint Forces Directorates
- Managers of Threat Reduction
- Rapid Response Commanders
- Field Commanders
- Directors of Training
- Senior Military and Civilian Security Personnel
- Tactical Reserve Commanders
- Agency Commanders
- Defence Departments
- Directors of Peacekeeping and/or Stabilisation Response
- Foreign Aid Departments
- Intelligence / Information Managers
- International Deployment Groups
- Managers of Threat Detection
- Project and Contracting Officers
- Reconstruction Teams
- Regional and International Organisations with peacekeeping interests: (EU/UN/NATO/AU/ASEAN)
- State Departments
- Treasury Departments

## Industry profile

- Infrastructure reconstruction contractors
- Support services providers
- Stability service providers
- Security personnel providers
- Security equipment contractors



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