

SCHOOL OF HISTORY, PHILOSOPHY, POLITICAL SCIENCE AND INTERNATIONAL RELATIONS

POLITICAL SCIENCE AND INTERNATIONAL RELATIONS STRA534 SPECIAL TOPIC: CIVIL-MILITARY RELATIONS

TRIMESTER 1 2012 5 March to 4 July 2012

Trimester dates

Teaching dates: 26 March to 30 March 2012 inclusive, 9am to 5pm

Last assignment (essay) due: 7 May 2012

Final test to take place on: 5 June 2012 from 5:30pm

(Note students will need to preparing for the teaching sessions from the start of the

trimester: ie from Monday 5 March)

Withdrawal dates

Information on withdrawals and refunds may be found at http://www.victoria.ac.nz/home/admisenrol/payments/withdrawlsrefunds.aspx

Names and contact details

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Class times and locations

Lecture and seminar times: 9am to 5am Monday 26 March to Friday 30 March

Lecture and Seminar venues: Rm 501, Railway West Wing, Pipitea Campus

Course Schedule

MODULE 1 OVERVIEW of Conflict and Disaster Management and Mitigation

Trimester 1 meeting session 1.1 (morning) Monday 9am-1pm 26 March 2012

• The Civil-Military Interface in Conflicts and Disasters

Trimester 1 meeting session 1.2 (afternoon) Monday 1pm-5pm 26 March 2012

• The Legal Framework for Civil-Military Interventions

MODULE 2 CONFLICT MANAGEMENT AND PREVENTION

Trimester 1 meeting session 2.1 (morning) Tuesday 9am-1pm 27 March 2012

• Adaptive Governmental Approaches to Conflict Prevention and Peace and Stabilisation Operations

Trimester 1 meeting session 2.2 (afternoon) Tuesday 1pm-5pm 27 March 2012

Police-Military Relations in Peace Operations

Trimester 1 meeting session 2.3 (morning) Wednesday 9am-1pm 28 March 2012

• Civil-Military Reconstruction During and Humanitarian Recovery

MODULE 3 GOVERNANCE AND THE RULE OF LAW

Trimester 1 meeting session 3.1 (afternoon) Wednesday 1pm-5pm 28 March 2012

• The Role of the United Nations in Civil-Military Relations

Trimester 1 meeting session 3.2 (morning) Thursday 9am-1pm 29 March 2012

• Protection of Civilians (POC) in Peace Operations

Trimester 1 meeting session 3.3 (afternoon) Thursday 9am-1pm 29 March 2012

• Responsibility to Protect and the International Protection Regime

MODULE 4 DISASTER MANAGEMENT AND HUMANITARIAN ASSISTANCE

Trimester 1 meeting session 4.1 (morning) Friday 9am-1pm 30 March 2012

Civil-Military Relations and Disaster Management

Trimester 1 meeting session 4.2 (afternoon) Friday 1pm-5pm 30 March 2012

• Civil-Military Relations and Humanitarian Assistance

Course delivery

The lectures and seminars for this course will occur in the mornings and afternoons of five consecutive days from 26 to 30 March inclusive. As well as a number of guest presentations there will be ample opportunities for question and answer interaction and discussion involving the students in this course. Students will have access to the core readings for this course at the start of the trimester to allow them to prepare for the week of teaching. They will then complete two written assignments due over the remainder of the trimester and a final test which will be administered electronically during the examination period. This course is being prepared and delivered by the Australian Civil-Military Centre, the leading centre on the subject of civil-military relations in the southern hemisphere.

Communication of additional information

Additional information and changes will be conveyed to students via the Blackboard website for this course and also on occasions by email directly to students' accounts.

Course Prescription

This course investigates integrated government responses incorporating civilian and military agencies in complex interventions, post-conflict efforts and responses to natural disasters. It examines the relationship between civilian and military actors, the role of NGOS, issues of civilian protection and the overlap between development and counterinsurgency agendas.

Course content

Civil-military relations are an increasingly important field of study and policy development. Civil-military relations are characterised by: new developments in international and whole of government approaches; an increased array of actors, including non-state actors; new threats requiring integrated responses such as humanitarian interventions, Provincial Reconstruction Teams for winning hearts and minds, '3 block wars' and the rediscovery of counter-insurgency warfare; an increased emphasis on counter-terrorism and increasing international military assistance to an increased number of major natural disasters. Australia and New Zealand have become more conscious of security issues than any time since WW2, but unlike then, the state is not under threat or siege and the spectrum of security concerns are more diverse.

The quest for peace, according to the Brahimi Report of 2000, includes the three separate functions of peacemaking, peacekeeping and peacebuilding. These terms are now widely used in the discourse of civil-military relations, with peacemaking referring to early warning and prevention of conflict through diplomatic action and the bringing of hostile parties to a negotiating agreement through peaceful means; peacekeeping referring to coercive and non-coercive military and civil actions to maintain peace and peacebuilding referring to strategies implemented to restore and/or develop stable civil societies. Peace enforcement and stabilisation are normally included as part of peacebuilding and nation building is included as part of peacebuilding.

The incidence of severe natural disasters, (such as the earthquakes and floods in Pakistan) is predicted to increase with climate change; while the reality of intra-state conflict and support to fragile states has seen Australia and New Zealand commit increased resources to enhance prospects of stability, reduce population displacement, while promoting economic development and achievement of the Millennium Development Goals (MDGs). The legal framework for intervention, and the nexus between state-centric and human security is examined, as well as the difficulties of military forces and humanitarian actors navigating the common 'space' in which they may co-exist. Policies, principles and practices of the Australian and New Zealand Government, the United Nations, and other key international actors and non-government organisations (NGOs) are considered. Attention is given to disaster risk reduction to mitigate the impact of natural disasters, and to peacebuilding and post-conflict reconstruction strategies. The implications of population displacement and civil-military requirements to implement the protection of civilians (including under the Responsibility to Protect (R2P) framework) are examined.

Learning objectives

At a time when governments and non-state actors are calling for greater civil-military coordination to avert and respond to conflict and natural disaster, this course provides you with an opportunity to engage with an emerging body of literature and policy which crosses the disciplinary divide between social-political science, conflict studies and disaster preparedness.

Specifically, students passing this course should be able to:

- 1. Demonstrate a critical understanding of the growing importance of civil-military relations in conflicts and natural disasters, drawing on the interdisciplinary fields of international relations, strategic studies, social science, international law, and development studies.
- 2. Critically assess current policies relevant to civil-military relations in conflicts and natural disasters.
- 3. Apply and critique different concepts in the field of security studies.
- 4. Formulate, analyse and evaluate policy options in relation to civil-military security challenges.
- 5. Engage in critical analysis of security studies literature in order to differentiate between academic and policy writing.
- 6. Demonstrate a capacity for critical reflection so that the assumptions underpinning security concepts and policies can be effectively scrutinised.
- 7. Appreciate the changing nature of the frontiers of knowledge in the realm of security studies through research; initiate and conduct research in archives, libraries, and using internet resources.
- 8. Communicate effectively in verbal, written and group contexts to a professional standard.

Expected workload

Over the course of the trimester students are expected to spend 300 hours in class contact, preparing for the lectures and seminars in advance of the teaching week, the completion of the two written assignments, and preparation for and sitting of the final test.

Topics with Essential and Supplemental Readings (Note: A selection of the essential readings from each section will be made available on Blackboard to assist students in their preparation).

Module 1: Overview of Conflict and Disaster Management

Trimester 1 meeting session 1.1 (morning) Monday 9am-1pm 26 March 2012

The Civil-Military Interface in Conflicts and Disasters

Discussion points:

Traditional scholarship on civil-military relations emphasises questions of social and political relations within democratic states, including the principal of the subordination of military forces to civilian control. While acknowledging this tradition, this course emphasises a new wave in the study of civil-military relations: the interactions between civilian and military organisations, and their interactions in turn with non-governmental organisations, in the provision of effective assistance to war-torn and otherwise unstable polities overseas. Civil-military relations (CMR), as adopted by the International Committee of the Red Cross (ICRC), describes the specific relationship between humanitarian actors and multinational military missions in time of armed conflict. A deliberate choice differentiates between CMR and civil-military coordination (CIMIC NATO) and Civil Affairs (CA US Armed Forces) that refer to military doctrine and practice. CIMIC (NATO) and CA (USAF) describe the non-combat functions of their armed forces that deal with civilian functions, while CMR (ICRC) is the relationship between humanitarian organisations and multinational military missions in situations associated with armed conflict. The trend in complex multi-dimensional peacekeeping operations has been to integrate efforts of political, military and humanitarian actors. Armed forces in mainstream humanitarian operations are employed equally in combat and stabilisation operations or as part of non-combat nation-building agendas. Force multiplication or force protection for providing assistance to civilians is influencing humanitarian and reconstruction efforts. The military is able to jump from waging war to peacekeeping to humanitarian assistance on the same day, in the same city. Civilian experts are embedded into military structures to provide support for policing, civil administration and political reform and as advisors to military forces. A narrowing down of the humanitarian environment is increasing security concerns for humanitarian workers attributed to involvement in multinational military missions that go beyond providing security or engaging in combat. Humanitarian actors are obliged to understand evolving noncombat doctrine, operations and aims of military forces with whom they are obliged to share their working environment. In this opening session we examine the relationship between the traditional and emerging study of civil-military relations.

Discussion questions:

- What is the nature of civil-military relations in conflicts and disasters?
- Why are civil-military relations becoming more important?

What are the key policies relevant to civil-military relations?

Essential reading:

Didier Fassin and Mariella Pandolfi, 'Introduction: Military and Humanitarian Government in the Age of Intervention'. In Didier Fassin and Mariella Pandolfi (eds), *Contemporary States of Emergency: the Politics of Military and Humanitarian Interventions*, Brooklyn: Zone Books, pp.9-25.

Supplemental reading:

Raj Rana, 'Contemporary Challenges in the Civil-Military Relationship: Complementarity or Incompatibility?', *International Review of the Red Cross*, vol. 86, no. 855,2004, pp. 565-591, http://www.icrc.org/Web/eng/siteeng0.nsf/html/66DDF7, [accessed 4 April 2011].

Peter Feaver, The Right to be Right: Civil-Military Relations and the Iraq Surge Decision, *International Security* 35(4): 87-125, 2011.

Trimester 1 meeting session 1.2 (afternoon) Monday 1pm-5pm 26 March 2012

The Legal Framework for Civil-Military Interventions

DISCUSSION POINTS:

The United Nations (UN) Charter authorises the Security Council to take forcible action, and there exists 'no general license' for the unilateral use of force on humanitarian grounds. No right to unilateral humanitarian intervention has emerged. The problem of humanitarian intervention highlights the tension between human rights and state sovereignty. In terms of morality vs legality, the dichotomy between human rights and sovereignty is misplaced, it is more appropriate to posit humanitarian intervention between human rights and peace because peace seems to have stronger roots in considerations of justice than state sovereignty. The core of International Humanitarian Law (IHL) consists of the four Geneva Conventions of 1949 and two Additional Protocols of 1977 and academics and states do not believe the rules need a fundamental rethink. IHL envisages a civilian space broader than humanitarian space. IHL operates on the bedrock principle of distinction whereby hostilities are only directed against combatants and military objects and attacks on civilians and civilian objects are prohibited. An important human right is the right to life, which prohibits intentional starvation of civilians or blanket refusal of humanitarian assistance. The military should cede humanitarian space. The legal obligation on the military to provide assistance in some cases does not mean it has the right to control (coordinate) humanitarian relief by outside agencies. There is a danger of militarisation of humanitarian aid if it is used as a political weapon blurring military and humanitarian roles.

Discussion questions:

What is the authority for the international community (civil and military actors) to intervene in sovereign states?

- What is the relationship between international humanitarian law, refugee law, international human rights law, host nation law and the domestic law of intervening states in civil-military interventions?
- What is the relationship between the law and legitimacy in civil-military interventions?

Essential reading:

Christopher Waters, 'International Humanitarian Law and Three Block Wars', in Sarah Jane Meharg (ed.), *Helping Hands & Loaded Arms: Navigating the Military and Humanitarian Space*, Ottawa: Canadian Peacekeeping Press, 2007, pp. 19-32.

Raj Rana, 'Contemporary Challenges in the Civil-Military Relationship: Complementarity or Incompatibility?', *International Review of the Red Cross,* vol. 86, no. 855 pp. 565-591, 2004. http://www.icrc.org/Web/eng/siteeng0.nsf/html/66DDF7, [accessed 4 April 2011].

Supplemental reading:

Yoram Dinstein, War, Aggression and Self-Defence, 4th edn, Cambridge: Cambridge University Press, 2005, ch. 4.

Nico Krisch, 'Review Essay: Legality, Morality, and the Dilemma of Humanitarian Intervention after Kosovo', *European Journal of International Law*, vol. 13, no. 1, (2002), pp. 323-335.

Gregory Rose, 'Updating International Humanitarian Law and the Laws of Armed Conflict for the Wars of the 21st Century', *Defender*, vol XXIV, no. 3 (2007), pp. 21-23

MODULE 2: CONFLICT MANAGEMENT AND PREVENTION

Trimester 1 meeting session 2.1 (morning) Tuesday 9am-1pm 27 March 2012

Adaptive Governmental Approaches to Conflict Prevention and Peace and Stabilisation Operations

Discussion points:

Fragile states are defined by poverty, weak governance, and often violent conflict. Statebuilding, the construction of effective institutions in states emerging from war, has become the central focus of multidimensional peace operations in war-torn societies. The relationship between military and civilian entities is fundamentally different between UN integrated missions and NATO (CIMIC) military missions. When CIMIC activities occur next to and concurrent with active defence activities problems arise with human security, with gains easily being wiped out by offensive action. UN integrated missions include UN Humanitarian Civil-Military Coordination (UN CMCoord) (humanitarian), UN Department of Peacekeeping Operations (DPKO) and UN Civil-Military Coordination (UN CIMIC). Integrated approaches known variously as "3Ds" (defence, development and diplomacy) and "whole of government approaches (WoG)" are found within UN integrated missions. The WoG approach integrates resources and skills of multiple agencies to promote development, good governance and

security. The reconstruction of fragile states simultaneously addresses security, governance, rule of law, social welfare and economic growth. Australia, Canada, France, Germany, Sweden, UK, and the US have WoG approaches. The attraction of the WoG approach is the ability to deploy more skilled civilians to the field to assist stabilisation and reconstruction of war torn fragile states, thus freeing military to their primary mission. Fragile states often require assistance that goes well beyond traditional development assistance, to include law enforcement and security reform. There are challenges for protection of civilians and their right to assistance posed by integrated WoG approaches because humanitarian aid programming can be subordinated to political interests. In Afghanistan the politicisation and militarisation of aid has created the lack of a level playing field amongst 3Ds, with defence dominating other agendas.

Discussion questions:

- How does' the Australian and New Zealand whole of government approach compare with some other countries?
- What is the emerging theory and practice of civil-military cooperation in post-conflict operations?

Essential Readings:

Stewart Patrick and Kaysie Brown, *Greater than the Sum of its Parts: Assessing 'Whole of Government' Approaches to Fragile States*, New York: International Peace Academy, 2007. http://www.cgdev.org/content/publications/detail/13935/ [accessed 4 April 2011].

Cedric de Coning, 'Civil-Military Coordination Practices and Approaches with United Nations Peace Operations, *Journal of Military and Strategic Studies*, vol. 10, no. 1, 2007. http://www.jmss.org/jmss/index.php/jmss/article/view/36/34, [accessed 4 April 2011].

Supplemental reading:

C. Ankerson, 'Introduction' in Christopher Ankerson, *Civil-Military Cooperation in Post-Conflict Operations: Emerging Theory and Practice,* Routledge: New York, 2008, p. 1-11.

Asia Pacific Civil-Military Centre of Excellence, *Strengthening Australia's Conflict and Disaster Management Overseas*, 2010. http://civmilcoe.gov.au/wp-content/uploads/2010/11/5176-CIVMILCOE-Conceptual-Framework-Booklet-V6.pdf. [accessed 3 May 2011].

Lara Olson and Hrach Gregorian, 'Interagency and Civil-Military Coordination: Lessons from a Survey of Afghanistan and Liberia', *Journal of Military and Strategic Studies*, vol. 10, no. 1, 2007. http://www.jmss.org/jmss/index.php/jmss/article/view/39/37, [accessed 29 February 2012].

Trimester 1 meeting session 2.2 (afternoon) Tuesday 1pm-5pm 27 March 2012

Police-Military Relations in Peace Operations

Discussion points:

The international search for solutions to aid and development effectiveness is reflected in the recent focus on the deployment of civil police into post-conflict scenarios through strengthening public order and the rule of law. However, transnational security requires police agencies, the military and NGOs to undertake tasks far removed from their traditional ones. The apparent similarities of policing across the world for internal order, enforcement of the rule of law and state sanctioned coercion is superficial. Individual police development programs need to be created around the environment in which they will be delivered. Police reform requires professional development of police and high risk political engagement to change attitudes and behaviours of power elites. For example in Timor-Leste the police reconstruction process had shortcomings and lack of capacity on the part of both the UN mission (UNMIT) and the UN police (UNPOL) and successive governments and the Policia National Timor-Leste (PNTL). There was reluctance and resistance on the part of the Timorese political elite to give up hard-won control over their uniformed forces to outsiders, while continuing to rely on an international presence as a security net and source of material goods. In most post-conflict societies local policing should be 'de-politicised' and not 'repoliticised'. Introducing professional policing is the best way to reform oppressive military police that exist in most post-conflict environments. The AFP is undertaking unique contributions to regional stability and security through the International Deployment Group established in 2004 and deployments in disputed states. AFP deployment needs a whole of government approach relating to each mission as well as thorough briefings on history, culture and politics of the country concerned.

Discussion questions:

- What is the role of civilian police in civil-military relations?
- How effective has the international presence of police-military cooperation been in Timor-Leste and in the Solomon Islands?
- In implementing best practice in civil-military relations, how are the responsibilities of the police and military determined in a changing environment?

Essential Readings:

Christopher Murphy, 'The Cart before the Horse: Community Oriented versus Professional Models of International Police Reform', Andrew Goldsmith and James Sheptycki, eds, *Crafting Transnational Policing: Police Capacity-Building and Global Policing Reform*, Oxford and Portland, OR, 2007, pp.243-262.

Tony Murney, and John McFarlane, 'Police Development: Confounding Challenges for the International Community' Peter Grabosky, ed, *Community Policing and Peacekeeping*, Boca Raton, FL: CRC Press, 2009, pp.201-230.

Supplemental reading:

Rick Linden, David Last and Christopher Murphy, 'Obstacles on the Road to Peace and Justice: The Role of Civilian Police in Peacekeeping' Andrew Goldsmith and James Sheptycki, eds, *Crafting Transnational Policing: Police Capacity-Building and Global Policing Reform*, Oxford and Portland, OR, 2007, pp.149-176.

John McFarlane, 'The Thin Blue Line: The Strategic Role of the Australian Federal Police', in *Security Challenges*, Kokoda Foundation, vol.3, no.3 (2007), pp. 91-108. http://www.securitychallenges.org.au/ArticlePages/vol3no3McFarlane.html. [accessed 4 April 2011].

Bu Wilson, Nelson De Sousa C Belo, 'The UNPOL to PNTL 'handover' 2009: What exactly is being handed over'? *Conflict Prevention and Peace Forum Briefing Paper*, October 2009. New York: Social Science Research Council, 2009. http://fundasaunmahein.files.wordpress.com/2009/11/cppf briefing paper - unpol to pntl handover 2009 final-1.pdf [accessed29 February 2012].

Trimester 1 meeting session 2.3 (morning) Wednesday 9am-1pm 28 March 2012

Civil-Military Reconstruction and Humanitarian Recovery

Day-two (afternoon) 1:00 am - 4:00 pm

Discussion points:

A "3D" (defence, diplomacy, development) policy has been the response to post cold War conflicts. Unlike 'normal' development, 3D takes place in conflicts and dangerous surroundings, with civil-military actors working together to achieve a common set of goals to benefit the local population. Rapid and decisive military victory does not guarantee a peaceful post-conflict stabilisation environment, which needs understanding of the indigenous culture, early and demonstrated successes and early introduction of local capabilities. All development organisations are engaged in social transformations when they address gender issues, human rights, poverty, and empowerment of specific groups. Every group operating in Afghanistan – including the Taliban – are effecting change accompanied by social transformation. Provincial Reconstruction Teams (PRTs), psyops, and counterinsurgency also bring about change. Increasingly the PRT civil-military approach towards development is geared towards the expanding insurgency rather than towards longterm development agendas. Civil-military relations need to be informed by Afghanisation perspectives and invest in cross cultural translation and sensitivity for understanding Afghan notions of human security that are based around local level political and conflict dynamics and concepts of honour and religious practice. Afghans confuse between PRTs with uniformed personnel engaged in reconstruction and other international military forces in uniforms making forceful use of military power. Quick-impact projects and other force protection activities motivated by security objectives may undermine sustainable development projects and relationships built by NGO workers. NGOs are independent and not to be used as security instruments by the military. There has been the co-optation of aid

for political and military purposes in Afghanistan, with the 3D approach dominated by defence D. Consent cannot be easily obtained through PRT-led reconstruction projects because they are often short-sighted and can lead to civilian targeting by the insurgency. Civilianisation of military PRTs is the right direction but it is preferable to completely break the militarisation of aid. Insecurity of aid operations has resulted in the decline of humanitarian capabilities in Afghanistan. Humanitarian access can diminish as the direct result of violence and the consequence of obstacles by militaries, governments and non-state actors hindering impartial provision of aid. A number of humanitarian organisations call for suspending expansion of the Afghan Local Police and terminating community defence initiatives falling outside the Afghan National Police.

Discussion questions:

- What are some of the lessons Australia and New Zealand can draw from its involvement in Afghanistan and how relevant are Provincial Reconstruction Teams (PRTs)?
- How has winning the hearts and minds of the local population and stabilising surrounding areas with military delivered assistance militarised aid operations?
- What are some of the practices and strategies recommended by humanitarian organisations for enhancing the professionalism and accountability of the Afghan National Security Forces?

Essential reading:

William Maley, 'Provincial Reconstruction Teams in Afghanistan: How they Arrived and Where they are Going, *NATO Review*, Autumn, no. 3, 2007. http://www.nato.int/docu/review/2007/issue3/english/art2.html, [accessed 4 April 2011].

Sippi Azarbaijani-Moghaddam, Mirwais Wardak, Idrees Zaman and Anabel Taylor. *Ahan Hearts, Afghan Minds: Exploring Afghan Perceptions of Civil-Military Relations*. European Network of NGOs Afghanistan (ENNA) and British Agencies Afghanistan Group (BAAG), 2008. http://www.humansecuritygateway.com/documents/ENNA BAAG Afghanistan afghanheartsafghan minds.pdf, [accessed 29 February 2012].

Supplemental reading:

Stephen Cornish, 'No Room for Humanitarianism in 3D Policies: Have Forcible Humanitarian Interventions and Integrated Approaches Lost their Way?' *Journal of Military and Strategic Studies*, vol 10, no. 1, 2007. www.jmss.org/jmss/index.php/jmss/article/download/37/35, [accessed 29 February 2012].

Barbara J. Stapleton, 'A Means to What End? Why PRTs are Peripheral to the Bigger Political Challenges in Afghanistan', *Journal of Military and Strategic Studies*, vol. 10, no. 1 (2007), http://www.jmss.org/jmss/index.php/jmss/article/view/38/36, [accessed 4 April 2011].

Oxfam, No Time to Lose: Promoting the Accountability of the Afghan National Security Forces. Oxford, Oxram International, May 2011.

http://www.oxfam.org/sites/www.oxfam.org/files/afghanistan-no-time-to-lose-20110510-en.pdf. [accessed 5 July 2011].

MODULE 3: GOVERNANCE AND THE RULE OF LAW

Trimester 1 meeting session 3.1 (afternoon) Wednesday 1pm-5pm 28 March 2012

The Role of the United Nations in Civil-Military Interventions

Discussion points:

Millennium Development Goals (MDG) target halving extreme poverty by 2015 through eradicating extreme hunger and poverty, universal primary education, reducing child mortality, improving maternal health, combating HIV/AIDS, working towards environmental stability, and creating global partnerships for development. Most countries are off track for most of the MDGs, the promise to the world's poor is being broken. Business as usual jeopardises global security and prosperity. The nature of conflict has changed to local and regional wars fought predominately in poor countries within weak or failed states and with small arms as weapons and with most victims being civilians. Post 9/11 failed states as potential breeding ground for extremism has officially entered development discourse. The human development costs of violent conflict are not sufficiently appreciated. The UN Charter gives the Security Council primary responsibility for maintenance of international peace and security, with UN peacekeeping personnel (military, police or civilian) acting in accordance with IHL. UN Civil-Military Coordination (UN-CMCoord) provides essential dialogue and interaction between civilian and military actors in humanitarian emergencies, with strategies ranging from coexistence to cooperation. Cooperation, collaboration, coherence is better than coordination, because nobody wants to be coordinated. The Peacebuilding Commission (PBC), a UN intergovernmental advisory that supports peace efforts in countries emerging from conflict, was created in 2005 by the General Assembly and Security Council. The PBC brings together all the relevant actors, including international donors, the financial institutions, national governments, and troop contributing countries, as well as proposing integrated strategies for post-conflict peacebuilding and recovery. In some conflict situations institutions may exist but not have capability to deliver services or effectively deal with key issues confronting a country. In other post-conflict situations residual institutional capability may remain intact and with sufficient capacity needed in ministries, judiciary and mass mobilisation organisations.

Discussion questions:

- What role does the United Nations play in civil-military relations?
- What are the key components and policies of the United Nations relevant to civil-military relations?
- How effective has the United Nations been in implementing civil-military interventions?

Essential reading:

United Nations Peacekeeping Operations: Principles and Guidelines, United Nations Department of Peacekeeping Operations (DPKO) and Department of Field Support (DFS), 18 January 2008, http://pbpu.unlb.org/pbps/Library/Capstone Doctrine ENG.pdf, [accessed 4 April 2011].

United Nations Peacebuilding Commission, http://www.un.org/peace/peacebuilding/, [accessed 4 April 2011].

Supplemental reading:

United Nations Civil-Military Coordination Officer Field Handbook, Version E1.0, 29 November 2007, http://ochaonline.un.org/CMCS, [accessed 4 April 2011].

United Nations Development Programme (UNDP), *Human Development Report 2005: International Cooperation at a Crossroads: Aid, Trade and Security in an Unequal World*.
Summary at http://hdr.undp.org/en/media/hdr05 summary.pdf, [accessed 4 April 2011].

Michael Lund, Chetan Kumar, and Benjamin Hoffman, 'What Really Works in Preventingnd Rebuilding Failed States', Woodrow Wilson International Center for Scholars: Occasional Paper Series, no. 2, December 2006,

http://www.wilsoncenter.org/topics/pubs/Leadership 2.pdf, [accessed 4 April 2011].

Trimester 1 meeting session 3.2 (morning) Thursday 9am-1pm 29 March 2012

Protection of Civilians in Peace Operations

Discussion points:

Strengthening protection of civilians (POC) by UN peacekeeping missions now combine with International Humanitarian Law (IHL) that sets standards for civilian protection. There are three reasons to protect civilians in war: 1) morality (all life is precious), 2) prudence (violence will raise new enemies) and 3) self-interest (reciprocal). Protection of civilians is the primary responsibility of national governments given their sovereign responsibility, but governments can simultaneously be the source of protection and the threat to civilians. Protection is all the activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and spirit of the relevant bodies of human rights, IHL and refugee law. Protection is about seeking to assure safety of civilians from acute harm during natural disasters and famines, armed conflict or protracted political instability. Risk is reduced by minimising the level of threat or limiting civilian exposure to threats, or enhancing the opportunities civilians have to be safe. There are three protection related themes: protection of civilians, women, peace and security and children and armed conflict. Sexual violence includes rape, sexual slavery, enforced prostitution, forced pregnancy and enforced sterilisation. Restoration of security requires not only protection from physical violence but establishing a protective environment and finding a political solution. A fundamental

protection problem has been the lack of respect for IHL together with a 'prevailing culture of impunity'. The challenge is in enhancing compliance with international humanitarian law, including by non-state armed groups; making more effective use of UN peacekeeping in protection civilians, improving humanitarian access and strengthening accountability of violations of IHL. 2011 has been a busy year for POC in Cote d'Ivoire, Libya, Yemen and Syria, where it is unclear if rising tensions present opportunities to build bridges or entrench divisions.

Discussion questions:

- What are the humanitarian and military concepts, policies and processes for protection of civilians?
- How effectively has protection of civilians been applied?

Essential reading:

United Nations, Addressing Conflict-Related Sexual Violence: An Analytical Inventory of Peacekeeping Practice. New York: United Nations, 2010.

http://www.unifem.org/attachments/products/Analytical Inventory of Peacekeeping Practice online.pdf, [accessed 5 April 2011].

Hugo Slim, 'Why Protect Civilians? Innocence, Immunity and Enmity in War', *Centre for Humanitarian Dialogue*, 2003,

http://www.hdcentre.org/files/Why%20Protect%20Civilians.pdf, [accessed 4 April 2011].

Supplemental reading:

Sorcha O'Callaghan and Sara Pantuliano, *Protective Action: Incorporating Civilian Protection into Humanitarian Response*, Humanitarian Policy Group Report 26, December 2007, http://www.odi.org.uk/resources/download/1020.pdf, [accessed 5 April 2011].

UN Security Council Report, "Protection of Civilians", *Update Report No.1*, 3 May 2011. http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Update%20Report%203%20May%202011%20POC.pdf, [accessed 9 May 2011].

Security Council Report Cross-Cutting Report. 'Protection of Civilians in Armed Conflict', 2010 no.3, 29 October 2010. http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/XCutting%20POC%202010.pdf, [accessed 29 February 2012].

Trimester 1 meeting session 3.3 (afternoon) Thursday 9am-1pm 29 March 2012

Responsibility to Protect and the International Protection Regime

Discussion points:

The central theme in the Responsibility to Protect (R2P) is that sovereign states have the responsibility to protect their own citizens and if unable or unwilling, then responsibility must be borne by the broader community of states. Elements include the responsibility to prevent through addressing root and direct causes of internal conflict, the responsibility to react with coercive measures including military intervention and the responsibility to rebuild with assistance to recovery, reconstruction and reconciliation. R2P core principles involve concepts of sovereignty, responsibility of the Security Council, and IHL. The UN is not a value free organisation; it represents 'promoting and encouraging respect for human rights and the fundamental freedoms for all'. From an international law perspective, R2P intervention implies intrusion into internal affairs of a state against the wishes of a territorial government without its genuine or meaningful consent. POC is inclusive of protection of civilians under imminent threat physical violence, whereas R2P is limited to four atrocity crimes of genocide, ethnic cleansing, war crimes and crimes against humanity. Success in implementing R2P is contingent on reception and degree of acceptance by state actors and governments, non-state actors, civil society and international organisations. There has been substantial normative change that emphasises the rights of affected peoples and legitimacy of UN decisions. Intrastate conflicts produce the main humanitarian challenges of our times, and has entered public lexicon as complex emergencies that require more comprehensive solutions than emergency relief. Complex humanitarian emergencies of war-induced and sudden catastrophes involve displacement and suffering through famine, disease, and human rights abuse of non-combatants accompanied by crisis or collapse in state authority. The military sees R2P as increasing their capacity to react with force and mitigate weak mandates, whereas humanitarians see diminishing neutrality and the minimising of humanitarian space. Military intervention in Bosnia (UNPROFOR), Rwanda (UNAMIR) Sierra Leone (UNAMSIL) tried to support weak peace agreements and despite ongoing warfare failed miserably. The main risk in Afghanistan is that US attention and resources devoted to building rule of law will be diverted elsewhere before the country is capable of sustaining peace with their own resources.

Discussion questions:

- What are the differences and the relationship between protection of civilians and Responsibility to Protect?
- What are the implications of protection of civilians and Responsibility to Protect for civil-military relations?

Essential reading:

Jon Harald Sande Lie, *Protection of Civilians, the Responsibility to Protect and Peace Operations*, Norwegian Institute of International Affairs (NUPI) Report No. 4, 2008, http://english.nupi.no/publikasjoner/boeker rapporter/2008/protection of civilians the responsibility to protect and peace operations, [accessed 4 April 2011].

Global Centre for the Responsibility to Protect, *The Relationship between the Responsibility to Protect and the Protection of Civilians in Armed Conflict*, Policy Brief 9 May 2011. http://www.responsibilitytoprotect.org/index.php/component/content/article/35-r2pcs-topics/3442-global-centre-for-the-responsibility-to-protect-the-relationship-between-the-responsibility-to-protect-and-the-protection-of-civilians-in-armed-conflict, [accessed 29 February 2012].

Supplemental reading:

The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty, 2001. http://responsibilitytoprotect.org/ICISS%20Report.pdf, [accessed 29 February 2012].

VK Holt and TC Berkman, *The Impossible Mandate? Military Preparedness, the Responsibility to Protect and Modern Peace Operations*, Washington: Henry L. Stimson Center, 2006, http://www.stimson.org/images/uploads/research-pdfs/Complete_Document-
TheImpossible Mandate-Holt Berkman.pdf, [accessed 29 February 2012].

William Durch, 'Challenges of Peace Operations', in Jessica Howard and Bruce Oswald (eds), *The Rule of Law on Peace Operations*, Melbourne: Asia-Pacific Centre for Military Law, University of Melbourne, 2002, pp. 25-48.

Thomas G Weiss, *Military-Civilian Interactions: Humanitarian Crises and the Responsibility to Protect*, New York: Rowman and Littlefield, 2005, pp. 1-38.

Module 4: Disaster Management and Humanitarian Assistance

Trimester 1 meeting session 4.1 (morning) Friday 9am-1pm 30 March 2012

Civil-Military Relations and Disaster Management

Discussion points:

The response to the devastating earthquake that struck Pakistan-administered Kashmir in October 2005 illustrates the political dimensions of humanitarian relief in a sovereign state under military rule. In Pakistan rudimentary disaster management mechanisms were unprepared and the only domestic institution capable of managing a response was the army. The lack of knowledge and inadequate preparation was a major cause of extensive losses and impacts. After the October 2005 earthquake in Pakistan, the humanitarian agencies, despite the pretence of neutrality, fed into existing political fault lines. The Pakistan Army led one of the largest most integrated civil-military humanitarian operations ever conducted but had an unpopular role in the reconstruction phase because they fell short of public expectations. The integrated civil-military response in the relief phase increasingly became a potential liability in the reconstruction phase. NATO became involved in disaster relief outside the Euro-Atlantic area for the first time. There was a general lack of awareness of the Oslo Guidelines in the Government of Pakistan and among the foreign military contingents. The international humanitarian community shifted their approach from being

embedded with the military to one involving effective partnership with civil society. It is possible to counter disaster risks through traditional knowledge to inform and protect. In response to the high frequency of earthquakes in the Kashmir region there has developed indigenous construction practices for earthquake safe housing. Earthquake resistant techniques known as "Taq" (timber laced masonry) and "Dhajji-Dewari" (timber frame with infill walls); which had not been employed in recent times, should be reintroduced. The recent experience of earthquakes and tsunamis in Indonesia has revealed indigenous knowledge for communication, human-settlement planning, building methods and associated myths and rituals previously unremarked upon by international community.

Discussion questions:

- What are the key challenges confronting civilian and military actors in disasters?
- What mechanisms can be used to enhance civil-military interaction?
- What lessons for civil-military relations can be drawn from recent disasters such as the Pakistan earthquake and/or the Indian Ocean tsunami?

Essential reading:

Thomas Bamforth and Jawad Hussain Qureshi, 'Political Complexities of Humanitarian Intervention in the Pakistan Earthquake', *Journal of Humanitarian Assistance*, Feinstein International Center, January 2007, http://sites.tufts.edu/jha/archives/12, [accessed 29 February 2012].

International Strategy for Disaster Reduction, *Indigenous Knowledge for Disaster Risk Reduction: Good Practices and Lessons Learned from Experiences in the Asia-Pacific Region*, Khan 5-8, Dekens 35-40, Meyers & Watson 17-22, McAdoo et al 64-67, Bangkok, 2008, http://www.unisdr.org/files/3646 IndigenousKnowledgeDRR.pdf, [accessed 29 February 2012].

Supplemental reading:

Sharon Wiharta, Hassan Ahmad, Jean-Yves Haine, Josefina Löfgren and Tim Randall, *The Effectiveness of Foreign Military Assets in Natural Disaster Response*, Stockholm: SIPRI, 2008. See 'Annex D Case Study, South Asia Earthquake, Pakistan 2005', http://books.sipri.org/files/misc/FMA/SIPRI08FMAanD.pdf, [accessed 4 April 2011].

Andrew Wilder, *Perceptions of the Pakistan Earthquake Response*, Feinstein International Center, Boston: Tufts University, February 2008, http://fic.tufts.edu/?pid=65, [accessed 5 April 2011).

Michele Lipner and Louis Henley, Working Better Together: an NGO Perspective on Improving Australia's Coordination in Disaster Response, A Joint APCMCOE and ACFID Study, 2010.

http://www.acfid.asn.au/resources/docs_resources/Working%20Better%20Together%2020_10.pdf, [accessed 29 Febraury 2012].

UNICEF, Humanitarian Action Report, '2004 Indian Ocean Earthquake and Tsunami: Lessons Learned', 2008, http://www.unicef.org/har08/index tsunami.html, [accessed 5 April 2011].

Trimester 1 meeting session 4.2 (afternoon) Friday 1pm-5pm 30 March 2012

Civil-Military Relations and Humanitarian Assistance

Discussion points:

The integration of political, military and humanitarian action is here to stay and the challenge is to strengthen the humanitarian component to realise protection and make a difference in people's lives. Power and interests of political actors is stronger than interests of humanitarian agencies. Political power is unable to see affected populations purely as peoples in need but as strategic. The humanitarian agenda of liberal political change for development is about long-term societal transformation. Some donors military and security interests have skewed global aid spending. Global aid is increasingly slanted towards countries where threats to donors' national security are perceived to exist, or where donors are militarily engaged. Where aid is used to pursue donors political and security objectives it is undermining humanitarian principles and impacts on people affected by conflicts and disasters. Within regions central to donors' national security, aid is becoming a battleground with resulting uncoordinated, unsustainable, expensive and even dangerous aid projects. Security and stability is promoted by impartial, needs-based humanitarian aid. Donor and aid agencies should ensure that aid does not contribute to violations of human rights and humanitarian law. Aid organisation activities should not provide resources for conflict. Laws prohibiting the provision of assistance to groups or individuals designated terrorists, or to other non-state actors, should not criminalise the provision of humanitarian assistance, aid for reconstruction after conflicts and disasters and the dissemination of human rights and humanitarian law. Humanitarian and development aid organisations should ensure that humanitarian aid 'does no harm' and that development aid is sensitive to conflict. Similarly to the humanitarian agencies, the role of the applied anthropologist should be kept separate from any armed actors in the field in order to maintain ethical integrity, standards for proper research and the safety of those who are studied and those who carry out the studies.

Discussion questions:

- To what extent can humanitarians and military forces work collaboratively?
- What are the different humanitarian perspectives United Nations, International Committee of the Red Cross (ICRC), and NGOs?
- How has the politicising of aid in conflicts and crises affected cooperation between humanitarians and military forces?

Essential reading:

Oxfam. Whose Aid is it Anyway? Politicising Aid in Conflicts and Crises. 145 Oxfam Briefing Paper. Oxford: Oxfam International.

http://www.oxfam.org/sites/www.oxfam.org/files/bp145-whose-aid-anyway-100211-en 0.pdf. [accessed 31 March 2011].

Jan Egeland, Adele Harmer and Abby Stoddard, *To Stay and Deliver: Good Practice for Humanitarians in Complex Security Environments*. UNOCHA, 2011. http://ochanet.unocha.org/p/Documents/Stay and Deliver.pdf, [accessed 5 April 2011].

Supplemental reading:

Patricia Omidian. 'Living and Working in a War Zone: An Applied Anthropologist in Afghanistan'. *Practicing Anthropology* 31(2):4-11, 2009.

Hugo Slim, 'Idealism and Realism in Humanitarian Action', *Centre for Humanitarian Dialogue*, 2005, http://www.hdcentre.org/publications/idealism-and-realism-humanitarian-action, [accessed 5 April 2011].

Joel Charny, 'Upholding Humanitarian Principles in an Effective Integrated Response', Journal of Ethics and Humanitarian Affairs, vol. 18, no. 2, 2004, pp. 13-20, http://www.cceia.org/resources/journal/18 2/special section/004.html, [accessed 5 April 2011].

Assessment requirements

Assessment task	Weighting	Due date	Learning outcomes	Word length
1. Short essay	25%	Monday 9 April 2012	1-8	2,500
2. Long essay	40%	Monday 7 May 2012	1-8	5,000
3. Final Test	35%	Tuesday 5 June 2012 at 5:30pm	1-8	3 hour test

Short essay

Please write 2,500 words on ONE of the discussion questions set for the teaching sessions of the course (as listed in the previous section, immediately before the list of readings for each session).

Long essay

You will answer ONE (1) question of 5,000 words from the following list

1. Humanitarian Intervention

The world community is witness to tremendous human suffering that often seems to have no end in sight. The question of intervention in the affairs of a sovereign state by the international community has long been debated and several critical considerations arise. What is the relationship between the law and legitimacy in civil-military interventions? Once it is determined that there should be an intervention, discuss the civil and military components that should be utilised, their manner of deployment and assistance provided to see the intervention through to achieve peace, stability, economic recovery and even elections. Illustrate your analysis with references to actual case studies.

2. A 'Whole-of-Government' Approach

In recent years a number of countries, including Australia, have placed increasing importance on a more coherent 'whole-of-government' approach to mitigating and responding to disasters and conflicts. Critically examine Australia's and New Zealand's 'whole-of-government' approach to civil-military relations and present your views on whether and how civil-military relations can be enhanced to avert and better respond to disasters and conflicts.

3. The Role of the United Nations and the Legal Framework for Civil-Military Interventions

The United Nations has promoted the need for increased civil-military coordination in disasters and complex emergencies. In assessing the UN's policies and track record, how effective has the United Nations been in advancing civil-military relations and what do you see as the main shortcomings? Critically examine how the problem of humanitarian intervention highlights the tension between human rights and state sovereignty?

4. Protection

There are currently 10 UN peacekeeping missions mandated by Council for 'protection of civilians'. However, defence forces around the world are still developing protection doctrine, and there is limited understanding of how to integrate this military protection task with the more developed practices of humanitarian protection (as practised by UN humanitarian agencies and NGOs). Discuss this problem with reference to protection of civilians, women, peace and security and children and armed conflict. Identify the differences and the relationship between the protection of civilians and the responsibility to protect.

5. Police-Military Collaboration

Increasingly, peacekeeping and peacebuilding operations demand greater collaboration between military and police forces in order to establish the rule of law. As the military assumes substantive roles in designing and delivering rule of law, does their involvement in training and supporting police constitute the militarisation of law enforcement? Examine the effectiveness of the Australian and international presence of police-military cooperation in Timor-Leste and/or the Solomon Islands and discuss the lessons that can be drawn to enhance such collaboration. In implementing best

practice, how are the responsibilities of the police determined in a changing environment?

6. Reconstruction

Provincial Reconstruction Teams (PRTs) in Afghanistan are, for better or worse, one example of operationalised civil-military cooperation. Evaluate the effectiveness of various PRT models in Afghanistan and assess their contribution to peace and security. In your analysis consider friction points between the humanitarian and military operational objectives of PRTs.

7. Disaster Management

In the Asia-Pacific region, militaries have been deployed in disaster response to provide immediate relief to the affected populations' and these responses have shown the importance of interoperability between military responders and civilian organisations, including the United Nations, non-governmental organisations, international organisations and foreign ministries'. Examine the reasons for the immediate use of military assets in disaster response, the timeframe for their deployment, and the need for effective civil-military interoperability while deployed. Identify and discuss key lessons learned from the earthquake in Pakistan in 2005, including the role of indigenous knowledge in disaster risk reduction.

8. Humanitarian Space

Humanitarian space, according to some NGOs, no longer exists. The ICRC has adopted the term civil-military relations to describe specific relationships between humanitarian actors and multinational military missions in times of armed conflict. Critically examine the notion of humanitarian space. Address the complexity of multi-dimensional peacekeeping operations and the trend towards integrating efforts of political, military and humanitarian actors sharing the same space. How has the politicising of aid in conflicts and disasters affected cooperation between humanitarians and military forces?

9. Civil-military assistance and recovery

When humanitarian actors advise military teams in Afghanistan they step outside a 'development' paradigm and become part of a counter-insurgency strategy, often in 'quick impact' activities. As they transfer know-how to the military, a process of 'militarisation of civilians' or 'civilianisation of the military' occurs. How has winning the hearts and minds of the local population and stabilising surrounding areas with military delivered assistance militarised aid operations? What are some of the practices and strategies that have enabled humanitarian organisations to maintain affective operations in the context of high security risks?

Essays should be word-processed with margins adequate for written comments from the Coordinator. Use double-spacing and a clearly legible font that is no smaller than 12 points. Your essay is to commence with a synopsis of about 100 words which clearly summarises your key arguments, and an introduction which sets out the scope of your paper, and a conclusion which clearly summarises your key arguments. You are expected to read widely and well beyond the required readings in the appropriate section in your research for this essay.

Final Test

The Final test will be administered electronically via BLACKBOARD, on 5 June 2012. A list of questions, dealing with the entire course, will be put up on Blackboard at 5:30 pm. Students will be required to answer THREE (3) essay-style questions from the list. There will be 30 minutes of reading time and 3 hours of writing time. Answers are to be submitted via BLACKBOARD by 9:00pm.

Penalties

Written assignments handed in beyond the stated deadlines (and beyond extended deadlines when an extension has been requested and agreed before the original deadline with one of the course coordinators, will be penalised on the basis of 5 percentage marks per day, including weekend days.

Mandatory course requirements

To gain a pass in this course each student must:

- Submit the written work specified for this course, on or by the specified dates (subject to such provisions as are stated for late submission of work)
- Attend all of the lectures and seminars conducted in the teaching week from 26-30 March (written permission must be gained in advance from one of the course coordinators for any absences)
- Complete the final test

Class Representative

A class representative will be elected in the first class, and that person's name and contact details will be available to VUWSA, the Course Coordinator, tutors and the class. The class representative provides a communication channel to liaise with the Course Coordinator on behalf of students.

Academic Integrity and Plagiarism

Academic integrity means that university staff and students, in their teaching and learning are expected to treat others honestly, fairly and with respect at all times. It is not acceptable to mistreat academic, intellectual or creative work that has been done by other people by representing it as your own original work.

Academic integrity is important because it is the core value on which the University's learning, teaching and research activities are based. Victoria University's reputation for academic integrity adds value to your qualification.

The University defines plagiarism as presenting someone else's work as if it were your own, whether you mean to or not. 'Someone else's work' means anything that is not your own idea. Even if it is presented in your own style, you must acknowledge your sources fully and appropriately. This includes:

• Material from books, journals or any other printed source

- The work of other students or staff
- Information from the internet
- Software programs and other electronic material
- Designs and ideas
- The organisation or structuring of any such material

Find out more about plagiarism, how to avoid it and penalties, on the University's website: http://www.victoria.ac.nz/home/study/plagiarism.aspx

WHERE TO FIND MORE DETAILED INFORMATION

Find key dates, explanations of grades and other useful information at www.victoria.ac.nz/home/study. Find out how academic progress is monitored and how enrolment can be restricted at www.victoria.ac.nz/home/study/academic-progress. Most statutes and policies are available at www.victoria.ac.nz/home/study/calendar.aspx (See Section C).

Other useful information for students may be found at the website of the Assistant Vice-Chancellor (Academic), at www.victoria.ac.nz/home/about victoria/avcacademic.

This outline was prepared by Dr David Hyndman and Professor Robert Ayson.