

The prevention of militarization of future refugee camps in the Great Lakes Region

“Safety first” – the right approach?

Abbreviations

AFDL - Alliance des Forces Démocratiques pour la Libération du Congo-Zaire
CNDP - National Congress for the Defence of the People
DDR - Disarmament, demobilization and reintegration
DPKO - UN Department of Peacekeeping Officers
DRC - The Democratic Republic of Congo
Ex - FAR - Ex-Forces Armées Rwandaises
FDLR - Forces Démocratiques pour la Libération du Rwanda
HRW - Human Rights Watch
ICC - International Criminal Court
ICRC - International Committee of the Red Cross
IDP - Internally displaced person
LDU - Local Defence Unite
LRA/M - Lord's Resistance Army/Movement
MINALOC - Ministry of Local Governance
MONUC - UN Mission in DR Congo
NGO - Non-governmental organization
NRA - National Resistance Army
NRM - National Revolutionary Movement
NRM/A - National Resistance Movement/Army
OCHA - Office for the Coordination of Humanitarian Affairs
PARECO - The Coalition of Congolese Patriotic Resistance
RCD- Rassemblement Congolaise pour la Démocratie
RCD-G - Rally for Congolese Democratic- Goma
RDF- Rwandan Defence Forces
RPF- Rwandan Patriotic Front
UNHCR - United Nations High Commissioner for Refugees
UPDF - Ugandan People's Defence Force

Abstract

The militarization of refugee camps is not a new phenomenon, it can be traced back over half a decade to the independence movement of former colonies. However, it's first during recent years that the UNHCR and host states have tried to act on the problem as to retain the civilian and humanitarian status of the camps. Unfortunately has their measures proven to be inadequate and the militarization of the camps has continued unabated which has left a need for new approaches to be tested. In this thesis I will do just that and test Karen Jacobsen's "safety first approach" against empirical data from two countries in the Great Lakes, Rwandan and Uganda, to see whether the approach suggested may constitute a viable option for the prevention of militarization of future refugee camps in that region. After testing the theory against the empirical contexts of my two cases I reached the conclusion that in its current composition the theory does not constitute a viable option for this particular region.

Keywords: militarization of refugee camps, "the safety first approach", Rwanda, Uganda

Table of Contents

1	Introduction.....	1
1.1	The study.....	1
1.2	Method, material and previous research	3
1.3	Definitions.....	4
2	Theoretical framework.....	6
2.1	Safety problems in refugee camp areas.....	6
2.2	Measures and actors	8
2.2.1	Host governments.....	8
2.2.2	UNHCR.....	9
2.3	“The safety first approach”	10
2.3.1	The Contingency Planning Phase.....	11
2.3.2	The Post-influx Phase.....	12
2.4	Summary	13
3	Rwanda	14
3.1	The security context	14
3.2	The main actors	17
3.3	Recent developments in the camps	19
3.4	“The safety first approach” – a viable option?.....	22
4	Uganda	24
4.1	The security context	24
4.2	The main actors	26
4.3	Recent developments in the camps	29
4.4	“The safety first approach”- a viable option?.....	30
5	Conclusion	33
6	Bibliography	36

1 Introduction

The militarization of refugee camps is not a new phenomenon, quite the contrary as it can be traced back to the inception of the 1951 UN Convention Relating to the Status of Refugees and throughout the independence movements of former colonies during the 1960s. During the post-colonial period the issue of refugee and IDP (internally displaced persons) camp militarization became a more prominent concern but despite mounting alarm among humanitarian agencies, host states and certain donor governments the militarization was allowed to continue unabated during the 1980s and 1990s. Areas that were, and still are, particularly affected by the problem is the western, central and eastern parts of Africa, which includes the war-torn Great Lakes Region. In the Great Lakes, heavily armed militia exploit refugee-populated areas in order to recruit young men, but also as a conduit for illegally acquired goods and resources. The militarized settlements and camps frustrate the mandates and operations of UNHCR (United Nations High Commissioner for Refugees), OCHA (Office for the Coordination of Humanitarian Affairs) and other development and humanitarian agencies. The most obvious outcome is the physical and perceived insecurity as the refugees suffer an elevated risk of intentional fatal or non-fatal gunshot injuries. They also experience a deterioration of social security as their second- and third-generation of human rights are violated. Another critical impact relates to threats to asylum and a growing negative public perception of this critically vulnerable group. As a result, the protection itself is compromised as the rights of existing and future refugees and IDPs to asylum and protection are diminished.¹ To retain the civilian and humanitarian status of refugee and IDP camps the militarization needs to be stopped, something that UNHCR as well as host states has tried to achieve, unfortunately with little success. This leaves a demand for new approaches to be tested since the ones applied today have proven to be rather inadequate.

1.1 The study

The aim of this thesis is to test whether the “safety first approach” could constitute a viable option for the prevention of militarization of future refugee camps in the Great Lakes Region. My main question therefore reads as follows;

¹ Muggah, Robert, 2006, *No Refuge – The Crisis of Refugee Militarization in Africa*, London: Zed Books, pp.2-3, 104-105

“Could the “safety first approach” constitute a viable option for the prevention of militarization of future refugee camps in the Great Lakes Region?”

To investigate whether the approach could be an option or not I will look closely at the cases of refugee and IDP camp militarization in Rwanda and Uganda as well as the context within which the militarization has taken place. By studying these cases I hope to gain critical insight into the patterns and character of the militarization taking place in that particular region today. I will then test the “safety first approach” against the empirical data to see whether it holds up or not. Could the approach in question work within the complex security context of the Great Lakes?

To narrow it down I have chosen to focus on two countries within the Great Lakes, Rwanda and Uganda. I chose these countries on the basis of the level and type of militarization found there since they tend to represent the problems found in the other remaining countries within the region. Rwanda is still today notorious for the 1994 mass exodus of refugees to neighbouring states following the genocide. And as the case study will show, the majority of the current security threats are posed by the militarized remnants of this exodus still residing in the DRC (Democratic Republic of Congo). These militias serve as the Rwandan government’s excuse for their constant threats to invade that country. Less well known are the 40 000 Congolese refugees that Rwanda has hosted since 1996 and the new inflow following the 2004 ethnic cleansing by the Congolese armed forces directed at the Banyamulenge² residents of Bukavu and Uvira. The Rwandan government has tried to implement some of the UN guidelines to prevent militarization within the camps, though without reaching the desired result. Instead the refugees has become part of the political game since the Rwandan government encourage DRC-based Banyarwanda³ warlords to stoke sufficient conflict in the Kivus as to “prove” the need for MONUC (UN Mission in DR Congo) to disarm the Rwandan refugees living there.⁴ In Uganda we find an equally complex security situation where the problems are rooted in long-standing international, political and ethnic animosities. The problem of militarization among the 216 000 refugees and 1,6 million IDP’s is not, as often portrayed, a sole product of the notorious LRA (Lord’s Resistance Army) but rather the product of the instability of its neighbours in combination with domestic politics and ethnic tensions.⁵ These characteristics combined make Rwanda and Uganda good representatives when it comes to the problem of militarization of refugee camps within the Great Lakes since the very same characteristics can be found throughout the region.

The approach I have chosen to focus on and that I will put to the test in this thesis is the “safety first approach” presented by Karen Jacobsen in her paper “A

² Congolese Tutsis from South Kivu Province.

³ Congolese Tutsis from North Kivu Province.

⁴ Muggah, R., 2006, pp.25-26

⁵ Ibid., pp.22-23

Safety First Approach to Physical Protection in Refugee Camps”. Jacobsen argue that during the past few decades the main focus of the international humanitarian response in asylum countries has been to emphasize assistance at the expense of protection. And this particularly in the initial emergency phase, where “biological needs” are given priority over protection and security concerns. Jacobsen suggests that this focus gets re-directed in contingency planning and emergency responses as to stress security and physical protection first, hence “safety first”. The new approach should be regionally appropriate and designed in accordance with the needs and capacities of the various state, international and non-state actors that are involved in the particular refugee situation. At the core of the strategy lays the presence of an armed security force in the camps, Jacobsen argue that without armed backup the camps cannot be made secure and that a trained and well prepared force that are being controlled and monitored is a crucial part of the solution. Further she proposes that the composition and mandate of such a force would vary from one host country to another depending on the stats capacities and needs.⁶ I will give a full presentation of the theory in the following chapter.

1.2 Method, material and previous research

In this thesis I will use a qualitative method in what could be described as a theory-driven research process. The theory applied as a foundation for this thesis is Karen Jacobsen’s “safety first approach” mentioned above. The theory suggests the prioritisation of physical security over assistance and the deployment of a security force in order to keep refugees in camps safe. I will test this assumption against empirical data of refugee camp militarization in the Great Lakes. In doing so, I will rely on first hand as well as second hand material.

The first hand material, constituting of interviews and my own observations in the field, was collected during a two-month stay in Rwanda from April to June 2007. The people chosen for the interviews represent the actors involved in the management of the two major camps, Kiziba and Gihembe, with exception of the Rwandese government. Government official declined to participate, presumably due to the official line that recruitment does not take place on Rwandan soil. For the interviews I used a semi-structured technique, which means that the interview started off by specific questions but the interviewer is free to probe beyond the answers. This technique allows the interviewer to gain more information since he or she can seek both elaboration and clarification on the given answer.⁷ Some of the interviews are kept confidential due to the politically sensitive subject.

⁶ Jacobsen, Karen, 1999, ”A Safety First Approach to Physical Protection in Refugee Camps”, Working Paper no.4, *Mellon Report Series*, pp.1-18

⁷ Flick, Uwe, 2006, *An Introduction to Qualitative Research*, London: SAGE Publications Ltd, pp.98, 149, 155-157

The first hand material only applies to the Rwandan part of the case study since I have not had the chance to collect information on sight in Uganda. So for that part I have relied only on second hand material such as academic literature and articles and various reports. So far little research has been conducted on the topic of militarization, but there is enough to prove that the phenomenon does exist and that it can present a legitimate threat to security. But despite the potential security risks presented in such contexts and the growing attention paid to the issue by the UNHCR, there are comparatively limited empirical research on the causes and manifestation on the ground. This can partly be explained by the fact that the international relations and politico-legal experts who have explored related issues have tended to underplay the political and military implications of refugee fluxes, preferring to treat the refugees as a consequence rather than as a potential independent variable. It's only during the last couple of years that more attention has been paid to the militarization of refugee camps and the role of refugees not merely as objects but also as actual agents in conflicts.⁸ So when it comes to the part on militarization I have mainly relied on a collection of case studies conducted in Africa by several different researches all collected in Robert Muggah's "No Refuge, The Crisis of Refugee Militarization in Africa" from 2006.⁹ When it comes to the security context of the Great Lakes the region gained renewed interest among scholars during the 1990's and a vast material is to be found. Although not much has been written on the various armed militias in the region, for information on that I have relied upon another collection of case studies, David J. Francis "Civil Militia, Africa's Intractable Security Menace?" from 2005.¹⁰ I am aware of the fact that the lack of written material may effect the outcome of this study, but I have done my best to find as many reliable and independent sources of information as possible to make up for it. The lack of research on the topic of refugee camp militarization is also one of the reasons why I have chosen to write this thesis, as I hope it will help to fill the today existing gap in information.

1.3 Definitions

In this thesis I will use several terms that needs to be defined more closely as to not confuse or mislead the reader. The most central terminology in this thesis is *refugee militarization* and *refugee camp militarization*. There is yet no clear or commonly accepted definition of either of the terms due to the lack of academic research mentioned earlier. But following a close review of the existing academic

⁸ Muggah, R., 2006, pp.3-6

⁹ Ibid.

¹⁰ Francis, David J., 2005, *Civil Militia, Africa's Intractable Security Menace?*, Aldershot: Ashgate Publishing Limited

and “grey” literature on the topic I decided to go with the definitions made by Robert Muggah. According to him, refugee militarization would then refer to the involvement of individual (or groups of) refugees and /or diaspora in militaristic activities within or outside refugee camps. The activities mentioned may include political violence, military training, explicit or tactic support for combatants and armed resistance.¹¹ The second term, refugee camp militarization, refers to the combination of military and armed attacks on refugees within camps; the storage and diffusion of weapons, military training and recruitment, the presence of armed elements, political activism and criminal violence within camps; and the exploitive use of relief and development resources by non-refugees.¹² These definitions clearly show how refugee militarization is a much broader concept since it includes military-oriented activities undertaken by so-called armed element within as well as outside of camps. While the two concepts share common features they are not synonymous and it’s therefore important to ensure the difference to the reader.¹³

Another set of term that needs to be defined is *armed elements* and *civil militia*. With armed elements I will refer to ex-combatants, soldiers who refuse to hand over their weapons after seeking asylum, rebels, militias, criminal gangs, police and armed forces of the host state, armed private security firms and armed vigilantes and individuals.¹⁴ The concept of armed elements is thus fairly inclusive while the definition of civil militia is somewhat more narrow. I will apply the definition made by David J. Francis, which is referred to as the Second Generation civil militias and was constructed after the cold war when a new type of militias started to develop. This contemporary interpretation shares the same core elements with the First Generation but the main difference is found in its context specifics and it applies to conflict-prone, war-torn, post-conflict or transition societies and weak and failed states. Further, it composes of citizens including young people and unemployed youth, marginalized by the state. Civil militias, according to Francis definition, are organized by a diverse group of interests and stakeholders including governments or regimes in power, mostly with no constitutional provision or legislation legalizing their existence. While the militias specifically established as pro-government or “reserve forces” often have at least some form of military training, those who are organized by other interest groups often lack any training what so ever. In cases when they do have training it’s often in the form of basic practice in the use of small arms and light weapons.¹⁵

¹¹ Muggah, R., 2006, p.7

¹² Ibid.

¹³ Ibid., p.8

¹⁴ Ibid., p.38

¹⁵ Francis, D. J., 2005, pp.1-3

2 Theoretical framework

In this chapter I will outline the theoretical framework applied in this thesis, Karen Jacobsen's "safety first approach". In her paper, Jacobsen presents what she sees as the main security threats found against refugee camps and then she outlines the measures she believes are necessary for the future protection of these camps.

2.1 Safety problems in refugee camp areas

After conducting a survey of refugee camps and the areas surrounding them Jacobsen found three main sources of physical safety problems; external military attacks or raids, violence and intimidation occurring from sources within or from outside the camps and finally the breakdown of law and order in the camps which gives rise to crime and other associated problems.¹⁶ Jacobsen then present a closer look at each of these security problems.

The first major problem, *external military attack and raids often performed by various armed elements and civil militias*, can be found in almost every refugee situation in Africa. Ranging from bombardment of camps in eastern Zaire (now DRC) to raids by rebel forces of Sudanese camps in northern Uganda these attacks do not only put camp residents and relief workers at risk but also the surrounding communities of self-settled refugees and local inhabitants. The targeting of camps happen for prominently two reasons; first because camps are being perceived by antagonistic forces, either in the country of origin or the host country, as giving assistance and protection to their enemies. This is one of the main reasons why the presence of combatants in camps compromises the civilian and humanitarian character of the camps as they become militarized. In addition, the militarization of the camps undermines the civilian authority and sources of law and order, which in the worst-case scenario may lead to the camp falling under the control of armed elements. The refugees in the camp are then even more likely to be deprived of their rights and to become subjected to intimidation and violence.¹⁷ The second reason for the camps being attacked is the fact that they tend to be largely undefended repositories of resources such as food, vehicles and relief supplies as well as people who may be forcibly recruited for military or sex

¹⁶ Jacobsen, K., 1999, p.3

¹⁷ Ibid.

labour. Recently, a third reason for military attacks has emerged. Now governments who are involved in internal or regional conflicts deliberately target refugee camps as part of their military strategy. This can be seen as part of a larger pattern of conflict in which civilians are deliberately targeted for military purposes. Camps in conflict-prone areas that are situated near borders are the most likely to be involved in armed engagements, even if they are not directly attacked their inhabitants are more exposed to crossfire and landmines.¹⁸

The second major problem of *violence and intimidation* can, just like the problem of attacks, be found in most refugee camps in Africa. The perpetrators include other refugees who use violence for reasons of ethnic conflict or as a measure of political pressure, camp guards or host authorities who use physical intimidation to gain resources or sex from refugees or to get them to leave, enter or repatriate from the camp.¹⁹

The third problem of *the breakdown of law and order* occurs mostly for two reasons. The first one is to be found in the early stages of the establishment of a new camp when the camp population consists of traumatized and destabilised people. Many of the refugees found in camps in Africa are rural people with little education, who have recently lost all their belongings as well as ties to families and villages and who find themselves adrift in an unstructured camp environment. This often results in an increased level of violence and crime as well as an increased likelihood of recruitment into militias and organized crime. The second reason is the lack of control and adequate force to backup the rule of law. In the absence of rule of law violent as well as petty crime flourishes and the camps can become zones of human trafficking and drug and arms smuggling. The lack of control lets certain groups of refugees take over, who may then divert relief supplies to gain themselves or for support of the war efforts. Like in other high-crime areas the non-criminal population is also subject to more generalized violence when the climate of violence leaches out in the surrounding community. This in combination with the presence of weapons, even when hidden, increases the combustibility of the situation in and around the camps. As does the problem of young, board and frustrated men who become candidates for involvement in crime or recruitment to militias.²⁰

After presenting the major security problems Jacobsen then continues with the measures she believes are needed to implement physical protection in the camps as well as the actors who are responsible for the implementation.

¹⁸ Jacobsen, K., 1999, pp.3-4

¹⁹ Ibid.

²⁰ Ibid.

2.2 Measures and actors

To prevent these three major security problems from occurring, Jacobsen suggests the implementation of the following four measures. First, combatants must be disarmed and demobilized and non-refugees must be separated from bona fide refugees. This can be achieved by a screening of all refugees entering the host country, followed by the internment of non-refugees and combatants in separate camps from the refugees themselves. The screening and separation can be seen as part of the second measure, to maintain the camps as nonmilitarized, weapon-free zones. The third measure is to locate the camps, or relocate existing ones, at a safe distance from the boarder in a preferably conflict-free area. Last but not least Jacobsen suggests that a climate of law and order be created and maintained both within and outside of the camps.²¹

If these suggested measures were to be appropriately implemented they would immediately address many of the security problems associated with refugee camps and hosting areas. However, compliance to these principles and the implementations of these measures has been patchy or even absent in a number of situations, notably in the Great Lakes camps but also elsewhere, mainly due to the unwillingness or inability of host governments to take the necessary steps to secure the camps. To explain the poor implementation of the above presented measures Jacobsen turns her attention to the main actors, the host governments and UNHCR. By doing so, she gives insight into the important political context in which solutions to safety problems are developed.²²

2.2.1 Host governments

There are two sets of actors that have responsibility for the protection of refugees, the host government and UNHCR. According to international agreements, including the 1951 UN Refugee Convention, the 1969 OAU Refugee Convention, the UN Charter, human rights law and the Law of Armed Conflicts, the physical protection of refugees falls on the host government, who are supposed to work with UNHCR to ensure the safety of refugees. In some cases these principles are put into practice by host states when police or army forces are placed outside the camps with the duty to ensure the safety of the camp residents. However, in many other cases this system of protection fails to work or does so only poorly since the safety problems aren't always of concern to the host government and local authorities. Indeed, the problems described above may even be perpetrated by them, especially the second and third types, since the refugees and the camps

²¹ Jacobsen, K., 1999, p.5

²² Ibid.

become part of the political strategies of host or sending government as well as whoever is supporting them behind the scenes.²³

Even in cases where host governments do not actively encourage the militarization of camps, a general reluctance can be found towards hosting refugees, stemming from concerns about the economic, environmental and security impact. This lack of will to host and protect refugees may lead to the localisation of camps close to borders as to prevent the refugees from settling and to make a possible repatriation easier to facilitate. The failure of host governments to protect refugees do not always derive from absent political will, but sometimes occurs simply because the government lack the needed capacity. The speed and the number of refugees may overwhelm the authorities and without adequate military backup it becomes difficult to ensure the civilian and humanitarian nature of the camps.²⁴

2.2.2 UNHCR

At times when host governments won't, or can't implement the needed security measures, or in cases where there is no effective government to be found, the responsibility of protecting the refugees is often relegated to the UNHCR. The agency is often blamed for security and protection problems, despite them not having the mandate or capacity for dealing with physical protection or other security problems. In a majority of the cases, UNHCR can only pressure host governments to provide the protection they can't. When diplomatic pressure fails the UNHCR is left with a dilemma of what to do. When camps are being militarized or attacks on personnel occur the UNHCR must decide whether to continue providing assistance, but turning a blind eye to the atrocities, or to withdraw from the camps. A decision, which often depends on the politics of the situation as well as the likelihood of things improving. Apart from withdrawal other options for UNHCR remain rather meagre. The use of the Exclusion Clause as a way to keep combatants out of camps has not been widely used and it would also require the presence of a military force to carry out the ejection of the armed elements. With other words, the UNHCR lacks the capacity needed for dealing with security related issues.²⁵ To try and improve the situation, The High Commissioner has stressed the need for practical solutions to the security problems and has promoted such concepts as the "ladder of options" which sets out a variety of responses depending on the seriousness of the situation. Even though the leadership of the UNHCR and other agencies has shown a heightened concern regarding security issues, Jacobsen finds their efforts to be inadequate. According to Jacobsen new ways must be found to support the calls for renewed

²³ Jacobsen, K., 1999, pp.5-7

²⁴ Ibid.

²⁵ Ibid., pp.8-9

emphasis on physical protection and to strike a new balance between protection and assistance.²⁶

2.3 “The safety first approach”

Jacobsen’s strategy for reaching this new balance between protection and assistance prioritises protection over the later, both for the emergency phase and the contingency planning. This constitutes the core of what Jacobsen calls her “safety first approach”, a strategy that can be described as rights-based and that opens up for the use of force, if necessary.²⁷

This new prioritisation of protection requires that camps are located, set up and secured, to the extent possible, so as to ensure the physical protection of the refugees. The construction will then help prevent future problems for the surrounding area and it will make the delivery of assistance safe and perhaps even more efficient. At the same time, Jacobsen emphasizes that the security measures must be influenced by legal protection, that is the rights of refugees must undergrid the implementation of the “safety first approach”. To reach the ultimate security level, a force trained in issues of refugee protection and that has the capability and mandate to use armed force in a refugee context is necessary. Jacobsen argues that relief workers as well as various international and state actors have recognized this need for a camp security force or a more generalized “humanitarian protection force”. She refers to the 1998 “Report on the Situation in Africa” where the UN Secretary General urges “the establishment of an international mechanism to assist host governments in maintaining the security and neutrality of refugee camps and settlements”.²⁸ The UN High Commissioner for Refugees has sought to refine such a mechanism and has presented the measure of “the ladder of options”.²⁹ Jacobsen views these developments as positive but she sees them as inadequate, according to her an international force, if available, would not be enough. She advocates a sub-regional perspective, rather than an international mechanism designed “from above”. A perspective, which Jacobsen means could better assess the area-specific physical protection needs and capacities of host and sending countries so that plans could be adjusted accordingly. And in some cases she even advocates that a “safety first” plan could be piggybacked on state or regional security initiatives.³⁰

²⁶ Jacobsen, K., 1999, p.9

²⁷ Ibid. pp.9-10

²⁸ Ibid. p.10

²⁹ “The ladder of options” is a assessments-and-respons tool used by the UNHCR and consists of a series of possible responses to escalating threats to the civilian and humanitarian character of refugee camps. The threats are dealt with by a continuum of measures ranked in order of their “soft” or “hard” nature. Most of the measures represent different ways to assure separation and exclusion of armed elements.

³⁰ Jacobsen, K., 1999, p.11

A “safety first strategy” would then include different elements depending on the requirements of the specific receiving area, but one essential feature that would always be present is a trained armed force which can back up the necessary security measures. Jacobsen envisions a country-based “Camp Security Force” which would be capable of carrying out the protection measures mentioned earlier in section 2.2., namely; the disarmament, demobilization and separation of armed elements from bona fide refugees, maintaining the camps as weapon-free zones, relocating camps at a safe distance from borders and maintaining a climate of law and order within and outside of the camps.³¹

Jacobsen envisions two phases for her approach, one pre-influx contingency planning phase and one post-influx phase including both the emergency and post-emergency care and maintenance periods.

2.3.1 The Contingency Planning Phase

In order to prepare for refugee emergencies UN Country Teams in host countries have contingency plans, which are regularly updated. At present, many of these plans do not include components for physical protection but they could, according to Jacobsen, easily be adapted to a “safety first” orientation. As a result of a new approach to the coordination of humanitarian assistance designed by OCHA, many of the needed elements are already in place or are in the process of being set up. This can be seen in the Great Lakes where the UN country teams work within an inter-agency framework that includes other partners such as major NGO’s (non-governmental organizations) and host government authorities. Jacobsen recommends these already existing UN Country Teams to include a few more components as to adapt to the “safety first approach”;

- To reinforce the host government as well as local authorities since the Camp Security Force will be drawn from the army or police.
- To include local leaders and representatives who should be consulted concerning camp location, transit centres and so forth.
- To include DPKO (UN Department of Peacekeeping Officers) who could advise on the security needs and assist with the training and preparation of the Camp Security Force.
- To include human rights monitors who could be UNHCR Protection Officers, ICRC officials (International Committee of the Red Cross) or official observers from NGOs. Their main task would be to advise and help train the Camp Security Force in refugees’ rights.³²

³¹ Jacobsen, K., 1999, p.11

³² Ibid., pp. 11-12

The contingency plan should also include some clear-cut goals with regards to its implementation. The first one being the identification, training and supervision of the Camp Security Force. The host government in collaboration with local authorities should play a major role in deciding where the force would come from, that is whether police or army forces should be used. The UN agencies role would be to work as advisors and monitors only, however DPKO officials may potentially play an active role in training and supervision. In cases where the host government lack the capacity to create such a force, decisions must be taken as to which international organization that could take on the task. The second goal relates to the logistical problems, a review is needed of eventual options for transit centres and camp location where past experience can be utilized in combination with inputs from the local population. And the third and last goal is to have a ready plan over what to do with screened out non-refugees and combatants.³³

2.3.2 The Post-influx Phase

When a new refugee camp is being set up there are normally two operational phases; the initial emergency phase when a refugee flow first occurs followed by the care and maintenance phase. The phases can vary in length depending on circumstances but the initial emergency phase is usually over after a few weeks while the care and maintenance phase may last for decades. Different security measures are needed for each phase, but if the adequate security and protection is implemented early on it will be considerably easier to achieve the security goals and maintaining an acceptable level of security during the longer maintenance phase. This can be explained by the fact that if camps are quickly demilitarised and rendered as civilian and relatively neutral zones two of the main security threats can be minimized. If camps are not perceived as places harbouring combatants they will be less likely attacked for military reasons and in the absence of combatants the camps will more likely become places where law and order rule. However, the demilitarisation will not erase the third security threat, the targeting by militias for their resources, but Jacobsen argues that the reduction of the other two threats would allow focus to be directed onto the third. A successful implementation of the post-influx phase relies on the implementation of the contingency planning, without a well thought out plan and a properly trained security force the influx phase may easily turn into chaos, an environment that favours insecurity over security.³⁴

³³ Jacobsen, K., 1999, p.13

³⁴ Ibid., pp.13-14

2.4 Summary

Karen Jacobsen's "safety first approach" can be seen as a reaction to the suggestion made by a number of researchers that refugee camps themselves are the root of the protection problems and that the most efficient way to eradicate the problem would be to eradicate the camps. Jacobsen on the other hand sees camps as an essential element of the humanitarian response to refugees that neither can nor should be eradicated. Instead she sees camps as the most efficient way for distributing assistance and, if managed correctly, a major source of protection and safety. In her paper, Jacobsen argues that the only practical way to ensure the protection of refugees and the safety of the camps is to pursue a security strategy simultaneously underpinned by an armed Camp Security Force with a rights-based orientation. Further Jacobsen sees it as timely to combine a force and human rights in order to protect refugees, but the biggest constraints are political ones. To implement the suggested approach would require the sustained will of donor and host states, working with UNHCR and NGOs, which is not the easiest thing to procure. Jacobsen though remains optimistic given the new concerns regarding security and instability associated with refugees where she sees a window of opportunity for moving the protection of camps up on the agenda.³⁵

In the next couple of chapters I will test Jacobsen's approach against the empirical data of two countries in the Great Lakes, Rwanda and Uganda, to see if the approach could be a viable option for the protection of future camps in that region.

³⁵ Jacobsen, K., 1999, p.14

3 Rwanda

In early 2007 there were a total of 43 922 Congolese registered as refugees living in camps in Rwanda. A number that constantly changes as new refugees arrive due to new outbreaks of violence in the eastern parts of DRC, mainly the South and North Kivu provinces. Almost 36 000 of the Congolese refugees are assembled in the two largest camps, Kiziba in the Kibuye province and Gihembe in Byumba. In both of those camps there appears to have been serious instances of refugee militarization.³⁶ In this chapter I will take a closer look at the context within which this militarization takes place, I will look at the actors involved and I will examine the contemporary developments in the camps in order to see if Jacobsen's approach could, in this case, constitute a solution to the problem.

3.1 The security context

It's beyond the scope of this thesis to provide a complete account of the origins of the conflict in the DRC and the Great Lakes. Instead I will attempt an overview of the events that have led to the presence of Congolese refugees in Rwanda and the militarization of the camps in which they reside.

The majority of the Congolese refugees in Rwanda are Banyarwanda Tutsis³⁷ who first came to Rwanda in 1996, fleeing from a hostile alliance of ethnic Congolese militias and Rwandan ex-FAR (Ex-Forces Armées Rwandaises) and Interahamwe³⁸ who themselves fled Rwanda after being defeated by the RPF (Rwandan Patriotic Front) in 1994. In 1996, Rwandan troops including new Banyarwanda refugee recruits invaded what was then Zaire, partly because of the Banyamulenge³⁹ influx but more importantly to break up the Rwandan refugee camps, which had become highly militarized. The militarization took place since the ex-FAR and Interahamwe, with the assistance of Zairean armed forces, had been able to regroup militarily, training regularly and acquiring new weapons. They also established authority over the civilian refugees by in part taking over the distribution of humanitarian assistance to the camps. The authority these armed elements retained was also used to intimidate the international

³⁶ UNHCR, 2007, "Rwanda at a glance March 2007", UNHCR Branch Office Kigali

³⁷ Banyarwanda Tutsis are from North Kivu but of Rwandan origin.

³⁸ ex-FAR is the armed forces of the former Rwandan government which, with a youth militia called Interahamwe, fled to the DRC in 1994 after they perpetrated the genocide in Rwanda.

³⁹ Banyamulenge are Tutsis from South Kivu who claim the Haut Plateau.

humanitarian workers who were working in the area and to prevent civilian refugees from returning to Rwanda.⁴⁰ In addition to the militarization of the camps the ex-FAR and Interahamwe frequently conducted raids into Rwanda targeting Hutus who were collaborating with the new government. But after the Rwandan invasion in 1996, the ex-FAR and the Interahamwe proved no match for the RDF (Rwandan Defence Forces), which easily broke up the camps in eastern Zaire, resulting in a major return of refugees to Rwanda. Even though a large portion of the refugees returned, tens of thousands stayed and fled even deeper into Zaire and the ones who remained appears to have been slaughtered.⁴¹ The protracted presence of Rwandan refugees in the Kivus led to a series of armed rebellions against the new regime in Kigali, which eventually crystallised into the politico-military FDLR (Forces Démocratiques pour la Libération du Rwanda), composed of ex-FAR and Interahamwe as well as new recruits. The armed wing of the FDLR is currently the largest foreign armed group operating in the DRC with an estimated force of somewhere between 10-40 000 “abacunguzi” (“liberators”) combatants.⁴²

The RDF did not only break up refugee camps harbouring around 600 000 refugees but they also provided strong support to a new armed group, AFDL (Alliance des Forces Démocratiques pour la Libération du Congo-Zaire). Within a year they managed to remove president Mobutu and install AFDL’s Laurent Desiré Kabila in his place in Kinshasa. Initially Mobutus fall resulted in an improved situation for the Banyarwanda in eastern DRC (as it was renamed by Kabila) and many of the refugees living in Rwanda found the situation stable enough to return home. However, the relationship between Kabila and the Rwandan government soon deteriorated and in 1998 Kabila expelled Rwandan Forces from the DRC and instead started cultivating his relationship with the ex-FAR and Interahamwe, now the FDLR. This resulted in a resumed persecution of Banyarwanda Tutsis in the Kivus and a stop to the repatriation of refugees from Rwanda who now decided to stay in their host country.⁴³

The Rwandan government quickly responded by helping to set up a new Tutsi Banyarwanda-dominated political and military organization in the DRC called the RCD (Rassemblement Congolaise pour la Démocratie). When RCD launched a military rebellion in eastern DRC in August 1998, they were joined by many of the Banyarwanda refugees in Rwanda and together with the RDF they soon took control over the eastern parts of the DRC. Initially Uganda supported RCD’s military campaign while Angola, Zimbabwe and Namibia intervened militarily on the side of the Kinshasa government. The war soon stalemated and the RDF remained in the DRC until the withdraw, following an agreement between the

⁴⁰ Mthembu-Salter, Gregory, 2006, “The wheel turns again: militarization and Rwanda’s Congolese refugees”, in Muggah, Robert, *No Refuge – The Crisis of Refugee Militarization in Africa*, London: Zed Books, pp.198-199

⁴¹ Francis, D.J., 2005, pp. 241-246, Mthembu-Salter, 2006, p.199

⁴² Mthembu-Salter, 2006, pp.184-185, Rafti, Marina, 2006, “South Kivu: a Sanctuary for the Rebellion of the Democratic Forces for the Liberation of Rwanda”, *Institute of Development, Policy and Management*, Discussion Paper 5, pp.7,9-10

⁴³ Mthembu-Salter, 2006, p.199

governments of Rwanda and DRC, four years later. Although the Rwandan government strongly denies it, the RDF has been widely alleged to have retained a covert residual presence in certain, strategic parts of the eastern DRC.⁴⁴

After what can be described as marathon political negotiations in Sun City, South Africa, during 2002-2003 a broad-based agreement was reached, establishing a new transitional government in DRC and ending what has become known as “Africa’s first world war”. The new transitional government was formed in June 2003 and headed by Joseph Kabila, former president Kabila’s son (Kabila himself was assassinated in 2001). The new government gradually took control and established its authority over the entire country, appointing new governors and deputy governors in each of the provinces and negotiating conditions for the difficult task of integrating the formerly warring armies into the country’s army. A DDR programme (disarmament, demobilization and reintegration) was also agreed upon in early 2004, but the implementation however proved very slow and still remains far from complete.⁴⁵

In 2005, despite the instable situation in the eastern parts and the fact that the disarmament had yet not started, the transitional government launched preparations for national elections to be held the following year. With the help of the world’s largest and most expensive peacekeeping operation, MONUC, the government managed to overcome the country’s enormous logistical and political challenges to hold its first free election in 40 years during the summer and fall of 2006. In December 2006 Joseph Kabila was sworn in as the first democratically elected president since the independence. The peace process was however not complete and the situation in the eastern part remains extremely volatile.⁴⁶

The effort to reach a stable and peaceful environment in the Kivus has though continued and the most recent agreement was signed in January 2008. After weeks of talks the agreement was signed in Goma, North Kivu, between the DRC government and 22 groups of civil militias committing all parties to an instant ceasefire, disengagement of forces from frontline positions and to abide by international humanitarian law. However, the agreement has not managed to stop the violence, according to United Nation officials over 200 violations of the ceasefire has been documented, the majority between major Laurent Nkunda’s CNDP (National Congress for the Defence of the People) and a loose coalition between the Mai Mai, the PARECO (the Coalition of Congolese Patriotic Resistance) and the FDLR mentioned earlier. According to the human rights organization HRW (Human Rights Watch) the worst human rights abuses took place around the area of Bukombo where 150 civilians were killed between February and March 2008. The dozens of locals who were interviewed by HRW accused the fighters of raiding their villages looking for livestock and other goods, raping women and girls, killing civilians who opposed their activities and

⁴⁴ Mthembu-Salter, 2006, pp.199-200

⁴⁵ Ibid. , ICG, 2002, “Storm Clouds over Sun City: The Urgent Need to Recast the Congolese Peace Process”, Africa Report No.44, 14 May 2002, Khadiagala, Gilbert M., 2006, *Security Dynamics in Africa’s Great Lakes Region*, London: Lynne Rienner Publishers Inc., pp.30-32

⁴⁶ ICG, 2007, “Congo: Staying Engaged After the Elections”, Africa Briefing No.44, 9 January 2007

summarily executing civilians accused of supporting their enemies. During the following months yet another 100 civilians were killed as CNDP launched a military offensive to dislodge PARECO and Mai Mai militias from the Bukombo area, doing so they fired indiscriminately on more than a dozen villages. According to HRW the majority of the dead were elderly and children who were unable to flee.⁴⁷

These clashes, and more recent ones where CNDP are fighting PARECO and FDLR combatants, are responsible for a massive displacement of civilians and the worsening humanitarian situation in the eastern parts of the DRC, neighbouring to Rwanda. An estimated 100 000 civilians have had to flee in North Kivu since the last agreement was signed, adding to the 750 000 already displaced due to previous fighting.⁴⁸ Despite efforts being made and agreements being signed the situation remains highly volatile along the DRC-Rwandan border.

3.2 The main actors

The underlying premise for research into refugee militarization is that refugees are not mere objects of humanitarian assistance but they are instead subjects who are capable of agency just like anyone else. To be able to evaluate their militarization it becomes critical to assess the refugee's agency in each context. Yet the agency of refugees is not only expressed in circumstances of their own making, but they are also highly influenced by other important actors.⁴⁹ Therefore I will here offer a closer look at the most important actors in the Rwandan context; the Banyamulenge and Banyarwanda refugees, the militias, the Rwandan government and the UNHCR.

The Banyamulenge refugees. The Banyamulenge dominated RDC controlled the South Kivu province and the majority of the eastern parts of the DRC from 1998 to early 2004 when the new transitional government in Kinshasa steadily brought this dominance to an end. The crucial change came when General Mbuza Mabe was appointed as military commander for the province in early 2004. Within a few months of Mabe's appointment the wheel turned rapidly on the Banyamulenge and they were driven from their homes in Uvira and Bukavu, many of which ended up in Rwandan camps. A majority of the refugee's expresses a strong will to return home to the Kivus, but sees it as impossible due to the lack of safety and the ethnic hatred lately displayed in the area. Political leaders among the Banyamulenge refugees in Rwanda have remained reluctant to discuss whether they want to attempt to recapture South Kivu by force or if they will rely on political measures. However, young Banyamulenge men have repeatedly expressed concerns to UNHCR about possible recruitment to go back

⁴⁷ HRW, 2008, "DR Congo: Peace Accord Fails to End Killing of Civilians", 18 July 2008

⁴⁸ Ibid.

⁴⁹ Mthembu-Salter, 2006, p.202

to the DRC and fight, which displays reluctance on their part to continue the fighting. Many are though worried that if the new Kabila government fails to deliver the needed safety more of the Rwanda- and Burundi-based Banyamulenge refugees could be expected to endorse a military option.⁵⁰

The Banyarwanda refugees. The majority of the Banyarwandan refugees in Rwanda are to be found in the two largest camps, Kiziba and Gihembe. According to the UNHCR these camps are classified as being civilian in character, yet credible findings from researchers from the UN Panel investigating the arms embargo against the DRC and other UN researchers looking into the situation of child soldiers have found indications that a combination of pressure from the Rwandan authorities, financial incentives and for some a commitment to Nkunda's armed struggle has led to a militarization of the Kiziba camp.⁵¹

Nkunda's militia. After fighting on the side of the RPF in the early 1990's Laurent Nkunda became a senior officer in the Rwandan backed RCD-G (Rally for Congolese Democratic- Goma), one of the main militia groups fighting in the DRC from 1998-2004. In 2004 he was named general in the new national Congolese army, consisting of troops of the dissident forces at the end of the war. He later refused the post and withdrew together with hundreds of his troops to the northern parts of the Kivus, creating the earlier mentioned CNDP. A year later, in 2005, he announced a new rebellion against the new DRC government. Ever since his withdraw from the new Congolese army, he and his militia has been the most diligent recruiters among the various militias when it comes to recruitment in the Kiziba and Gihembe camps. Which can be explained by the fact that he shares the same ethnic background as the Banyarwanda Tutsi refugees. At present Nkunda is wanted by the Congolese government for war crimes and his military chief of staff, Bosco Ntaganda, is wanted by the ICC (International Criminal Court) for the enlistment and active use of use of children during the conflict in the Ituri.⁵²

The Rwandan government. Led by the democratically elected president Paul Kagame, former leader of the RPF, the Rwandan government provided highly effective military support to the Banyamulenge's political aspirations in the DRC during the late 1990's. However, a profound worsening in the Rwandan governments relationship with the Banyamulenge has made future military-political collaboration less likely. A sign of this is the move of the civilian Banyamulenge refugees away from the Congolese boarder, from Nygatare to Nyabahike, which shows that the Rwandan government do not wish to support their external militarization. The Rwandan governments relationship with the Banyarwanda Tutsis, unlike the one with the Banyamulenge, remains strong and has never ruptured. Due to this strong relationship, the Rwandan government is more inclined to assist, or at least not disrupt, the military efforts of North Kivu Banyarwanda, which may explain its stance regarding the refugee militarization in

⁵⁰ Mthembu-Salter, 2006, pp.203-204

⁵¹ Ibid. pp.204-205, UN Security Council, 2007, "Final Report of the Group of Experts on the Democratic Republic of the Congo, pursuant to the Security Council resolution 1698 (2006)", S/2007/423

⁵² HRW, 2006, "DR Congo: Arrest Laurent Nkunda for War Crimes", 31 January 2006, HRW, 2008, "DR Congo: Suspected War Criminal Wanted", 29 April 2008

Kiziba. Officially, the Rwandan government has repeatedly denied having anything to do with Nkunda and his militia, and in September 2005 the government deported some of Nkunda's supporters back to the DRC. These expulsions has, however, been claimed as a cynical ploy by the government as to conceal continuing close links to Nkunda.⁵³

The UNHCR. One of the core aspects of UNHCR's mission is to preserve the civilian character of refugee camps. To help the agency reach this goal in complex security contexts, inspired by the disastrous experience with the Rwandan refugees in eastern DRC (then Zaire) in 1994, the UNHCR has come up with a "ladder of options". The ladder describes a series of possible, and ideally multilateral measures ranked in order of the "soft" or "hard" nature. The "soft" measures include actions such as international support for national security forces and deployment of international fact-finding missions and observers. The "hard" measures involve the use of international or regional forces, after a mandate is secured their activities may range from monitoring to separation and disarmament of combatants.⁵⁴ Actions such as the refusal to recognize militia combatants as refugees, against the wish of the Rwandan government, and the move of Congolese refugees away from the DRC-Rwanda boarder can be seen as an example of the ladders preventive and corrective measures being carried out. However, if the UN Panel of Experts is right and militarization is taking place in the Kiziba camp the silence of the UNHCR is highly problematic since it hinders action on the matter. The reason behind this silence may be the lack of proof, the UNHCR are already working under pressure and trying to gather evidence on who leaves the camps and for what reason has proven to be an impossible task. Suggestions has been made that the UNHCR in DRC, assisted by MONUC, could check where the refugees leaving the Kiziba camp ends up, make the results public and the act on them.⁵⁵ This, even if it will result in a negative response form the Rwandan government. Until that happens, the Rwandan governments contention that there is no recruitment taking place on Rwandan soil will remain to appear stronger.⁵⁶

3.3 Recent developments in the camps

In this section I will look at the developments within the camps, taking place over the last couple of years in order to investigate the level of militarization.

⁵³ McDonough, David S., 2008, "From Guerrillas to Government: post-conflict stability in Liberia, Uganda and Rwanda", *Third World Quarterly*, vol.29, no.2, pp. 368-370, Mthembu-Salter, 2006, pp.205-206

⁵⁴ UNHCR, 2006, "The State of the World's Refugees, Human Displacement in the New Millennium", Oxford: Oxford University Press, pp.76-77, Steiner, N, Gibney, M, Loescher, G., 2003, *Problems of Protection- The UNHCR, Refugees and Human Rights*, New York: Routledge, pp.13-18

⁵⁵ Confidential interview with UNHCR representative, Kigali 2007-05-20

⁵⁶ Mthembu-Salter, 2006, pp.206-207

Except for the two largest camps harbouring Congolese refugees, Kiziba and Gihembe, I will also include the Nyagatare transit centre located in the Cyangugu province which was home to roughly 3 000 refugees between 2004 and 2005 when they were moved to Nyabiheke. I chose to include Nyagatare as to show that the militarization is not only restricted to the larger camps.

Nyagatare transit center. The majority of its inhabitants fled from Bukavu in 2004 following military operations against them directed by General Mbuza Mabe mentioned earlier. Therefore most of the refugees were Banyamulenge, but there were also a few members of South Kivus other ethnic groups such as Bashi and Bafulero. The camp was administered by Rwanda's MINALOC (Ministry of Local Governance) in partnership with UNHCR who had an office in nearby Cyanguru. The external security around the camp was supplied by RDF, which deployed around 50 soldiers there. Officially, the Rwandan police provided the internal security but in practice a refugee security team carried out most of the work. Nyagatare was originally planned as a transit centre for Rwandan refugees returning home from the DRC, therefore it was placed close to the boarder, which made it difficult to work as a safe refugee camp.⁵⁷

The residents in the camp was highly organized, governing the main aspects of camp life by decisions made by an elected committee which dealt with contacts with the government, UNHCR and other agencies in the camp. However, the Banyamulenge control of the camp structures caused resentment and concern among camp residents from other ethnic groups. When asked, UNHCR, Rwandan government officials, Banyamulenge and non-Banyamulenge refugees all maintained that there where no military training to be found in the camp. However, some of the non-Banyamulenge refugees raised concerns that Mutebutsi's soldiers⁵⁸ visited the camp on a regular basis, holding secret meetings. Also, young men raised their concerns with the UNHCR about their possible recruitment into Mutebutsi's force. Concerns that led the young men to rarely spend the night within the camp in fear of being involuntarily recruited. One such incident were documented by the UN Panel of Experts investigating the compliance with the arms embargo against the DRC, according to them RDF entered the camp on the 18th of June 2004 where they rounded up 30 young men and forced them onto trucks. Some of these young men later told the panel that they had been taken to a police and army compound where they were asked to join Mutebutsi's forces. The men where later released due to actions of the UNHCR, who later confirmed the incident. The RDF explained the incident as

⁵⁷ Mthembu-Salter, 2006, pp.186-187

⁵⁸ Colonel Jules Mutebutsi was appointed deputy commander under General Nyabiowla (who were later replaced by General Mabe) by the new DRC government. However, tensions between the two men led to clashes between their forces during which Nkunda joined Mutebutsi and his forces during the summer of 2004. Rwanda closed its boarders at this time, but was nevertheless widely accused of assisting both Mutebutsi and Nkunda. Later, Mutebutsi and many of his men ended up fleeing into Rwanda.

part of a screening exercise and not a recruitment drive as the refugees alleged it to be.⁵⁹

The Kiziba and Gihembe camps. Both of the camps were established in December 1996 following the closure of the Umubano camp in Gisenyi due to insecurity, the majority of the residents are Banyarwanda refugees from North Kivu. During late 2002 the Rwandan government in collaboration with the RCD, who controlled the eastern part of the DRC, forced approximately 9 500 refugees from Kiziba and Gihembe to return to North Kivu but the operation was dispended after strong protest from the UNHCR. Most of the refugees who were repatriated soon returned to the camps in Rwanda and in March 2007 the camps had approximately 17 958 and 17 999 inhabitants according to UNHCR representatives.⁶⁰ The UN Panel of Experts on the arms embargo against the DRC claimed in their 2004 report that both of the camps were being militarized due to the fact that Nkunda visited the camps repeatedly in late 2003 and mid-2004, accompanied by senior Rwandan government and RDF officials for what the panel describes as “recruitment drives”. The panel reported that;

“On both 2 March and 14 April [2004], in the presence of Rwandan officials, Nkunda personally requested that refugees enrol and conveyed to them that the time had come to continue warfare inside the DRC against the Kinshasa government. Rwandan officials, along with Nkunda and other Congolese officials, used intimidation tactics to further recruitment aims. During recruitment drives the refugees were threatened with the loss of their Congolese citizenship and were told that Rwandan hospitality had been exhausted. When certain members of the refugee population resisted Nkunda’s solicitation, they were directly threatened by Rwandan officials.”⁶¹

When UNHCR raised concerns to the Rwandan government regarding Nkunda’s visits in Kiziba and Gihembe they were told that the visits were “family visits” and nothing else. Later, the Rwandan government claimed that the UNHCR never officially complained about Nkunda trying to recruit within the camps. Even if that is true, and UNHCR never lay a formal complaint, the UN panel reported that officials working in the camps were privately clear that Nkunda was in fact trying to recruit in the camps. According to the panel the recruitment drive met with some success, particularly in Kiziba, where children periodically during 2004 and 2005 left the schools and the camps.⁶² The panel reported;

“Departures increased drastically in August [2004]. According to testimony from fellow refugees and aid workers, those who accepted enlistment left the camp alone, at dusk, usually during study period, and assembled on a hilltop

⁵⁹ Mthembu-Salter, 2006, pp.189-190, UN Security Council, 2005, “Final Report of the Group of Experts on the Democratic Republic of the Congo, pursuant to the Security Council resolution 1533 (2004)”, S/2005/30

⁶⁰ Interview with UNHCR representative, External Relations Officer Beatriz Gonzalez Garcia, Kigali 2007-05-07, Mthembu-Salter, 2006, pp.194-195

⁶¹ Seudi, L-P., 2004, “Letter dated 9 July 2004 from the Coordinator of the Group of Experts on the Democratic Republic of the Congo addressed to the Chairman of the Security Council Committee established pursuant to resolution 1533 (2004)”, New York: UN

⁶² Confidential interview with UNHCR Representative, Kigali 2007-05-22, Mthembu-Salter, 2006, p.196

where vehicles would be waiting for them. Refugees as well as aid workers, including human rights and religious organizations, informed the panel that some of the children had been sent for military training at either a military installation nearby in Kibuye or in eastern parts of Rwanda, while others went directly to the DRC for military purposes.”⁶³

UN panel member Kathi Lynn Austin claims that informants consistently told her that most of the school disappearances are linked to recruitment into Nkunda’s forces. Nkunda was said to make payments to the parents of the recruited children as well as to member of the refugee committees running the internal affairs in the camps. However, the Rwandan government is still adamant that no child soldiers are or have been recruited from Kiziba and Gihembe. While many people within international agencies appear privately convinced that recruitment is going on, they have a hard time proving it since no systematic effort had been made to track the children leaving the camps and going back to the DRC.⁶⁴

3.4 “The safety first approach” – a viable option?

After reviewing the actors and the recent developments within the Rwandan refugee camps it becomes obvious that the problem of refugee camp militarization is part of a larger, very complex security situation. As been discussed, all the evidence suggests a worrying degree of “outward” militarization of the two largest camps, especially the Banyarwanda refugees from the North Kivu residing in Kiziba. Although the Rwandan government strongly denies it, the refugees’ militarization appears to have taken place due to the recruitment efforts by Nkunda and his militia, efforts that have been facilitated by the Rwandan authorities, with the cooperation of refugee committee in Kiziba as well as the willingness of at least some of the Kiziba refugees to be recruited.

Looking at the past and present to try and predict the future may be a risky undertaking, but a necessary one as to avoid repeating past mistakes. So what can the Rwandan situation teach us? After reviewing the main actors it soon becomes clear that the two actors sharing the main responsibility for the refugees safety, the host state and UNHCR, has failed to learn from past mistakes. An important lesson supposedly to be learned from the Rwandan refugee camps in eastern DRC (then Zaire) was that its crucial for host states to separate armed combatants from civilians, preserving the civilian nature of refugee camps and moving the camps away from boarder areas. Instead of learning from this experience the Rwandan government appears to have facilitated the militarization of refugee camps such as Kiziba and, albeit on a much smaller scale, adopted Mobutu’s methods of using

⁶³ Seudi, L-P., 2005, ”Letter dated 4 January 2005 from the Coordinator of the Group of Experts on the Democratic Republic of the Congo addressed to the Chairman of the Security Council Committee established pursuant to resolution 1533 (2004)”, New York: UN

⁶⁴ Confidential interview with UNHCR representative, Kigali 2007-05-20, Confidential interview with Save the Children Field Officer, Kigali 2007-06-04, Mthembu-Salter, 2006, pp.196-197

the refugees as to advance its strategic interests in the region.⁶⁵ UNHCR has though tried to implement its “ladder of options”, which can be seen as a direct result of the failure of the agency in the camps in Zaire back in the 1990’s, to preserve the civilian character of the Rwandan camps. However, the only result so far is the move of the Nyagatare refugees to Nyabiheke in mid-2005. This can be seen as an action on the “softer” part of the ladder, the implementation of “harder” measures has remained absent due to the lack of hard proof of the militarization taking place. The lack of proof has so far stopped agency representatives from speaking up publicly, a silence that assists the process of militarization until broken.⁶⁶

It becomes obvious that a new approach is needed as to prevent the current situation from repeating it self, could then Jacobsen’s “safety first approach” be a viable option when dealing with future refugee influxes? Could Jacobsen’s theory be implemented in the Rwandan context? At the core of Jacobsen’s approach we find the Camp Security Force, which she argues should be used as to ensure the camp inhabitants physical safety and help reset the balance between assistance and protection. A shift of balance would definitely benefit future refugees in the Rwandan context since a focus on security early on would help guarantee the civilian character of the camps and help prevent future militarization, the question is if the Camp Security Force suggested by Jacobsen is the best way to go forward. Jacobsen advocates a sub-regional perspective since it would better help assess the area-specific physical protection needs. At the same time she suggests the use of a country-based Camp Security Force, which can be trained and monitored by international agencies such as the DPKO or the ICRC.⁶⁷ To suggest a sub-regional perspective becomes necessary when dealing with context depending issues such as refugee influxes, but to suggest that the answer must lie in a country-based force can easily become contradictive when dealing with conflicts such as the one in the Great Lakes. The Rwandan case clearly shows how a Camp Security Force drawn from the Rwandan army and police would rather constitute a threat than a guarantee for elevated security. Even if such a force would be trained and monitored by international agencies it would still have strong links to warring fractions within the DRC and for a monitoring mission to be successful it would require around the clock presence. Based on this I would say that Jacobsen’s “safety first approach” would not constitute a viable option for dealing with future refugee influxes in Rwanda as long as its based on a country-based Camps Security Force. However, if the country-based force where not to be drawn from the country’s own army and police but were instead replaced by an international, or even regional, force without any former ties to the conflict, the approach of establishing security at an initial stage would be an option worth considering as to prevent future refugee camp militarization.

⁶⁵ Mthembu-Salter, 2006, pp.208-209

⁶⁶ Ibid.

⁶⁷ Jacobsen, K., 1999, pp.9-11

4 Uganda

Both refugee settlements and IDP camps in northern Uganda are today highly militarized. Although historically the camps have served as a base for armed elements to launch attacks into neighbouring countries, here referred to as “outward militarization”, the present experience of refugees and IDPs is one of “inward militarization”. The term of “inward militarization” refers to the deliberate involvement of displaced populations in their own military defence, in the Ugandan case with the support of the UPDF (Ugandan People’s Defence Force) and the policies of the NRM (National Revolutionary Movement) government.⁶⁸ In this chapter I will look at the security context, the main actors and the recent developments within the camps as to assess if the “safety first approach” could be suitable in the Ugandan context.

4.1 The security context

Ever since 1986, several armed opposition groups have resisted the Ugandan government of President Yoweri Museveni. The strongest resistance has been from the LRA/M (Lord’s Resistance Army/Movement), a militia group led by Joseph Kony who is currently wanted by the ICC, accused of war crimes. The LRA/M has been most active in the sub-region of northern Uganda, referred to as Acholiland or Acholi. For over 20 years, the group has waged a brutal campaign against the Museveni government often attacking civilians, leading to a gross pattern of human rights violations. It is considered by some to be one of the worlds most vicious rebel wars. Over the course of the conflict, serious crimes of concern to the international community and serious violations of the laws and customs applicable in armed conflicts of a non-international character have been committed, mainly by the LRA. Among those crimes we find rape, sexual slavery, the use of child soldiers and the direct targeting of the civilian population not taking direct part in the hostilities. Several high-ranking UN representatives have spoken out, among them UNHCR’s 10th High Commissioner, Antonio Guterres, who made a statement saying, “the LRA are cowards because they attack the

⁶⁸ Muggah, Robert, 2006, “Protection failures: outward and inward militarization of refugee settlements and IDP camps in Uganda”, in Muggah, Robert, *No Refuge – The Crisis of Refugee Militarization in Africa*, London: Zed Books, p.89

civilians”.⁶⁹ An example of this is the LRA attack on the Barlonyo IDP camp in northeastern Uganda in February 2004 when 337 civilians were killed. On top of killing tens of thousands of civilians, the LRA/M rebels have abducted an estimated 20 000 children to serve as fighters, porters and sex slaves in the eastern and northern parts of the country. The conflict has driven approximately 1.6 million people from their homes, forcing them to settle in camps scattered across the region.⁷⁰

In an attempt to end the conflict, the Ugandan government has shown willingness to find a peaceful resolution through dialogue between the government and LRA/M representatives. As part of the Ugandan governments “commitment to peace” launched in the year 2000, the government granted the LRA/M combatants who renounce rebellion amnesty, offering full immunity from prosecution. However, three years later in December 2003 President Museveni referred the situation in northern Uganda to the ICC prosecutor to investigate crimes committed by the LRA/M. This was the first time a state made such a referral and it later led to the case against Joseph Kony, Vincent Otti, Okot Odhiambo and Dominic Ongwen.⁷¹

The roots of the conflict are to be found in the ethno regional bias and competition for power in both government and military that has historically characterised Uganda. Broadly, people in Uganda can be divided into two groups; Bantu-speaking groups (who occupy the southern part of the country) and the non-Bantu or Nilotic (who live mainly in northern Uganda). The British colonial policy in Uganda between the 1890s and 1962 designated a large portion of the territory in southern Uganda as cash-crop growing, whereas the northern parts was used as a labour reserve. This policy caused serious economic disparities between the north and south, and the north still today remains significantly poorer than the rest of the country. In addition, the colonial policy left the military in the hands of the non-Bantu Northerners while the civil service was left to the Bantu-speaking Southerners. Later, the postcolonial governments of Milton Obote and Idi Amin found that this formula could serve their own political interests, which in turn fuelled the ethnic polarization as well as the militarization of politics. The conflict in the north erupted when Uganda’s current President Museveni and his NRM/A (National Resistance Movement/Army) took power in 1986. When Museveni and NRM/A, mainly dominated by Bantu from the south, won the five-year guerrilla war it led to a shift of power from north to south as the former leader, Army officer Tito Okello belonging to the Acholi of the north, was forced from power.⁷² Upon taking power, President Museveni put in place what he

⁶⁹ Ssenyonjo, Manisuli, 2005, “Accountability of Non-State Actors in Uganda for War Crimes and Human Rights Violations: Between Amnesty and the International Criminal Court”, *Journal of Conflict & Security Law*, vol.10, no.3, pp.405-406

⁷⁰ Ibid, pp.406-407

⁷¹ Ibid. , ICC, “The Prosecutor v. Joseph Kony, Vincent Otti, Okot Odhiambo and Dominic Ongwen”, Case-ICC-02/04-01/05

⁷² ICG, 2004, “Northern Uganda: Understanding and Solving the Conflict”, Africa Report no.77, 14 April 2004, Ssenyonjo, M., 2005, pp.408-409

claimed was a new form of democracy, the so-called no-party/movement democracy, which in practice created a single-party state. This new form of “democracy” effectively outlawed the existence of opposition parties in Uganda from 1986 to 2005.

Apart from the human rights abuses in northern Uganda reportedly committed by the NRA (National Resistance Army), the NRM in May 1986 ordered all former soldiers, who were mainly Acholi, to report to barracks. Among the Acholi soldiers this was met with deep suspicion since they had engaged in battle with the NRA and were held responsible for the murder and torture of civilians. This caused many of the Acholi soldiers to flee to Sudan, from which they launched an armed resistance under the name of LRA/M. The LRA launched its first attacks in northern Uganda in 1988 and has persisted since then, often operating from bases in southern Sudan. The conflict in Uganda is one of the longest running armed conflicts of a non-international character having lasted two decades. Although the Ugandan army has recently claimed that the LRA rebellion has weakened, the rebels continue to commit war crimes, particularly by attacking civilians.⁷³

4.2 The main actors

The main actors in the Ugandan context are the NRM government led by President Museveni and the UNHCR, who are together responsible for the refugees and IDP’s protection, and the LRA/M rebel group.

The Ugandan government and army. The Ugandan government has introduced a range of “hard” and “soft” measures as to address the real and perceived threats of the LRA. The “hard” options include the recent deployment of three UPDF fronts in the northern districts; the 3rd Division in Soroti, the 4th Division in Gulu and the 5th Division in Pader, Kitgum and Lira. The UPDF has also bolstered its presence in camps and settlements and claims to double its numbers along the Sudanese boarder as to cut off LRA camps in Juba, Sudan, from their operations in Uganda. This recent development in combination with the introduction of the expanded amnesty in 2000 is regarded as instrumental in the apparent weakening of the LRA. According to recent estimates the LRA now only consists of 400-500 hard-core members but as many as 1 500 overall. With those numbers it remains something of a mystery why the 42 000 strong UPDF are unable to defeat their militarily comparatively small opponent.⁷⁴

A key feature of the inward militarization of refugee settlements and IDP camps is the creation of civilian militia, home guards and LDUs (Local Defence Units) in and around them. Although the lines between the three are porous, it is generally conceded that they each fall under the purview of the Ministry for

⁷³ Francis, D.J., 2005, pp. 222-225, HRW, 2008, “Uganda: LRA Regional Atrocities Demand Action”, New York, May 19 2008, Ssenyonjo, M., 2005, p.410

⁷⁴ Muggah, R., 2006, p.95

Security, even if they in practice are managed directly by the UPDF. In response to deteriorating security and small resources in combination with the urging of local leaders in the camps, the government had pursued a policy of arming civilians, including the displaced populations. In some reported cases the civilians are involuntarily implicated in the defence of their own communities, although the majority see little choice in the face of insecurity.⁷⁵

The establishment of local militia has rapidly escalated the levels of inward militarization. LDUs and similar forces were set up in Gulu and Adjumani in 1997 and are now operating together with the UPDF in practically every refugee settlement and IDP camp. The participants are normally provided with two or three months training, living in sub-standard conditions and theoretically deployed only on the sub-country level, they are supervised by the UPDF. Some of the participants are later integrated directly into the army, while others are known to desert with their weapons. The continued government policy of redeploying poorly trained militia and LDUs to parts of the country against the wishes of host as well as refugee communities has been a source of controversy. Another problem is the discrepancy in pay between the LDU and UPDF, generating tensions among the recruited. Most alarming however is the design of the militia groups who are practically divided up according to ethnic affiliation, posing a looming problem if not contained. Given the history of ethnic antagonism between militias and the limited control by the government over the LDUs, all-out civil war remains a very real possibility if the situation is not controlled.⁷⁶

The governments "soft" measures include the introduction of legislation such as amnesties. So far two national amnesties, one in 1987 and the other in 2000, offer blanket immunity and freedom from criminal prosecution to low- and senior- ranking LRA combatants who surrender their arms. By early 2004 more than 1 917 LRA combatants had either taken advantage of the amnesty or had been captured, though the status of their weapons remain unknown. Even if partially successful the amnesties have several shortcomings as they have been recorded to be manipulated for political purposes.⁷⁷

The LRA/M rebels. Initially the LRA adopted traditional guerrilla tactics but when facing difficulties in attacks against the government's army the LRA restored more and more to terror tactics. Shifting the focus from the control of land to attacking "softer" targets, that is civilians and particularly children and women. During the course of the conflict the LRA is estimated to have burned at least 2 000 houses, 1 600 storage granaries, looted at least 1 357 houses, 116 villages and 307 shops.⁷⁸ Actions that have led to the serious violations of human rights also include summary executions, torture and mutilation, recruitment of child soldiers, child sexual abuse, rape, forcible displacement and destruction of civilian property. The intentional targeting of civilians seems intend to generate

⁷⁵ Muggah, R., 2006, p.95

⁷⁶ Ibid. pp. 95,98, Ssenyonjo, M., 2005, pp.415-418

⁷⁷ Muggah, R., 2006, pp.101-102

⁷⁸ ICC, "Background Information on the Situation in Uganda", 2008-05-12

maximum media attention as well as the maximum embarrassment to the government who remains unable to protect its citizens. Though, some of the attacks seem to be designed as to gain supplies such as food, rather than for a political purpose.⁷⁹ As mentioned earlier, many of the LRA attacks involve large-scale abductions of children, it has been estimated that over 20 000 children have been abducted so far. The children are often between fourteen and sixteen years old, but at times as young as nine or eight, and they are subjected to brutal treatment as soldiers, cooks, spies and sexual slaves. Estimates have been made that 85% of the LRA forces are actually made up of children. The group mostly affected by the LRA is the Acholi tribe in the northern Ugandan districts of Gulu and Kitgum on the border to Sudan. Although the rebels, who are mainly Acholi, claim to be fighting against Museveni with the goal to overthrow the government, their agenda and motivation is somewhat obscure. In fact they have continually turned their weapons on their own people in Acholiland, looting from them, destroying their villages, raping women and abducting their children. The actions of the LRA are in violation of international law applicable in non-international conflicts, and has caused enormous suffering among the civilian population and the displacement of a large portion of the population.⁸⁰

The UNHCR. Since 2005 the UNHCR has taken a more prominent role in refugee and IDP protection in Uganda, assisting 1 814 510 out of the total of 1 864 460 refugees and IDPs estimated to be residing in the country in January 2008.⁸¹ The agency's new role can be explained by the reformation of UNHCR's IDP policy, which earlier was criticized for being uncertain, inconsistent and unpredictable. Following a meeting of UNHCR's Executive Committee and the High Commissioner in late 2005, where the Commissioner promised that the agency would "fully engage as a predictable partner" regarding situations of internal displacement, the UNHCR undertook an important extension of its operational involvement in IDP situations.⁸² Especially in five African countries, among which we find Uganda, where UNHCR had not been significantly engaged in the support of the IDP population prior to the reform. Since the new operations were to be implemented within an extremely complex humanitarian context, the agency decided to undertake an early evaluation of the effectiveness of the new programmes. The crucial test being whether the reorganisation of the humanitarian action translates into immediate positive and lasting improvements for IDPs living in war-affected communities. The findings turned out to be less than encouraging. In Uganda the evaluation team observed that many of the IDPs were "living at the most abject level of subsistence, foraging for food in the bush or engaging in exploitative forms of labour".⁸³ However, despite this sobering

⁷⁹ ICG, 2005, "Building a Comprehensive Peace Strategy for Northern Uganda", Africa Briefing no.27, 23 June 2005, Ssenyonjo, M., 2005, p.411

⁸⁰ Ssenyonjo, M., 2005, pp.411-412

⁸¹ UNHCR, 2008, "UNHCR Global Appeal 2008-2009", pp.155-157, 2008-07-03

⁸² Crisp, J., Kiragu, E., Tennant, V., 2007, "UNHCR, IDPs and Humanitarian Reform", *Forced Migration Review*, vol.29, p.13

⁸³ Ibid.

overall picture, the teams also identified some concrete positive developments, which appeared to be solidly linked to the reforms. In northern Uganda, UNHCR and its partners played an essential role in unlocking the lingering restrictions linked to the government's anti-insurgency strategy through a successful "freedom of movement" campaign. The campaign were backed up by a series of practical interventions to give the concept practical effect, this included opening up access roads, de-mining and rehabilitating water sources.⁸⁴ However, considerable work remains to be done, especially regarding the refugees and IDPs physical safety as will be demonstrated in the following section.

4.3 Recent developments in the camps

The two most severely effected regions with respect to the displacement of IDPs and refugees are the Gulu and Adjumani districts. Although the unregulated availability to small arms are more common along the borders of the country, refugee and IDP militarization is nowhere more acute than in these to districts.⁸⁵ I will here take a closer look at the recent developments in two of the IDP and two of the refugee camps in the area as to try and establish the patterns of militarization.

The Bobi IDP camp. Ever since the camp was established in 1996 it's been the site of repeated armed incursion by the LRA and is still today considered by relief and agencies to be extremely insecure, even as the LRA was reported to have been weakened during 2004. With an population of 18 000 IDPs the camps in now heavily militarized, owing to the repeated attacks by small fractions of the LRA, about 20-25 at a time, across the river on the camps eastern boarder, resulting in more than a hundred abductions since the year 2000. Due to these attacks, some 150 UPDF is now stationed within the camp and some 50 UPDF are supposed to patrol the eastern perimeter at night. However, in 2003 fewer than 30 UPDF reservists were protecting the camp. When asked, the IDP residents expressed little confidence in the police and army detachments and some even claimed that they would acquire weapons to protect their camps if permitted. After the official request of the community's local leaders in early 2004 some 15-20 IDPs were being trained as LDUs by the UPDF and equipped with AK-47s by the local detachment. However, IDP representatives expressed some concerns about the LDUs as many of the men who previously volunteered to serve as militia years earlier were subsequently redeployed to Sudan and the DRC and left the camp against their will. When it comes to numbers of UPDF and LDUs they tend to be extremely difficult to verify, even residents are unsure about the figures, so its hard to know exactly who many that are left in the camp today.⁸⁶

⁸⁴ Crisp et al., 2007, pp.13-14

⁸⁵ Muggah, R., 2006, pp.108-109

⁸⁶ Ibid.

The Pabbo IDP camp. The Pabbo camp is one of the largest IDP camps in Uganda, hosting over 63 000 IDPs, and its also one of the most insecure. At present, relief workers need two armed escort vehicles to access the camp. This camp was also established in 1996 and it's a densely populated site with a large UPDF detachment, the 71st Battalion, recently stationed on its eastern perimeter. An additional 46 IDPs were also recently trained as LDUs and they now actively patrol the camp. Owing in part to its close proximity to the LRA enclaves, a rear base of the LRA, the camp is frequently under attack. According to NGO representatives and camp residents the security in the camp has improved marginally since the arrival of the UPDF detachment. Many residents complain of continued harassment when they leave the camp to collect firewood and other supplies. Some even contend that the UPDF rarely prevents or pursues LRA combatants who attack the camp, instead resorting to a more defensive strategy.⁸⁷

The Adjumani and Moyo refugee camps. The majority of the 94 800 Sudanese refugees in Adjumani and Moyo arrived between 1995 and 2000. The security situation deteriorated after considerably after 1997 and the camps suffered repeated attacks between 1998 and 2003 but the armed violence peaked in 2004. During April to June 2004, the LRA infiltrated the refugee settlements throughout the district, killing 20 refugees and abducting hundreds of children. Due to their close proximity to the Gulu district, the Adjumani refugees have remained to be severely effected by the violence. As a response to these and other attacks the UPDF deployed to battalions in 2003 and strengthened its troops presence alongside the refugee camps. The government also launched a concerted campaign to support the UPDF through recruitment drives, the formation of LDUs, limited community policing and additional support to the IDPs. The UNHCR and the office of the Prime Minister, for their part, have tried to strengthen security measures by providing the local authorities with VHF handsets and facilitating their movement by providing vehicles such as pick-ups, trucks and motorcycles and fuel. However, the level of security still remains unsatisfactorily low.⁸⁸

4.4 “The safety first approach”- a viable option?

After reviewing the actors and the recent developments within the camps it becomes clear that the militarization of the Ugandan camps are, just like in the Rwandan case, part of a complex ethnically based conflict. Neither in this case has the Ugandan government and the UNHCR learnt from past mistakes. Instead of focusing on preserving the humanitarian character of the camps, the government is instead contributing to their militarization by training and equipping the camp inhabitants as LDUs, creating what can be defined as civil

⁸⁷ Muggah, R., 2006, p.110

⁸⁸ Ibid. pp.110-111

militias and home guards. The government justifies this “inward” militarization with the argument that the refugees and IDPs have requested it themselves and that it helps protect the camps from the frequent LRA attacks. It’s true that some camp committees have asked to be equipped with weapons, but according to several testimonies these requests has been made only when the refugees and IDPs been faced with no other choice.⁸⁹ According to some, the real reason behind the government’s policy is a combination of financial and tactical factors. By training civil militias and LDUs the government gets an extra, armed force without having to spend as much as on the UPDF, the LDUs are paid considerably less, which often creates tension between the forces. The LDUs also help the government recruit new combatants to the UPDF as many of the LDU participants later gets integrated into the regular army. This strategy may however create serious problems for the government if not kept under control as the militias are often divided after ethnic belonging and then redeployed to other parts of the country, against the will of the local host communities and as well as the refugees. The government strategy to deploy poorly trained militias and LDUs instead of the better trained and more costly UPDF to guard the refugee and IDP camps may lead to new conflicts if the situation is not kept under control.⁹⁰

The UNHCR has voiced its disapproval regarding the training and equipping of the refugees and IDPs, but with little result. The need for a new approach is evident. Could then Jacobsen’s “safety first approach” be a viable option in the Ugandan context? A shift of balance between protection and assistance would undoubtedly benefit future refugees, the prioritisation of security would help create safe camps where the refugees would not be forced to defend themselves and the “inward” militarization seen today would be avoided. Once again the problem lies with the Camp Security Force, intended to guard the camps and uphold the security. Jacobsen proposes that the force is drawn from the country’s own army and police, in this case the UPDF who are already today in charge of the camps security. So fare the UPDF has proven to be unreliable and their methods of protection and defence has been ineffective, despite their size they have still not managed to defeat the LRA. Refugees state that the UPDF rarely prevents or pursues LRA combatants who attacks the camps, but instead resort to a defensive strategy, which is not working since the attacks continue.⁹¹ The UPDF is also known to redeploy demobilized LRA combatants, some of which are under the age of eighteen. This has been confirmed by army spokesman Major Shaban Bantariza saying, “between two evils, you chose the lesser”.⁹² If a Camp Security Force would be drawn from the Ugandan army, as suggested by Jacobsen, it would require substantial training and monitoring as not to fall back into old patterns of operation. However, the fact still remain that the majority of the army originates from the northern parts of the country and ethnic affiliation may

⁸⁹ Muggah, R., 2006, p.95

⁹⁰ Ibid. pp.95, 98

⁹¹ Ibid. p.110

⁹² BBC News, 2005, ”Ugandan army recruiting children”, 2008-08-04, Muggah, R., 2006, p.115

constitute a problem, in particular when dealing with the IDP population. So the question is if the Ugandan army with all its apparent flaws could be retrained and educated as to carry out the protection of future refugees, as was intended with its current assignment at the existing refugee and IDP camps. Given the right, extensive training and the right incentives followed by extensive monitoring by international representatives Jacobsen's approach could work. However, since the Ugandan case turns out to be a borderline one, it's impossible to know for sure without actually implementing the approach. An implementation of Jacobsen's approach and the creation of a Camp Security Force, drawn from the UPDF and equipped with a clear mandate would likely help eliminate the "inward" militarization carried out by the army. The government would be forced to abandon its policy of letting refugees take part in their own defence. This would constitute a great step forward, but the problem of the LRA and its infiltration and its attacks would still remain. And the question is if the UPDF is the best-equipped force to fight off that threat and to provide the refugees with the safety needed. With regards to its previous record, the answer to that question would most likely be no.

5 Conclusion

In this concluding chapter I will attempt to answer the question posed in the opening chapter; *“Could the “safety first approach” constitute a viable option for the prevention of militarization of future refugee camps in the Great Lakes Region?”*. Does Jacobsen’s theory hold up when tested against empirical conditions?

The idea of guaranteeing security before assistance seem fundamental after reviewing the Rwandan and Ugandan cases, as to provide the refugees with the safety they have fled in order to find. Jacobsen’s suggested measures of how to reach this desired safety, the separation of armed elements from bona fide refugees, the location of refugee camps away from boarder areas and the creation of law and order within the camps, are all aimed at erasing the three major security problems and establishing the camps humanitarian character. However, if implemented these measures would only be able to erase two out of the three major security problems, the problem of violence and intimidation from within the camps and the breakdown of law and order, the third problem of external military attacks and raids would still remain for as long as the camps are perceived as locations rich in supplies. But Jacobsen argues that with the other security threats erased and with a Camp Security Force in place, it can focus its attention on that one remaining threat. Its here we find what has turned out to be the weak link in Jacobsen’s theory, the Camp Security Force. Jacobsen advocates a sub-regional perspective to avoid an international mechanism designed from what she refers to as “above”. She argues that this perspective would better assess area-specific physical protection needs and capacities of host countries so that the plans can be adjusted accordingly. She then sees the inclusion of different elements depending on the requirements of the specific receiving area, but one essential feature that would always be present is the Camp Security Force. A force that Jacobsen envisions as country-based since it would be more familiar with the context, drawn from the local army and police. As mentioned earlier, it easily becomes contradictive to first argue the use of a sub-regional perspective as to better understand area-specific needs and then to argue that the answer always must include a country-based force. This becomes painfully clear when reviewing the Rwandan and Ugandan cases.

In the Rwandan case we find “outward” or external militarization of both the large and small camps along the DRC boarder as militias use the camps for recruitment. The militarization appears to take place mainly due to the recruitment efforts of Nkunda, which are made possible due to the cooperation of the Rwandan authorities and the refugee committees running the camps. The close links between the Rwandan army, RDF, and the Rwandan president and former rebel leader Paul Kagame and Nkunda and his CNDP goes back over a decade

when Nkunda fought on the side of Kagame's RPF. Rwandan authorities have adamantly denied that any lasting connection between the Rwandan government and Nkunda exists, also denying that recruitment is, or ever has taken place on Rwandan soil. However, testimonies of UNHCR and NGO representatives working in the camps as well as the reports of the UN Panel of Experts on the arms embargo against the DRC do all show that recruitment does take place and that a link between the Rwandan authorities and Nkunda do still exist. To draw a Camp Security Force from the national army and police would in the case of Rwanda be highly problematic, if not to say impossible, due to the complex conflict situation and the history of these forces.

In the Ugandan case we find "inward" militarization of both the refugee and IDP camps situated in the northern parts of the country. A militarization that takes place with the support of the UPDF and the policies of the NRM government since a key feature of the militarization is the creation of civil militias, home guards and LDUs. The policy goes back over 10 years and the governments continued redeployment of poorly trained militia and LDUs remains a source of controversy. To be able to draw a Camp Security Force from the UPDF to guard future camps, the new force would have to go through extensive training and later be constantly monitored by representatives of the international community. The UPDF of today does not only constitute of former LDU and LRA combatants, some of which are under the age of eighteen, but it also has a reputation of being fairly ineffective when it comes to responding to LRA attacks against refugee and IDP camps that they are set to guard. The question is, if the DPKO could retrain and re-educated the UPDF, as suggested by Jacobsen, to abandon their old manners of operating. Even if so would be the case, the fact still remains that the majority of the army originates from the northern parts of Uganda, and the LDUs have been divided after ethnic affiliation, something that could pose a problem if not kept under control. If implemented in the Ugandan context, the "safety first approach" and its Camp Security Force would most likely help erase future problems with "inward" militarization since the government would have to abandon its current policy. However, the threat posed by the LRA would still remain, they would still continue to infiltrate and attack the camps. So the question remains if the UPDF with all its apparent flaws would constitute the best material for a Camp Security Force.

To summarize my findings, I would say that Jacobsen's idea of a shift of balance towards a prioritisation of protection does make sense after reviewing the Rwandan and Ugandan cases, which both show that its almost impossible to re-establish a safe camp environment once the camps have been allowed to become militarized. If security were to be implemented at the very beginning, from the moment the camps were constructed, it would then require heavy resources to be maintained over time. Resources that would have to include an armed force of some sort, as not to let the camps become military targets and unprotected gatherings of supplies. The force suggested by Jacobsen however has proven rather unsuitable in the Rwandan case and its suitability has proven to be uncertain, at best, in the Ugandan context. In the Great Lakes region you find a complex, ethnically based conflict situation where the use of a country-based

force would become extremely difficult due to the complex linkages between the warring factions. To eliminate the force altogether would not be an option since it's a key feature in the theory and is needed for the implementation of the other suggested measures. Maybe the answer in this case lies in a regional rather than nationally based solution where a third part with no documented linkages to the ongoing conflict and refugee influxes, but with the interest of creating stability in the region, would step in and provide the force. Since its not my intention to carry out a theory-developing study, but rather a theory-driven and theory-testing one, I will not elaborate any further on possible options. Instead, I will conclude that Jacobsen's "safety first approach" in its current composition would not constitute a viable option for the prevention of the militarization of future refugee camps in the Great Lakes. However, if the weak link in her approach, the Camp Security Force, were to be reconstructed as not to be drawn from national armies or police the approach may very well become viable as its other elements and suggested measures has proven to be suitable.

So to answer the question posed in the introduction, I would say that Jacobsen's theory could become viable if its key feature, the Camp Security Force, were to be redefined. First when that crucial measure has been taken the approach may become a viable option for future prevention of militarization of refugee camps in the Great Lakes.

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