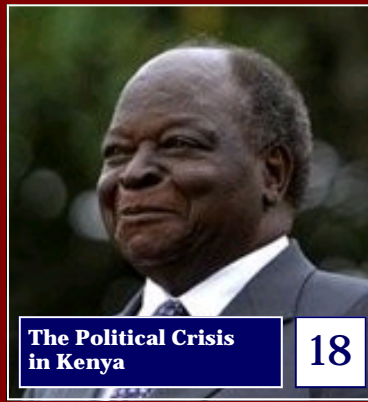


# JIPO

JOURNAL OF INTERNATIONAL PEACE OPERATIONS



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# Corporate Social Responsibility



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# Corporate Social Responsibility

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DOUG BROOKS



## Recognizing Good Work

*But Addressing Gaps in Accountability Where They Arise*

**L**AST month in Dubai I gave a presentation on private security company accountability at the Iraq Defence, Security & Communications Summit. This well-attended conference brought together Iraqi and U.S. government officials as well as a large number of private sector companies – including quite a few IPOA member companies – to examine ongoing Iraq reconstruction efforts and what could be done to spur economic growth. While not the primary topic of the conference, the private security accountability issue was a significant concern among the Iraqi officials with whom I met, but it is clear from our discussions that the issues are not insurmountable.

In my presentation, I highlighted the value of the private sector to the reconstruction and security of Iraq. Local Iraqis as well as Americans, Britons and scores of other nationalities are doing significant work reconstructing infrastructure, protecting facilities and working to minimize the risk to leaders and experts so they are able to carry out their missions. With roughly 120,000 Iraqis employed by the industry it may be the greatest counterinsurgency effort currently underway in Iraq. Nevertheless, both inside and outside of Iraq, the industry is too often demonized rather than celebrated, and much of this enmity comes from the questions about employee accountability.

Even when appropriate venues are available, the perception of gaps in accountability can still be troublesome



Much of the reconstruction work in Iraq is being carried out by local contractors, here under the supervision of personnel from the U.S. Army Corps of Engineers.  
PHOTO: CPO EDWARD MARTENS/U.S. ARMY CORPS OF ENGINEERS

among the populace of nations hosting peacekeeping and operations. Since most industry employees are locals they are naturally subject to local law, though in weak and failed states such law can be sporadic at best. For internationals, they are sometimes under local law as well, but more often subject to laws from external states involved in the intervention. When legal enforcement

of expatriates is opaque, even minor incidents can spark tremendous resentment. Iraq is not the first place this has been an issue; we have seen this with UN staff or military personnel and even NGO staff where too often the alleged perpetrators are simply whisked out of the country without punishment.

External legal systems are necessary in contingency operations to ensure fair trials for non-local employees willing to

serve in extremely difficult and dangerous environments. Nevertheless, local populations have a valid interest in seeing a

transparent and effective legal process for the contractors, peacekeepers and NGO personnel who are supporting the mission. IPOA has been supporting bills in the U.S. Congress that address this opacity for contractors, offering greater transparency of the legal process. We are pleased these are moving towards implementation.

My discussions with Iraqis have also reinforced my conviction that companies in our industry should take pains to ensure they are fully cognizant of cultural sensibilities. Even ignoring the strong ethical dimension, this makes commercial sense as well since long-term operational well-being requires that contingency contractors show deference to local authorities and local customs - even when the legal jurisdiction is clearly external due to international laws or status of forces agreements. Simply treating locals, their families and their authorities with dignity and respect goes a long way to resolving conflicts and assuaging anger. Indeed, good cultural practices help to build bridges and trust which benefit private operations as well as enhancing the larger peace and stability mission.

Ultimately we advise companies that when something goes wrong, to 'do the right thing.' Bad things can happen to the best companies, and with the industry under so much scrutiny it is as important to be ethical as it is to be legal.



Important construction work on border forts is being conducted by local Iraqi contractors.

PHOTO: U.S. ARMY CORPS OF ENGINEERS/GULF REGIONAL DIVISION

Email Doug Brooks at [dbrooks@ipoaonline.org](mailto:dbrooks@ipoaonline.org)  
The author is the President of IPOA.



DEREK WRIGHT

# Tangiers International and Insitu, Inc. Join IPOA



*Organization Begins New Year with Two New Member Companies*

IPOA would like to welcome Tangiers International and Insitu, Inc. as our newest member companies.

With offices in the U.S., Italy, and Malta, as well as highly trained field representatives around the world, **Tangiers International** is able to provide insurance support services pertaining to investigations, medical evaluation and matters related to the U.S. Department of Labor Defense Base Act (DBA) on a global scale.

**Insitu, Inc.** is a privately-held company that provides Unmanned Aerial System (UAS) Intelligence, Surveillance and Reconnaissance (ISR) solutions, including the ScanEagle, Insight and Integrator UAS as well as OCONUS ISR operation support services. Principal end-users include the United States Navy, U.S. Marine Corps, U.S. Special Forces, Australian Defence Force, and U.K. Ministry of Defence (Royal Marines) in combat zones, areas of conflict and maritime patrols worldwide.

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focus founded to date: transportation, construction, and healthcare & retirement facilities. Scott has been designated by the Independent Insurance Agencies & Brokers of America (IIABA) as a Best Practices Agency every year since 1994. The company qualified for this status by ranking among the top performers in the country. Scott is also highly-ranked on the Insurance Journal's Top 100 List (top brokers in the U.S.), moving from 35th to 22nd in 2006.

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J. J. MESSNER



## Derek Wright Leaves IPOA

*Director of Development Ends Successful Tenure*

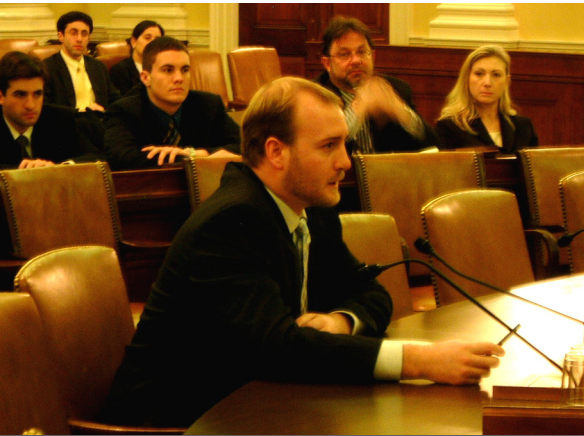
**A** KEY member of IPOA's leadership team, Director of Development Derek Wright, will be leaving the organization at the end of February 2008. Derek began at IPOA as a Research Associate during the summer of 2005, and

is the only former intern to have transitioned to a permanent position in the organization. Derek took up the new role of Director of Membership in January 2006, when the IPOA leadership team expanded to include a second Director position. The position of Director of Membership (and later Director of Membership and Finance) was consolidated into the Director of Development in mid-2007.

Derek has overseen the addition of 33 new member companies to IPOA between January 2006 and January 2008, representing well over half the number of companies to have been granted admission to IPOA since 2001.

Derek also played a significant role in the financial development of the new Journal of International Peace Operations, as well as standardizing financial policies and procedures at IPOA. He helped found the Government Affairs Committee, established IPOA's Humanitarian Training program and has been published on numerous occasions on behalf of IPOA.

As Derek leaves IPOA for pastures new, IPOA is grateful for his substantial and significant contribution to the organization, and wishes him well for his future endeavors.



Derek Wright addressing an IPOA event on Capitol Hill in Washington, D.C. in 2007.  
PHOTO: J. J. MESSNER/IPOA

*Email J. J. Messner at [JMessner@IPOAonline.org](mailto:JMessner@IPOAonline.org)  
J. J. Messner is the Editor-in-Chief of the Journal of International Peace Operations and is the Director of Programs & Operations at IPOA.*

## Committee Changes at IPOA

*Two Key Committees are Merged into One*

**A**T the recent quarterly meeting of the IPOA Board of Directors, the Board voted to combine two of IPOA's key committees. Both the IPOA General Counsels Committee and the IPOA Government Affairs Committee have been merged to form a single entity.

The IPOA Legal and Government Affairs Committee will focus on issues of import to the private peace and stability operations industry regarding current legal issues as well as legislative initiatives. The Committee will concern itself with helping to improve regulatory frameworks as well as providing input and support to legislators in governments the world over.

Meanwhile, the IPOA Standards Committee has elected a new Chair for 2008. Mel Smith of Paxton International takes over as Chair of the Committee from Hank Allen of MPRI, who guided the Standards Committee through some of its most challenging periods.

## IPOA Hosts Events on Key Industry Issues

*Roundtables Address the Defense Base Act and Improving Contingency Operations*

**A** PANEL of experts provided an information session in mid-January for IPOA members on risk management, insurance and legal compliance issues, with particular focus on issues regarding the *Defense Base Act*. The panel included Dana Pietsch of AIG Insurance, Keith Flicker of Flicker, Garelick & Associates LLP and Joe Tassani and Darrell Coleman, both from DynCorp International.

The presentations focused on five key issues of relevance for IPOA member companies:

- An overview of the Defense Base Act;
- Defense Base Act claims;
- Medical, Repatriation, Accidental Death & Dismemberment and Life Insurance explained;
- How to buy insurance and ensure correct coverage; and
- International trade compliance strategies for overseas operations.

Video and resources from the event are available for purchase directly from IPOA. The package is available for US\$99.95 for IPOA members, or \$199.95 for non-IPOA members.

\* \* \*

**O**N January 14th IPOA hosted an information sharing forum focused on identifying the gaps in government training and education when working with private contractors in Complex Contingency Operations (CCOs).

The forum featured a panel of experts with a diverse set of perspectives, with experts from academia, the legal community, the military, the government and private industry all being represented. On the panel were Jon Gunderson of USIP, Shauna Alonge from the law firm of Crowell & Moring, LTC Jim Ruf of the Army's Peacekeeping and Stability Operations Institute (PKSOI), Larry

Samuel of the Office of the Coordinator for Stabilization and Reconstruction (S/CRS) in the U.S. Department of State, Hank Allen of MPRI, and Doug Brooks of IPOA.

The goal of the forum was to identify areas in which training is insufficient for government personnel who work in CCOs. By necessity, government personnel are sharing the same space with non-governmental organizations, international organizations, allies, and private sector entities while engaging in peace, stability, and disaster-relief operations. Education and training must be coordinated across the organizational divide in order to take into account the diversity of different stakeholders who aim to accomplish their goals quickly and effectively.

The two-hour forum was a success, and though it raised more new questions than it answered, it will undoubtedly lead to further discussion on the topic.

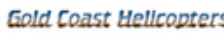
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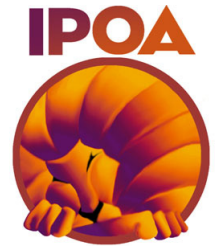
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DOUG BROOKS

# From Humble Beginnings in Freetown

*The Origins of the IPOA Code of Conduct and Its Importance for the Industry*



IPOA was founded in 2001, but the origins of the IPOA Code of Conduct date back to late 2000 and the international peacekeeping operation in Sierra Leone where private contractors provided robust and extensive support for the UN efforts. At that time I was an academic fellow with the South African Institute of International Affairs (SAIIA) and doing my own academic research on the role of the private sector in peace and stability operations. SAIIA assigned me a number of tasks as a part of my fellowship, one of which was to research a paper on the “political economy” of the war in Sierra Leone, a conflict that was almost a decade old at the time.

In the second half of 2000 I made two visits to Sierra Leone and interviewed scores, if not hundreds, of people from all backgrounds, including journalists, UNAMSIL (the name of the UN mission), nongovernmental organizations, human rights organizations, the Sierra Leonean government, trade unions, various embassies, refugees, Sierra Leonean and British soldiers and of course contractors. At the time, Sierra Leone hosted the largest peacekeeping operation in the world with more than 17,000 UN troops, police and staff in a country of less than four million people.

I often like to point out that international peacekeeping is marginally

better than the alternative of complete and total war, and Sierra Leone was case and point. Most of the peacekeeping force was bottled up in Freetown along with more than a million refugees because the majority of the hinterland was controlled by the Revolutionary United Front (RUF), a ruthless guerilla group renowned for chopping off the hands and arms of civilians. Although some academics have assigned political motivations to the RUF, one thing the Sierra Leoneans I interviewed were very clear about was that the RUF were little more than a glorified street gang instigated by Charles Taylor, the president of neighboring Liberia. In May of 2000 thousands of UN troops had been routed back to Freetown by the RUF's band of ragtag child soldiers, and hundreds of UN troops had been killed or captured. By the time I arrived, thousands of young male peacekeepers from around the world were idle, along with hundreds of thousands of desperate refugees; the problems that resulted were inevitable.

At the same time UNAMSIL itself was significantly held together by a small number of remarkably professional and robust private companies. ICI of Oregon flew armed helicopters for the U.S. Embassy and was frequently used to shuttle dignitaries and political figures around the country or to directly support UN operations – on occasion delivering supplies to surrounded UNAMSIL units, a mission UN helicopter units sometimes refused due to the risk. DynCorp and PAE provided an amazing array of logistics, construction and other support services to UN militaries from developing countries that had almost no logistical capabilities of their own. Southern Cross Security employed Sierra Leoneans



One of the expansive refugee camps that sprung up as a result of the violent conflict in Sierra Leone. Private contractors provided a valuable service that helped to protect the lives of innocent civilians.  
PHOTO: DOUG BROOKS

to protect UN facilities and provide coast guard services. Wackenhut Security protected the U.S. Embassy. Some in the UN and NGO sectors were disdainful and characterized the companies as ‘war profiteers,’ but the reality was that the private sector was indispensable to the functioning of the UN mission and they were doing their jobs with consummate professionalism and ethical practice. Sierra Leoneans understood this reality far better than the international community.

Sierra Leoneans may be the most realistic people in the world about the value of effective security, having seen it fail so many times with disastrous results. They strongly believed in the legitimacy that the UN brought to the international peacekeeping effort, but they had lost any faith in the capability of the UN to provide actual security. After the rout of UN force in May it only took a few hundred very professional British soldiers to stabilize the situation. By the time I arrived about a hundred remained in Sierra Leone prepared to ‘shoot the appropriate people at the appropriate time,’ and thus providing a stable security foundation for the success of UNAMSIL and the peace agreement. Sierra Leoneans were justifiably terrified that the British might withdraw and UNAMSIL would collapse again, and they openly welcomed the concept of private

CONTINUED NEXT PAGE



Several representatives from the local Sierra Leone NGO community who helped draft the original document which would become the IPOA Code of Conduct.

PHOTO: DOUG BROOKS



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The author is President of the International Peace Operations Association.



IPOA President Doug Brooks in Sierra Leone in 2000. Behind is an Mi-8MTV helicopter operated by U.S. contractor, ICI of Oregon, which provided aerial services to the U.S. government during the conflict.

PHOTO: DOUG BROOKS

-maker I knew. We welcomed their many suggestions and improvements and the result was a much enhanced document. The Code remains a 'working document' to this day. The current version of the Code of Conduct is the 11th, and this summer IPOA will host a summit on the Code and we will invite key specialists to help us ensure that the code continues to be timely, relevant and respected.

The reality is that the West has largely abandoned international peace operations which do not directly support their national interests, leaving these perilous missions to militaries from the less developed parts of the world - robustly supported by the private sector. Private services are just too valuable and cost-effective to ignore, and contingency contractors will continue to support international peace and stability missions into the future. It is critical the international community be proactive in ensuring that the companies doing this work in conflict and post-conflict environments and among highly vulnerable populations are the most professional and ethical available. IPOA's Code of Conduct is an important step towards ensuring the best companies are doing this critical work. The value is even further enhanced by the fact that dozens of companies from around the world are demonstrating their support through their membership of our Association. The international community pays contractors to support their peace and stability missions; there is absolutely no reason they should not expect those contractors live up to the highest standards.

## FROM PREVIOUS PAGE

humanitarian security under a UN mandate.

It was during my second visit to Sierra Leone that I had a two day meeting with a group of NGOs, lawyers and humanitarian organizations that codified some basic principles on how the private sector could be ethically utilized and what sort of transparency and accountability should be

required of private firms engaged in these sorts of humanitarian operations. This document eventually grew to become IPOA's Code of Conduct.

At the conclusion of my fellowship I returned to Washington, DC where I solidified the IPOA concept and circulated a version of the principles we had designed in Sierra Leone among every relevant academic, human rights specialist and policy

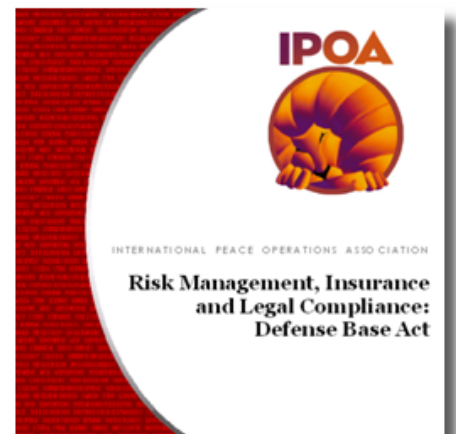
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- *An overview of the Defense Base Act;*
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- *Medical, Repatriation, Accidental Death & Dismemberment and Life Insurance explained;*
- *How to buy insurance and ensure correct coverage; and*
- *International trade compliance strategies for overseas operations.*

Presenters include Dana Pietsch of AIG Insurance, Keith Flicker of Flicker, Garelick & Associates LLP and Joe Tassani and Darrell Coleman, both from DynCorp International. The presentation from this event is available for purchase directly from IPOA. The package is available for US\$99.95 for IPOA members, or \$199.95 for non-IPOA members. Please contact J.J. Messner to order a copy of the presentation.



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# The Importance of Following the Rules

*A Corporate Perspective on Honest Business Practices in Africa*

**R**EGULATION and governance are key themes for private security companies, particularly those operating in Africa. In all but the most anarchic of African countries, some level of regulation regarding the provision of security services exists. In some countries, this might be little more than a requirement to be registered with the chamber of commerce. But in the majority of African countries, the requirements for licensing and regulation definitely exist.

Often these requirements are driven by the nature of the state and range from the complex (designed to ensure regulatory compliance, minimum standards, consumer protection and legal accountability), to the protectionist (designed to limit or restrict foreign security companies and favor local business), or to the paranoid (where states, unable to differentiate between national and personal security see private companies as the front for all sorts of nefarious foreign government subversion).

However, the point is clear: If a company is required to be licensed, then a company should get licensed. Sure, it can be an onerous and at times expensive process, but it is a process that nevertheless must be complied with and not short circuited.

All too often in the past, I have come against competition, big and small, established and start up, who state they are licensed to operate in a particular country when I know for a fact that they are not. Similarly, I have competed for business, lost, and when debriefed by the client been informed they are using a company which when questioned about their registration has assured the client that all is in order, when plainly I know that that is not the case. And here is the rub. Simply because a company knows or has a relationship with the cousin, uncle, nephew, or brother once removed of the Minister of Interior, or the President's wife's best friend, does not mitigate in anyway the responsibility to comply with the regulatory environment.

However small a contract might be – even it is simply to provide a single site security manager – if a company is required to be registered, then it should get registered. By circumventing the system, companies unfairly disadvantage those who have gone about establishing their business in the correct way and more importantly, such practices undermine the principals and objectives that this association is fighting to promote and secure.

Furthermore, the fact that a company might be several thousand kilometers away,

and therefore out of sight and out of mind, is not an excuse to flout local regulations. The one thing that operates particularly efficiently in Africa is the passage of information. As an industry, we must all practice what we preach. It is not good enough for companies to sit at home in Europe or the United States and present themselves as an ethical and conscientious service provider only to pay lip service to those ideals when on operations whether they be in Kinshasa, Lagos, or Timbuktu. Failure by companies to comply with the very principals they have signed up to only discredits the industry.

Like all calls for regulation, everybody claims in their literature, on their web sites and in their sales pitch that ethics and governance is at the forefront of their approach to doing business. But in Africa all too often I come across companies and/or individuals who think it is acceptable to turn a blind eye to those ideals and do things the local way.

A few years ago, I had the chance to talk with the commercial attaché of a U.S. Embassy in Africa, and he explained how he believed the U.S. Foreign Corrupt Practices Act was an outstanding piece of legislation, one of the few genuinely realistic attempts to understand the difficulties that western companies and individuals face in less regulated states. He went on to say that the Foreign Corrupt Practices Act differentiates between what you are entitled to receive and that which you are not and used the following example:

Paying \$50 to a customs official who has not been paid for 3 months to release your vehicle from the port when you have paid your taxes, import duties and local registration fees is simply a practical solution to facilitate that which you are entitled to receive. Doing the same when you have not paid your taxes, duties or fees is bribery, as you are paying for something that you are not entitled to receive.

Now, *ex-gratia* payments should never be condoned, regardless of the reason or justification. But this is an example of the pitfalls of operating in Africa and all too often, international companies can tend to think it acceptable to do things the local way. It is not. Neither is acceptable to pay lip

service to ethical business practices because the client has requested that you do so. Ethics are ethics and corruption is corruption, and the fact that a client has requested you to undermine these principles does not provide justification for such activities.

As difficult as it may be and notwithstanding the importance of that contract to a company's business, a company must always retain the high ground and refuse and, if appropriate, report it back to either the company's, or the client's, head office.



Bribery and corruption is seen by some as an acceptable means to an end in Africa, but ultimately, aside from being illegal, such practices are detrimental to the industry as a whole.

Experienced Africa hands will probably think that refusing to play the commercial game the local way is a short cut to nowhere. This is simply a myth. Playing the game in Africa with a straight bat is the only way that in the long term this industry can survive. Furthermore, the continent has come a long way in the past ten years and the free wheeling business practices of the 1970s and 1980s are slowly being consigned to history. The industry must play its part because that is the price of membership, not only of organizations such as the International Peace Operations Association, but of an ethical and regulated industry as a whole.



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This article is adapted from a speech delivered to the Annual Conference of the British Association of Private Security Companies in London in November 2007.



MANUEL CORTIZO GARCÍA



## Diverse Views on Corporate Social Responsibility

### *And Finding Ways to Bring Them Together and Make Them Operational*

**T**HE debate about corporate social responsibility began in the United States early in the 20th Century, soon after the development of new technologies, the acceleration of the global economy, a growth of economic activity and the awakening of the ecological consciousness. However, despite these important developments, a consistent approach to corporate social responsibility does not yet exist.

The concept of Corporate Social Responsibility can take many forms, and corporations may observe and implement it

socially and ecologically sustainable operations thereby balancing the interests of diverse stakeholders.

These are different definitions of Corporate Social Responsibility derived from the same core concept. However, they do share some common points. For example, business objectives and ethics are integrated in all procedures, identifying all potential stakeholders as well as the impact that business' practices can have upon a population (at both the individual and societal levels).

It is important to remember that

Corporate Social Responsibility begins with the applicable local, regional, national and international legislation. Corporate Social Responsibility is not only meant to support laws that affect society, (be it labor, taxes, social security, etc.) but to also go further in building on them. Indeed, Corporate Social Responsibility requires more than compliance with the law. This may, for example, include integrating people with disabilities into company operations, setting wages that are above the sector averages, allowing workers to gain from company profits, avoiding labor

discrimination, and integrating all stakeholders into the business decision-making processes.

Ultimately, the key objective of Corporate Social Responsibility is to guarantee the sustainability of the company and the environment that surrounds it.

Ge2b, like all companies within the International Peace Operations Association (IPOA), is a company whose mission is to promote a high level of ethical and operational norms within the peace and stability operations industry. The company supports constructive dialogue with policy-makers on the growth and positive contributions from companies within the industry and aims to objectively inform the public on its activities and the role it plays in furthering international peace, stability and development.

Why do companies choose to align themselves with IPOA? Simply, IPOA is an

organization concerned with raising the bar of ethics in international peace and stability operations. In this regard, the inclusion of companies that are not socially responsible does not fit with the organization's objectives.

In the past, Ge2b has been concerned with meeting legislative requirements as a starting point for implementing its Corporate Social Responsibility. If a company is based in Spain, for example, but has commercial contracts in Afghanistan, a key question arises: Which laws are applicable and should be followed? In principle, a company should follow the applicable legislation in its home state while simultaneously taking into account legislation at the international level. Where legislation does not exist or is conflicting, a company should always follow the most restrictive legislative regime. By doing so, companies can establish minimum standards to meet their Corporate Social Responsibility goals. In certain operational environments, some questions will invariably arise. Are a company's labor policies fair? Are its employees satisfied? Has a company caused serious environmental harm? Has it caused or contributed to human rights abuses among the local population? If the answer to any of these questions is "yes," how can a company be considered socially responsible? Clearly it cannot.

Once Corporate Social Responsibility is integrated into a company's strategy, the company should make certain that it has identified all of the stakeholders (employees, clients, suppliers, the environment and all others that its business activities may affect), who should participate in helping to craft these Corporate Social Responsibility guidelines. A concern for Corporate Social Responsibility should also be communicated to each of these stakeholders. For example, a relationship with suppliers should demand a level of similar commitment to which companies maintain at internal levels.

The Ge2b code of ethics provides the company with guiding principles, but these principles must be implemented on a daily basis. The best way to see them realized is by through instituting effective management systems. After these principles are established, they must be communicated through company actions, and all stakeholders must be informed. Ensuring that these steps are taken will serve as a pragmatic gesture that creates trust and strengthens a company's reputation.



Working in countries such as Afghanistan can present legal challenges for foreign companies, including establishing which legal standards to follow. PHOTO: U.S. DEPARTMENT OF THE INTERIOR

in various ways. Internationally, the World Business Council for Sustainable Development defines it as the continuous commitment of companies to behave ethically and to contribute to economic development while they improve the quality of the lives of their employees, their families, the local community, and society in general. The International Finance Corporation shares a similar understanding.

Meanwhile, regionally, the European Commission views Corporate Social Responsibility as companies integrating their social and environmental concerns into their business operations and interactions with their stakeholders on a voluntary basis. CSR Asia describes it as the commitment of a company to implement economically,

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# A Human Rights Perspective on Business Ethics

*Placing the Substance Behind the Buzz Words*

**C**ORPORATE Social Responsibility, Corporate Accountability, and ethical business practices are all buzz terms that have gained cache in academia, the business world, civil society and the popular media. With the recently increased scrutiny of the Private Security industry, it too has been subjected to demands to act in a socially responsible manner. But what exactly does that mean?

In everyday parlance Corporate Accountability and Corporate Social Responsibility are either used interchangeably or portrayed as polar opposites. At one end, Corporate Accountability reflects mandatory standards for companies, whose abidance can be confirmed transparently by an independent party and ensured through enforcement and sanctioning mechanisms. Corporate Social Responsibility at the other end conveys the idea that it is advantageous for companies to voluntarily implement ethical business standards, as defined by key stakeholders in society. This is the “business case” for Corporate Social Responsibility; fulfilling legal obligations and societal expectations will secure continued business and boost the bottom line. Companies tend to prefer the term Corporate Social Responsibility because it implies that abiding by standards is a matter of voluntarily meeting or exceeding industry best practices.

However, this is an overly simplistic dichotomy that is neither conceptually accurate nor practically useful. Ultimately, companies are beholden to the societies which allow them to form and operate. Companies occupy a realm in which private interests in profit making must be balanced with public interests, such as the provision of certain goods and services, job creation, economic growth, the lawful conduct of business, and so forth. The balance between the public and private is most stable when corporations are accountable for upholding laws and regulations, have effective internal governance structures and voluntarily strive to meet the ethical standards set by society. Admittedly, defining socially responsible behavior is a bit of a moving target, closely linked to the public’s recognition of something as a social problem and not always aligned with the dictates of the law. But for any company with a public face, perception is everything.

Specifically, human rights organizations

assert that it is the responsibility of companies to respect human rights in their direct operations and to use their influence to promote human rights wherever they conduct business. This can be especially challenging for Private Security Companies operating in areas already rife with abuses, limited rule of law, and corrupt or ineffectual governments. With reports of some Private Security Company involvement in human rights violations, a number of organizations are seeking to prevent future abuses, ensure respect for international human rights and humanitarian law and bring violators to justice. Thus to date, much of the discussion of accountability has focused on legal issues related to bringing Private Security Companies under the jurisdiction of federal courts in order to prosecute cases of criminal misconduct. For example, since the Abu Ghraib scandal broke Amnesty International USA has pointed out that an incomplete patchwork of laws and regulations, combined with a failure to apply existing laws, has allowed Private Security Companies to operate in a virtual rules-free zone, where human rights violations have been committed with impunity. More recently, Human Rights First released a report accusing the Bush Administration of lacking the political will and failing to dedicate adequate resources to enforce laws and hold Private Security Companies to account for abuses.

While closing legal loopholes and bringing individuals who commit criminal acts to justice are of utmost importance – and ultimately only states have the sanctioning mechanisms at their disposal to enforce the law – companies must also examine their internal processes and procedures and their ability to meet the ethical business standards expected of them. Available evidence suggests that the industry has a systemic problem to address, one that goes beyond the misdeeds of a “few bad apples.”

Fully-fledged legal accountability for a global industry conducting business in difficult operating environments may be some time in coming, but the need to behave ethically persists despite limitations in current law. The pragmatic fact is that in the public’s eyes the industry is profiting from taxpayers’ monies dedicated to fighting the “war on terror” and should therefore be responsive to demands to minimize harm to

innocent civilians and eliminate waste, fraud and abuse. If the industry does not acknowledge this fact, it may find itself faced with Congressional efforts to expand the scope of inherently governmental functions off limits to the private sector.

Socially responsible Private Security Companies recognize the need for an effective human rights policy, and transparently report on efforts to implement one. Human rights are incorporated into hiring procedures, including screening out applicants linked to past human rights abuses. International human rights and humanitarian law standards are written into contracts and employees receive training on those standards, as well as on rules for the gradually escalated use of proportionate force. When, despite best efforts to the contrary, incidents of unjustified use of force occur, socially responsible companies not only cooperate with external government investigations, but also examine internal processes to assess what went wrong and prevent future incidents. The results of investigations are disclosed to the public, and every effort made to compensate victims.

Companies seeking guidance on Corporate Social Responsibility may want to review the IPOA Code of Conduct. The standards, which were vetted through multi-stakeholder forums involving human rights and humanitarian organizations, reflect key areas of concern for Private Security Companies desiring to achieve ethical business practices. However, standard setting is only a starting point. The industry can approach fuller accountability by sharing best practices and developing guidelines on how to meet standards, monitoring and publicly disclosing implementation efforts, and independently and transparently ensuring enforcement of the code.

It is simply not sustainable in the long run to ignore public perception, deny wrongdoing and flaunt demands for socially responsible behavior. Just ask Nike, Exxon-Mobil and Yahoo!



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KRISTA HENDRY



## Security, Human Rights in the Extractive Industry

### *Corporate Social Responsibility in the Oil, Gas and Mining Sector*

**F**IRST created in the year 2000, the Voluntary Principles on Security & Human Rights is an international, tripartite initiative designed to assist energy and extractive companies in maintaining the security of their operations globally while ensuring respect for human rights. Companies, governments and international non-governmental organizations (NGOs) initiated the process to draft a set of human rights guidelines specific to the challenges faced by these companies, which often operate in areas at high risk of conflict.

The Voluntary Principles address three

for Economic Co-operation as part of their own standards will serve to greatly widen their implementation.

The emergence of more private security providers in areas where the extractive companies are operating is creating more options for those companies to get back to their core business, by outsourcing their security requirements. With the higher level of scrutiny by various levels of civil society upon them, they will be reluctant to do so if their service provider cannot give them full assurance that more than adequate mechanisms will be put into place to ensure

mechanisms and building international awareness. While private security contractors are not part of the formal Voluntary Principles process, informal involvement that includes private security, is a method by which private security companies can demonstrate their support for the Voluntary Principles.

Private security companies that want to prove their commitment to ensuring compliance with the Voluntary Principles should engage directly with international, national and local NGOs as appropriate. While security companies already undertake assessments to develop an understanding on the ground for those issues that could potentially create a conflict risk or human rights situation, NGOs can be a key ally in attaining not only local knowledge but also an understanding of issues at an international level that are considered to be vital to the protection of human rights.

If NGOs begin to recognize private security companies as receptive of their analysis, greater trust could be built between the two types of organizations. This could ultimately lead to increased information sharing between the two constituencies, which could be beneficial to human rights protection. But not all NGOs will be in a position to undertake such a role. Sometimes their mandate (or merely a lack of resources) can prevent them from coordinating with private companies. As with any potential partnership, it is necessary to assess the prospective partner and understand its mission, goals, and any limitations that may affect cooperation. At least in the beginning, companies may find it easier to build relationships with NGOs in group settings, such as involvement in past and future meetings on the Voluntary Principles.

As the level of attention on private security companies starts to reach — or at times even exceed — the attention paid to the oil and mining industries, which can in no way be considered minor, there is also a great opportunity for learning from the Voluntary Principles initiative. Engagement with those critical of the industry can be instrumental in developing a better understanding by critics of the challenges faced by companies and potentially create opportunities to find solutions together. Working with NGOs on the Voluntary Principles can be a stepping stone to better coordination with the ultimate goal being the provision of the highest level of security while simultaneously protecting human rights.



Like many large multinational corporations, companies in the oil, gas and mining industry are under constant scrutiny for how they handle human rights concerns.  
PHOTO: INDYMEDIA U.K.

main areas: risk assessments, engagement with public security forces and engagement with private security. In regards to private security, the six main issues covered by the Voluntary Principles are: training, policy development and transparency of policies, monitoring, recording and reporting on allegations, contracting and vetting of employees.

A number of companies — 28 at the last count — have signed on directly to the Voluntary Principles while others have adopted them without joining the formal process, known as “the plenary.” The fact that the Voluntary Principles are increasingly adopted by multilateral institutions, such as the International Finance Corporation and the Organization

respect for human rights while addressing security concerns.

As such, the Voluntary Principles represent a growing business opportunity for private security companies, if they adopt a proactive stance for their implementation. Those companies that can provide the most detailed information to potential clients and their client’s constituencies about how they would ensure compliance with the Voluntary Principles, focusing on the six main issues listed above, could have a major competitive advantage.

Private security companies must understand that there is presently no existing checklist that one can merely follow for Voluntary Principles compliance. Currently, one demonstrates implementation of the Voluntary Principles by adopting the set of principles into company policy and then promoting these principles through developing best practices, sharing information, designing local

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# Implementing the Voluntary Principles

## *A Case Study of Security and Human Rights in Shell's Worldwide Operations*

**I**N 2000, the governments of the United States and United Kingdom along with companies in the extractive and energy sector and prominent NGOs developed and jointly agreed to a set of Voluntary Principles on Security and Human Rights. Since then, other governments (Netherlands and Norway), companies and NGOs have joined the process. The objective of the Voluntary Principles is to guide companies in maintaining the safety and security of their operations in an operating framework that ensures respect for human rights and fundamental freedoms.

Shell[1] has been a leading supporter of the Voluntary Principles since their inception. The Voluntary Principles are reflected in the Shell General Business Principles, which require Shell companies to respect the human rights of their employees and express support for fundamental human rights to society.

Shell companies implement the Voluntary Principles by several means: through briefings and workshops in Africa, the Americas, Australia, the Middle East, and South East Asia; the commencement of the implementation of the revised Group Security Standards; the introduction of specific reporting requirements for Voluntary Principles security incidents; the inclusion of the Voluntary Principles legal clause in private security contracts; and, in Nigeria, through the introduction in 2007 of a human rights and conflict resolution training program for security officials.

The revised Group Security Standards govern the protection of people, property, information and reputation against security threats to Shell companies worldwide and are designed to ensure that security is managed in a consistent manner across the Group. It also provides the procedures for local management, when taking security decisions.

The Group Security Standards state that all Shell companies are to manage security operations, and particularly armed security, in accordance with the Voluntary Principles. The derivative security manuals, tools, guidelines and management and procedural instructions include information on the implementation of the Voluntary Principles.

The new Group-wide incident management system was revised to allow details of security incidents with Voluntary Principles consequences to be reported and investigated so that lessons can be applied across the Group.

A legal clause was also developed, introducing compliance with the Voluntary

Principles for incorporation in contracts with private security providers. The Voluntary Principles clause requires private security contractors, their subcontractors and their agents to comply strictly with the Voluntary Principles, investigate security incidents promptly, cooperate fully in the investigations and apply appropriate remedial actions.

In addition, the Shell Petroleum Development Company in Nigeria introduced a human rights and conflict resolution training program for security officials (District Security Supervisors and Police personnel). The objectives of this training program are to create awareness of Shell's commitment to the Voluntary Principles; to enhance the participants' knowledge of national and international human rights laws; to increase their ability to handle conflicts; and to promote practical application of security and human rights in their daily work.

To ensure the quality of the content and delivery, Shell has engaged Nigerian-based NGO the CLEEN Foundation as the training consultant. The training is delivered over three days: day one provides an overview of the subject of human rights while days two and three focus on security and human rights with references to conflict resolution and crisis management.

Since 2006, the Shell Petroleum Development Company has introduced training on human rights and conflict resolution for front-line staff. The sessions are carried out by designated "human rights champions," who have been trained and certified by human rights experts from the Danish Institute for Human Rights, under the supervision of a Nigerian NGO.

The Shell companies in Nigeria also promote the awareness of the Voluntary Principles in structured engagements with government security agencies, where they discuss issues of conduct and deployment, the use of force and the reporting and recording of security incidents. Shell and other companies support the work of the Nigeria Task Force (a Voluntary Principles working group) with the aim of receiving formal endorsement for the Voluntary Principles by the Nigerian government.

In the case of Shell Pakistan, the implementation of the Voluntary Principles involves regular meetings with public security officials and private security

providers. In introducing the subject of the Voluntary Principles, relevant religious provisions on human rights were quoted to stimulate interest and references were made to prevailing customs and traditions, advocating respect for human life. The Voluntary Principles legal clause was subsequently included in contracts with companies providing security services to Shell Pakistan. The implementation of the Voluntary Principles is frequently reviewed with a local NGO.

Going forward, Shell will continue to raise awareness of the Voluntary Principles




The extractive industry has given considerable attention to corporate social responsibility issues, particularly concerning security and human rights.

PHOTO: CHRISTIAN LAGEREEK

through presentations, consultations and engagements with current and prospective Voluntary Principles participants (companies, governments and NGOs); the inclusion of the Voluntary Principles legal clause in private security contracts; the introduction of human rights and conflict management training programs for security officials; and support for Voluntary Principles in-country implementation processes.

### ENDNOTES

[1] Royal Dutch Shell plc and the companies in which it directly or indirectly owns investments are separate and distinct entities. The collective expressions 'Shell' and 'Shell Group' may be used for convenience where reference is made in general to those companies. Likewise, the words 'we', 'us' and 'our' are used in some places to refer to the companies of the Shell Group in general. These expressions are also used where no useful purpose is served by identifying any particular company or companies.

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## International Efforts at Corporate Ethics Standards

### *The UN Global Compact Seeks Social Legitimacy from Corporate Citizens*

**T**HE UN Global Compact will celebrate its 8th year of operation on July 26, 2008. While the call for its establishment was first presented by former UN Secretary General Kofi Annan at the 1999 World Economic Forum in Davos, Switzerland, it was not until a year later that the UNGC was officially launched as a unique “corporate citizenship initiative concerned with exhibiting and building the social legitimacy of business and markets.” [1]

Today, the Global Compact boasts of being the single largest voluntary network in the world, with almost 5,000 participants drawn from a variety of stakeholders such as transnational corporations operating in developed and emerging economies, business associations, and civil society groups. The Global Compact’s main goals consist of mainstreaming its 10 universally accepted principles concerning human rights, labor standards, environmental

monitoring process is one of the main points of contention when it comes to voluntary approaches to Corporate Social Responsibility promotion in general and the Global Compact in particular. In fact, critics claim that the Global Compact is merely a larger version of the same old regulatory initiatives mentioned above. They propose that in light of the existing lack of binding international standards for Corporate Social Responsibility, the Global Compact, as the most widely recognized initiative of all, should be allowed to bear more “teeth” by stepping up its monitoring and verification capabilities. Only then, these critics argue, could the Global Compact be genuinely considered a complementary regulatory effort to other existing international voluntary approaches.

These criticisms are well founded. The most prominent example of the deficiency of the Global Compact as a promoter of Corporate Social Responsibility standards is the inclusion of transnational companies such as Amoco, BP, Nestle, Nike and Rio Tinto in the Global Compact, which have all been accused of violating international standards.

A more recent controversial example is that of PetroChina, an important participant in Global Compact, which is also one of the oil giants currently operating in Sudan. In spite of massive international criticism of the Sudanese government’s ongoing human rights violations in the Darfur region, corporations such as PetroChina continue to conduct business as usual, whilst providing a consistent stream of financial resources to the Sudanese government. This has raised certain ethical questions among some observers of the Global Compact.

Under these circumstances, then, it is hardly reasonable for the Global Compact to sideline criticisms of being an outlet for certain socially irresponsible companies to overstate their level of compliance with the Global Compact’s principles.

Recently the Global Compact de-listed 394 of its participating corporations as a result of their persistent lack of communication on their progress in implementing its 10 principles. This decisive move was very welcome, but not enough.

While it is important to make sure that the Global Compact adopts a more authoritative disposition, bears more teeth, and implements an enforcement and accountability mechanism for transgressing corporations such as PetroChina, it is equally important to take into consideration what

other more moderate critics of the Global Compact are saying. According to these critics, the Global Compact should be not the end point of Corporate Social Responsibility regulation, but rather a stepping stone to the promotion of stricter, binding and universally acceptable standards such as the UN Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises with Regard to Human Rights.

Often simply referred to as the UN Norms, these standards represent a more comprehensive set of guidelines covering labor, environmental, and consumer protection issues pertaining to all transnational corporations, including those operating in conflict zones, in comparison to all other initiatives. Most importantly, the UN Norms are presented in a more mandatory language and would be a step forward in consolidating an international legal framework for Corporate Social Responsibility.

Unfortunately, the relationship between the Global Compact and the UN Norms is yet another source of controversy. Key business associations such as the International Chamber of Commerce and the International Organization of Employers, which happen to be strong partners of the Global Compact, have not welcomed, let alone endorsed the UN Norms. They insisted that the UN Norms represent a serious threat to voluntary regulatory approaches such as Global Compact and are not favorable to the interest of the business community.

Undoubtedly the Global Compact has some commendable qualities, such as the truly global nature of its participants, its multi-stakeholder engagement practices and its essential characteristic of being an outlet for UN and civil society groups to be in close dialogue with the business community in the area of Corporate Social Responsibility. However, it is evident that the Global Compact, despite its good intentions, will continue to face problems of sustained legitimacy.

All considered, it is only logical for the Global Compact to take into account what its critics are saying and support binding regulatory initiatives such as the UN Norms, while also incorporating its own independent mechanism for promoting corporate accountability.

#### ENDNOTES

[1] UN Global Compact. 2007. What is the UN Global Compact? URL located at: <http://www.unglobalcompact.org/AboutTheGC/index.html>



### United Nations Global Compact

protection and anti-corruption practices, as well as lending support to the realization of the UN Millennium Development Goals.

The Global Compact is presented as a complementary initiative to binding rules and other Corporate Social Responsibility regulatory frameworks at the national and international level. At the international level in particular, noteworthy regulatory initiatives include the Organization for Economic Cooperation and Development Guidelines on Multinational Enterprises (1976) and the International Labor Organization Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (1977).

All of these initiatives, including the Global Compact, are based on the principles of voluntary and non-binding regulation of corporate behavior. They therefore lack any form of independent monitoring and verification mechanism capable of determining the level of corporate accountability and compliance with the principles and standards of each of these voluntary schemes.

Not surprisingly, the absence of such a

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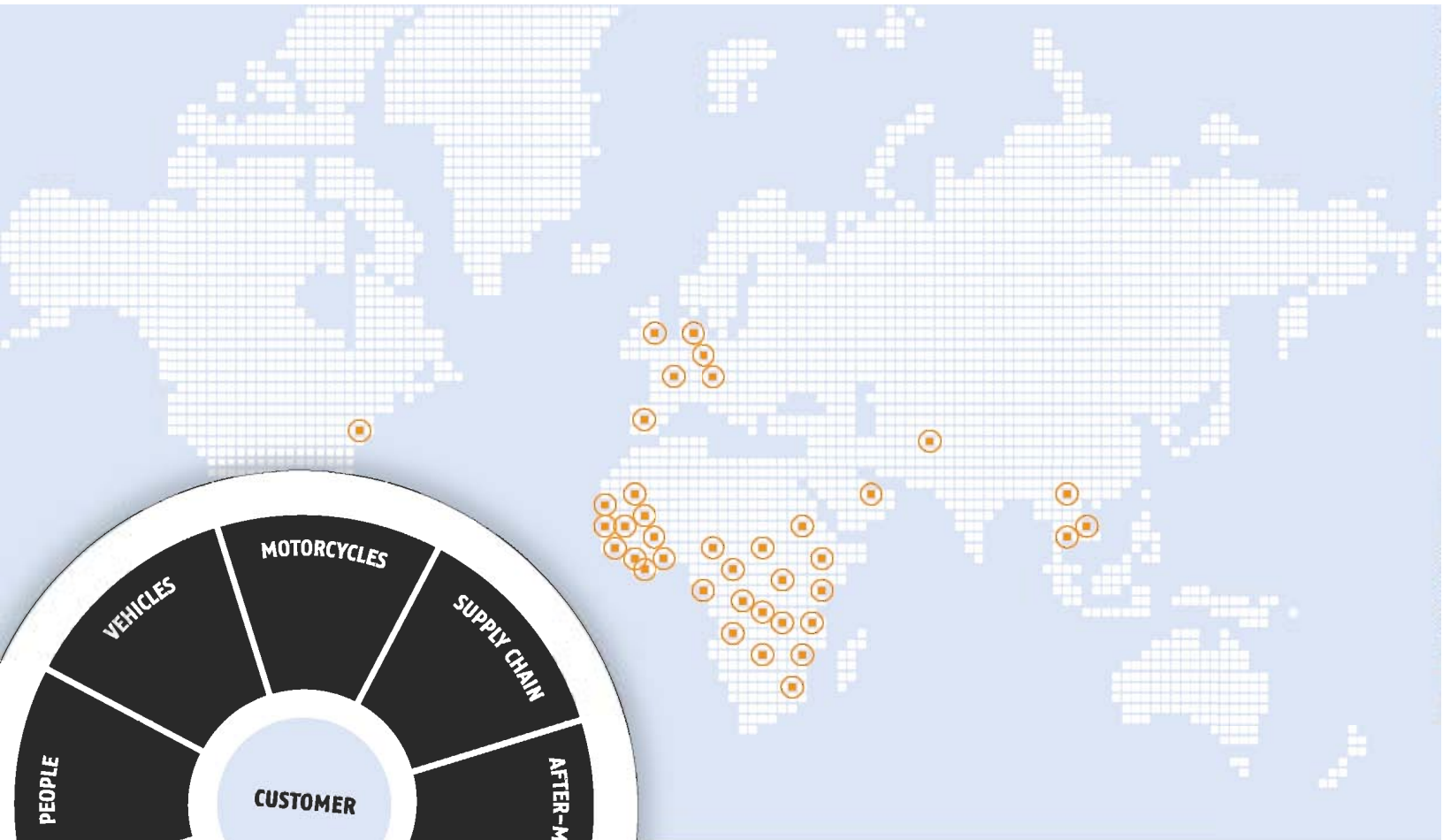
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BETHELHEM KETSALA MOULAT AND MOLLY STERNS

# Kenyan Crisis Threatens Entire Region

*UN and AU Regional Peacekeeping Mission Logistics Also Jeopardized by Instability*



**N**EARLY two months after controversial election results sparked widespread violence in Kenya, the country has settled into a tenuous calm, though tensions remain high. Over 1,000 people have died and an estimated 300,000 have been internally displaced in the East African nation formerly praised as a model of growth and stability for the region.

The protracted electoral dispute pits supporters of the main opposition leader, Raila Odinga, an ethnic Luo, against the ethnically Kikuyu incumbent Mwai Kibaki. Despite allegations of vote-rigging and fraud on both sides of the political divide, an electoral commission declared Kibaki the winner, effectively alienating the opposition and exacerbating longstanding tensions between members of the politically and economically dominant Kikuyu and those of the over 40 other ethnic groups in the republic. The result has been a series of nationwide protests, riots and demonstrations, most of which have quickly turned violent and left destruction and death in their wake. The chaos has reached such heights that the opposition has issued calls for an African Union-led peacekeeping force to replace the largely ineffective and highly mistrusted Kenyan National Police.

Efforts by the international community have thus far been concentrated on reaching immediate resolution through diplomatic mediation. U.S. Secretary of State Condoleezza Rice recently joined former UN Secretary-General Kofi Annan in an ongoing attempt to facilitate dialogue between the feuding political parties.

At present, however, hopes remain tentative and threats of renewed violence loom large. Even a successful power-sharing solution in the political arena will still fall short of both addressing all the underlying issues that catapulted Kenya into the recent stream of violence and of resolving the humanitarian crisis which has subsequently ensued.

Currently, the humanitarian response is coordinated under the auspices of the Kenyan Red Cross. But the organization is already overstretched in its outreach capability for providing shelter and water to Internally Displaced Persons, many of whom remain reluctant to return to their destroyed homes. Shortages in fuel across the whole of Kenya due to roadblocks and continued congestion of the port of Mombasa have further crippled efforts to provide humanitarian aid in remote locations, although significant progress has been made in recent weeks to relieve these delays.

While this instability poses obvious challenges to the future of a democratic Kenya, its significance extends beyond that country's borders to the other nations of the region, many of them already beset by recurring violence and disorder. As the "linchpin of East African stability and security" and "the region's transportation and communications hub," Kenya occupies a position of particular importance to the countries that surround it — countries whose fates are inexorably linked to that of the East African powerhouse. Landlocked neighbors like Rwanda, Burundi, Uganda and the Democratic Republic of the Congo depend on a stable Kenya to function, and so do the international humanitarian and peacekeeping missions that operate within these countries. The World Food Programme, for example, depends on a Kenyan base for its 2008 aid requirements to South Sudan, Uganda and the Democratic Republic of the Congo. Supplies to all three countries are transported via the Mombasa corridor, the largest in Africa, which covers more than 1,400km and is traversed by thousands of light vehicles, trucks and buses per day. Somalia's humanitarian assistance deliveries have not been impacted thus far by the crisis, but the worsening situation in Kenya means a loss of that neighbor as a safe haven from Somalia's own internal upheaval, widely referred to as the worst humanitarian crisis in Africa.

Another critical regional consequence of Kenya's unrest is an increasing refugee influx from Kenya into neighboring Tanzania and Uganda, countries whose inability to cope with the humanitarian consequences of the influx of Kenyan refugees is likely to produce calls for more AU or UN humanitarian assistance. But both organizations are already heavily involved in the entire region as part of ongoing missions such as AMISOM in Somalia, MONUC in D.R. Congo, ONUB in Burundi, UNAMID in Darfur, UNMEE in Ethiopia and Eritrea, and UNMIS in Sudan. These missions will inevitably face the obstacles of funding and resource allocation in the event of any new mission in the area. Furthermore, donor aid

money, which would otherwise be allocated to crisis-prone areas not only in Somalia but also in Burundi, Eastern Congo and Northern Uganda, is now likely to be funneled into Kenya both as an emergency stopgap measure and as part of a more long-term reconstruction effort. All told, it is estimated that a total of 100 million lives across the Great Lakes region will be negatively affected as long as Kenya remains mired in political turmoil.

Kenya's continued political crisis is problematic primarily for Kenyans, but it is also a major concern for the whole of East




Kenya is a key logistics hub for peacekeeping missions throughout eastern Africa; instability in Kenya seriously threatens these missions. PHOTO: CHRISTOPHE BOULIERAC/MONUC

Africa, and for the international community which seeks to bring stability to that region. If Kenya is not rescued from plummeting further into mayhem, the whole region will have to endure enormous security, humanitarian, logistical and economic challenges.

**ENDNOTES**

- [1] US Bureau of Political-Military Affairs Kenya page, <http://www.state.gov/t/pm/64672.htm>
- [2] IRIN – UNOCHA Report, <http://www.reliefweb.int/rw/rwb.nsf/db900sid/AMMF-7BKDUK?OpenDocument&rc=1&emid=ACOS-635P52>
- [3] AMISOM (Somalia), MONUC (Democratic Republic of Congo), ONUB (Burundi), UNAMID (Darfur), UNMEE (Ethiopia/Eritrea), UNMIS (Sudan).

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COL. CHRISTOPHER HOLSHEK

## Wallets on the Ground

### *Civil-Military Leveraging of Market Forces*

**R**ECENT trends have demonstrated significant growth in efforts to bring greater economic power and market forces to bear in peace, stability, reconstruction, and development operations.

Accessed largely through the interagency process from the private sector, this form of “soft power” fosters a more peaceful, stable, and profitable international environment. It also tends to be less expensive and risk-laden to governments, increasing feasible and sustainable strategic options for policy-makers.[1] This is particularly true in preventative versus post-conflict situations in areas such as Africa.

From the military perspective, however, leveraging the private sector is more than the result of a strategic or operational cost-benefit analysis: it is becoming an inevitable necessity. Understanding this imperative helps identify the operational determinants by which the military can more readily enable the introduction of market forces to conflict, post-conflict, and post-disaster environments. These market forces help to engender the desired effects that link peace and stability with prosperity and opportunity across the “aid to trade” continuum, and help to further synchronize defense with diplomacy and development.

In the strategic and operational environments of 21st Century contingency

operations, the 3 D’s of diplomacy, development, and defense are not only intertwined, their integration is now at the crux of fostering stability and freedom. For the military in particular, civil-military cooperation to introduce market forces for economic development has become critical to security and stability operations. Reflecting on some major lessons from his experience in Iraq, Lt. Gen. Peter W. Chiarelli explained:

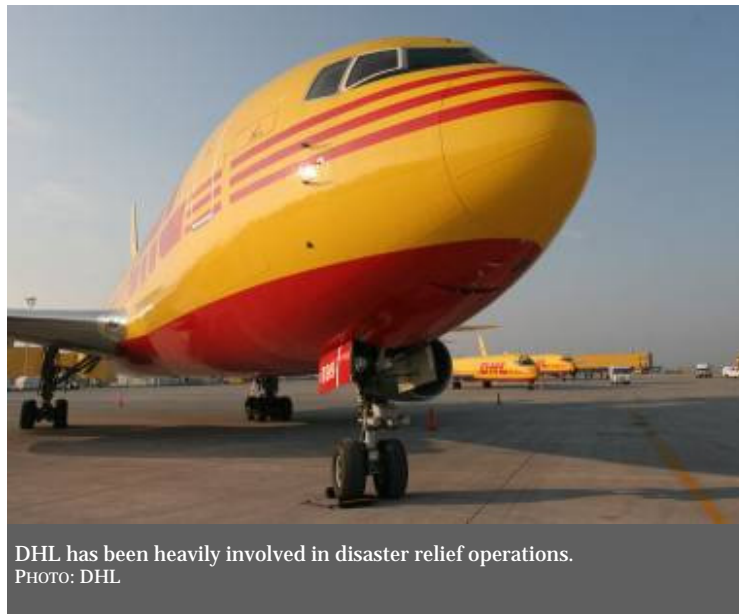
We should look to apply similar models of private sector/government integration in future operations

when the critical means of achieving our objectives fall outside traditional military roles. Our Nation’s economic power is often more important than its military power in ensuring strategic security; furthermore, the prosperity of our Nation and its people is what others covet—not our military power. We must continually look at ways to creatively leverage this influential element of national power to support our security objectives abroad.[2]

Economic development involves the removal of major sources of “unfreedom”, as Amrtya Sen in his book *Development as Freedom* terms it. A holistic, “3D” approach permits simultaneous appreciation of the

vital roles played by such varied institutions as market-related organizations, governments and local authorities, political parties and other civic institutions in promoting civil society (including the role of the media and other means of communication).

Beyond the intrinsic power of market forces as an agent of change, the private sector offers a number of comparative advantages not resident with government institutions. These include unique access to resources, networks, long-term commitment, sustainability,



DHL has been heavily involved in disaster relief operations. PHOTO: DHL

and surge capacity. In many ways, the private sector can get things done “faster, better, cheaper” – and with far less (political) risk. As implementers more than deciders, the private sector has a different approach to risk and opportunity. Moreover, economic and commercial development efforts internationalize, legitimize, and globalize the political-military effort. On a more operational level, as JP-37 points out, the private sector “...can assist the [U.S. Government] by sharing information, identifying risks [and opportunities], performing vulnerability assessments, assisting in contingency and crisis action planning, and providing other assistance as appropriate.”[3]

The good news is that there is just as much in it for the private sector as for the public sector. Beyond the Washington beltway, Wall Street finds itself increasingly in crisis zones where the public sector, international organizations, NGOs, etc., work to prevent, mitigate, and recover from conflict. Examples of this trend include the DHL disaster response team that worked closely with the UN for humanitarian assistance logistics management and supply chain solutions and initiatives such as Google’s Business Roundtable and NORTEL’s investments in telecommunications infrastructure in fragile states. Firms specializing in the service side of cooperative development are growing as well. With specialties in design, infrastructure, engineering, construction, and logistics, as well as the development and

CONTINUED NEXT PAGE

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management of rule of law programs, civil society reform, economic initiatives and security sector reform, development companies are partnering with the DoD on more projects than in the past. Even firms traditionally thought of solely as security providers are now branching out beyond defense and into support services in the diplomatic and development worlds.

Why? Because these outfits are realizing that it's not just about getting in on the ground floor of economic growth and opportunity, it's about creating it as well. Perhaps taking a cue from commodities firms in the oil, mineral, and natural gas industries, companies in the peace and stability operations industry are now beginning to realize that development work goes beyond "corporate social responsibility" in their market areas and good public relations in a global economy, it is also about opportunity development. As C.K. Prahalad explains:

If we stop thinking of the poor as victims or as a burden and start recognizing them as resilient and creative entrepreneurs and value-conscious consumers, a whole new world of opportunity will open up... The poor represent a "latent market" for goods and services. Active engagement of private enterprises at the Bottom of the Pyramid is a critical element in creating inclusive capitalism, as private-sector competition for this market will foster attention to the poor as consumers. It will create choices for them.[4]

This understanding is driving "whole of market" approaches to development involving greater balance and cooperation between the public and private sectors, and can be found in initiatives and innovations such as microfinance and private enterprise funding that focus on loans versus grants to local entrepreneurs and more "patient capital"; "value chains" of small and large enterprises; developing alliances among firms; a greater role for diasporas; and the use of Avon/Amway models to distribution to foster grass roots capitalism.

All this requires a certain degree of synchronization – an area in which the military has a distinct comparative advantage. The key, however, to leveraging the private sector and getting "wallets on the ground" from the military perspective is working through and with the interagency process. The growing imperative for greater public-private partnership in furthering economic development and political stability is evident in improving interagency ways and means. Among these are the Millennium Challenge Corporation, International Trade Administration, Foreign Agricultural Service, and National Chamber of Commerce, as well as the proliferation of direct partnering between USAID and companies like

Starbucks to build schools in coffee-producing countries such as Guatemala and Tanzania. In fact, 44 percent of USAID's assistance to the developing world in 2005 was in private sector capital flows.

While this expansion is promising, it nevertheless has its limits. The Overseas Private Investment Corporation (OPIC), for example, cannot assist the agriculture and textiles sectors of developing economies due to Congressional restrictions, while the Foreign Commercial Service cannot promote foreign direct investment, its mandate being only to promote U.S. exports.

In U.S. interagency stability and reconstruction operations, the defense community still finds itself in the lead because it has the planning and execution capacity and, more importantly, because it now realizes that the integration of non-military and softer elements of power – resident not only in the civilian agencies but especially the private sector – are essential to success. DoD must therefore be both a part of as well as adjunct to the interagency process. Good examples of this are DoD's Business Transformation Agency and the Task Force to Improve Business and Stability Operations in Iraq.

DoD has had a longstanding resident capacity for civil-military cooperation at many levels, among them a well-developed civil-military operations doctrine, civil affairs forces, civil-military best practices such as Civil-Military Operations Centers (CMOCs) and Provincial Reconstruction Teams (PRTs), and of course contracting mechanisms. There are myriad established points of civil-military intersection – DoD has long maintained relations with every major U.S. company and many foreign firms. Beyond private military and security firms and support services, however, the development assistance industry is the fastest-growing market as USAID, DoS, and DoD, among 34 U.S. Government agencies, outsource to private sector organizations for security sector reform, rule of law, governance and public sector capacity-building program design and implementation, land management, etc. For many of the same reasons, the defense community must look to work more

closely with the development assistance industry, Wall Street firms, and non-government organizations as much as these firms realize they must work more closely with the public sector.

Given this strategic understanding, there is much work to be done to more closely define the civil-military partnership and identify the operational determinants, advantages and opportunities, risks, and limitations of getting "wallets on the ground". As JP 3-57 concludes: "...leveraging the private sector to assume such roles and economic and business development is more than an economy-of-force measure to either prevent or stabilize a failed state or area. It often is the most expedient, effective, and longest lasting way to introduce the connectivity of globalization, grow a stakeholder community, and achieve a political-military end state friendliest to broad-based, long term U.S. interests." [5]

### ENDNOTES

- [1] Chiarelli, Lt. Gen. Peter. 2007. *Military Review*. [2] Sen, Amrtya. 2001. *Development as Freedom*. Oxford University Press. [3] U.S. Military. 1995. *Joint Doctrine for Civil-Military Operations JP 3-57*. URL at [www.dtic.mil/doctrine/jel/new\\_pubs/jp3\\_57.pdf](http://www.dtic.mil/doctrine/jel/new_pubs/jp3_57.pdf). [4] Prahalad, C.K. 2004. *The Fortune at the Bottom of the Pyramid: Eradicating Poverty through Profits*. Wharton School Publishing. [5] U.S. Military. 1995. *Joint Doctrine for Civil-Military Operations JP 3-57*. URL at [www.dtic.mil/doctrine/jel/new\\_pubs/jp3\\_57.pdf](http://www.dtic.mil/doctrine/jel/new_pubs/jp3_57.pdf).

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MELINDA BAKER

# President Bush Approves NDAA for 2008

## *U.S. Lawmakers Also Examine New Measures That Could Affect Industry*

**O**N January 28, 2008, H.R. 4986 – the National Defense Authorization Act for FY08 (NDAA) – was passed after President Bush unexpectedly vetoed an earlier draft that had been approved by both Houses of Congress. The veto hinged on §1083, which had the potential to allow for lawsuits against the current Iraqi government for unlawful actions taken under Saddam Hussein's rule. After threats by the Iraqi government to withdraw US\$ 25 billion worth of assets from U.S. capital markets as a result of the provision, the bill was vetoed, revised by Congress and finally signed by the President.

In his signing statement, the President highlighted four sections of the bill that he claimed might inhibit his executive authority as Commander-in-Chief, including sections that establish the Commission on Wartime Contracting and give protection to contractor employee whistleblowers who disclose information to authorities about relevant legal violations by defense contractors. Several members of Congress, including Sen. Jim Webb (D-Virginia) who co-sponsored the Wartime Commission provision along with Sen. Claire McCaskill (D-Missouri), disputed the President's claims to, in effect, discount these sections and reasserted Congress' authority to enact such legislation that would allow for improved contractor oversight and accountability.

The strong stance taken by some members of Congress should not come as a surprise. The themes of contract acquisition and contractor oversight and accountability have been the focus of several introduced bills and congressional hearings over the past year, as well as government and military internal assessments.

The NDAA brings to legislative fruition the multiple calls for clearer acquisition procedures, better inter-agency and contractor coordination, more detailed regulatory and reporting requirements and more specific mechanisms for reporting and investigating waste, fraud, abuse and other legal violations. Provisions dictating a Memorandum of Understanding between the Departments of Defense and State, as well as USAID, on contracting issues and the specification of regulations related to contractor operations are designed to target inter-agency coordination and regulatory clarification. At the same time, the NDAA provides for an Acquisition Workforce Fund



Co-sponsors of the Wartime Commission: Sen. Jim Webb and Sen. Claire McCaskill.  
PHOTOS: U.S. CONGRESS

with the goal of strengthening the capacity and capabilities of current acquisition personnel.

Congressional action on this front is no doubt long overdue, and the provisions included in the NDAA are a necessary first step in the government regaining control over the contracting process. It is of particular importance, however, that the regulatory changes mandated by the NDAA not only get developed, but are actually incorporated into the legal framework. A good example of this is Section 862, which requires a contract clause that incorporates the newly-revised regulations into the FAR. In general, doing so will not only better establish the government's position and authority regarding these regulations, but can also help facilitate contractor compliance.

On the accountability and oversight front, provisions in the NDAA such as the Commission on Wartime Contracting and whistleblower protections will perhaps serve as a driver for the more active pursuit of investigations into legal violations. The Commission, which is modeled after the Truman Commission that similarly investigated defense contracts during World War II, will be composed of eight members, appointed from the leaderships within both the House and Senate as well as the President. Its scope of assessment includes: the general extent of contractor reliance in Iraq and Afghanistan; contractor performance; contractor compliance with field commanders and overall mission objectives; and potential violations of federal law, the laws of war or other applicable legal standards. The Commission is tasked with collecting evidence and holding hearings (despite lacking direct subpoena power), writing reports on its findings and making referrals to the Attorney General.

Taking the spirit of the Commission a

step further and responding to the President's claims in his NDAA signing statement, S. Res. 437 was introduced by Sen. Bryon Dorgan (D-Maryland) two days after the NDAA was signed. The resolution would establish a bipartisan special committee to investigate the awarding and execution of contracts in Iraq and Afghanistan. In short, it would establish an official Senate committee that would function in the same capacity as the Commission, although with direct subpoena powers, should the President's reservations pose a challenge for the effectiveness of the Commission.

One of the most controversial areas pertaining to contractor accountability continues to be the lack of investigations and prosecutions of potential criminal wrongdoing. The MEJA Expansion Act – which would expand criminal jurisdiction to contractors working with any U.S. agency outside the U.S. during war or contingency operations – passed the House last October and is currently still in the Senate. The MEJA Expansion Act would certainly help clarify and enlarge the scope of contractor accountability, filling the gaps left open by the original Military Extraterritorial Jurisdiction Act (MEJA).

However, a report recently released by Human Rights First and championed by Sen. David Price (D-North Carolina), who introduced the MEJA Expansion Act, highlights that while expanded jurisdiction is needed, a lack of resources for investigating and prosecuting potential crimes has left the Department of Justice largely absent from the process and also weakened the force behind the current MEJA. To counter this problem, the proposed MEJA Expansion Act would provide for the creation of FBI theater units and would require the Department of Justice to report to Congress on the status of criminal investigations and cases.

Overall, the next year will prove to be a particularly critical time for the peace and stability operations industry. Currently, the NDAA calls upon Congress and other U.S. agencies to review contractor internal ethics codes, training programs and other personnel services. Several highly relevant bills including the MEJA Expansion Act, S. Res. 437 and the Stop Outsourcing Security Act are currently under consideration in Congress just as the Presidential election, with its potential for huge policy changes, is just around the corner.

### ENDNOTES

[1] See the report put together by the "Commission on Army Acquisition and Program Management in Expeditionary Operations," otherwise known as the Gansler Report.

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SERENA STONE

# The Second-Largest Security Industry in the World

*An Analysis of Private Security in the United Kingdom*



**T**HE British private security industry is the second largest in the world.

However, it displays rather different characteristics from its American counterpart due to its dissimilar client base. Whereas the U.S. industry relies heavily on contracts from the Department of Defense in military services, the British industry is almost exclusively 'security' rather than 'military' in nature. This is in part due to its origins.

While some trace the industry's starting point to "mercenaries" in the 1960s, that is a misunderstanding. The current private security industry is based on entirely different foundations. Britain has always taken a very active role in foreign policy, which has led some commentators to argue that Britain 'punches above its weight' in terms of what it can realistically achieve. As a result of this, there has long been a historical trend for high levels of both business and political activity overseas. This provided an ample market for the start-up in the 1970s of the first private security companies, Control Risks and DSL (now ArmorGroup). Control Risks has now expanded somewhat from its original business model, which was mostly to provide kidnap and ransom consultancy. At the time this was vital with the number of Britons living and working abroad, and the characteristic lack of Foreign Office involvement in hostage negotiations. DSL were instead in the unexploded ordnance removal business (UXO), made necessary by the aftermath of the first Gulf War.

The cultural environment in which foreign policy was conducted provided a suitable environment in which the services of private security companies would be in demand. In addition to this, prevailing economic liberalism fostered the general sense that security tasks could be taken on successfully and appropriately by the private sector, making markets and personnel readily available. It is interesting to note that the same liberalism has not been so far applicable to military functions. Indeed, the British military does not currently outsource beyond simple equipment maintenance functions, and some logistical tasks within the U.K. (rather than on deployments). There is a huge amount of caution in Britain about outsourcing tasks away from the military and it is unlikely that this will change in the immediate future.

However, there is a significant overlap of personnel if not tasks; most private security employees are ex-military, and so are many consultants. This is in part due to

the fact that the military is not seen as a long-term career prospect by many of its new recruits. Instead, the trend is for people to serve for a number of years and then move on to something else (this is in keeping with a general trend in the U.K. that makes career changes commonplace in all sectors). It is also perhaps in part due to the perception of the military itself, and its place in society.

General Sir Richard Dannatt, head of the British Army, recently spoke out on what he terms the 'social gulf' between the army and the nation. He cites a general indifference to serving troops and a lack of social interest in the achievements of the armed forces. Major-General Patrick Cordingley supported this point by elaborating that whilst the armed forces are at war, the British public is not.

Key here is the fact that a sizable proportion of the British population does not politically support many of the overseas operations in which troops are engaged. There is little separation in the minds of the public between the political debate and the everyday operational concerns of the military once they are committed to follow the government's decision. Subsequently, the military is perceived to be quite separate from the rest of society; not particularly something that fosters long-term career ambitions.

Again, this uniqueness of the military contributes to the fact that the British private security industry is just that; private *security* rather than private *military*. However, there is unfortunately some public confusion. General aversion to private security exceeds that to the military, partly because British private security companies are thought of as "private military companies," and therefore seen as representing a dangerous outsourcing of an already questionable function. However, in addition to the fact that British private security companies undertake almost no work for the military (or military-type functions), a large proportion of their work is desk-based analysis: political risk consulting, intelligence analysis, crisis response, due diligence and so on. Indeed, these private security companies undertake such diverse and comprehensive tasks to provide security and risk solutions, that it is sometimes difficult to determine the boundaries of 'the industry'.

Nevertheless, global demand for British private security companies has been increasing steadily since the mid-1990s, and the industry has expanded accordingly.



The British military has been highly active in Iraq; so too have British private security companies.  
PHOTO: SPC KELLY BURKHART/U.S. ARMY

Personnel who obtained their training in the British military are well-trained in the complexities of small wars and counter-insurgency operations, and have a well-grounded understanding of the 'hearts and minds' approach in these environments. The reputation for professionalism these companies have as a result of their highly-trained staff will stand them in good stead as the industry moves towards accessing new markets, including post-conflict reconstruction, security sector reform, and NGO support work. With growing emphasis on post-conflict reconstruction in the international arena, this would be both a prudent and necessary move for the industry.



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J. J. MESSNER



# Still Waiting for the West

*Since This Time Last Year, Very Little Has Changed*

**E**XACTLY a year ago, this column looked at the problem of “western-less” peacekeeping. Hardly a new phenomenon, and definitely not the first time it has been examined. But it is worth revisiting those figures and seeing if anything whatsoever has changed over the past 12 months. Admittedly, few readers (or even the author) would likely be holding their breath for a dramatic change in the situation. So, let us just mark this down as an intellectual exercise if nothing else. Western nations[1], despite generally possessing all of the resources necessary to effectively contribute to UN peacekeeping, have on the whole contentedly sat back and allowed the poorer nations of the world to assume the peacekeeping burden. As this column pointed out in the last issue, the top four personnel contributors to UN Peacekeeping Missions are Bangladesh, India, Nepal and Pakistan. The highest western troop contributing nation is Italy, who comes in at 10th place on the contribution rankings.

Since we last looked at this issue a year ago, much has actually changed in UN Peacekeeping. For starters, we have seen the beginning of no less than four new peacekeeping missions – BINUB in Burundi, MINURCAT in the Central African Republic, UNAMID in Darfur (Sudan), and UNMIN in Nepal. The UNAMID mission represents a massive new undertaking, particularly in UN terms, with 9,080 personnel, including 7,157 troops. Although, the other three missions only account for a global increase of peacekeeping personnel of 228, all of whom are either civilian police or military observers.

Overall, the number of blue berets, be they civilian police, military observers or troops, has increased from 81,992 to 90,881, an increase of just under 11 percent. Although, were it not for the UNAMID mission, the number of peacekeepers worldwide would have dropped, albeit marginally. Of the 18 missions examined this time last year, only four missions experienced a marked increase or decrease in personnel.[2] Three of these missions experienced significant increases in personnel – UNMEE in Ethiopia and Eritrea grew by 26.5 percent, UNOMIG in Georgia by 7.2 percent and UNMIL in Liberia by 3.5 percent. Only one mission experienced a

significant draw-down, with a 5.2 percent personnel reduction in the MINUSTAH mission in Haiti.

Now it is time for the annual tirade against western nations.

The percentage of western personnel in UN peacekeeping missions worldwide is currently 10.9 percent, down from 11.6 percent this time last year. In terms of troops, the percentage from the west this time last year was 12.7 percent; now it is 11.5 percent. Perhaps percentage changes of only about one percent are fairly meaningless in the grand scheme of things. But, ultimately, we are not seeing an increase, either. The significant swings in western contributions were more commonly decreases than increases, with the exception of UNMOGIP in India and Pakistan and MINURSO in Western Sahara, which saw increases in western boots on the ground of 5.2 percent and 3.6 percent respectively.[3]

In terms of troops, changes in the percentage of western boots on the ground has changed only marginally, with the most marked difference being a drop off in the proportion of western troops in the UNIFIL mission in Lebanon. In 2007, this mission was the marquee project for western nations in UN peacekeeping. Indeed, this column noted that:

When Israel launched attacks on Hezbollah in mid-2006, the West suddenly regained interest in UN peacekeeping. European nations began falling over themselves in a rush to contribute resources and troops to a bolstered UNIFIL mission, as France and Italy bickered over who would lead the mission. As of the end of January, the UNIFIL mission comprised 12,274 troops – 7,621 (62.1 percent) of which were from Western nations. So, taken globally, the UNIFIL mission has sucked in 85.5 percent of Western troops deployed to UN missions.[4]

Over the past year, the percentage of western troops in UNIFIL has dropped by just under 700 personnel as the entire troop commitment has actually risen by about 200. But even still, the UNIFIL mission is comprised of 55.6 percent western troops.

## Personnel Contributions to UN Peacekeeping

AS OF JANUARY 31, 2008	Total Personnel	Pct. Western	Military Personnel	Pct. Western
UNIFIL (Lebanon)	12,455	55.6 %	12,455	62.1 %
UNDOF (Israel/Syria)	1,045	39.1 %	1,045	39.1 %
UNFICYP (Cyprus)	925	35.2 %	859	32.2 %
MINURSO (W. Sahara)	222	11.3 %	27	3.6 %
UNMIL (Liberia)	14,690	0.5 %	13,290	2.6 %
UNOCI (Cote d'Ivoire)	9,138	2.2 %	7,830	2.4 %
UNMIS (Sudan)	9,891	2.2 %	8,718	0.6 %
UNAMID (Sudan)	9,080	0.5 %	7,157	0.3 %
MINUSTAH (Haiti)	8,993	2.9 %	7,066	0.1 %
MONUC (DRC)	18,385	0.3 %	16,612	0.0 %
UNMEE (Ethiopia/Eritrea)	1,674	1.7 %	1,461	0.0 %
UNAMI (Iraq)	230	3.0 %	223	0.0 %
UNTSO (Middle East)	153	82.4 %		
UNMOGIP (India/Pakistan)	43	72.1 %		
UNAMA (Afghanistan)	18	44.4 %		
UNOMIG (Georgia)	149	40.9 %		
UNMIK (Kosovo)	2,051	34.2 %		
UNOSIL (Sierra Leone)	35	28.6 %		
UNMIT (Timor-Leste)	1,476	22.0 %		
UNMIN (Nepal)	151	21.2 %		
MINURCAT (C.A.R.)	57	15.8 %		
BINUB (Burundi)	20	10.0 %		
<b>TOTALS</b>	<b>90,881</b>	<b>10.88 %</b>	<b>76,743</b>	<b>12.7 %</b>

Peace and stability operations can only succeed if they are given sufficient resources (in terms of finances, materiel, personnel and political will) and without that support, they will most certainly struggle. If the West is really serious about peacekeeping operations succeeding, it is time for actions to match words. Of course, this time next year, there will be no prizes for guessing what the situation is likely to be.

### ENDNOTES

[1] For the purposes of this article, the “west” is defined as Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Singapore, South Korea, Spain, Sweden, Switzerland, the United Kingdom and the United States.

[2] For the purposes of this article, the author adjudged a “marked” increase or decrease to be a margin of 3 percent or more. Two missions that experienced an increase of over 20 percent were disregarded, since the large percentage increase was due only to the originally small size of the mission (less than 30 personnel).

[3] Using the same caveats above, where the change is plus or minus at least 3 percent. One other mission experienced an increase in this region, that being UNMOGIP in India/Pakistan, but the 5.2 percent increase was on a total personnel commitment of 43. MINURSO in Western Sahara also experienced an increase in western personnel of 3.6 percent.

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AMBASSADOR HERMAN COHEN (RET.)

# Woe Somalia



*Why Common Sense and Compromise Must Prevail in the Horn of Africa*

**E**THIOPIA'S year-long effort to subdue and pacify enemy insurgents in the Somali capital of Mogadishu – and increasingly in surrounding areas – looks more and more like a classic quagmire. The rebels clearly have the motivation, the depth in volunteers, and an ample arms supply train from Libya and Egypt, through an Eritrean hub, that will enable them to keep the Ethiopian expeditionary force bogged down indefinitely. The costs in displacement and suffering to Somali civilians and the costs in military casualties and arms budgets to the Ethiopian government are becoming intolerable. It is clear that the time may be ripe for a grand bargain in the Horn of Africa. It is time to look seriously at two possible solutions that could be mediated in tandem to end the crisis of Somali anarchy, and the long standing armed Cold War between Ethiopia and Eritrea.

The heart of the Somali problem is Ethiopia's determination to impose the Transitional Federal Government of Somalia (TFG) that was created in 2004 after a long negotiation in Kenya among warlords, clan elders, and veteran political elites. The majority of the Somali people do not identify with the TFG, especially its President Abdullahi Yusef and his history of extreme sectarian violence. This core issue has been complicated by the rise since 2006 of a network of "Islamic Courts" in Mogadishu that demonstrated, prior to the Ethiopian intervention, an ability to bring stability and justice to neighborhoods and villages that have not seen any sort of governmental authority or security for 17 years. Needless to say, the "Islamic" element strikes fear in the hearts of the U.S. Government, Ethiopia, and many of the African neighbors in East Africa.

Ethiopia and Eritrea have been in a state of armed tension, with hundreds of thousands of troops facing each other across a disputed border, in the aftermath of a devastating hot war in 1998 that weakened both economies and retarded development in the entire region. Because Ethiopia reneged on a "binding" agreement to accept an international arbitration on the delimitation of their common border without conditions, the Government of Eritrea has been supporting the Somali insurgents that are fighting Ethiopian forces.

In effect, the fighting in Somalia is as much a surrogate war between Ethiopia and Eritrea as it is a war for internal governmental legitimacy.

It is in the total mutual interest of Ethiopia and Eritrea to solve their border dispute, demilitarize the border, and return



Violence in the Horn of Africa is having a significant effect on the local population, who are already faced with difficult conditions.

PHOTO: UNOCHA

to the economic integration that existed between them before the 1998 war. Ethiopia badly needs to return to using the Eritrean port of Asab to handle external trade for the capital city of Addis Ababa and the entire northern half of the country. Use of the distant port of Djibouti is doubling the cost of external trade for Ethiopia which already has one of the highest poverty rates in Africa. At the same time Eritrea badly needs a return of the roughly US\$ 1 billion a year that it earned from the Ethiopian trade transiting through Asab. There would also be considerable mutual advantage in the return of cross-border trade based on a viable settlements system between the countries' respective currencies, brokered by the International Monetary Fund. The two governments would also be wise to cooperate in developing a strategy to combat radical Islam and terrorism in the Horn, since for both nations the Red Sea serves more as a dangerous bridge from the Arabian Peninsula than as a barrier.

A return to normal relations between Ethiopia and Eritrea will require external mediation because these "brother-enemies" cannot be seen to be making face-losing concessions to each other pursuant to the cultural norms of the sub-region. One

possible scenario would involve a mutually selected mediator who would announce that Ethiopia has authorized the unconditional demarcation of the border, and that Eritrea has agreed to unconditional talks to resolve human hardships created by that same demarcation. In addition, both governments would authorize the mediator to announce the beginning of negotiations to resolve bilateral issues created by the war of 1998, leading to a mutually advantageous restoration of the prewar integrated common market. Finally, the two parties would agree to persuade their respective surrogates in Somalia to accept a cease-fire followed by political discussions under Arab League or African Union auspices.

The object of political discussions in Somalia would be the establishment of a truly inclusive transitional regime under multilateral tutelage leading to an eventual election after the return of displaced populations. Somali political "Islamists" would clearly have to be part of the process since they are clearly part of the problem.



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SHAWN LEE RATHGEBER



## Europe Puts Boots on the Ground in Africa

### *The European Union Mission to Chad and the Central African Republic*

ON October 16, 2007 the Council of the European Union approved the launch of its largest military mission in Africa. Based on UN Security Council Resolution 1778 (2007), the EU began deploying its forces on February 12, 2008 to support the existing UN Mission to the Central African Republic and Chad (MINURCAT).

This deployment comes just ten days after the failed coup attempt by a coalition of rebel groups to seize power from Chad's President Idriss Déby in the nation's capital N'Djamena – a move designed to topple the Chadian government before the European Peacekeepers could arrive.

The EUFOR Chad/RCA mission is a military bridging operation, which will operate for a period of 12 months, from the declared Initial Operating Capability and until replacement by a UN follow-on force. Soldiers from 14 nations will deploy on the ground, while 22 nations will be represented at military headquarters in Europe. With the consent of the two host nations, the mandate for the mission will allow up to 3,700 troops to be deployed, although a strategic reserve of 600 troops will remain in Europe. While closely coordinating its operations with MINURCAT, EUFOR Chad/RCA's mission is

to improve security in eastern Chad and northeastern Central African Republic and to constitute the military component of the existing UN mission. More precisely, the EUFOR mission has the following objectives:

- To contribute to protecting civilians in danger, particularly refugees and IDPs;
- To facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel by helping to improve security in the area of operations;
- To contribute to protecting UN personnel, facilities, installations and equipment and to ensuring the security and freedom of movement of its staff and United Nations and associated personnel.

Chad and the Central African Republic, together with neighboring Sudan, remain a challenging part of the world as the security situation is volatile and ever-changing. Armed activity in eastern Chad and northeastern Central African Republic has steadily intensified since 2006. Rebel attacks, incursions and counter-insurgency retaliation have since caused widespread destruction in the frontier areas of eastern Chad and northeastern Central African Republic, which in turn have led to mass population displacement. It is estimated that there are around 240,000 Sudanese refugees in 12 UNHCR camps, 43,000 Central African refugees in another four camps, and some 180,000 IDPs in various make-shift settlements. Moreover, these settlements, which are within EUFOR Chad/RCA's designated area of operation, are vulnerable targets of systematic cross-border attacks from predominately Arab rebel and militia groups backed by Sudan's government in Khartoum. To counter this threat, Chadian forces, aided by Darfur rebel groups, have engaged in a counter-insurgency campaign against various anti-Déby armed opposition groups and Arab rebels.

In the case of the Central African Republic, the north and northeastern parts of the country have served as a sanctuary for rebel groups and various militias, some of which form the armed Chadian opposition. Since Central African Republic security forces have been unable to extend their authority in these areas, the Chadian army has supported Central African Republic President Bozizé in effectively controlling the area. However, since the Chadian army has had to fight the rebels who are trying to seize power from President Déby within its own territory, it can no longer patrol outside its borders and a security vacuum in northeastern Central African Republic has emerged.



#### **European Union Force Chad/Central African Republic (EUFOR Chad/RCA)**

##### Operation Commander,

Europe:  
Lt. Gen. Patrick Nash (Ireland)

*pictured right*  
Operation Commander,

Chad:  
Brig. Gen. Jean-Phillippe Ganascia (France)

Commenced:  
February 12, 2008

Personnel:  
3,700 plus 600 reserves

Contributors of Personnel:  
Austria, Belgium, Finland, France, Greece, Holland, Hungary, Ireland, Luxembourg, Poland, Romania, Slovenia, Spain and Sweden

Approved Annual Budget  
€ 119.6 million



PICTURE: EU

There are many logistical obstacles that the mission will have to face, such as the vastness of the operational area, the difficult climate and the lack of infrastructure necessary for force projection and sustainment. Moreover, as the host governments are unable to provide the forces with fuel, food and water, troop sustainment will remain one of the main concerns for the mission. It is expected that the mission will have to rely considerably on the private sector, especially for strategic airlift and troop sustainment.

Finally, beyond achieving the stated mission objectives, maintaining neutrality and impartiality should be a main focus of the mission. Following arbitrary arrests after the failed coup in N'Djamena on February 2, 2008, the country's opposition and various international NGOs have accused Déby's government of being corrupt and undemocratic. Many rebel groups are likely to perceive the presence of EUFOR as a military mission deployed to back President Déby's counter-insurgency campaign to prop up the present government. The difficulty which lies ahead for the mission is how to fulfill its strategic objectives without taking sides and ending up fighting a proxy war between Chad and Sudan. However, the deployment will probably be insufficient if it is not accompanied by political action aimed at reconciliation and international negotiations.



EU forces have begun deployment to Chad and the Central African Republic.  
PHOTO: COUNCIL OF EUROPE

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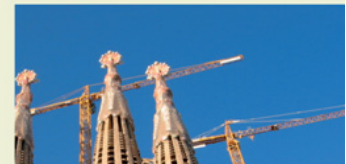
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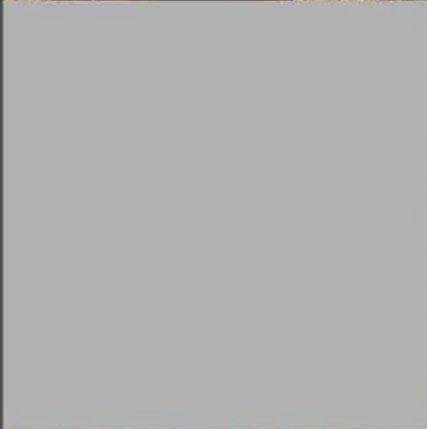
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