

The Senate

Standing Committee on
Foreign Affairs, Defence and Trade

Australia's involvement in peacekeeping
operations

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Acronyms and abbreviations

ACFID	Australian Council for International Development
ADF	Australian Defence Force
ADFPKC	ADF Peacekeeping Centre
AEC	Australian Electoral Commission
AFP	Australian Federal Police
A-G's	Attorney-General's Department
AMIS	African Union Mission in Sudan
ANAO	Australian National Audit Office
ANU	The Australian National University
APEC	Asia–Pacific Economic Cooperation
APPVA	Australian Peacekeeper and Peacemaker Veterans' Association
ASDT	Timorese Popular Democratic Association
ASEAN	Association of Southeast Asian Nations
ASPI	Australian Strategic Policy Institute
ATST-EM	Australian Training Support Team-East Timor
AusAID	Australian Agency for International Development
CDF	Chief of Defence Force
CIMCoord	Civil–military coordination
CIMIC	Civil–military cooperation
CRNT	National Resistance Council of Timor (Conselho Nacional de Resistência Timorese)
DCP	Defence Cooperation Program
DCO	Defence Community Organisation
DCP ET	Defence Cooperation Program East Timor
DFAT	Department of Foreign Affairs and Trade
DPKO	United Nations Department of Peacekeeping Operations
DVA	Department of Veterans' Affairs
EPG	Eminent Persons Group
ETDF	East Timor Defence Force
ETPF	East Timor Police Force

FRETILIN	The Revolutionary Front for an Independent East Timor (Frente Revolucionária de Timor-Leste Independente)
IDC	Interdepartmental Committee
IDG	International Deployment Group (AFP)
IFM	Istabu Freedom Movement
INTERFET	International Force in East Timor
IPMT	International Peace Monitoring Team
IPOS	International Peace Operations Seminar
ISF	International Stabilisation Force in East Timor
ISAF	International Security Assistance Force
JAM	Joint Assessment Mission
Lt Gen	Lieutenant General
Maj Gen	Major General
MEF	Malaita Eagle Force
MRE	Mission rehearsal exercise
NATO	North Atlantic Treaty Organization
NGO	Non government organisation
NSC	National Security Committee of Cabinet
OCHA	United Nations Office for the Coordination of Humanitarian Affairs
ONA	Office of National Assessments
ORG	Operational Response Group
PDT	Pre-deployment training
PIF	Pacific Islands Forum
PKO	Peacekeeping Operation
PM&C	Department of the Prime Minister and Cabinet
PPF	Participating Police Force
R2P	Responsibility to Protect doctrine
RAMSI	Regional Assistance Mission to Solomon Islands
ROE	Rules of Engagement
RSIP	Royal Solomon Islands Police
RSL	Returned and Services League of Australia Limited
SIG	Solomon Islands Government

SIPF	Solomon Islands Police Force
SOFA	Status of Force Arrangements
SPCG	Strategic Policy Coordination Group
UN	United Nations
UNAA	United Nations Association of Australia
UNAMET	United Nations Assistance Mission in East Timor
UNAMID	United Nations – African Union Mission in Darfur
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNITAF	United Task Force in Somalia
UNMISET	United Nations Mission of Support in East Timor
UNMIT	United Nations Integrated Mission in Timor-Leste
UNOTIL	United Nations Office in Timor-Leste
UNPOL	United Nations Police
UNSCR	United Nations Security Council Resolution
UNTAET	United Nations Transitional Administration in East Timor
UNYAA	United Nations Youth Association of Australia
WVA	World Vision Australia

Overview

Australians have been serving with distinction in peacekeeping operations since 1947. But greater demands are being placed on them. The main message contained in Part I of this report is that peacekeeping operations have become increasingly complex and multidimensional and that today's peacekeepers face new challenges. Against this background, the committee considers Australia's engagement in peacekeeping.

In Part II of the report, the committee identifies the main criteria against which Australian decision makers should assess whether or not to commit to a peacekeeping operation. The committee is of the view that the Australian Government should be satisfied that the mission's mandate has:

- clearly identifiable and achievable objectives;
- adequate resources and level of commitment to meet these objectives;
- proper legal underpinnings;
- force protection that matches the needs on the ground; and
- an exit strategy.

The committee accepts that in the real world compromises are reached in order to achieve an agreement on the nature and composition of an operation which may then produce a mandate that does not fully satisfy the criteria. Even so, the committee is of the view that, where Australia is taking a key or lead role in the proposed mission, the government should ensure that the terms of the mandate are consistent with the above criteria.

In particular, the committee underlines the importance of Australia having an exit strategy. The committee, however, is not convinced that government agencies fully grasp the meaning of exit strategy—that specifying an end date or end state for withdrawal is not of itself an exit strategy. The committee argues that an exit strategy:

- provides a roadmap—a structured plan for achieving the stated objective; and
- contains milestones or benchmarks against which progress toward the objectives can be measured—the benchmarks go beyond what is termed 'technical achievements' such as an election or number of homes restored but take cognizance of, and mark progress toward, the ultimate goal of *sustainable* peace.

An exit strategy is an important evaluation and accountability tool which is the major concern of Part VI of the report.

Parts III and IV of the report focus on the effectiveness of the whole-of-government, whole-of-nation approach to Australia's participation in peacekeeping. The committee finds that there is much scope to improve the preparation arrangements for Australian peacekeepers across the government and non-government sectors. In particular, the report emphasises the importance of interoperability at all levels and between all elements of an operation. It suggests that better planning, communication, training and

joint exercises, and collaboration in developing shared doctrine would help to improve coordination between all participants, including partner countries, in a peacekeeping operation.

In Part V of the report, the committee's main concern relates to the accessibility of data on the health of Australian peacekeepers, inadequacies in the ADF's health records management and post-deployment care of peacekeepers with mental health problems. The report makes a number of recommendations to rectify identified deficiencies.

Part VI of the report notes that:

- government agencies and the government as a whole do not have effective processes for converting lessons from a peacekeeping operation into policy or practice—due in large measure to inadequate evaluation mechanisms, particularly the absence of effective performance indicators;
- current reporting practices can be improved to provide greater transparency and accountability—indeed the fragmentary reporting on Australia's engagement in peacekeeping provides an incomplete account of these activities;
- there is a compelling argument for a white paper on Australia's engagement in peacekeeping; and
- considerable scope exists to make the Asia–Pacific Centre on Civil–Military Cooperation an internationally recognised institute and for it to have an integral role in developing a culture of learning and improvement in those involved in peacekeeping.

Executive Summary

Changing nature of peacekeeping operations

In recent times, Australia has engaged in peacekeeping missions that have been both complex and broad in scope. They have focused not only on bringing an end to hostilities but on resolving the root causes of conflict. No longer the domain of the military, peacekeeping operations now involve a range of government and non-government agencies that must work together to achieve the mission's long-term objectives. These operations can be costly and dangerous undertakings with a real risk of failure. Australia also faces the challenge of having to adapt to changes in peacekeeping doctrine and practice. In this regard, matters such as responsibility to protect, exit strategies, civil–military cooperation and the involvement of women in peacekeeping operations have been, and continue to be, the subject of international debate.

Thus, the changing nature of doctrine and practice has profound implications for Australia—both as a member state of the UN and a long-time contributor to peacekeeping missions. They influence Australia's approach to participating in operations and decisions relating to composition and structure of deployment, training and preparation of personnel, and coordination of effort.

The committee's two key recommendations are directed at developing and improving the whole-of-government policy on, and coordination of, Australia's engagement in peacekeeping. They are recommendations 37 and 38 relating to a white paper on peacekeeping and broadening the potential of the Asia–Pacific Centre for Civil–Military Cooperation and are to be found in Part VI of the report.

White paper on peacekeeping

Despite the dramatic changes to peacekeeping operations and Australia's increased and broadening engagement in such missions, particularly as a lead country in the region, there is no policy document that presents a whole-of-government approach to peacekeeping. The committee believes that it is time for such a document.

The production of a white paper would provide the government and its relevant agencies with the opportunity to review their policies and practices and to better understand how their activities contribute to the whole-of-government effort. It would also require the government to articulate its policy across the full spectrum of Australian peacekeeping activities, thereby allowing more informed public scrutiny of this important area of government engagement.

Recommendation 37

p. 344

The committee recommends that the Australian Government produce a white paper on Australia's engagement in peacekeeping activities.

Asia–Pacific Centre for Civil–Military Cooperation

The committee welcomes the government's decision to establish an Asia–Pacific Centre for Civil–Military Cooperation. Based on the evidence, the committee can see advantages in expanding the scope of the institution's mandate. It is also concerned that important decisions are being made about the role, functions and structure of the centre without the benefit of a scoping study, especially considering the existence of a number of highly-regarded overseas institutions.

Recommendation 38

p. 360

The committee recommends that the Australian Government establish a task force to conduct a scoping study for the Asia–Pacific Centre for Civil–Military Cooperation, focusing on best practice. The task force would:

- **include representatives of the ADF, the AFP, DFAT, AusAID and NGOs;**
- **visit the major international peacekeeping centres and hold discussions with overseas authorities—visits could include the Pearson Peacekeeping Centre in Canada, Centre for International Peace Operations in Germany and centres in Malaysia and/or India;**
- **examine the structure, reporting responsibilities, administration, funding and staffing of these institutions—the task force would seek specific information on matters such as the civil–military–police coordination, administration of a civilian database and domestic/regional focus;**
- **assess the strengths and weaknesses of the various institutions with a view to identifying what would best suit Australia and the region; and**
- **based on this assessment, produce a final report for government containing recommendations on the Asia–Pacific Centre for Civil–Military Cooperation.**

The government should make the report available to the committee.

The committee also draws attention to recommendations 7, 34, 35 and 36 (exit strategies and evaluation) and their accompanying commentary. They are based on the committee's findings that more could be done within the whole-of-government sector engaged in peacekeeping operations to develop and strengthen a culture of learning, improvement and accountability.

Most of the remaining recommendations are concerned with ensuring that Australian peacekeepers are well prepared to meet the challenges of today's missions. In particular, the committee emphasises the need for interoperability at all levels and between all elements of an operation. It suggests that better planning, communication, training and joint exercises, and collaboration in developing shared doctrine would help to improve coordination between all participants, including partner countries, in a peacekeeping operation. The following recommendations are presented sequentially.

Mandates

The committee finds that, while broad consensus exists in the international community on the principles that should underpin a mandate, political compromises in the Security Council may produce a mandate that does not fully adhere to such principles. Thus, the committee is of the view that the Australian Government needs to examine a peacekeeping operation's mandate thoroughly to ensure that it meets these fundamental requirements. Although the government indicated that it is aware of these requirements, the committee feels obliged to underline, as have countless previous reviews and inquiries, the importance of observing these principles.

Recommendation 1

p. 53

The committee recommends that, before the Australian Government commits personnel to a peacekeeping operation, it is satisfied that the mandate has:

- **clearly stated and achievable goals based on an assessment and understanding of risks, including the worst case scenario;**
- **a level of commitment that can be sustained throughout the life of the mission in order to achieve the stated objectives; and**
- **adequate resources to meet the objectives—the proposed force to have the capacity and capability to fulfil its tasks as set out in the mandate, and sufficient financial resources available to implement the mandate.**

Furthermore, where Australia is taking a key or lead role in the proposed mission, the committee recommends that the Government of Australia ensure the terms of the mandate strictly meet these fundamental requirements. This would be done in consultation with the host country, the UN and potential partners.

Emerging doctrine—responsibility to protect

The committee recognises that Australia has given strong support to the adoption of the responsibility to protect doctrine (R2P). It notes, however, the call by former UN Secretary-General Kofi Annan for the international community to do better and 'develop the responsibility to protect into a powerful international norm that is not only quoted but put into practice, whenever and wherever it is needed'.¹ It believes that Australia's role now is to help ensure that the doctrine extends beyond lofty rhetoric to action where required.

Recommendation 2

p. 67

The committee recommends that the Australian Government continue to support actively the R2P doctrine and, through its representations in the UN, ensure that international deliberations are informed by the doctrine.

1 UN Secretary-General, Address to mark International Human Rights Day, SG/SM/10788, 8 December 2006.

The committee also recommends that in the committee's proposed white paper on peacekeeping (Recommendation 37), the Australian Government include a discussion on, and an explanation of, Australia's current position on this evolving doctrine.

Legal foundation for peacekeeping operations

The committee stresses the imperative for missions to have solid international legal underpinnings—either in the form of a UN mandate or the host country's consent. For Australia, the need to have a firm legal basis is especially important in regional peacekeeping missions that operate without a UN mandate, such as some operations in East Timor and the operation in Solomon Islands.

Recommendation 3

pp. 78–79

The committee recommends that before the Australian Government decides to contribute to a non-UN mandated peacekeeping operation, it is satisfied that the mission has a proper legal framework with recognised authority to deploy the operation and is consistent with Australian law. In this regard the committee recommends that:

- **as early as practicable, the UN is consulted and fully informed about developments and any proposals for a peacekeeping operation;**
- **the Australian Government places the highest priority on securing regional support for the peacekeeping operation;**
- **the host country, through its legally recognised authorities, has requested the establishment of a peacekeeping operation and willingly consented to the deployment of forces and the conditions under which they are to operate—the agreement to be documented in appropriate legal instruments and provided to the Security Council; and**
- **the legal documents authorising the deployment of a peacekeeping operation to be treated, if not in the form of a treaty, in a way similar to treaties; that is, tabled in Parliament with an accompanying National Interest Analysis and examined by a parliamentary committee.**

Furthermore, that the operation's mandate:

- **is in complete accord with the UN Charter and is accountable to universally accepted human rights standards and Australian law;**
- **contains arrangements to ensure that the Security Council and the peacekeeping operation complement each other's efforts to keep the peace; and**
- **includes provisions making the mission accountable to the UN and covers issues such as reporting procedures and channels for the exchange of information.**

Finally, through both formal and informal channels, the government endeavours to obtain UN endorsement of the operation even though the operation may have commenced.

Use of force and force protection

Evidence to the inquiry indicated that there were shortcomings in relation to force protection for the Australian Training Support Team in East Timor (ATST-EM).

Recommendation 4

p. 91

In light of the concerns raised about the conditions under which some members of ATST-EM were deployed, the committee recommends that the ADF conduct a review of this deployment to identify any shortcomings and ensure that lessons from ATST-EM's experiences inform the deployment of similar small contingents. This case study would, for example, examine matters such as their preparation to serve as unarmed peacekeepers, the chain of command arrangements and the provision of health services.

The committee notes that the number of people and agencies involved in interpreting a mission's mandate and rules of engagement may create inconsistency or confusion regarding the use of force in the field. Poorly worded mandates magnify this potential.

Recommendation 5

p. 93

The committee recommends that, before deploying Australian personnel to a peacekeeping operation, the Australian Government ensure that all instruments covering the use of force are unambiguous, clearly understood, appropriate to the mission and provide adequate protection.

The committee also notes that mandates that do not provide adequate force protection may jeopardise the health and wellbeing of peacekeepers. The committee recognises that Australian peacekeepers must have clear rules of engagement that 'match the needs on the ground', to avoid situations where they lack the capacity or the authority to perform tasks such as protect civilians.² The lessons from the experiences of Australian peacekeepers in Rwanda and Somalia are particularly important.

Recommendation 6

p. 93

The committee recommends that all government agencies advising the Australian Government on Australia's participation in a proposed peacekeeping operation address clearly the adequacy of force protection provided in the mandate and accompanying ROE. This consideration is not only from the perspective of the physical safety of Australian personnel but also their mental wellbeing.

2 United Nations Association in Canada, *Peacekeeping to Peacebuilding: Lessons from the Past Building for the Future*, Report on the UN–Canada 50th Anniversary of UN peacekeeping International Panel Series, 2006–2007, March 2007, p. 156.

Ultimately, the government must be satisfied that the mandate matches the needs on the ground.

Exit date, exit state, exit strategy

The committee's report highlights the importance of specifying in a mission's mandate the conditions for withdrawing a deployment. The Australian Government should note that specifying an end date or state is not in itself an exit strategy. The committee agrees with the weight of evidence that the identified exit date or state should be accompanied by a roadmap or exit strategy—a clear and structured plan for achieving the mission's objectives. Further, that the strategy contain milestones against which the progress of the peacekeeping operation can be assessed. The committee believes that when committing Australian forces to a peacekeeping operation, the Australian Government should clearly articulate its objectives in light of the mission's mandate and how they are to be achieved.

Recommendation 7

p. 105

The committee recommends that, when considering a proposed peacekeeping operation, the Australian Government examine in detail the mission's exit strategy to ensure that Australia's contribution is part of a well-planned and structured approach to achieving clearly stated objectives. When committing forces to an operation the Australian Government should clearly articulate its exit strategy.

Preparation and coordination

ADF

Many submitters roundly rejected the notion of Australia having a dedicated permanent peacekeeping force. Based on this strong evidence, the committee is of the opinion that Australia should not move towards a permanent peacekeeping force within the ADF. Even so, the committee took account of the views of some submitters, particularly former ADF members who served in command positions in peacekeeping operations, about the need to have training for peacekeeping over and above that required for warfare.

Recommendation 8

pp. 121–122

17.1 The committee recommends that the ADF place a high priority on its undertaking to give training for peacekeeping operations a 'more prominent place' in its training regime. This training should extend to reservists as well as regular members of the ADF.

AFP

The committee commends the AFP for its pre-deployment training which it believes equips AFP personnel to assist other nations build capacity in the area of law and order.

The committee recognises the need for the AFP to have logistical capability of its own. It accepts the view that the AFP cannot build 'a complete logistical capability', and in some cases will rely on the resources of the ADF to assist it during a peacekeeping operation. Where the AFP requires its own capability, the committee believes that compatibility with Defence systems should be a primary consideration.

Recommendation 9

p. 135

The committee recommends that the AFP adhere to a procurement policy that requires, where possible, any equipment purchased for use in a peacekeeping operation to be compatible with equipment or technology used by the ADF.

ADF and AFP interoperability

Interoperability between the ADF and the AFP, and their ability to transition in and out of different security levels, is essential. The committee notes that interoperability goes well beyond having the right range of capabilities and logistical compatibility. It is important for both the ADF and the AFP to share intelligence, assess threats, integrate strategies and tactics, command operations and communicate in the field. The committee finds, however, that the ADF and the AFP have not always been able to operate smoothly in the field due to a lack of familiarity and differences in work culture. Defence acknowledged the need for 'the agencies to work more closely' while the AFP referred to interoperability as a 'work in progress'. Clearly, more work needs to be done and both the ADF and the AFP should treat this as a matter of urgency.

Recommendation 10

p. 157

The committee recommends that the ADF and the AFP work together to devise and implement programs—joint training and exercises—and develop shared doctrine that will improve their interoperability when deployed overseas. In particular, the committee recommends that the ADF implement a program of secondments of their members to the AFP's International Deployment Group.

Training and preparedness of other government agencies

In the committee's view, the current peacekeeping training programs for Australian public servants could be better structured. If Australia is to achieve an effective whole-of-government training framework, the committee believes the government must begin by finding a way of integrating the separate training programs and *ad hoc* courses into a coherent whole. While allowing agencies to continue to train their personnel for their specific functions, this whole-of-government approach would avoid duplication, identify and rectify gaps in training and promote better cooperation and coordination among all participants in the field.

Recommendation 11

pp. 164–165

The committee recommends that DFAT and AusAID jointly review the pre-deployment training arrangements for Commonwealth officers being deployed on peacekeeping missions with a view to establishing a government approved course of training. The committee recommends further that:

- **all Commonwealth personnel deploying to a peacekeeping operation satisfy the requirements of this course;**
- **relevant government agencies require all their external contractors providing services to a peacekeeping operation to undergo appropriate screening and training; and**
- **to ensure the effective transfer of skills and knowledge, DFAT and AusAID include in their pre-deployment preparations a 'training for trainers' course for personnel whose duties involve instructing or coaching people in a host country.**

Whole-of-government coordination

Strategic planning

The committee accepts the argument that flexibility is needed to coordinate arrangements for peacekeeping operations to enable appropriate responses to the circumstances of each mission. Even so, it can see advantages in conducting a comparative study into the effectiveness of the approach taken for the Regional Assistance Mission to Solomon Islands and for operations in Timor-Leste. An interdepartmental committee was established for Solomon Islands while coordination is managed through the Strategic Policy Coordination Group for Timor-Leste. The committee believes that there are important lessons to be learnt from such review and analysis.

Recommendation 12

p. 171

The committee recommends that DFAT undertake a comparative review and analysis of the strategic level arrangements for the planning and coordination of RAMSI and peacekeeping operations in Timor-Leste and to use the findings as a guide for future missions.

Non-government organisations

The committee notes the important role that NGOs play in pre- and post-conflict environments and commends their contributions to peace building. It recognises that training is important to prepare civilian peacekeepers adequately for their tasks but that Australian NGOs could improve the standard of training. The committee believes that, under the guidance of the Australian Council for International Development (ACFID), NGOs should review their training programs with a view to establishing fundamental principles and standards for training civilian peacekeepers. The committee encourages the government, through AusAID, to support the NGO sector in developing these guidelines and implementing training regimes.

Government–NGO coordination

Strategic planning

The committee finds that NGOs are not represented at the strategic planning level for a peacekeeping operation. It believes that deliberation at this high level is rightly the business of the relevant government agencies. Nonetheless, the committee believes that relevant government agencies must liaise with the NGO sector to ensure that this sector forms part of an effective whole-of-nation response to a peacekeeping operation.

Recommendation 13

p. 188

The committee recommends that AusAID coordinate a consultation with DFAT, Defence, AFP, ACFID and key NGOs to establish a more effective mechanism for involving the NGO sector in the planning of Australia's involvement in peacekeeping operations.

Coordination

The committee also considers it is important for NGOs and government agencies to have ample opportunities to share knowledge, ideas and concepts and to develop mutual understanding and appreciation of each other's work in peacekeeping operations. It believes that there is scope for both DFAT and AusAID to do more to develop cooperation and coordination between the two sectors, especially by extending activities beyond briefings to joint training and collaborative planning.

Recommendation 14

p. 190

The committee recommends that a whole-of-government working group, such as the Peace Operations Working Group, arrange to hold regular meetings with representatives of NGOs engaged in peacekeeping operations to discuss and develop training programs and courses that would improve their working relationship. The committee recommends further that, in consultation with other government agencies and relevant NGOs, DFAT and AusAID review this arrangement in 2010 to assess the value to each organisation involved, and how it could be improved. The results of the review would be contained in DFAT's annual report.

CIMIC

Although the military and civilian components of a peacekeeping operation have been working side by side for many years, the increasing levels of interaction between them have underlined the significance of civil–military cooperation (CIMIC). The ADF has developed a CIMIC doctrine to assist it plan and implement ADF missions in the wider civilian context. In light of the evolving nature of CIMIC and the suggestion that ADF's doctrine could be improved, the committee believes that an ADF review of its doctrine would be timely.

Recommendation 15**p. 197**

The committee recommends that, in consultation with AusAID and ACFID, Defence review its civil–military cooperation doctrine, giving consideration to identifying measures to improve coordination between the ADF and the NGO sector when engaged in peacekeeping activities.

The committee recommends further that Defence include a discussion on its CIMIC doctrine in the upcoming Defence White Paper as well as provide an account of the progress made in developing the doctrine and its CIMIC capability in its annual report.

Recommendation 16**p. 198**

As part of this review process, the committee recommends that, in consultation with AusAID and other relevant government agencies and ACFID, Defence and the AFP consider the merits of a civil–military–police cooperation doctrine. The consideration given to this doctrine would be reflected in the committee's proposed white paper on peacekeeping.

Some NGOs referred not only to INTERFET but recent events in Timor-Leste to draw attention to what they identified as inadequacies in ADF's CIMIC capabilities. Before the last election, the Australian Labor Party also commented on recent ADF deployments to Solomon Islands and Timor-Leste which, in its view, demonstrated the need to improve ADF's CIMIC capability.

Recommendation 17**p. 201**

The committee recommends that in conjunction with its review of CIMIC doctrine, ADF consider ways to strengthen its CIMIC capability.

During the inquiry, a number of NGOs called for improved dialogue with the military, better understanding between the organisations and closer involvement in the planning of peacekeeping operations. The committee also notes that NGOs could facilitate this process through better organisation and liaison amongst themselves.

Recommendation 18**p. 216**

The committee recommends that AusAID, ACFID and Defence jointly review the current pre-deployment education programs, exercises, courses and other means used to prepare military and civilian personnel to work together in a peacekeeping operation. The committee recommends further that based on their findings, they collectively commit to a pre-deployment program that would strengthen cooperation between them and assist in better planning and coordinating their activities.

The committee sees merit in Austcare's proposal for four collaborative case studies to identify ways to improve coordination between the security and humanitarian elements of peacekeeping operations.

Recommendation 19**p. 216**

The committee recommends that Defence, AFP, AusAID and DFAT commission a series of case studies of recent complex peacekeeping operations, as proposed by Austcare, with the focus on the effectiveness of civil–military cooperation and coordination. Their findings would be made public and discussed at the Peace Operations Working Group mentioned in Recommendation 14.

Host countries, participating countries and effective partnerships

The committee recognises that the presence of peacekeepers in a small island state such as Solomon Islands affects the local economy and may cause resentment among some local people.

Recommendation 20**p. 228**

The committee recommends that the Australian Government consider the lessons from RAMSI regarding the positive local reaction to the mission's 'relatively low profile' with a view to adopting this approach as policy and best practice.

Recommendation 21**p. 240**

The committee recommends that the Australian Government commission independent research to test, against the experiences of past deployments, the relevance of the factors identified by the committee that should inform Australia's approach to, and planning for, a regional operation. These include the need for understanding sensitivities regarding sovereignty, language skills and cultural awareness, local ownership and involving local community groups (for complete list see paragraph 16.61). The committee further recommends that the information be used to develop a template for the conduct of future missions.

Language and cultural awareness

Although there are limits to the resources and time that can be devoted to language and cultural awareness training, evidence before the committee suggested that such training must be a priority for any peacekeeping contingent. The committee notes the patchwork of institutions and organisations providing language and cultural awareness training on behalf of the various government agencies. The committee believes that efficiencies could be gained by adopting a whole-of-government approach to this area of training for Commonwealth officers. Such an approach would allow the ADF, for example, to continue its language schools but see a better use of such facilities.

Recommendation 22**p. 254**

The committee recommends that a whole-of-government working group review the language and cultural awareness training of government agencies with a view to developing a more integrated and standardised system of training for

Australian peacekeepers. The Peace Operations Working Group may be the appropriate body to undertake this work.³

Joint training

The importance of training for both operational effectiveness and personal and collective security was one of the strong messages coming out of the evidence to the committee. Peacekeepers need to be able to work in a cooperative partnership with others from different countries. The more opportunities that Australian peacekeepers have to meet, train and work with their overseas colleagues prior to deployment, the greater the likelihood that they will form a united, cohesive team when serving together in an operation.

Recommendation 23

p. 258

The committee recommends that exchange programs and joint exercises with personnel from countries relevant to peacekeeping operations in the region continue as a high priority. It also suggests that such activities form part of a broader coherent whole-of-government strategy to build a greater peacekeeping capacity in the region.

Women in peacekeeping

In October 2000, the UN Security Council passed Resolution 1325 which recognised that peacekeeping operations should promote avenues for women to have a greater role in peacekeeping. The Australian Government was, and remains, a strong supporter of this resolution but needs to ensure that its agencies are active in implementing the resolution.

Recommendation 24

p. 262

The committee recommends that greater impetus be given to the implementation of UN Resolution 1325. It recommends that the Peace Operations Working Group be the driving force behind ensuring that all agencies are taking concrete actions to encourage greater involvement of women in peacekeeping operations. The committee recommends further that DFAT provide in its annual report an account of the whole-of-government performance in implementing this resolution. The report should go beyond merely listing activities to provide indicators of the effectiveness of Australia's efforts to implement Resolution 1325.

3 As noted in paragraph 13.14, the working group discusses a range of peacekeeping policy issues including the work of the UN's Special Committee on Peacekeeping and regional capacity-building initiatives.

International coordination

United Nations

The committee believes that there are advantages to be gained by seconding Commonwealth officers to the UN and encourages departments to be more active in seeking out these opportunities. The committee considers that this would be of particular value for senior government officers; however, it sees little value in secondments being used as 'terminal postings'. The committee strongly believes that the knowledge of returning personnel should be harnessed by the home agency to improve the agency's understanding of UN processes and facilitate Australia's UN engagement.

Recommendation 25

p. 270

The committee recommends that Australian government agencies actively pursue opportunities to second senior officers to the United Nations. Furthermore, that such secondments form part of a broader departmental and whole-of-government strategy designed to make better use of the knowledge and experience gained by seconded officers. In other words, appointments should not be terminal postings and should be perceived as important and valuable career opportunities.

Safety and welfare

There is no doubt that the mental health of Australian peacekeepers remains an area that needs close attention. Australia is not the only country grappling with how to prevent and manage the problem. A clear and precise understanding of the extent and nature of mental health concerns among returning peacekeepers is required to both design an effective pre-deployment education program and to make available the most appropriate services for those who need care. The data available on the incidence of Post Traumatic Stress Disorder in Australian peacekeepers, however, does not present a clear picture. Indeed, the statistics available on the health concerns of ADF peacekeepers in general appeared inadequate.

Recommendation 26

p. 309

The committee recommends that the ADF develop a comprehensive and reliable database on Australian peacekeepers that would provide accurate statistics on where and when ADF members were deployed. The database would also enable correlations to be made between particular deployments and associated health problems.

The committee notes the importance of ensuring that all ADF peacekeepers receive appropriate mental health screening and appropriate care when needed. It is firmly of the view, however, that compensation in the form of payment for treatment does not fully address the problem. The committee believes that the ADF has a duty of care to

ensure that mental illness is managed properly. In this regard, it notes a witness's observation that 'all the ADF seem to be doing...is wanting to get rid of you'.⁴ The committee would like to see indications that the ADF is committed to the long-term care and rehabilitation of members even where, because of their health, they are no longer serving members.

Recommendation 27

p. 309

The committee recommends that the ADF broaden the scope of the research and studies being done on veterans' mental health by the Australian Centre for Posttraumatic Mental Health and the Centre for Military and Veterans' Health to include the rehabilitation of veterans with mental health problems; the retraining opportunities or career transition services provided to them; the quality of, and access to, appropriate and continuing care; and the stigma attached to mental health problems in the ADF.

Rehabilitation and compensation scheme for the AFP

The committee recognises the importance of having specific legislation that would establish a rehabilitation and compensation scheme for AFP who serve in overseas deployments.

Recommendation 28

p. 314

The committee recommends that the Australian Government release a policy paper outlining the options and its views on a rehabilitation and compensation scheme for the AFP, invite public comment and thereafter release a draft bill for inquiry and report by a parliamentary committee.

The committee believes that agencies involved in peacekeeping operations must develop better procedures for the management of health records. It also believes that the evidence presented by the various veterans' associations about incomplete medical records of ADF personnel serving in peacekeeping missions requires further investigation by both Defence and DVA.

Recommendation 29

p. 319

The committee recommends that the ADF commission an independent audit of its medical records to determine the accuracy and completeness of the records, and to identify any deficiencies with a view to implementing changes to ensure that all medical records are up-to-date and complete. The audit report should be provided, through the Minister for Defence, to the committee.

Recommendation 30

p. 319

The committee recommends that the Australian Government requests ANAO to audit the hardware and software used by the ADF and DVA in their health

4 See paragraph 21.35.

records management system to identify measures needed to ensure that into the future the system is able to provide the type of detailed information of the like required by the committee but apparently not accessible.

Recommendation 31

p. 319

The committee also recommends that Defence commission the Centre for Military and Veterans' Health to assess the hardware and software used by Defence and DVA for managing the health records of ADF personnel and, in light of the committee's concerns, make recommendations on how the system could be improved.

Recognition

Recognition is important to peacekeepers and takes many forms.

Recommendation 32

p. 327

The committee recommends that the Australian Government consider additional funding for the proposed Peacekeeping Memorial.

Recommendation 33

p. 329

The committee recommends that the Australian Government include Australia's involvement in peacekeeping operations in East Timor in the terms of reference for the Official History of Australian Peacekeeping, Humanitarian and Post-Cold War Operations.

Evaluation and accountability

The committee notes that individual agencies have a responsibility for evaluating their performance in a peacekeeping operation. It is concerned, however, about the adequacy of current performance indicators to measure performance effectively.

Request to Auditor-General

p. 339

The committee requests that the Auditor-General consider conducting a performance audit on the mechanisms that the ADF has in place for capturing lessons from current and recent peacekeeping operations including:

- **the adequacy of its performance indicators;**
- **whether lessons to be learnt from its evaluation processes are documented and inform the development or refinement of ADF's doctrine and practices; and**
- **how these lessons are shared with other relevant agencies engaged in peacekeeping operations and incorporated into the whole-of-government decision-making process.**

The committee has confined this request to the ADF because it notes that the AFP has commissioned the University of Queensland to develop performance indicators.

Recommendation 34**p. 340**

The committee recommends that the relevant government agencies jointly develop standard measurable performance indicators that, where applicable, would be used across all agencies when evaluating the effectiveness of their peacekeeping activities (also see Recommendation 36).

Reporting

The Australian Government's contribution to peacekeeping operations now extends well beyond the military. It is important that this whole-of-government contribution is accompanied by whole-of-government reporting, so that the Parliament and the Australian public have access to information on the size and nature of the resources allocated by government to peacekeeping operations.

Recommendation 35**p. 343**

The committee recommends that the Australian Government designate an appropriate agency to take responsibility for the whole-of-government reporting on Australia's contribution to peacekeeping. This means that the agency's annual report would include a description of all peacekeeping operations, a list of the contributing government agencies, and, for each relevant agency:

- **a description of its role in the operation;**
- **the agency's financial contribution to the operation during that reporting year;**
- **the peak number of personnel deployed by the agency during the reporting year and the date at which the peak occurred; and**
- **the number of personnel deployed as at the end of the reporting year.**

This recommendation complements and does not replace the obligation on individual agencies to report on their peacekeeping activities in their respective annual reports.

Recommendation 36**p. 343**

In light of the committee's discussion on the adequacy of performance indicators, the committee also recommends that the agencies reporting on peacekeeping activities provide in their annual reports measurable performance indicators on the effectiveness of these activities.

Chapter 1

Introduction and conduct of inquiry

Referral of inquiry

1.1 On 8 November 2006, the Senate referred the matter of Australia's involvement in peacekeeping operations to the Senate Standing Committee on Foreign Affairs, Defence and Trade. The committee was to report by 16 August 2007. On 8 August, the Senate granted an extension to the committee's reporting date to 25 October 2007. Following the prorogation of the 41st Parliament on 15 October, the committee presented an interim report to the President of the Senate on 19 October, stating its intention to table its final report as soon as practicable. During the first sitting week of the new Parliament, the Senate re-referred the inquiry to the committee to report by 15 May 2008. On 14 May 2008, the Senate granted an extension for the committee to report by 26 June 2008; on 24 June, the Senate granted a further extension to 31 July 2008. On this day, the committee tabled out of session an interim report stating that it would table its final report on 1 August 2008.

Terms of reference

1.2 Under the terms of reference, the committee was to inquire into the changing nature of Australia's involvement in peacekeeping operations and the implications for the Australian Defence Force (ADF), Australian Agency for International Development (AusAID), the Department of Foreign Affairs and Trade (DFAT) and the Australian Federal Police (AFP) and other departments and agencies likely to be called on to assist a peacekeeping operation, with particular reference to:

- (a) the policy framework, procedures and protocols that govern the government's decision to participate in a peacekeeping operation, for determining the conditions of engagement and for ceasing to participate;
- (b) the training and preparedness of Australians likely to participate in a peacekeeping operation;
- (c) the coordination of Australia's contribution to a peacekeeping operation among Australian agencies and also with the United Nations (UN) and other relevant countries; and
- (d) lessons learnt from recent participation in peacekeeping operations that would assist government to prepare for future operations.

Conduct of inquiry

1.3 The committee advertised its inquiry on its website and in *The Australian*, calling for submissions to be lodged by mid-March 2007. The committee also wrote directly to a range of people and organisations inviting written submissions. These included government departments and agencies, academics, research and strategic studies institutes, non-government organisations, country support groups and

associations, veterans' organisations, and a number of embassies and high commissions of countries that Australia has worked with in peacekeeping operations.

1.4 The committee received 39 submissions which are listed at Appendix 1. During the inquiry, the committee also put a number of written questions to witnesses. The answers are available on the committee's website.

1.5 The committee held seven public hearings in Canberra, Sydney and Melbourne. A list of the committee's public hearings, together with the names of witnesses who appeared, is at Appendix 2.

1.6 Following the public hearings, a number of witnesses made corrections to their evidence. The committee received corrections relating to matters of substance as additional information. They are not recorded in the transcripts of evidence, but are publicly available on the committee's website and were also tabled with the report. These corrections, along with other additional information received and answers to questions on notice, are listed in Appendix 3.

1.7 In producing this report, the committee relied not only on the evidence presented to it but also on a significant body of recent research on peacekeeping operations and the recorded experiences of people closely involved with such missions.¹ Unless otherwise indicated, the title or designation of witnesses or commentators equates with their position at the time they made the statement referred to in the report.

Background to inquiry

1.8 Since 1947, Australians have served in many peacekeeping operations, both as 'blue helmets' in UN operations and as contributing forces to non-UN regional or coalition operations.² Operations have ranged from the traditional cease-fire monitoring missions to multifaceted, complex operations perhaps more appropriately conceptualised as peacebuilding or statebuilding operations.

1.9 Australians deployed to these complex missions have included not only military personnel but also police, scientific experts and public servants from a range of government agencies including DFAT, AusAID, the Australian Electoral Commission and Treasury. They have been engaged in all facets of a peacekeeping operation—peacemaking, peacekeeping and peacebuilding. Their engagement has involved activities as diverse as observing ceasefires, restoring law and order, clearing land and sea mines, training others in mine detection and clearance, intercepting merchant ships, locating and inspecting weapons and, if required, supervising their destruction. They have also assisted refugees, provided medical, dental and communication services, helped prepare for and supervise or conduct elections,

1 See a list of selected bibliography at the end of the report.

2 Lieutenant General Ken Gillespie, *Committee Hansard*, 24 July 2007, p. 2.

including electoral education, and assumed various bureaucratic and training roles in transitional administrations.

1.10 Australian peacekeepers have experienced first hand the difficulties in coordinating the diverse elements of a peacekeeping operation and making the transition from one phase of a mission to the next. They have served in UN peacekeeping operations such as the troubled missions to Somalia and Rwanda. In these cases, Australian peacekeepers witnessed the horrors created by a country's internal conflict. Australia has also taken on leadership roles in peacekeeping missions to Cambodia, East Timor and Solomon Islands. Regional engagement is a major element in Australia's current involvement in peacekeeping.

Previous inquiries

1.11 Committees of the Parliament have conducted inquiries into Australia's involvement in peacekeeping on two previous occasions. In 1991, the Senate Standing Committee on Foreign Affairs, Defence and Trade tabled its report *United Nations Peacekeeping and Australia*, and in 1994, the Joint Standing Committee on Foreign Affairs, Defence and Trade tabled a report *Australia's Participation in Peacekeeping*. Also relevant, in June 2001, the Joint Committee tabled its report *Australia's Role in United Nations Reform*, with substantial chapters on peacekeeping operations, preparations for rapid deployment and the role of the UN in reconstruction. Although their findings relate to circumstances going back many years, these inquiries have direct relevance to the current inquiry, especially for the committee's consideration of the changing nature of peacekeeping operations. Reference is made throughout the report to the findings of these inquiries and a summary of their recommendations is at Appendix 4.

Current inquiry

1.12 While a number of the issues explored in the earlier inquiries are pertinent to current consideration of Australia's involvement in peacekeeping operations, there have been major developments in peacekeeping that provide a different context for this report. In particular, since the two earliest inquiries, Australia has been heavily committed to peacekeeping operations in the region. In 1997–98, Australia participated in the New Zealand-led Truce Monitoring Group in Bougainville, Papua New Guinea. From 1998 through to 2003, Australia led the subsequent Peace Monitoring Group and Bougainville Transition Team, promoting the Bougainville peace process and assisting the transition to autonomous government.

1.13 In 1999, Australia commanded the International Force in East Timor (INTERFET), which involved some 13,000 personnel from over 21 countries. The INTERFET mission was the largest single Australian deployment since World War II, with 5,500 peacekeepers deployed in 1999.³ Australia has been involved in each

3 Department of Defence, answer to written question on notice W3, 24 July 2007.

subsequent UN mission in East Timor. It also leads the coalition International Stabilisation Force (ISF) in Timor-Leste, formed in response to a request for assistance following a break down in security in mid-2006. The force was reinforced in February 2008 following another serious outbreak of violence.⁴ Australia's contribution to peacekeeping operations in East Timor has ranged across a broad spectrum of activities, from peace enforcement to assisting with the transition to an independent government and developing state institutions and other capacity-building activities. Australia's active engagement in peacekeeping operations in Timor-Leste⁵ continues today.

1.14 In 2003 Australia led the Regional Assistance Mission to Solomon Islands (RAMSI). This engagement demonstrated Australia's willingness to conduct, at the invitation of the host country, a regional peacekeeping operation outside the UN structure. RAMSI is an example of the complex and integrated nature of contemporary peacekeeping operations. It has a broad mandate including not only security, law and justice but also governance and economic reform. A large number of government and non-government agencies contribute to RAMSI, which is led by a civilian. Australia remains committed to this peacekeeping operation.

1.15 These missions indicate the growing importance of Australia's engagement in peacekeeping activities in the region. They also show that the scope of today's peacekeeping operations has expanded to focus on helping to create long-term stability in fragile states. Such developments make the committee's inquiry particularly timely.

Australia's peacekeeping operations

1.16 While Australia's commitments in the region provide an important context for this current inquiry, Australia is also committed to operations further afield. Australia is currently involved in the following UN-led operations.⁶ The ADF operation name for its contribution to relevant missions is provided in brackets.

UN operations

- UNAMA (Afghanistan)—one military observer (Operation Palate II);
- UNFICYP (Cyprus)—15 police;
- UNMIS (Sudan)—nine troops, six military observers (Operation Azure), nine police;

4 The Prime Minister, the Hon Kevin Rudd MP, answer to question without notice, *House Hansard*, 13 February 2008, p. 220.

5 See paragraph 1.23 for an explanation of 'East Timor' and 'Timor-Leste'.

6 As at December 2007, www.un.org/Depts/dpko/dpko/contributors/2007/dec07_3.pdf (accessed 18 January 2008).

- UNMIT (Timor-Leste)—four military observers (Operation Tower), 49 police;⁷ and
- UNTSO (Middle East)—11 military observers (Operation Paladin).

1.17 Australia is also participating in operations endorsed or approved by the UN but not conducted by the UN.

Other operations

- MFO (Sinai)—25 ADF personnel (Operation Mazurka);⁸
- RAMSI (Solomon Islands)—140 ADF personnel (Operation Anode), 208 police;⁹
- ISF (Timor-Leste)—780 ADF personnel which was increased in February 2008 to 1,000 ADF (Operation Astute), and 130 AFP personnel.¹⁰

The above figures are approximations and fluctuate over time.

Scope and terminology

1.18 The committee's terms of reference asked it to inquire into the changing nature of Australia's involvement in peacekeeping operations and the implications for

7 In addition, 10 AFP members deployed to the Timor-Leste Police Development Program (TLPDP), set up under a bilateral arrangement between the governments of Australia and Timor-Leste, are currently working with UNMIT. The TLPDP is currently under review. See http://www.afp.gov.au/international/IDG/current_deployments/timor.html (accessed 18 January 2008). Also, 17 ADF personnel are deployed to Timor-Leste to support the Defence Cooperation Program. This is a regional engagement initiative to assist the development of the Timor-Leste Defence Force and is conducted independently of the ADF contribution to UNMIT. See <http://www.defence.gov.au/optower/index.htm> (accessed 18 January 2008).

8 Department of Defence, <http://www.defence.gov.au/opmazurka/index.htm> (accessed 18 January 2008).

9 Department of Defence, <http://www.defence.gov.au/opanode/default.htm> (accessed 18 January 2008); Australian Federal Police, *Submission 28*, p. A-5. The more recent figures given here for the AFP come from AFP Commissioner Mick Keelty, *Estimates Hansard*, 18 February 2008.

10 Department of Defence, <http://www.defence.gov.au/opastute/default.htm> (accessed 18 January 2008) and the Prime Minister, the Hon Kevin Rudd MP, answer to question without notice, *House Hansard*, 13 February 2008, p. 35. In April 2008, the Prime Minister announced that the Australian commitment to the ISF would return to the pre-February level of about 750 personnel. Prime Minister of Australia, Media Release, 'Australian Troops in Timor-Leste Return to Pre-11 February 2008 Levels', 26 April 2008. As at 29 May 2008, the number was 750, <http://www.defence.gov.au/opastute/default.htm>. Defence also records ISAF (Afghanistan) with 970 ADF personnel (Operation Slipper). To peak at around 1000 by mid-2008. Department of Defence, <http://www.defence.gov.au/opslipper/default.htm> (accessed 18 January 2008). As at 2 June 2008, the number was 1080, <http://www.defence.gov.au/opslipper/default.htm>.

a range of government departments and agencies likely to be called on to assist a peacekeeping operation. In specifically nominating a broad range of agencies, the terms of reference indicated that the committee was to consider operations extending beyond the traditional 'peacekeeping' model to include today's complex multidimensional missions.

1.19 Given the possible narrow interpretation of the concept of 'peacekeeping', a number of submitters to the inquiry suggested alternative terminology. Some used the term peacekeeping, but related it to a broader set of undertakings 'focused towards creating the conditions for sustainable peace, economic advancement, and fulfilment of human rights'.¹¹ The AFP used the phrase 'peace and stability operations'. In its view, the phrase recognises that current crises require a 'more holistic and strategic view that addresses root causes of conflict and creates road maps for peace, and most importantly provides for the longer term development of stable societies'.¹²

1.20 Discussions about appropriate terminology to describe international efforts to secure peace and stability are not new. The first recommendation of the Joint Standing Committee on Foreign Affairs, Defence and Trade in its 1994 report related to the need for a 'common terminology with respect to peacekeeping'.¹³

1.21 In this report, the committee has used the term 'peacekeeping operations' as set down in the committee's terms of reference. By using this term, the committee acknowledges the complex, integrated nature of many contemporary missions and the importance of looking beyond the traditional peacekeeping role of monitoring truce lines or state borders with the consent of the parties to the dispute.

1.22 For clarity, when using the term peacekeeping operations, the committee means international deployments that may involve civil, police and military personnel whose objective is to prevent, resolve or limit conflict and stabilise post-conflict environments. Such operations must have been legitimately established under international law, either by the UN or through the explicit consent of the host country government. Purely preventative or government-to-government endeavours to create or maintain peace, such as the use of diplomacy or economic sanctions, were considered to be outside the scope of the inquiry. The committee also uses the term 'peacekeepers' in a general sense to refer to those involved in peacekeeping operations.

1.23 East Timor achieved independence on 20 May 2002 and on 27 September 2002 joined the UN with the official name, Democratic Republic of Timor-Leste.¹⁴ In this report, the committee has used *Timor-Leste* when referring specifically to

11 Austcare, *Submission 11*, p. 5.

12 Australian Federal Police, *Submission 28*, pp. 5 and 7.

13 Joint Standing Committee on Foreign Affairs, Defence and Trade, *Australia's Participation in Peacekeeping*, 1994, p. xix.

14 UN General Assembly, *Unanimous Assembly Decision Makes Timor-Leste 191st United Nations Member State*, Press release, 27 September 2002.

peacekeeping operations post-September 2002. However, *East Timor* has been used when discussing peacekeeping operations prior to this time, or when referring generically to all peacekeeping operations in East Timor.

Structure of report

1.24 The report is presented in six parts, focusing on key areas of concern regarding Australia's involvement in peacekeeping operations. Part I provides an introduction, including an overview of the changing global circumstances and evolving types of peacekeeping operations. Part II focuses on the decision to participate in peacekeeping operations, including the framework in which such decisions are made and the major factors influencing decisions. Part III considers Australia's preparedness for peacekeeping operations, including the capabilities Australia has to bring to these operations, and the training and preparation of Australian personnel. It also looks at the coordination of Australia's contribution to peacekeeping operations among government and non-government agencies. Part IV examines Australia's role as a participating country with other countries in a peacekeeping operation. It explores some of the challenges Australian peacekeepers face in establishing and maintaining a constructive partnership with the host country and with partners in the operation. It also looks at Australia's engagement with the United Nations with regard to peacekeeping activities. Part V of the report looks at the welfare and recognition of Australian personnel involved in peacekeeping operations.

1.25 Finally, in Part VI, the committee focuses on how Australia evaluates its performance in peacekeeping operations and uses the lessons of past involvement to prepare for future operations. This part discusses international examples of peacekeeping institutes and centres of excellence and considers the case for the development of such an institute in Australia. In the final chapter, the committee presents a summary of its findings.

Acknowledgments

1.26 The committee thanks all those who contributed to the inquiry by making submissions, providing additional information or appearing before it to give evidence.

1.27 The bulk of the inquiry was conducted throughout 2007—the 60th anniversary year of Australia's first involvement in peacekeeping. The committee takes this opportunity to acknowledge the outstanding contribution made by Australian men and women to peacekeeping operations. They have served with distinction in many locations throughout the world. The following table provides an outline of Australia's involvement in peacekeeping operations from 1947 to the present.

Table of Australian Participation in Multinational Peacekeeping Operations to 2006

Name of operation	Theatre	Dates of Australian involvement	Total number of Australians involved	Main role of Australians
UN Consular Commission	Indonesia	1947	4	military observers
UN Good Offices Commission (UNGOC)	Indonesia	1947-1949	up to 15	
UN Commission for Indonesia (UNCI)	Indonesia	1949-1951	up to 19	military observers
UN Commission on Korea (UNCOK)	Korea	1950	2	military observers
UN Military Observer Group in India and Pakistan (UNMOGIP)	Kashmir	1950-1985	up to 18	military observers and air transport
UN Commission for the Unification and Rehabilitation of Korea (UNCURK)	Korea	1951	1	military observer
UN Command Military Armistice Commission (UNCMAC)	Korea	1953-present	1-2	monitoring ceasefire between North and South Korea
UN Truce Supervision Organization (UNTSO) [Israel and neighbours]	Middle East	1956-present	13 in 1990s	military observers
UN Operation in the Congo (ONUC)	Congo	1960 - 1961	a few	medical team
UN Temporary Executive Authority (UNTEA)	West New Guinea	1962-1963	11	helicopters supporting humanitarian aid
UN Yemen Observation Mission (UNYOM)	Yemen	1963	2	military observers
UN Peacekeeping Force in Cyprus (UNFICYP)	Cyprus	1964-present	16-50 state and federal police	maintenance of law and order
UN India-Pakistan Observation Mission (UNIPOM)	India/Pakistan	1965-1966	3	military observers
UN Disengagement Observer Force (UNDOF)	Israel/Syria	1974	a few	military observers detached from UNTSO
UN Emergency Force II (UNEF II)	Sinai	1976-1979	46 RAAF personnel	monitoring a ceasefire between Israel and Egypt
UN Interim Force in Lebanon (UNIFIL)	Lebanon	1978	a few	military observers detached from UNTSO
Commonwealth Monitoring Force (CMF)	Zimbabwe	1979-1980	150	monitoring Rhodesian forces, cantonment of guerillas, and return of civilian refugees
Multinational Force and Observers (MFO)	Sinai	1982-1986; 1993-present	110; 25-30	monitoring Israeli withdrawal from the Sinai
Commonwealth Military Training Team - Uganda (CMTTU)	Uganda	1982-1984	6	training government forces
UN Iran-Iraq Military Observer Group	Iran/Iraq	1988-1990	15	military observers (only in Iran)

Name of operation	Theatre	Dates of Australian involvement	Total number of Australians involved	Main role of Australians
(UNIIMOG)				
UN Border Relief Operation (UNBRO)	Thailand/Cambodia border	1989-1993	2 federal police	law and order creation; training police
UN Transition Assistance Group (UNTAG)	Namibia	1989-1990	300	engineering support; supervision of elections
UN Mine Clearance Training Team (UNMCTT)	Afghanistan, Pakistan	1989-1993	13 in 1993	mine clearance - instructing refugees and planning operations
Maritime Interception Force (MIF)	Persian Gulf, Gulf of Oman, Red Sea	1990-present (not continuous)	up to 3 ships; 600+ personnel in 1990, 2001-03	enforcing UN-imposed sanctions on Iraq
Operation Habitat	Kurdistan (northern Iraq)	1991	75	delivering humanitarian aid
UN Special Commission (UNSCOM)	Iraq	1991-1999	5 in 1993	inspection of Iraqi chemical, biological and nuclear weapons capabilities
UN Mission for the Referendum in Western Sahara (MINURSO)	Western Sahara	1991-1994	45	communications
UN Advance Mission in Cambodia (UNAMIC)	Cambodia	1991-1992	65	communications
UN Transitional Authority in Cambodia (UNTAC)	Cambodia	1992-1993	over 500	communications, transport, assisting the election and maintaining law and order
UN Operation in Somalia (UNOSOM I)	Somalia	1992-1993	30	movement control unit
Unified Task Force (UNITAF)	Somalia	1992-1993	1100	protecting delivery of humanitarian aid
UN Protection Force (UNPROFOR)	former Yugoslavia	1992	a few	military observers and liaison
UN Operation in Somalia II (UNOSOM II)	Somalia	1993-1995	40	movement control unit, HQ staff, police
UN Assistance Mission for Rwanda (UNAMIR)	Rwanda	1994-1995	300	medical personnel (115), infantry protection, support troops
UN Operation in Mozambique (ONUMOZ)	Mozambique	1994	20	police, deminers
South Pacific Peace-Keeping Force (SPPKF)	Bougainville	1994	200, plus two ships	force commander; logistic and other support
Multinational Force (MNF)	Haiti	1994-1995	30	police monitors
United Nations Verification Mission in Guatemala (MINUGUA)	Guatemala	1997	1	observer
Stabilisation Force (SFOR)	former Yugoslavia	1997-present	6	officers attached to British forces with NATO
Truce Monitoring Group (TMG)	Bougainville	1997-1998	110	monitoring ceasefire, facilitating peace process

Name of operation	Theatre	Dates of Australian involvement	Total number of Australians involved	Main role of Australians
Peace Monitoring Group (PMG)	Bougainville	1998-2003	260 in first phase	monitoring ceasefire, facilitating peace process
Kosovo Force (KFOR)	Kosovo	1999-present	a few	officers attached to British or American forces with NATO
UN Mission in East Timor (UNAMET)	East Timor	1999	50 police, 6 military liaison officers	facilitating referendum
International Force East Timor (INTERFET)	East Timor	1999-2000	5,000	establishing peace and security, facilitating humanitarian aid and reconstruction
UN Transitional Administration in East Timor (UNTAET)	East Timor	2000-2002	up to 2,000	maintaining security, facilitating reconstruction
International Peace Monitoring Team (IPMT)	Solomon Islands	2000-2002	25	monitoring peace process
United Nations Mission in Ethiopia and Eritrea (UNMEE)	Ethiopia/ Eritrea	2000-present	2	staff officers
International Military Advisory and Training Team (IMATT)	Sierra Leone	2000-2003	2	military observers
UN Mission of Support in East Timor (UNMISSET)	East Timor	2002-2005	1,600 > 100	maintaining security, facilitating reconstruction
UN Monitoring, Verification and Inspection Commission for Iraq (UNMOVIC)	Iraq	2002-2003	a few	weapons inspections
UN Assistance Mission in Afghanistan (UNAMA)	Afghanistan	2003-2004	1	liaison officer
Regional Assistance Mission to Solomon Islands (RAMSI)	Solomon Islands	2003-present	1,650 > 500**	police, civilians, military providing security and logistics
United Nations Mission in the Sudan (UNMIS)	Sudan	2005-present	15	observers, logistics, air movement controllers
United Nations Office in Timor-Leste (UNOTIL)	East Timor	2005-present	fewer than 100	military and police support duties

** Numbers may now be lower

Compiled by Dr Peter Londey, Official History of Australian Peacekeeping, Humanitarian and Post-Cold War Operations.

Part 1

Background to peacekeeping

Part 1 is an introduction to peacekeeping. It provides an overview of the changing global circumstances and evolving types of peacekeeping operations.

Chapter 2

Changing nature of peacekeeping operations

2.1 Peacekeeping operations have changed significantly since Australia's first contribution in 1947 when diplomatic staff were seconded to assist in supervising a ceasefire between Dutch forces and those of the newly-established Indonesian Republic.¹ Since then, Australia's involvement in peacekeeping operations has been shaped by changing international circumstances and the increasingly complex nature of such operations.

2.2 This chapter provides the international context as the basis for understanding Australia's involvement in peacekeeping operations. The committee examines the United Nations' (UN) role in maintaining world peace and security through its engagement in peacekeeping operations. It considers the nature and conduct of these operations and the effect that the changing international environment is having on the complexity and scope of missions. The committee looks at recent trends in the deployment of peacekeepers and prevailing views about the effectiveness of peacekeeping missions. Finally, it considers operations not initiated by the UN, including regional operations.

UN—maintaining peace

2.3 Under its charter, the UN is charged with maintaining international peace and security by taking effective collective measures for the prevention and removal of threats to peace.

2.4 As a universal forum pledged to protect the international community from war, the UN is recognised world-wide as the pre-eminent body responsible for peacekeeping. It has conferred on the Security Council, one of its subsidiary bodies, the primary responsibility for promoting international peace and security.² In this role, the Security Council encourages hostile parties to a dispute likely to endanger the maintenance of international peace and security to find a peaceful resolution. It may also intervene in a dispute, determining when and where a UN peacekeeping operation

1 The Good Offices Commission established in 1947 to assist in the delineation and supervision of the ceasefire and repatriation of Dutch forces to the Netherlands. It became the UN Commission for Indonesia (UNCI) in 1949. Department of Veterans' Affairs, *From Gallipoli to Dili, The Spirit of Anzac*, pp. 17–33, <http://www.anzacsite.gov.au/download/schoolkit.pdf> (accessed 30 June 2008).

2 See for example, UN Security Council, Statement by the President of the Security Council, S/PRST/2004/16, 17 May 2004.

should be deployed. Chapters VI and VII of the UN Charter provide the legal foundations for a UN operation.³

Foundations for a peacekeeping operation

2.5 Traditionally, UN peacekeeping operations were given mandates under Chapter VI of the UN Charter. Under this chapter, the Security Council may call on parties to settle their disputes peacefully and may recommend appropriate procedures with a view to a pacific settlement of the dispute.⁴ Chapter VI mandates typically involve the use of force only in self-defence, although at times self-defence has been interpreted broadly to include property and persons entrusted to the care of the operation, as well as implementation of the mandate.⁵

2.6 Chapter VII may be invoked where stronger action is required with respect to threats to the peace, breaches of the peace and acts of aggression. In these situations, the Security Council may call upon the members of the UN to apply measures not involving the use of armed force such as complete or partial interruption of economic relations, transport routes and means of communication, or the severance of diplomatic relations. Should the Security Council determine these measures inadequate, it may consider using military action—demonstrations, blockades, and other operations by forces of UN member states. Such operations are particularly serious undertakings, as they allow for the threat or use of force beyond self-defence and do not require the consent of the host state. Given the gravity of these peace enforcement operations, there has been considerable debate as to the circumstances that warrant such intervention. This debate is considered further in Chapter 5 of this report.

2.7 Generally, when a dispute or conflict reaches a stage calling for UN intervention, the Secretary-General issues a report to the Security Council recommending options. In the case of a peacekeeping operation, the report would make suggestions regarding its nature, size and the required resources. The Security Council would then decide whether or not to adopt a resolution based on the report. To take effect, a resolution of the Security Council requires nine votes from its 15 members and is subject to veto by any one of its five permanent members.

2.8 Historically, Chapters VI and VII were used to denote the nature of an operation—Chapter VI referring to peacekeeping and Chapter VII to peace enforcement. The changing nature of peacekeeping operations has, however, blurred the definitions. Ms Gillian Bird, Deputy Secretary, Department of Foreign Affairs and

3 See for example, UN General Assembly and Security Council, Report of the Secretary-General, *An Agenda for Peace: Preventive diplomacy, peacemaking and peace-keeping*, A/47/277–S/24111, 17 June 1992, paragraphs 42–43.

4 See Charter of the United Nations, Chapter VI, Articles 33 and 38.

5 Department of Foreign Affairs and Trade, quoted in Joint Standing Committee on Foreign Affairs, Defence and Trade, *Australia's Role on United Nations Reform*, June 2001, p. 49.

Trade (DFAT), indicated that, 'A lot of peacekeeping now is what we would call chapter 6½: it is a peacekeeping operation but at least bits of it have a chapter 7 mandate'.⁶

Changing international environment

2.9 Attempts at collective security and peacekeeping-type activity have developed over a long period in association with the evolution of modern international relations.⁷ Inevitably, changing international circumstances, as well as the development of international law, the growth of satellite-driven international media and changing public expectations have come together to alter not only the public perception of international crises but also the nature of peacekeeping operations.

Peacekeeping operations and the Cold War

2.10 The structure of the Security Council is very much a product of World War II. The permanent membership comprises five major powers—China, France, the Russian Federation (former Union of Soviet Socialist Republics), the United Kingdom and the United States (US)—each with the power of veto. With the onset of the Cold War after 1945, a political gulf developed between China and the Soviet Union on one side, and the US, Western Europe and other democratic states, such as Australia, on the other. As a result of this East–West divide, members of the Security Council had difficulty reaching agreement which limited the number and scope of UN-sanctioned peacekeeping operations. In 1992, the then Secretary-General, Dr Boutros Boutros-Ghali, noted that since 1945 over 100 major conflicts around the world had left some 20 million dead. In his view, the UN had been rendered powerless to deal with many of these crises 'because of the vetoes—279 of them—cast in the Security Council, which were a vivid expression of the divisions of that period'.⁸

2.11 Furthermore, the UN—intended to promote collective security among nation-states—was not structured to deal with the emerging ethnic and political tensions within post-colonial states.⁹

2.12 Despite these difficulties, during its early years the UN deployed military observers to, for example, Indonesia, Kashmir, Korea, Lebanon and Yemen.¹⁰ It also

6 *Committee Hansard*, 25 July 2007, p. 57.

7 A. Bellamy, P. Williams, & S. Griffin, *Understanding Peacekeeping*, 2004, pp. 60–74. Bellamy *et al* discuss in particular the activities of the Concert of Europe and League of Nations.

8 UN General Assembly and Security Council, Report of the Secretary-General, *An Agenda for Peace: Preventive diplomacy, peacemaking and peace-keeping*, A/47/277–S/24111, 17 June 1992, paragraph 14.

9 Dr Peter Londey, *Committee Hansard*, 5 September 2007, p. 41.

10 Dr Peter Londey, *Committee Hansard*, 5 September 2007, p. 41 and United Nations Peacekeeping, *List of operations*, www.un.org/Depts/dpko/list/list.pdf (accessed 11 November 2007).

set up peacekeeping operations such as the United Nations Truce Supervision Organisation (UNTSO) in the Middle East which commenced in 1948 and the United Nations Force in Cyprus (UNFICYP) which commenced in 1964. Both of these operations continue today. These so-called traditional peacekeeping missions typically involved:

- the consent of parties to a conflict as a precondition to deployment;
- impartiality of the peacekeeping force; and
- no use of force by peacekeepers other than in self-defence.

Peacekeeping operations in the post-Cold War era

2.13 The end of the Cold War, with its concomitant thawing of relations between East and West, allowed greater latitude for UN action. In 1992, Dr Boutros-Ghali reported that the 'immense ideological barrier that for decades gave rise to distrust and hostility had collapsed' and that the Security Council had emerged as 'a central instrument for the prevention and resolution of conflicts and for the preservation of peace'.¹¹ Indeed, no longer hamstrung by the US/Soviet rivalry, the Security Council has deployed an increasing number of peacekeeping operations in recent decades. Since 1948, there have been 63 UN peacekeeping operations, of which 48 (71 per cent) were established after 1989.¹²

Intra-state conflict

2.14 The above figures show that the end of the Cold War did not usher in a period of international peace. It did, however, mark the beginning of a significant shift in the nature of conflicts which increasingly involved disputes occurring within states rather than between states. Dr Boutros-Ghali noted this trend in 1992 when he stated:

...fierce new assertions of nationalism and sovereignty spring up, and the cohesion of States is threatened by brutal ethnic, religious, social, cultural or linguistic strife. Social peace is challenged on the one hand by new assertions of discrimination and exclusion and, on the other, by acts of terrorism seeking to undermine evolution and change through democratic means.¹³

2.15 Numerous witnesses drew the committee's attention to the effect that this change in the nature of conflicts was having on the conduct of peacekeeping

11 UN General Assembly and Security Council, Report of the Secretary-General, *An Agenda for Peace: Preventive diplomacy, peacemaking and peace-keeping*, A/47/277-S/24111, 17 June 1992, paragraphs 8 and 15.

12 United Nations Peacekeeping, *List of Operations*, www.un.org/Depts/dpko/list/list.pdf (accessed 29 January 2008). There are currently 17 UN peacekeeping operations ongoing.

13 UN General Assembly and Security Council, Report of the Secretary-General, *An Agenda for Peace: Preventive diplomacy, peacemaking and peace-keeping*, A/47/277-S/24111, 17 June 1992, paragraph 11.

operations. The Canadian Government observed that unlike earlier operations, now there was often no clear peace accord to be monitored, the combatants were not easy to identify, the contested terrain or issue was not constant and on many occasions there were no formal armed forces present.¹⁴ World Vision Australia similarly noted that modern disputes tend to involve irregular militias engaged in protracted insurgencies rather than regular armies. It was of the view that these types of conflict—where non-state forces are often indistinguishable from civilian populations, less disciplined than regular armies and may not feel bound by peace agreements—may create significant challenges.¹⁵

Multidimensional, multifaceted peacekeeping operations

2.16 In response to these developments, the Security Council has moved away from the traditional peacekeeping operations that required the deployment of military observers or small contingents to monitor truce lines or state borders with the permission of the host country.¹⁶ Since the 1990s, it has tended to deploy larger and more complex UN peacekeeping missions, often to help implement comprehensive peace agreements between protagonists in intra-state disputes. To be successful in its endeavours, the Security Council has recognised the need to engage a greater range of skills and personnel to resolve the complexities of modern day conflicts. Thus, as the objectives of peacekeeping operations started to extend beyond preserving peace to addressing the 'deepest causes of conflict', the composition of missions began to involve more and more non-military elements. Indeed, one of the most notable developments in peacekeeping operations has been their evolution into multidimensional operations.

2.17 With the expanding scope of peacekeeping operations, the UN has become increasingly aware of the significance of the different phases of these missions. In his 1992 report, *An Agenda for Peace*, Dr Boutros-Ghali used the terms preventative diplomacy, peacemaking, peacekeeping and peacebuilding to define the actions taken by the UN to prevent, resolve and preserve peace.

2.18 He saw preventative diplomacy as a means of easing tensions before they resulted in conflict; of creating confidence and building good faith to reduce the likelihood of disputes between states. On the other hand, in his view, peacemaking was intended to bring hostile parties to agreement by peaceful means, while

14 Government of Canada, *Submission 37*, p. 1.

15 World Vision Australia, *Submission 19*, pp. 1–2.

16 United Nations, *United Nations Peacekeeping, Meeting New Challenges*, DPI/2350/Rev. 2, pp. 4–5, <http://www.un.org/depts/dpko/dpko/faq/q&a.pdf> (accessed 18 January 2007). While the end of the Cold War was significant in the evolution of peacekeeping, Bellamy *et al* note that its evolution has been 'protracted, uneven and inconsistent', that it is difficult to clearly distinguish different forms of peacekeeping and misleading to organise the evolution into distinct 'generations' of peacekeeping. A. Bellamy, P. Williams, & S. Griffin, *Understanding Peacekeeping*, 2004, p. 13.

peacekeeping was a means of implementing settlements that had been negotiated by peacemakers. Under the definition of peacemaking, Dr Boutros-Ghali understood the Security Council to have the authority, if all peaceful means had failed, to enforce peace by taking military action to maintain or restore international peace and security.¹⁷ Today, however, peacemaking is considered to imply 'diplomatic action to bring hostile parties to a negotiated agreement' while peace enforcement involves the use of coercive measures to bring about peace.¹⁸

2.19 He also added the term post-conflict peacebuilding to the range of functions because in his view, to be truly successful, peacemaking and peacekeeping 'must come to include comprehensive efforts to identify and support structures which will tend to consolidate peace and advance a sense of confidence and well-being among people'.¹⁹ He noted that the terms are integrally related:

Just as diplomacy will continue across the span of all activities...so there may not be a dividing line between peacemaking and peace-keeping. Peacemaking is often a prelude to peace-keeping—just as the deployment of a United Nations presence in the field may expand possibilities for the prevention of conflict, facilitate the work of peacemaking and in many cases serve as a prerequisite for peace-building.²⁰

2.20 Lieutenant General (Retired) John Sanderson, military commander for the United Nations Transitional Authority in Cambodia (UNTAC, 1992–1993), identified this mission as 'the first truly complex, multifaceted operation of the post-Cold War era'.²¹ DFAT also considered that UNTAC marked a turning point for UN peacekeeping operations. It had seven components addressing all the modalities of the peace agreements, from a ceasefire arrangement to elections to the establishment of a

17 UN General Assembly and Security Council, Report of the Secretary-General, *An Agenda for Peace: Preventive diplomacy, peacemaking and peace-keeping*, A/47/277–S/24111, 17 June 1992, paragraph 43.

18 United Nations, *United Nations Peacekeeping Operations: Guidelines and Principles* (UN Capstone Doctrine), March 2008, pp. 17–18. See also UN General Assembly and Security Council, Report of the Secretary-General on the Work of the Organisation, *Supplement to An Agenda for Peace: Position Paper of the Secretary-General on the Occasion of the 50th Anniversary of the United Nations*, A/50/60–S/1995/1, 3 January 1995, paragraphs 77–80, <http://www.un.org/Docs/SG/agsupp.html#INSTRUMENT> (accessed 21 May 2008); and Jane Boulden, *Peace Enforcement: The United Nations Experience in Congo, Somalia, and Bosnia*, 2000, pp. 14–16.

19 UN General Assembly and Security Council, Report of the Secretary-General, *An Agenda for Peace: Preventive diplomacy, peacemaking and peace-keeping*, A/47/277–S/24111, 17 June 1992, paragraph 55.

20 UN General Assembly and Security Council, Report of the Secretary-General, *An Agenda for Peace: Preventive diplomacy, peacemaking and peace-keeping*, A/47/277–S/24111, 17 June 1992, paragraph 45.

21 John Sanderson, 'The Changing Face of Peace Operations: A View from the Field', *Journal of International Affairs*, Spring 2002, vol. 55, no. 2, p. 281.

neutral political environment with a just human rights regime.²² The mission was called upon to organise and conduct an election rather than simply monitor an election taking place. Further, it was heavily involved in the civil administration of Cambodia and had a supervisory role in a number of key ministries.²³ UNTAC is an example of a situation where a peacekeeping operation required an integrated approach focused not only on bringing an end to hostilities, but also achieving enduring stability through a long-term coordinated approach involving a number of government agencies and NGOs.

2.21 Missions such as UNTAC relied on military, police and civilian personnel including participants from the NGO sector. Indeed, the UN accepts that humanitarian actors can play a useful role when 'linked and coordinated with peacemaking, peacekeeping and peace-building'.²⁴ Ensuring that the different components of a peacekeeping operation work together effectively became a major challenge for the UN. Thus, while it was important for the UN to understand the different roles and aims that existed across operations and within phases of individual operations, it also needed to consider peacekeeping operations as an integrated whole.

Brahimi Report

2.22 In 1992, while acknowledging the increased and broadening tasks of peacekeeping operations, Dr Boutros-Ghali noted that the demands for peacekeeping and peacebuilding operations would continue 'to challenge the capacity, the political and financial will and the creativity of the Secretariat and Member States'.²⁵ A number of missions, particularly those conducted in the Balkans during the 1990s, exposed major weaknesses in the ability of the UN to meet the growing demands of complex peacekeeping operations.²⁶

2.23 Prompted by these failures, the then Secretary-General, Mr Kofi Annan, convened a high-level panel in 2000 to conduct a thorough review of UN peace and security activities. Published in August 2000, the so-called Brahimi Report—named

22 John Sanderson, 'The Changing Face of Peace Operations: A View from the Field', *Journal of International Affairs*, Spring, 2002, vol. 55, no. 2, p. 281.

23 Department of Foreign Affairs and Trade, *Submission 15*, p. 2.

24 UN General Assembly, Report of the Joint Inspection Unit, *Investigation of the relationship between humanitarian assistance and peace-keeping operations*, (JIU/REP/95/6), A/50/572, 24 October 1995, p. vi.

25 UN General Assembly and Security Council, Report of the Secretary-General, *An Agenda for Peace: Preventive diplomacy, peacemaking and peace-keeping*, A/47/277–S/24111, 17 June 1992, paragraph 49.

26 United Nations, *United Nations Peacekeeping, Meeting New Challenges*, DPI/2350/Rev. 2, p. 5, <http://www.un.org/depts/dpko/dpko/faq/q&a.pdf> (accessed 18 January 2007). There are many and varied views on the underlying causes of peacekeeping failures. See for example, UN General Assembly and Security Council, *Report of the Panel on United Nations Peace Operations*, A/55/305–S/2000/809, 21 August 2000, p. 4; and F. Fleitz Jr, *Peacekeeping Fiascos of the 1990s*, 2002.

after the chairman of its investigative panel, Lakhdar Brahimi—confirmed and built on the findings contained in the 1992 *An Agenda for Peace*.²⁷

2.24 The report drew attention to the changing nature of peacekeeping and how complex peacekeeping operations tended to occur in volatile circumstances with greater risks and costs than experienced in traditional peacekeeping operations.²⁸ In particular, it noted the intra-state nature of disputes and the dangerous environment created by 'spoilers' who had reneged on their commitments or sought in other ways to undermine a peace accord by violence. As examples, the report cited the activities of groups that had 'challenged peace implementation in Cambodia, threw Angola, Somalia and Sierra Leone back into civil war, and orchestrated the murder of 800,000 people in Rwanda'.²⁹ It argued:

The United Nations has bitterly and repeatedly discovered over the past decade, no amount of good intentions can substitute for the fundamental ability to project credible force if complex peacekeeping is to succeed.³⁰

2.25 It also noted the key and growing role of peacebuilding in internal conflicts.³¹ The report underlined the importance of a well-integrated mission, with the various components, military and civilian, complementing each other's contribution to ensure peace:

In such complex operations, peacekeepers work to maintain a secure local environment while peacebuilders work to make that environment self-sustaining. Only such an environment offers a ready exit to peacekeeping forces, making peacekeepers and peacebuilders inseparable partners.³²

2.26 To be able to assist communities and nations make the transition from violence to sustainable peace, the report acknowledged the need for highly trained and experienced personnel particularly in the area of post-conflict peacebuilding. In particular, it mentioned the requirement to develop transitional civil administrations for Kosovo and East Timor and its concern about the difficulties recruiting experts at short notice.³³ It stated:

27 UN General Assembly and Security Council, *Report of the Panel on United Nations Peace Operations*, A/55/305–S/2000/809, 21 August 2000. Hereafter referred to as 'The Brahimi Report'. The full text of the report can be found at http://www.un.org/peace/reports/peace_operations/ (accessed 18 January 2007).

28 The Brahimi Report, p. 3.

29 The Brahimi Report, paragraph 21, p. 4.

30 The Brahimi Report, Executive summary, p. viii.

31 The Brahimi Report, Executive summary, p. ix and paragraph 18, p. 3.

32 The Brahimi Report, Executive summary, p. viii and p. 5. See also Austcare, *Submission 11*, p. 6.

33 The Brahimi Report, paragraphs 76, 128 and 129, pp. 13 and 22.

Few staff within the Secretariat, or within United Nations agencies, funds or programmes possess the technical expertise and experience required to run a municipality or national ministry.³⁴

2.27 The Brahimi Report provided a valuable insight the challenges facing the UN in deploying a mission. It also critically examined the UN's failings and made recommendations which included:

- United Nations peacekeepers must be able to carry out their mandates professionally and successfully and be capable of defending themselves, other mission components and the mission's mandate, with robust rules of engagement, against those who renege on their commitments to a peace accord or otherwise seek to undermine it by violence;
- before the Security Council agrees to implement a ceasefire or peace agreement with a United Nations-led peacekeeping operation, the Council assure itself that the agreement meets threshold conditions, such as consistency with international human rights standards and practicability of specified tasks and timelines; and
- a doctrinal shift in the use of civilian police, other rule of law elements and human rights experts in complex peacekeeping operations to reflect an increased focus on strengthening rule of law institutions and improving respect for human rights in post-conflict environments.³⁵

2.28 The UN responded positively to the report and its findings influenced the Security Council's approach to the deployment of peacekeeping operations beyond the year 2000. A DFAT representative commented that the Brahimi Report was 'quite useful in laying down some real guidelines for the UN on how they should go forward on peacekeeping'. In her view, its findings have informed peacekeeping activities in the last seven years or so resulting in more complex operations being 'much better managed than after that initial post Cold War success period which...led to some real problems'.³⁶

2.29 The trend toward increasingly complex UN peacekeeping missions continued after 2000 with multidimensional operations encompassing areas such as the rule of law, civil administration, economic development and human rights.³⁷ For example, the United Nations Operation in Burundi (ONUB), established under Chapter VII, reflected the broadening dimension of UN peacekeeping missions. Under its mandate, adopted in May 2004, ONUB was, *inter alia*, to ensure the respect of ceasefire

34 The Brahimi Report, paragraph 129, p. 22.

35 The Brahimi Report, Summary of Recommendations, p. 54.

36 Ms Gillian Bird, *Committee Hansard*, 25 July 2007, p. 52.

37 United Nations, *United Nations Peacekeeping, Meeting New Challenges*, DPI/2350/Rev. 2, p. 7, <http://www.un.org/depts/dpko/dpko/faq/q&a.pdf> (accessed 18 January 2007).

agreements; carry out disarmament and demobilisation; contribute to the creation of the necessary security conditions for the provision of humanitarian assistance; contribute to the successful completion of the electoral process, and protect civilians under imminent threat of physical violence. It was also to provide advice and assistance to the transitional government and authorities in their efforts to, among other things, carry out institutional reforms and, in particular, the training and monitoring of the police.³⁸ In some cases, such as in East Timor and Kosovo, transitional administrations have been established with operations required to provide 'all the functions usually associated with statehood'.³⁹

2.30 In his 2005 report, *In Larger Freedom*, the then UN Secretary-General Kofi Annan emphasised the connection between development, human rights and security. He noted the importance of building long-term stability and resilience within states:

If States are fragile, the peoples of the world will not enjoy the security, development and justice that are their right. Therefore, one of the great challenges of the new millennium is to ensure that all States are strong enough to meet the many challenges they face.⁴⁰

2.31 Bellamy *et al* also commented on these multifaceted operations that combine a robust military force with a significant civilian component and aim to fundamentally change conflict ridden societies. They stated:

The purpose of the force is not to police a buffer zone while the belligerents make peace. Rather it is to provide security, often as a prelude to the creating of an interim UN administration intended to establish a functioning (liberal democratic) state. This involves an extensive expansion of peacekeeping functions to include civilian policing, institution building, infrastructure reconstruction and national reconciliation.⁴¹

2.32 The international community has come to expect peacekeeping operations to reach a stage where, in a secure and stable environment, local authorities assume the full range of state activities that will enable their country to continue to build lasting peace. In order to achieve this ultimate objective, the coordination and cooperation between the different elements of a peacekeeping operation becomes paramount. The Government of Canada explained:

The concept of an 'integrated mission' was developed to ensure this close co-ordination, often requiring [a] senior official to be placed in charge to oversee the complex, multifaceted components of the mission. 'Integrated peace operations' now involve significant political/diplomatic, human rights, governance, judicial, police and development personnel (and

38 UN Security Council, Resolution 1545, S/RES/1545 (2004), 21 May 2004.

39 A. Bellamy, P. Williams, & S. Griffin, *Understanding Peacekeeping*, 2004, p. 230.

40 UN General Assembly, Report of the Secretary-General, *In larger freedom: towards development, security and human rights for all*, A/59/2005, 21 March 2005, p. 6.

41 A. Bellamy, P. Williams, & S. Griffin, *Understanding Peacekeeping*, 2004, p. 165.

resources) in addition to the traditional military forces which are mandated to provide a stable environment.⁴²

Regional peacekeeping operations

2.33 Although many of the world's peacekeeping operations have been conducted under a UN mandate, the UN is not the only initiator of peacekeeping operations. Regional coalitions, alliances or individual countries can and do conduct peacekeeping operations under Chapter VIII of the UN Charter.⁴³ This occurs at the invitation, or with the authority, of the host country, often when the international community cannot afford to wait for UN approval. In 1992, Dr Boutros-Ghali acknowledged the contribution that regional bodies could make to peacekeeping operations:

Under the Charter, the Security Council has and will continue to have primary responsibility for maintaining international peace and security, but regional action as a matter of decentralization, delegation and cooperation with United Nations efforts could not only lighten the burden of the Council but also contribute to a deeper sense of participation, consensus and democratization in international affairs.⁴⁴

2.34 By sanctioning regional organisations or pivotal states to undertake peacekeeping operations, the Security Council has facilitated greater involvement by some key states, allowing them to participate in peacekeeping without putting their soldiers under UN command. In some cases, a regional response may be possible where parties to a conflict will not permit UN involvement, as was the case until recently in the Darfur region of Sudan.⁴⁵

2.35 Currently, there are a number of significant peacekeeping operations being undertaken by regional organisations. According to the Center on International Cooperation at New York University, in the 12 months to 30 September 2006, the

42 *Submission 37*, p. 2.

43 Charter of the United Nations, Article 52, <http://www.un.org/aboutun/charter/> (accessed 25 October 2007). Chapter VIII of the UN Charter states: 'Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations'.

44 UN General Assembly and Security Council, Report of the Secretary-General, *An Agenda for Peace: Preventive diplomacy, peacemaking and peace-keeping*, A/47/277-S/24111, 17 June 1992, paragraph 64.

45 UN News Service, *Sudan accepts UN-African force for Darfur without conditions—Council official*, 17 June 2007. Bellamy *et al* also cite the examples of Chechnya, where the Organization for Security and Cooperation in Europe was 'allowed access when the UN was not', and Zimbabwe where the 'government preferred regional and continental bodies as election observers to personnel from non-African organisations', *Understanding Peacekeeping*, 2004, p. 214.

North Atlantic Treaty Organization (NATO), the African Union and the European Union had a combined number of 68,000 peacekeepers serving in operations.⁴⁶ This figure rose to 78,000 military and police personnel in the field in 2007.⁴⁷ It should be noted that the Centre includes operations in Afghanistan in its statistics. According to the Centre, the International Security Assistance Force (ISAF) is the largest mission which in 2006 had over 30,000 troops deployed. It is a UN-authorized operation in Afghanistan and operates under the auspices of NATO.⁴⁸

2.36 The involvement of regional bodies or coalitions in non-UN mandated peacekeeping operations seems set to continue. A DFAT representative commented that the UN, with about 80,000 peacekeepers deployed around the globe, is stretched and there is a limit to what the UN can be expected to provide, particularly with regard to troops and police.⁴⁹ She acknowledged that the UN has long encouraged regional groupings and countries to play more of a role in peacekeeping operations and this was a trend that would continue.⁵⁰

2.37 Similarly, Associate Professor Elsinä Wainwright observed that there are likely to be difficult situations emerging that are going to require complex responses. For example, in her view, the call for policing resources was going to increase and the UN, unable to meet this demand, would increasingly endorse regional intervention.⁵¹

Committee view

2.38 Whether peacekeeping operations are UN or non-UN mandated, countries and agencies involved in such missions continue to deal with difficult situations requiring a complex, multidimensional response. Individually, and as a coalition, they are required to meet new challenges.

46 *Annual Review of Global Peace Operations 2007*, Briefing Paper, Center on International Cooperation, New York University, with the support of the Peacekeeping Best Practices Section of the UN Department of Peacekeeping Operations and the International Peace Academy, 2007, p. 1.

47 *Annual Review of Global Peace Operations 2008*, Briefing Paper, Center on International Cooperation, New York University, with the support of the Peacekeeping Best Practices Section of the UN Department of Peacekeeping Operations, 2008, p. 2.

48 *Annual Review of Global Peace Operations 2007*, Briefing Paper, Center on International Cooperation, New York University, with the support of the Peacekeeping Best Practices Section of the UN Department of Peacekeeping Operations and the International Peace Academy, 2007, p. 1.

49 Ms Gillian Bird, *Committee Hansard*, 25 July 2007, pp. 52–53.

50 Ms Gillian Bird, *Committee Hansard*, 25 July 2007, p. 53.

51 *Committee Hansard*, 20 August 2007, p. 3.

Conclusion

2.39 This chapter provided an overview of the factors that have influenced and continue to influence the deployment of peacekeeping operations. These operations have changed significantly since 1947. Today's international environment is not only very different from that experienced immediately after the Second World War and during the Cold War, but it is also more fluid. Peacekeeping operations are deployed to parts of the world where either the state has collapsed or, riven by internal strife, is severely debilitated. Traditional boundaries between warfare and peacekeeping, and between military and civilian roles, have blurred. Thus, peacekeeping operations have developed into multidimensional missions focused not only on bringing an end to hostilities but on resolving the root causes of those hostilities. They are concerned with implementing a durable, comprehensive strategy aimed at reconstructing or strengthening the fundamentals of a nation-state—including economic development and sustainable governance—so as to ensure lasting stability.

2.40 As the short-term and long-term agendas of today's peacekeeping operations become increasingly interwoven, a larger range of government agencies and other organisations are required to coordinate and work together towards sustainable strategic goals. Although the various activities of a peacekeeping operation—conflict prevention, peacemaking, peacekeeping and peacebuilding—are grouped under separate headings, the UN clearly understands that the elements of peacekeeping operations are not mutually exclusive. It understands that there is a close interaction and interdependence of the various elements that occur within the same operation.

2.41 All of these trends have implications for the way the UN and member states prepare for and coordinate peacekeeping operations into the future. Countries are being asked to undertake a much broader range of tasks within the one integrated mission and to meet new challenges, especially in situations where 'spoilers' seek to undermine the work of the mission.⁵² The increased use of regional arrangements also has implications for participating countries.

2.42 The changes that have taken place in the nature and scope of peacekeeping operations have profound implications for Australia as a member state of the UN and a long-time contributor to peacekeeping missions. They influence Australia's approach to participating in such missions and its decisions on the composition and structure of its deployment; the training and preparation of its personnel; and how it coordinates its effort. The committee now turns to consider Australia's contribution to peacekeeping operations and starts by looking at the decision-making process.

52 See reference to 'spoilers' at paragraph 2.24.

Part II

Decision to participate

In this part of the report, the committee looks at Australia's decision to participate in a peacekeeping operation. It examines the framework in which this decision is made, including the systems and mechanisms that government agencies use to consult with each other and to contribute to the whole-of-government decision-making process.

The committee then looks at the major factors that influence the decision to participate in a peacekeeping operation, including the objectives and timeframe of the mission and the nature and level of commitment to those objectives. It also looks in greater depth at major considerations in the decision to participate including: the humanitarian imperative to initiate an operation; the legal aspects of a mission; the rules governing the operation, especially the use of force; and the exit strategy.

Chapter 3

Decision-making process

3.1 Under the terms of reference, the committee is to inquire into the policy framework, procedures and protocols that govern Australia's decision to participate in a peacekeeping operation and the consideration given to the conditions for engagement and withdrawal. In this chapter, the committee examines the processes involved in deciding whether or not to contribute to a peacekeeping operation. As a starting point, the committee notes briefly how the complex nature of today's peacekeeping operations affects the government's consideration of a proposed mission. It then refers to the arrangements whereby the international community, through the UN, takes the decision to deploy a peacekeeping operation. It looks at how the Australian Government responds to a proposed operation, especially the structures and systems that its agencies use to consider and consult with each other. It is particularly interested in how their advice feeds into a whole-of-government deliberation. The committee also considers the processes involved where the proposed peacekeeping operation has not been initiated by the UN. It seeks to determine whether the mechanisms for decision-making are appropriate and effective.

3.2 Given the growing number of peacekeeping operations in the past two decades, it is likely that Australia will continue to contribute to such missions. Indeed, the committee found a general consensus that peacekeeping operations are a permanent and probably increasing part of the international relations landscape, placing additional responsibilities on Australia and other countries around the world to participate in UN operations.

3.3 Furthermore, most submitters to the inquiry underscored the importance of the significant shifts that have occurred in the aims and conduct of peacekeeping operations and their implications for Australia. They noted that peacekeeping operations are no longer the domain of the military, and a whole range of agencies—both government and non-government organisations (NGOs)—now need to work together as a well integrated team to achieve long-term peace outcomes.¹ The AFP described emerging practices as follows:

Current crises confronting the world require yet further consideration of how the international community may respond. The requirement now is for a more holistic and strategic view that addresses root causes of conflict and

1 See Attorney-General's Department, *Submission 13*, p. 1; Major General (Retired) Tim Ford, *Submission 4*, p. 1; Austcare, *Submission 11*, p. 5; Department of Foreign Affairs and Trade, *Submission 15*, p. 1; Australian Red Cross, *Submission 22*, p. 1; AusAID, *Submission 26*, p. 3; Australian Federal Police, *Submission 28*, pp. 4–5; and Department of Defence, *Submission 30*, p. 2.

creates road maps for peace, and most importantly provides for the longer term development of stable societies.²

3.4 In deciding to contribute to a peacekeeping operation, Australia faces the task of achieving this 'more holistic and strategic view' of the proposed mission. To do so effectively, it must consider many important factors and obtain advice and guidance from a range of sources within its departments and agencies and from potential partners in the mission.

Threats to international peace

3.5 The Security Council's consideration of a dispute that threatens to endanger international peace and security provides an early signal that a UN peacekeeping operation may be under contemplation. Deliberations in the Council, statements by member states, the Secretary-General and the reports of special assessment or fact finding teams indicate the level of support for, and the likelihood of, a peacekeeping operation and the nature of the mission.

3.6 The Australian Permanent Mission to the UN in New York monitors and advises the government on developments in the Security Council and of any anticipated UN decision to deploy a peacekeeping operation.³ If a peacekeeping operation is foreshadowed, DFAT convenes, as early as possible, a meeting of relevant government departments to inform them of the proposed operation and to canvass preliminary views on Australian involvement.

Involvement of government agencies

3.7 Even before a matter comes before the Security Council, Australian government agencies, such as Defence, DFAT, AFP, AusAID and various intelligence agencies have been keeping a watch on developing disputes or conflicts likely to threaten international peace. For example, a number of areas within DFAT—International Organisations and Legal Division, the International Security Division and relevant geographic areas—deal with peacekeeping and monitor overseas developments and potential 'trouble spots'. Mr Michael Potts, First Assistant Secretary, DFAT, explained:

...DFAT has an over-the-horizon capability, particularly through our global affairs branch, which tends to look at particular situations aside from the day-to-day flow of events. So it tends to look at either a particular theme or at a particular range of countries to get a sense, looking five to 10 years out, of what the likely outcome is going to be. We have done a considerable amount of work and that work has also been done with AusAID in terms of fragile states. It is fair to say that we have got a reasonable sense of which particular states bear closer examination. What we do not do...is drilling down to exactly how dire a situation would be, what sort of scenarios are

2 Australian Federal Police, *Submission 28*, p. 7.

3 *Committee Hansard*, 25 July 2007, p. 45.

likely and what sort of force structure would then be required. I think that it is beyond our remit, but we do have a proactive wish to look out ahead and to see what countries are likely to give rise to difficult situations which might call for an emergency response of some sort. AusAID also does it on the humanitarian side of things.⁴

3.8 AusAID explained the type of research and analysis it conducts that may eventually feed into the information gathering activities of Australian agencies in relation to a proposed peacekeeping operation:

We have been doing some work for the last two or three years around a thing we are calling conflict vulnerability analysis. So it is not just analysing the conflict; it is trying to look at the vulnerability of some of our partner countries, but with a specific eye on what that means for the development program... So, firstly, it is a kind of do-no-harm approach, but also to do this vulnerability analysis to look at opportunities where we may be able to enhance a peace outcome or strengthen communities. That has been a process that we have been undertaking, but it has been very much an iterative, learning process.⁵

3.9 The Fragile States Unit in AusAID has been set up to look across interagency operations and planning in fragile states. It works closely with other government agencies and also draws on sources such as universities and people on the ground to inform its analysis.⁶ This unit, which has been renamed the Fragile States and Peacebuilding Unit (FSP), is discussed further in Chapter 13.

3.10 Defence provided some insight into the activities it undertakes to ensure that it is kept abreast of overseas situations with the potential to affect Australia's national interests. It works with the intelligence community and its 'coalition partners' to determine the issues that might arise and how they might develop over time. It then provides appropriate in-house advice or advice to government as necessary.⁷

3.11 Lt Gen Ken Gillespie, Vice Chief of the Defence Force, referred to events leading to the outbreak of violence in Timor-Leste in May 2006 as an example of this process.⁸ He informed the committee that Defence had been monitoring developments over a period of time and had become concerned that they were 'spiralling out of hand'. According to Lt Gen Gillespie, Defence was advising the government about 'the need for us to adopt a different posture if we were to be prepared for what might happen at very short notice'.⁹

4 *Committee Hansard*, 13 September 2007, p. 6.

5 *Committee Hansard*, 25 July 2007, p. 80.

6 *Committee Hansard*, 25 July 2007, p. 81.

7 *Committee Hansard*, 24 July 2007, pp. 6–7.

8 Lt Gen Gillespie is now Chief of Army.

9 *Committee Hansard*, 24 July 2007, p. 6.

Committee view

3.12 The committee notes that relevant government agencies monitor and analyse international developments that have the potential to threaten peace and stability. This means that they are prepared to offer informed advice to government should a conflict flare up and precipitate Security Council action. The committee regards this information gathering and analysis as the foundation stone upon which to build Australia's capacity to contribute effectively and promptly to peacekeeping operations.

UN peacekeeping operations

3.13 Once the Security Council has resolved to deploy a peacekeeping operation and requested assistance, Australia, as a member of the UN, is required to respond to the decision. Lt Gen Gillespie explained that:

...the UN request is often not generic. It will be germane to a specific conflict area...the UN will normally phrase in its request the nature of the task...It might be a demarche that comes down through a mission that goes to many nations asking for support, or it might be a demarche that is quite specific in asking Australia to provide some sort of capability.¹⁰

3.14 He noted that the call for assistance from the Security Council would be handled in Australia in much the same way that most issues to do with national security or defence are handled by the government.¹¹ Initially, government agencies, including Defence, DFAT, AFP, AusAID and intelligence agencies, conduct their own fact-finding activities on the proposed operation and its implications for their portfolio. For instance, Defence looks at the issues and the intelligence and starts to formulate the advice that it might provide to assist government in framing its response to the UN request.¹²

3.15 The AFP provided a specific example of the more targeted type of investigation undertaken after the UN has authorised a peacekeeping operation. In March 2005, following a formal request from the UN to contribute civilian police to its mission in Sudan, an AFP assessment team visited Sudan to 'conduct a threat and scoping assessment'.¹³

Interdepartmental consultation and National Security Committee of Cabinet

3.16 Drawing on their own assessments of the proposed mission, agencies come together in interdepartmental committees (IDCs) to consider the Security Council's request. They look at the mission and what it is that Australia is being asked to do, the

10 *Committee Hansard*, 24 July 2007, p. 4.

11 *Committee Hansard*, 24 July 2007, p. 4.

12 *Committee Hansard*, 24 July 2007, p. 4.

13 *AFPNews*, April 2006, p. 11.

chances of success and the duration of the operation.¹⁴ Agencies also endeavour 'to form a clear understanding of local conditions, including the degree of local and international acceptance of a peacekeeping operation'.¹⁵

3.17 Their information and advice feeds into a bureaucratic committee of deputy secretaries called a strategic policy coordination group (SPCG). The core of this group comprises the deputy secretaries from Defence, DFAT, the Attorney-General's Department, the Department of the Prime Minister and Cabinet (PM&C) and the Office of National Assessments (ONA). Lt Gen Gillespie noted that this interdepartmental committee, chaired by the Security Division in PM&C, meets routinely once a month but that any committee member can draw attention to a particular issue and call a meeting. Indeed, he noted that 'we can call meetings twice or three times a week to discuss specific issues'.¹⁶ He also stated the SPCG expands as needed to include people from organisations such as AusAID.¹⁷

3.18 The interdepartmental committee makes recommendations to the National Security Committee of Cabinet (NSC). This committee, which sets policy and is chaired by the Prime Minister, sits at the highest level of government. It meets regularly, there having been times 'when it met on a daily basis'.¹⁸

3.19 Lt Gen Gillespie explained that layers can be added as required to the committees all through the process until the NSC makes the decision on Australia's participation.¹⁹ He described how a whole-of-government policy develops out of the various consultations taking place between agencies and results ultimately in the advice provided to government:

In essence, what you are bringing with each of the committee processes that you go through is more perspectives, a wider perspective and experience to the problem set that has been handed to you. The deputy secretaries in the strategic policy coordination area sometimes bring quite strong departmental views to the table. From those views, we then know the sorts of inputs that we need to make to a cabinet submission for NSC consideration. A department or a couple of departments can have the responsibility of crafting the cabinet submission that lays out the request and all of the factors that you might have to consider. Eventually, that cabinet submission is considered by the National Security Committee of Cabinet and we get a decision one way or the other on our participation.²⁰

14 *Committee Hansard*, 24 July 2007, p. 4.

15 Department of Defence, answer to written question on notice W1, 24 July 2007.

16 *Committee Hansard*, 24 July 2007, p. 11.

17 *Committee Hansard*, 24 July 2007, p. 4.

18 Commonwealth of Australia, *Report of the Inquiry into Australian intelligence agencies*, 2004, p. 52.

19 *Committee Hansard*, 24 July 2007, p. 4.

20 *Committee Hansard*, 24 July 2007, p. 4.

3.20 The AFP noted the careful deliberation given to any decision to participate in a peacekeeping operation and the extensive level of consultation with other government agencies. Assistant Commissioner Mark Walters explained:

...if a situation required an AFP response, we would obviously continue engagement with the relevant agencies. The agencies the AFP would normally be engaged with in these circumstances would be the Department of Foreign Affairs and Trade, the Department of the Prime Minister and Cabinet, Defence and AusAID...along with other agencies as required. We would certainly seek advice, guidance and views from those agencies in formulating an AFP response to a particular issue. If the decision was that the AFP was not in a position or was not able to respond or deploy, that could be fed back up through an IDC process or other mechanisms—perhaps through to Prime Minister and Cabinet—depending on where the issue was being led from.²¹

3.21 He recalled one occasion when the AFP felt that it 'was not appropriate under the circumstances to deploy'. In that instance, that advice was provided to PM&C.²²

3.22 AusAID contributes to cabinet and ministerial briefings on the humanitarian dimensions of peacekeeping proposals. Mr Alan March, AusAID, used the Regional Assistance Mission to Solomon Islands (RAMSI), a non-UN mandated peacekeeping operation, to illustrate the type of contribution that his agency makes to the decision process:

Initially, we were on the ground, as we tend to be in a lot of these countries for decades before the crisis and for decades after, so we have a lot of contextual and systematic knowledge and aid program engagement that we can make available to whole-of-government colleagues. In that process we were in a position to provide that information. We provided that directly to our partners in Foreign Affairs but also through committee discussions on what Australia might do in the Solomon Islands process.²³

3.23 The Attorney-General's Department also has an important role in the decision-making process. It noted that the decision to deploy involves legal issues under three different jurisdictions—international law, Australian domestic law and the law of the country in which the operation is taking place. In close collaboration with legal advisers, policy officers and operational personnel, the department provides legal advice that may be required for a peacekeeping operation.²⁴ It observed that provision of such advice in the context of deployments presents particular challenges, for example, 'ensuring that legal advice is provided with a sound appreciation of the operational constraints and problems facing deployed personnel'. It argued that for this

21 *Committee Hansard*, 25 July 2007, p. 5.

22 *Committee Hansard*, 25 July 2007, p. 5.

23 *Committee Hansard*, 25 July 2007, p. 75.

24 *Submission 13*, pp. 1–2.

reason, 'close coordination is required between policy and operational personnel and legal advisers'.²⁵

Consultation with other countries

3.24 The decision-making process also involves discussions with other countries in order to ascertain their views on the proposed operation. Ms Gillian Bird, DFAT, noted that consultation would take place through the UN but DFAT would also ask its posts to talk to their countries of accreditation about relevant issues. At the same time, Defence or the AFP would consult with their counterparts 'to find out what their countries might be planning as well for operations'.²⁶

3.25 Lt Gen Gillespie explained Australia's approach toward conversing with other countries on a proposed peacekeeping mission and Defence's role in these consultations. He used both East Timor and RAMSI as examples:

The interdepartmental government process will decide on a policy with, say, Timor of whether we need to reach out to other nations, whether for the benefit of the mission it is better that it is a coalition force not a unilateral type force. RAMSI was the same. It needed a broader look than just Australia and New Zealand. In those processes, the government make a decision that we will reach out and do that, and we use the diplomatic means that we have at our disposal through foreign affairs or our defence attachés to engage at that level.²⁷

3.26 He noted further that all Australian diplomatic missions in the region have defence attachés. Their presence enables Defence, if the government directs it to do so, to engage with people in the defence diplomacy area. Lt Gen Gillespie explained further:

The approvals process to go on a mission might be a two-part approval process through government whereby you go to them and recommend: 'The way ahead might be a coalition of willing neighbours. Some of the likely participants might be X. Can we engage with those people and determine whether they are prepared to do it and what they might be able to do to assist?' Once we have got all of those bits and pieces together, we can then go back to government finally and say: 'We've done the engagement you asked us to do. These people are prepared to do X, Y and Z. Here's a possible way forward. Are you happy to do that?'²⁸

3.27 The consultations that took place before the establishment of the International Force in East Timor (INTERFET) demonstrated the importance of this type of

25 *Submission 13*, p. 4.

26 *Committee Hansard*, 25 July 2007, p. 46.

27 *Committee Hansard*, 24 July 2007, p. 17.

28 *Committee Hansard*, 24 July 2007, p. 17.

diplomacy.²⁹ This mission was set up with contingents from Australia, Canada, France, New Zealand, the Philippines, Thailand, United Kingdom and the United States, under the command of Australian Major General Peter Cosgrove. It began deployment to East Timor from Darwin on 20 September 1999.

3.28 In this particular case, Australia had a key responsibility and role in garnering international support for a UN mission. The committee has noted in a previous report the importance of the diplomatic initiatives that took place during the Asia–Pacific Economic Cooperation (APEC) meeting in Auckland in September 1999. This meeting provided the ideal forum for Australia to discuss the serious breakdown in law and order in East Timor and to find common ground on how to deal with this problem.³⁰ At the time, the Minister for Foreign Affairs noted that Australia was able to use the APEC gathering to very good effect to marshal international support for a force and 'in getting the international community to put increasing pressure on Indonesia to allow in that force'.³¹ More recently, the former Prime Minister, John Howard, recalled that the meeting 'played an important part in galvanising and fashioning the international response to the independence crisis in East Timor'.³²

3.29 Where the Australian Government is liaising with other countries about a proposed peacekeeping operation, strong and friendly relations built on people-to-people links are more likely to provide an environment conducive to productive talks and for eliciting support for Australia's position. In a recent report, the committee considered at length the importance of public diplomacy in creating an environment in which Australia can influence the views and opinions of other countries.³³ This discussion is taken further in Chapter 18.

Timeframe for decision

3.30 The time taken to consider a request to participate in a mission varies widely and can be an issue in some circumstances. According to Ms Bird, the pace picks up where events are moving quickly.³⁴ The Attorney-General's Department informed the committee that one of the main challenges it faced in providing advice to government was 'the pressure of time'. It stated:

29 *Committee Hansard*, 25 July 2007, p. 46.

30 Senate Foreign Affairs, Defence and Trade References Committee, *Australia and APEC: A Review of Asia Pacific Economic Cooperation*, July 2000, p. 41.

31 Minister for Foreign Affairs, the Hon Alexander Downer MP, Question without notice, *House Hansard*, 20 September 1999, p. 9926.

32 Prime Minister, the Hon John Howard MP, transcript of address to the Asia Society Australasia Centre Annual Dinner Sydney, 6 June 2007.

33 Senate Standing Committee on Foreign Affairs, Defence and Trade, *Australia's public diplomacy: building our image*, August 2007, paragraphs 3.14–3.20.

34 *Committee Hansard*, 25 July 2007, p. 46.

The request for a deployment will often, by reason of the events occurring in the requesting State, demand immediate action, involving the urgent provision of legal advice and drafting of relevant legal instruments in coordination with Defence, DFAT and other agencies such as AFP, PM&C and AusAID.³⁵

3.31 For example, Lt Gen Gillespie noted that the situation in Timor-Leste in 2006 'required an immediate response and also necessitated a significant number of meetings at various levels of officials and senior officials to work out the dynamics and the response that was required from a number of agencies'. He observed that:

In other instances there are opportunities to spend more time planning and working through the issues, and sometimes working groups are established to look through those.³⁶

3.32 Generally, deliberation within the Security Council for a UN-mandated mission slows the process. Lt Gen Gillespie explained:

We deployed rapidly to Namibia in 1989 at the end of an 11-year gestation period. With the way the UN Security Council does business and gets consensus now, generally, despite the urgent nature of the mission that might be undertaken, you have time built in because of the bureaucracy of the United Nations itself.³⁷

3.33 The UN mission to Darfur provides a recent example of the time that the UN member states can take to decide to establish a peacekeeping operation.

Darfur

3.34 Sudan's western region of Darfur has a long and complex history of unrest. Since 2003, the UN has drawn attention to the escalating conflict in Darfur and, on numerous occasions, has expressed grave concern at the continuing humanitarian emergency and widespread human rights violations. It has passed resolutions pressing for an end to the conflict.³⁸ In November 2006, consultations between the Secretary-General, the Chairperson of the African Union (AU) Commission, the Government of Sudan, the five permanent members of the Security Council, the AU Peace and Security Council members, the European Union, the League of Arab States and a

35 *Submission 13*, p. 4.

36 *Committee Hansard*, 25 July 2007, p. 4.

37 *Committee Hansard*, 24 July 2007, p. 4.

38 See, for example, UN Security Council, Resolution 1547, 11 June 2004, paragraph 6; Resolution 1556, 30 July 2004; Resolution 1564, 18 September 2004; Resolution 1590, 24 March 2005, paragraphs 2 and 5; Resolution 1591, 29 March 2005; Resolution 1679, 16 May 2006; and Resolution 1706, 31 August 2006.

number of African countries produced a recommendation that an AU–UN hybrid operation be deployed to Darfur with the UN providing funding.³⁹

3.35 In July 2007, Ms Deborah Stokes, DFAT, informed the committee of the international effort underway to bring together this operation. She said that there had been many stages and much work done in New York to arrive at an agreement to put the mission in place and to achieve a new UN Security Council resolution setting out how this mission would work and its funding.⁴⁰ On 31 July 2007, the Security Council finally passed resolution 1769 which authorised and mandated the establishment of the African Union–United Nations Hybrid Operation in Darfur (UNAMID).⁴¹

3.36 Numerous witnesses referred to the protracted negotiations and consultations that finally led to the adoption of Resolution 1769 (see also discussion at paragraphs 5.21–5.22).

3.37 Having discussed the process leading to the decision to participate in a mission, the committee now considers its effectiveness.

Effectiveness of decision-making process

3.38 Lt Gen Gillespie indicated that the process of interdepartmental advice to government was 'well-practised over the past decade'. He said:

Our organisations are highly experienced at it and it is second nature to the staff who are involved in the process, so we are quite comfortable that we have the ability to formulate advice, give it, be heard and then take the decision of government.⁴²

3.39 The AFP endorsed this view about the effectiveness of the decision-making process. It said that the whole-of-government approach to determining if and how Australia would respond to a request for assistance 'is well understood and practiced'. It particularly noted the wide consultation within and between all relevant departments.⁴³ In this regard, AFP Commissioner Mick Keelty noted in 2006 that one of the strengths of the government had been the creation of the NSC 'where issues such as the arming of police in offshore deployments can be debated between officials

39 UN Security Council, *Report of the Secretary-General and the Chairperson of the African Union Commission on the hybrid operation in Darfur*, S/2007/307 Rev. 1, 5 June 2007, paragraphs 7–9.

40 *Committee Hansard*, 25 July 2007, p. 70.

41 *Committee Hansard*, 13 September 2007, p. 2. See also UN Security Council, Resolution 1769, S/RES/1769 (2007), 31 July 2007; and AU Peace and Security Council Communiqué PSC/PR/Comm (LXXIX), 22 June 2007.

42 *Committee Hansard*, 24 July 2007, pp. 4–5.

43 *Submission 28*, p. 9.

and the inner Cabinet'.⁴⁴ In his view, this arrangement has been 'a very effective way to deal with policy making'.⁴⁵ Ms Bird shared the view that the system works well—'both the formal and informal systems'. She said, 'We have really well-established patterns of consultation across the bureaucracy'.⁴⁶

Committee view

3.40 The committee notes that the key agencies agree that the decision-making process related to Australia's response to a UN-proposed peacekeeping operation is well understood, well practiced and effective. The committee recognises the contribution that this proven and highly successful consultation mechanism makes to the effectiveness of Australia's response and endorses its continuation.

Non-UN peacekeeping operations

3.41 Australia is actively engaged in regional peacekeeping operations. Its recent contributions to peacekeeping missions to Bougainville, East Timor and Solomon Islands reflect the importance of regional security to Australia and its willingness to foster and embrace regional responses to conflict. It is likely to remain committed to promoting peace and stability in the region.⁴⁷ Indeed, views expressed in submissions and in testimony to the committee suggested that regional crises requiring some form of intervention will continue and that Australia will be asked to contribute, or lead operations—particularly within the South Pacific and South East Asia region.⁴⁸ Furthermore, as with RAMSI, they may not be UN-mandated missions.

3.42 As noted in Chapter 2, the UN Charter recognises the existence of regional arrangements or agencies for dealing with matters relating to the maintenance of international peace and security that are appropriate for regional action.⁴⁹ Where the proposal for a peacekeeping operation has not come from the UN, the process in

44 AFP Commissioner Mick Keelty, 'Policing in a Foreign Space', Speech, National Press Club Address, 11 October 2006.

45 AFP Commissioner Mick Keelty, 'Policing in a Foreign Space', Speech, National Press Club Address, 11 October 2006.

46 *Committee Hansard*, 25 July 2007, p. 46.

47 As an example of this commitment, in the 2008–09 budget, the government provided \$53.7 million over two years to the AFP to deploy personnel to Timor-Leste to build capacity within the Policia Nacional de Timor-Leste; \$14.1 million in 2008–09 for the net additional costs of extending ADF's contribution to RAMSI and \$165.9 million over two years for the net additional costs of extending ADF's contribution to restoring peace and stability in Timor-Leste. It also provided \$5.6 million in 2007–08 to continue the deployment of 37 AFP personnel to the RAMSI. Budget Paper No. 2, Part 2, Expense Measures.

48 See for example, Associate Professor Elsinia Wainwright, *Committee Hansard*, 20 August 2007, p. 3; and Austcare which acknowledged that 'longer-term and more substantial peacekeeping commitments by Australia are more likely within its immediate region, where it is more able to assist and would be expected to do so by the international community'. *Submission 11*, p. 10.

49 Charter of the United Nations, Articles 52–54.

Australia leading to a decision whether or not to contribute is much the same as that for a UN-initiated deployment.

3.43 As noted earlier, once a regional peacekeeping operation is under consideration, relevant agencies examine the proposed operation in relation to their particular responsibilities and expertise and consult and work together with other agencies in interdepartmental committees to formulate advice to the NSC. If the mission were of particular significance to Australia, the government may find itself in a key negotiating role with the host country and other interested countries in proposing the operation. Should the Australian Government contemplate taking on a lead role, it would need to devote considerable skill and resources to liaising with other countries in the region to secure support and plan, prepare and coordinate efforts for the mission. The diplomatic efforts on Australia's part to garner support for INTERFET and the government's efforts to galvanise assistance among the Pacific island states for RAMSI are examples of successful engagement with regional countries (see paragraphs 3.27, 3.28 and 6.22).

3.44 Although regional missions are allowed under Chapter VIII of the UN Charter, they do not benefit from the legal authority implicit in a UN-mandated mission. Thus, no matter how urgent or pressing the need for a peacekeeping operation, those initiating a regional mission need to take added precautions to ensure that the operation has the appropriate legal foundations. In Australia, the absence of a UN mandate means that DFAT and the Attorney-General's Department, in particular, consider and determine the legal framework for a proposed regional operation. In the case of the International Stabilisation Force in East Timor (ISF), an Australian delegation led by Lt Gen Gillespie travelled to Dili to formulate the terms and conditions of assistance with the Government of Timor-Leste.⁵⁰ The legal implications of deploying a non-UN peacekeeping operation and the importance of continuing recognition of the legitimacy of the operation are discussed in detail in Chapter 6.

3.45 Establishing protocols with the UN is also a matter needing close consideration. While the Security Council encourages regional organisations to take their role seriously in maintaining peace and security, the UN Charter requires that it be kept informed of developments. Should Australia participate in a regional operation, it is important that it ensure that there is effective communication with the Security Council. For example, before Australia deployed troops to Timor-Leste as part of the ISF, Australia's mission in New York informed the UN of the formal request from the Government of Timor-Leste for military assistance and the Australian Government's agreement.

Conclusion

3.46 The evidence of the government agencies likely to be involved in the decision to commit to a peacekeeping operation strongly endorsed the interdepartmental

50 *House Hansard*, 25 May 2006, p. 63.

mechanisms now in place. They agreed that the process leading to a decision on Australia's response to a UN-proposed peacekeeping operation is well understood, well practiced and effective. The decision-making process for a non-UN mandated peacekeeping operation is no different. In the case of a regional mission where Australia has a more direct interest in maintaining peace and stability and is considering taking a lead role, consultation with other countries in the region assumes greater significance.

3.47 Although the decision-making process to commit or not commit to a peacekeeping mission follows a well-established and familiar course, the matters that agencies, interdepartmental committees and ultimately the government consider are complex and unique to the proposed mission. Each mission brings its own challenges and the agencies and government consider each peacekeeping operation on a case-by-case basis and on its individual merits.⁵¹ The following chapters look at the key factors that influence the government's response to a request to contribute to a peacekeeping operation.

51 Austcare, *Submission 11*, p. 9; Department of Foreign Affairs and Trade, *Submission 15*, p. 3. See also Commonwealth of Australia, *In the National Interest: Australia's Foreign and Trade Policy White Paper*, 1997, paragraph 25, p. 13; and *Committee Hansard*, 13 September 2007, p. 3.

Chapter 4

Policy frameworks and mandates

4.1 In this chapter, the committee considers the key factors that influence Australia's decision to contribute to a peacekeeping mission and their implications for future decisions. The committee starts by looking at the broader context of Australia's international reputation before considering in greater detail the importance of Australia's national security interests. It then examines some of the more practical factors identified as critical to the success of a mission, such as the adequacy and appropriateness of a mission's mandate, and how they influence the Australian Government's decision to contribute to that mission.

4.2 In subsequent chapters, the committee continues its consideration of key factors that influence the decision on a proposed peacekeeping operation, including the humanitarian imperative, the legal underpinnings of the mission, the level of force protection and exit strategy.

Australia's foreign policy interests

4.3 The Australian Government recognises that the country's international reputation is an important factor when deciding to contribute to a peacekeeping operation.¹ It has indicated that it is guided by whether an Australian role would advance the country's national security and global interests.²

4.4 DFAT explained the connection between Australia's international reputation and its participation in a peacekeeping operation. It noted that the commitment of Australian forces to UN missions enhances Australia's international reputation and hence increases the country's potential to influence matters of concern to Australia that are before the international community. DFAT stated:

Australian participation in peacekeeping operations not in our immediate region has helped demonstrate our commitment to international peace and stability and strengthened Australia's credentials as a responsible member of the international community. Australia's involvement in peacekeeping operations also increases our ability to influence the broader international security agenda and enhances our international reputation and credibility. Australia's substantial involvement in the UN missions in East Timor for example, has strengthened our ability to influence the UN Security Council on issues which affect our region. In both multilateral and bilateral fora,

1 See for example, Department of Foreign Affairs and Trade, *Submission 18* to the Senate Standing Committee on Foreign Affairs, Defence and Trade's inquiry into Australia's public diplomacy, p. 8; Commonwealth of Australia, *In the National Interest: Australia's Foreign and Trade Policy White Paper*, 1997, paragraph 25, p. 13.

2 Commonwealth of Australia, *Advancing the National Interest*, Australia's Foreign and Trade Policy White Paper, 2003, p. 46.

DFAT emphasises and relies upon Australia's excellent reputation as a contributor to, and participant in, peacekeeping. This track record enables Australia to exert a (considerable) degree of influence in debates on peacekeeping generally.³

4.5 In its submission, the Cyprus High Commission noted the recognition Australia attracts through its involvement in peacekeeping operations. It acknowledged Australia's long association with UN missions in Cyprus, stating that its contribution had been of great value in the peace process and that its continuation was 'greatly appreciated not only by Cyprus but also by the international community'. It added:

The fact that it gives Australia an opportunity to play a constructive role in a European theatre, can also be viewed as a positive element in its relations with Europe. It also gives Australia the opportunity to continue its constructive role within the UN framework as a compassionate, concerned world citizen.⁴

4.6 In their submissions to the inquiry, the governments of Canada and the United States of America also acknowledged Australia as an important partner in peacekeeping operations.⁵

Australia's security interests

4.7 The Australian Government has clearly stated that defence of the country and its direct approaches are Australia's most important long-term strategic objectives.⁶ It recognises that concerns about protecting Australia's national interests would heighten if the potential for instability and conflict arose in a neighbouring country.

4.8 The former Prime Minister, John Howard, underscored the need to become involved in peacekeeping operations in the region, such as the International Stabilisation Force (ISF) in Timor-Leste, because 'the world we live in is one where the problems of weak and fragile states, especially ones on our doorstep, can very quickly become our problems'.⁷ The current government similarly recognises the link between Australia's commitment to peacekeeping operations in the immediate region and the country's security interests. It cited the 'crucial stabilisation and support roles' performed by the ADF and the AFP in East Timor and Solomon Islands.⁸ Before becoming prime minister, Mr Kevin Rudd, stated that Australia 'must be prepared to

3 Department of Foreign Affairs and Trade, *Submission 15*, p. 4. See also the Prime Minister, the Hon John Howard MP, *House Hansard*, 25 May 2006, p. 63.

4 *Submission 35*, p. 3.

5 *Submissions 36* and *37*.

6 Commonwealth of Australia, *Defence 2000: Our Future Defence Force*, 2000, p. x.

7 Prime Minister, the Hon John Howard MP, *House Hansard*, 25 May 2006, p. 63.

8 Governor-General's Speech, 12 February 2008.

participate in coalitions of allies and friends to secure our regional interests'.⁹ DFAT also noted that Australia's contribution to peacekeeping is 'more likely to be substantial when such operations occur in our region'.¹⁰

4.9 Submitters to the inquiry readily acknowledged the contribution that Australia has made to peacekeeping operations since its first involvement in 1947.¹¹ They also shared the view that Australia should continue to have a significant role in peacekeeping operations, especially in the region, to promote Australia's national interests and security.¹² The Returned and Services League of Australia (RSL) and Austcare were among the many witnesses who suggested that it is in Australia's national interest to remain proactive in all aspects of national security including peacekeeping in all its manifestations.¹³ The RSL said:

Peace keeping is an integral part of Australia's contribution to the global effort to reduce tension. It is also part of the national contribution to the work of the United Nations.¹⁴

4.10 DFAT is primarily responsible for assessing the importance to Australia's national interests of being involved in a peacekeeping operation.¹⁵ In consultation with other agencies, it provides advice to the government on this matter. With Defence, it also considers a proposed operation in light of Australia's security concerns. The committee notes, however, DFAT's observation on measuring the advantages that accrue by contributing to a peacekeeping operation:

The cost-benefit of Australia's participation in peacekeeping operations is not easy to calculate. The benefits are usually security and foreign policy related, and difficult to quantify. The costs on the other hand can be measured easily.¹⁶

4.11 Without doubt, promoting and maintaining a politically and economically stable neighbourhood is a top priority for Australia's security and a key factor

9 Mr Kevin Rudd MP, Speech to the Australian Strategic Policy Institute, 9 August 2007.

10 *Submission 15*, p. 3.

11 The Good Offices Commission was established in 1947 to assist in the delineation and supervision of the ceasefire and repatriation of Dutch forces to the Netherlands. It became the UN Commission for Indonesia (UNCI) in 1949.

12 See for example, Austcare, *Submission 11*, p. 9.

13 Austcare, *Submission 11*, p. 2.

14 *Submission 9*, p. 1.

15 *Submission 15*, paragraph 10.

16 *Submission 15*, p. 11.

influencing the government's attitude to a proposed regional peacekeeping operation.¹⁷ Thus, the decision whether or not to participate in a peacekeeping operation is taken within the broad policy framework of Australia's national interests—how the operation relates to Australia's foreign policy and security interests and the likely implications for Australia's international standing.¹⁸

4.12 Even so, peacekeeping operations can be costly and dangerous undertakings with the risk of failure a real prospect.¹⁹ Before committing to an operation, the government must, within the broad policy framework of Australia's national interests, take account of important practical considerations. The following section looks firstly at the growing complexity of peacekeeping operations and the implications that this has for the decision to contribute to a mission. It acknowledges the vital importance of a mission's mandate to any consideration given to a proposed peacekeeping operation.

Mission mandate—the ideal

4.13 A UN resolution establishing a peacekeeping operation contains the mission's mandate which is the UN's request or direction for action in regard to the mission. A mandate stipulates the objectives, responsibilities and functions of the mission and may determine matters such as the duration of the mission, the size and composition of the deployment. The resolution, particularly the mandate, is central to any consideration of whether or not to contribute to the mission.

4.14 As noted in Chapter 2, the growing complexity of peacekeeping operations and the failures of some operations during the 1990s prompted reviews of UN missions. A number of major studies have considered and made recommendations on how to improve the effectiveness of UN peacekeeping operations. They looked closely at the drafting, shape and contents of mandates. The Brahimi Report gave particular attention to the broadening mandates of peacekeeping operations.²⁰

17 Australia's stated strategic objectives are to: foster the security of Australia's immediate neighbourhood; work with others to promote stability and cooperation in Southeast Asia; and contribute in appropriate ways to maintaining strategic stability in the wider Asia Pacific region. See Commonwealth of Australia, *Defence 2000: Our Future Defence Force*, 2000, p. x. The White Paper on Australian overseas aid recognised that Australia's peace and security is inextricably linked to that of its neighbours and cited the Regional Assistance Mission to Solomon Islands (RAMSI), the conflict resolution and post-conflict reconstruction in Bougainville and the aid given to East Timor in its transition to independence as significant achievements in Australia's aid programs. AusAID, White Paper, *Australian Aid: Promoting Growth and Stability*, section 1.2.

18 Department of Foreign Affairs and Trade, *Submission 15*, paragraph 8.

19 See for example, UN General Assembly, Report of the Secretary-General, *Implementation of the recommendations of the Special Committee on Peacekeeping Operations*, A/61/668, 13 February 2007, paragraphs 9–10.

20 In 2000, the Secretary-General convened a panel on United Nations Peace Operations to assess the UN's ability to conduct peace operations effectively and 'to present a clear set of specific, concrete and practical recommendations' to assist the UN to improve its capacity.

4.15 In Australia, commentators and various institutions have also looked critically at mandates. Three previous parliamentary inquiries considered and made recommendations related to Australia's decision to participate in peacekeeping operations and the mandates under which they operate.

4.16 Evidence presented to this committee forms part of this continuing process of review of peacekeeping operations and builds on the findings of international studies such as the Brahimi Report and the previous Australian parliamentary inquiries. Taken collectively, these studies represent a substantial body of analysis on the effectiveness of peacekeeping operations. They highlight the central importance of a mandate to the success of a peacekeeping operation and identify what they regard as fundamental elements of a mandate.²¹ In particular, they argue that mandates should have clearly stated and achievable goals based on an assessment and understanding of risks, including the worst case scenario. They also recognise that a proposed deployment as detailed in a mandate should have:

- a proper legal framework or footing with the recognised authority to deploy the operation;²²
- adequate resources to meet the objectives—the proposed force to have the capacity and capability to fulfil its tasks as set out in the mandate, and sufficient financial resources available to implement the mandate;²³ and
- a level of commitment that can be sustained in order to achieve the stated objectives.

Mission mandate—the reality

4.17 The Security Council responded positively to the findings of the Brahimi Report relating to mandates. For example, in October 2000, it affirmed its determination to strengthen UN peacekeeping operations by adopting clearly defined, credible, achievable and appropriate mandates.²⁴

4.18 The committee notes, however, that the call is not new for a peacekeeping mandate to have clearly stated and achievable objectives and to meet other fundamental requirements such as sustainable commitment and adequate resources. In 1992, the then Secretary-General of the UN reported that 'the established principles

21 See for example, Brahimi Report, paragraph 6(b).

22 See for example, Brahimi Report, paragraphs 58 and 64.

23 See for example, Brahimi Report, paragraphs 58–64; and United Nations Association of Australia, *Submission 3*, p. 24.

24 UN General Assembly, *Report of the Secretary-General on the implementation of the report of the Panel on United Nations peace operations*, A/55/502, 20 October 2000, paragraph 37, p. 8. See also UN Security Council, Resolution 1318, S/RES/1318 (2000), 7 September 2000, section III, p. 2; UN Security Council, Statement by the President of the Security Council, S/PRST/2004/16, 17 May 2004, p. 2; UN General Assembly, *Report of the Special Committee on Peacekeeping Operations and its Working Group*, A/59/19/Rev.1, 2005, paragraph 34, p. 6.

and practices of peacekeeping have responded to new demands of recent years, and the basic conditions for success remain unchanged'. He then identified these basic conditions which included: a clear and practicable mandate; the cooperation of the Security Council; the readiness of Member States to contribute the personnel required and adequate financial and logistic support.²⁵ Thus, it would appear that recent reviews, including those of the parliamentary committees, have tended to repeat, as though newly discovered, the same principles and key factors identified years earlier as critical to the success of a mission. Indeed, some of these principles, such as clear objectives, commitment to the operation and adequate resources and funds, appear self-evident.

4.19 The committee accepts that it is important to recognise these fundamental requirements for a peacekeeping operation when considering a proposed mission but, if all has been said before, it is imperative to understand why these well-established principles do not always translate into action.

4.20 In 2004, Under-Secretary-General, Dr Shashi Tharoor observed that the UN was not perfect: that it is 'at its best a mirror of the world'. He added that it 'reflects our divisions and disagreements as well as our hopes and convictions'.²⁶ The Brahimi Report noted the connection between the compromises required to reach consensus on a peacekeeping operation and the ambiguity and lack of specificity in a mandate.²⁷ Similarly, the University of Queensland Social Research Centre observed that 'mandates given for operations are the products of political deliberation and compromise, and the result is that they are frequently vague'.²⁸ Other commentators have likewise referred to political expediency rather than the adherence to universal principles as factors influencing the shape and content of mandates.²⁹ Clearly, the 1992 statement by the Secretary-General, the findings of a number of recent reports on the effectiveness of peacekeeping operations and the evidence before this committee suggest that the lessons from previous experiences in peacekeeping operations have not always been learnt. The many reports recite, with minor variations, the familiar list of 'common sense' lessons that the UN should already know. Sergio Vieira de Mello,

25 UN General Assembly and Security Council, Report of the Secretary-General, *An Agenda for Peace: Preventive diplomacy, peacemaking and peace-keeping*, A/47/277-S/24111, 17 June 1992, paragraph 50.

26 Shashi Tharoor, 'Is the United Nations Still Relevant?', Speech, Asia Society, Hong Kong, 14 June 2004, <http://www.asiasociety.org/speeches/tharoor04.html> (accessed 18 December 2007).

27 Brahimi Report, paragraph 56.

28 The University of Queensland Social Research Centre, *Framework for Performance Indicators in Australian Federal Police (AFP) Peace Operations*, Final Report, prepared for the Australian Federal Police, October 2006, Section 1.3, p. 3 (provided by AFP, answer to question on notice 2, 25 July 2007).

29 Roland Rich, 'Crafting Security Council Mandates', The Centre for Democratic Institutions, p. 13, <http://polsc.anu.edu.au/rich%20paper.rtf> (accessed 23 July 2008).

former Special Representative of the Secretary-General and head of the Transitional Administration in East Timor, remarked in 2000:

To date the UN, like many other large bureaucracies has proved more adept at repeating mistakes, than at learning lessons.³⁰

4.21 The weight of opinion indicates that political compromises in the Security Council may produce a mandate that does not fully adhere to the fundamental principles and practices recognised as necessary for a successful peacekeeping operation. Thus, the Australian Government needs to examine a peacekeeping operation's mandate carefully to ensure that it meets fundamental requirements and, if not, whether and under what conditions Australia should commit personnel to the mission.

Other key factors considered by government

4.22 All relevant government agencies presented evidence on the factors they take into account when assessing a proposed peacekeeping operation. For example, DFAT stated categorically that a number of complex considerations inform the decision to contribute to a peacekeeping operation, including the objectives of the mission and how effective the mission would be in achieving them.³¹ Resources and commitment to the proposed mission are also considered. DFAT informed the committee:

One of the primary considerations of the Australian Government for involvement in peacekeeping operations is whether there is a clear mandate and achievable goals. For UN operations, consideration is also given to the prospect for a satisfactory outcome given the UN resource commitment and the political situation in the country affected.³²

4.23 Similarly, Defence explained that it considers, and makes its own independent assessment of, whether the mission can be accomplished within the time frame and with the available forces. Lt Gen Gillespie noted that if the UN has not made some details of the operation clear, such as whether they want peace enforcers not peacemakers, Defence would formulate advice to government on these matters, including the anticipated time frame for the operation.³³ This information feeds into the department's advice to government 'about the likelihood of the UN achieving [the mission's objective] in the timeframe that they are either saying or have not specifically stated'.³⁴

30 Sergio Vieira de Mello, 'How Not to Run a Country: Lessons for the UN from Kosovo and East Timor', unpublished paper, June 2000.

31 *Submission 15*, paragraph 8.

32 *Submission 15*, p. 5.

33 *Committee Hansard*, 24 July 2007, p. 4.

34 *Committee Hansard*, 24 July 2007, p. 18.

4.24 The 2000 Defence White Paper provides greater detail on the factors that guide Defence's assessment of whether Australia should commit forces to operations. These are consistent with the factors identified earlier as fundamental to the success of a mission, and include:

- the nature and extent of Australia's interests, including strategic, political, humanitarian and alliance issues;
- whether the mission has a clear mandate, goals and end-point;
- whether the mission's goals are achievable in all the circumstances and with the resources available;
- the extent of international support for the mission;
- costs of Australian participation, including the effect on the ADF's capacity to perform other tasks;
- training and other benefits to the ADF;
- risks to personnel; and
- consequences for Australia's wider interests and international relationships.³⁵

4.25 Clearly, there is a mix of factors influencing an agency's advice on whether to commit to, or how best to contribute to, a proposed mission. Agencies consider these factors concurrently, including the important practical factors of Australia's capacity or capability to contribute.³⁶ The AFP explained:

...once a likely contribution to an operation receives broad policy support, a thorough initial analysis is necessary against current and projected commitments. The results of these analyses determine the preconditions that would make a commitment viable and lead to development of an operational concept to address government objectives. This process enables the AFP to articulate to government what is seen as the necessary strategies required for entry and the steps involved for achievement of success.³⁷

4.26 Lt Gen Gillespie outlined how Defence prepares itself to make an informed assessment of its capability to meet the demands of a proposed peacekeeping operation. He told the committee that the Chief of the Defence Force is advised on a weekly basis regarding the capability of the ADF for potential trouble spots 'if they were to arise in the next month window, two-month window or six-month window'. Lt Gen Gillespie explained:

...we will be telling...what assets we have got, where they are, how far away they are from potential flashpoints, how quickly they could be turned around and whether they are in maintenance...So we have...a process in place where we can continually advise the government on what we can do

35 Commonwealth of Australia, *Defence 2000: Our Future Defence Force*, paragraph 6.18.

36 *Committee Hansard*, 24 July 2007, p. 5.

37 *Submission 28*, p. 9.

in a concurrency sense and so that we remain postured for eventualities in our region in a certain time frame.³⁸

4.27 He added that sometimes Defence needs to reassess activities 'so that we know exactly where and what time frame we have available for certain assets'.³⁹ According to Lt Gen Gillespie, all three services have 'people prepared and ready to go at certain levels' of notices to move. He noted that, in Autumn 2006, Defence 'saw the potential for issues' in Timor-Leste, so it brought additional units to shortened degrees of notice. Their training was increased and focused on what might come up in order to have troops when the need arose.⁴⁰

4.28 In some cases, Australia does not have the resources or capability that the UN requests. With regard to sending forces to Darfur in September 2007 and the practical matter of resources, Mr Paul Foley, DFAT, explained:

The reason Australia is unable, at this time and for this particular operation, to make a larger contribution is simply the ADF's current operational commitments across a range of peacekeeping and other operations.⁴¹

4.29 The government also takes account of the capabilities of participating members and the readiness, compatibility and complementarity of their forces.⁴² The deployment of the ISF to Timor-Leste in 2006 provides an example of some of these more pragmatic and technical factors that the government weighed up before it decided to accept the invitation from the Government of Timor-Leste to participate in a mission. These factors also shaped the government's decision on how to structure the operation in order to restore calm to the country. According to Defence:

ADF troops were not deployed under the UN mission because Australia believed that an Australian-led international security force (ISF) was best placed to provide the necessary military support for the UN and the East Timorese Government to ensure peace and stability.⁴³

4.30 It explained that there were a number of advantages associated with deploying separately as the ISF, which included being a force that was:

38 *Committee Hansard*, 24 July 2007, p. 7.

39 *Committee Hansard*, 24 July 2007, p. 7.

40 *Committee Hansard*, 24 July 2007, p. 11.

41 *Committee Hansard*, 13 September 2007, p. 3. On 30 March the Prime Minister, the Hon Kevin Rudd MP, in response to the Secretary-General's request, indicated that 'a commitment of military officers up to a threshold of nine military officers will be made available to assist' with UNAMID in Darfur. Prime Minister of Australia, Press Conference, United Nations, New York, 30 March 2008. See also Prime Minister, the Hon Kevin Rudd MP, 'Australia to contribute to Darfur Peace Process', Media Release, 8 June 2008.

42 See for example, *Committee Hansard*, 13 September 2007, p. 3.

43 Department of Defence, answer to question on notice W4, 24 July 2007.

- flexible, with organic air mobility which could, at short notice, be reinforced to meet unexpected circumstances;
- familiar with the environment and the tasks with proven command and control arrangements; and
- able to focus on security issues which then allowed the UN to focus its contribution where its expertise is most needed, such as in the area of nation building.⁴⁴

4.31 It also identified the disadvantages of deploying separately as the ISF, including that:

- the majority of the operation's costs were incurred by Australia; and
- the non-UN operational structure was less attractive to some potential coalition partners.⁴⁵

4.32 The decision to lead the ISF shows that the government considered the type of mission, the capabilities available and how Australia could best use its forces to serve the needs of the peacekeeping operation. As well as matching Australia's capabilities with the circumstances on the ground, Australia also took account of the financial and political costs associated with the contribution.

Committee view

4.33 The political compromises made in the Security Council in order to arrive at a final decision about a peacekeeping operation highlight the need for Australia to examine an operation's mandate thoroughly. This scrutiny includes whether the mandate satisfies basic requirements such as having objectives that are clear and achievable. The expanding scope of mandates, as discussed in Chapter 2, also requires close consideration from an Australian perspective particularly to determine what Australian personnel are being asked to do as part of a peacekeeping coalition. Where Australia takes the lead in proposing a regional mission, it needs to consider these factors when consulting and negotiating with the host country and other potential partners on the terms of the mandate.

4.34 When considering a peacekeeping mandate, the Australian Government has indicated that it is aware and takes account of these fundamental requirements. Even so, the committee feels obliged, as have many other previous reviews, to underline, in the form of a recommendation, the importance of adhering strictly to these principles.

44 Department of Defence, answer to question on notice W4, 24 July 2007

45 Department of Defence, answer to question on notice W4, 24 July 2007.

Recommendation 1

4.35 The committee recommends that, before the Australian Government commits personnel to a peacekeeping operation, it is satisfied that the mandate has:

- clearly stated and achievable goals based on an assessment and understanding of risks, including the worst case scenario;
- a level of commitment that can be sustained throughout the life of the mission in order to achieve the stated objectives; and
- adequate resources to meet the objectives—the proposed force to have the capacity and capability to fulfil its tasks as set out in the mandate, and sufficient financial resources available to implement the mandate.

4.36 Furthermore, where Australia is taking a key or lead role in the proposed mission, the committee recommends that the Government of Australia ensure the terms of the mandate strictly meet these fundamental requirements. This should be done in consultation with the host country, the UN and potential partners.

4.37 The committee makes recommendations regarding a peacekeeping operation's legal framework, force protection and exit strategy in following chapters.

4.38 The 2000 Defence White Paper sets down clearly the factors Defence regards as important when considering a proposed peacekeeping operation. Today's peacekeeping operations, however, involve a number of government agencies. To date, there is not a policy document presenting a whole-of-government approach to peacekeeping operations, including the factors that shape the government's decision on Australia's involvement in such missions. The committee therefore suggests that a white paper on peacekeeping would bring together in one document a coherent explanation of the whole-of-government policy on Australia's participation in peacekeeping operations. The argument for producing such a major policy document is developed throughout this report leading to a recommendation at paragraph 24.48.

Conclusion

4.39 The Australian Government recognises that engagement in international peacekeeping operations is an important means of building Australia's international reputation as a responsible international citizen and enhancing the country's national security.⁴⁶ Within this framework of Australia's national interests, there are other important factors that influence the decision to participate in a proposed peacekeeping operation.

4.40 The evidence before the committee makes clear that the government carefully considers many aspects of a proposed peacekeeping operation in order to ascertain the

46 See for example, Commonwealth of Australia, *In the National Interest: Australia's Foreign and Trade Policy White Paper*, 1997, paragraph 25, p. 13.

likelihood of its success and the broader implications for Australia should it contribute to the mission. The committee has taken this opportunity to re-state the importance of recognising key 'common sense' factors critical to the success of an operation. These include the objectives of the mission, whether they are clearly defined, achievable under the conditions set down in the mandate, and the extent to which Australia has the capacity and resources to commit forces.

4.41 The committee notes, however, the growing complexity of peacekeeping operations, the changing expectations of peacekeeping missions and Australia's active involvement in non-UN regional operations. In light of these developments, the committee believes that some matters warrant greater attention. In the following chapters, the committee examines four additional key considerations in the decision to commit personnel to a peacekeeping operation—the humanitarian imperative, the legal framework of the mission, the level of force protection and, finally, the exit strategy.

Chapter 5

Humanitarian considerations—responsibility to protect

5.1 When considering a proposed peacekeeping operation, the Australian Government clearly takes account of the connection between Australia's international reputation and its ability to influence the regional and global agenda in ways that promote the national interest.¹ In this regard, the government considers Australia's reputation as 'an important foreign policy asset' when deciding whether or not to commit to a peacekeeping operation. However, apart from considerations about Australia's interests, including security concerns, there is also a humanitarian element in the decision to contribute to a mission. Ms Gillian Bird, DFAT, said:

One of the key points of most peacekeeping operations is to improve the situation for the lives of the individuals, the citizens, of the countries into which they are going. So, by their very nature, that humanitarian dimension is quite important...particularly so in the more complex operations...where there is a much broader dimension...When you are talking about peacekeeping operations, which often have a significant nation-building capacity, humanitarian considerations are almost at the fore of that. That is a very important part of why we went to the Solomon Islands, for example. It was our desire to improve the condition of life for the majority of citizens in that country.²

5.2 In this chapter, the committee examines the humanitarian imperative that influences Australia's decision to participate in a peacekeeping operation. The committee first explores in some detail the development of the Responsibility to Protect doctrine (also known as R2P) before turning to its implications for Australian decision-makers.

Humanitarian intervention

5.3 Since the end of the Cold War, the nature of many conflicts has changed from between states to within states, including the involvement of non-state combatants, such as irregular forces and militias, terrorists and their organisations.³ According to the former UN Secretary-General Kofi Annan, this changing nature of conflict has had 'a profound impact on respect for civilian status and the safety and well-being of civilian populations'.⁴ For example, in 1999, the President of the Security Council

1 See Chapter 4, paragraph 4.4; and Senate Standing Committee on Foreign Affairs, Defence and Trade, *Australia's public diplomacy: building our image*, August 2007, paragraphs 4.3 and 6.2.

2 *Committee Hansard*, 25 July 2007, p. 47.

3 See Chapter 2, paragraphs 2.14–2.15.

4 UN Security Council, *Report of the Secretary-General on the protection of civilians in armed conflict*, S/2005/740, 28 November 2005, p. 2.

noted that 'civilians now account for the vast majority of casualties in armed conflict and are increasingly directly targeted by combatants and armed elements'.⁵

5.4 Failures in UN peacekeeping operations in the mid-1990s, most notably the 1994 genocide in Rwanda and the 1995 massacre in Srebrenica (Bosnia and Herzegovina), underlined the plight of civilians caught up in conflict. Referring to Rwanda, the Secretary-General said in 1998:

That experience highlighted the crucial importance of swift intervention in a conflict and, above all, of political will to act in the face of a catastrophe. The horrifying suffering of the Rwandan people sends the clear and unmistakable message that the international community must never again tolerate such inaction.⁶

5.5 These failures led to a period of self-examination in the UN about the effectiveness of its peacekeeping operations.⁷ They also prompted a wider debate in the international community characterised by two key concepts—respect for state sovereignty and the humanitarian imperative to intervene in internal conflicts to prevent or limit the impact of violence against civilians.

Sovereignty and non-intervention

5.6 Under Article 24 of the UN Charter, the Security Council has 'primary responsibility for the maintenance of international peace and security'. Also, any Contracting Party to the UN Convention on Genocide may call upon the competent organs of the UN to take appropriate action under the UN Charter for the prevention and suppression of acts of genocide.⁸ The well-established international principle of sovereignty, however, restricts the ability of the UN to intervene in the domestic affairs of a state. It is enshrined in Article 2(7) of the UN Charter which states:

Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.⁹

5 UN Security Council, *Statement by the President of the Security Council*, S/PRST/1999/6, 12 February 1999, p. 1.

6 UN General Assembly and Security Council, Report of the Secretary-General, *The causes of conflict and the promotion of durable peace and sustainable development in Africa*, A/52/871-S/1998/318, 13 April 1998, paragraph 32.

7 United Nations, *United Nations Peacekeeping, Meeting New Challenges*, DPI/2350/Rev.2, p. 5, <http://www.un.org/depts/dpko/dpko/faq/q&a.pdf>, (accessed 8 October 2007). See also the Brahimi Report discussed in Chapter 2.

8 Convention on the Prevention and Punishment of the Crime of Genocide, adopted by Resolution 260 (III)A of the UN General Assembly, 9 December 1948, article VIII.

9 Charter of the United Nations, Chapter 1, Article 2 (7), <http://www.un.org/aboutun/charter> (accessed 9 October 2007).

5.7 Furthermore, the UN Charter prohibits member states from using or threatening to use force against each other except:

- in self-defence under Article 51;¹⁰ and
- for operations authorised under Chapter VII of the Charter.¹¹ Such operations allow for the threat or use of force beyond self-defence and do not require the consent of the host state.

5.8 The recognised obligation of the UN to observe a country's sovereignty does not always sit easily with its responsibility to maintain international peace and security and to prevent acts of genocide. Indeed, the UN has grappled with finding a way to reconcile these two potentially competing principles.

Responsibility to Protect doctrine

5.9 The lack of an accepted framework for intervention to prevent future humanitarian crises led the then UN Secretary-General Kofi Annan to challenge member states to find a new consensus.¹² In his 2000 Millennium report he asked:

...if humanitarian intervention is indeed an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica, to gross and systematic violations of human rights that offend every precept of our common humanity?...

Humanitarian intervention is a sensitive issue, fraught with political difficulty and not susceptible to easy answers. But surely no legal principle—not even sovereignty—can ever shield crimes against humanity...

...Armed intervention must always remain the option of last resort, but in the face of mass murder, it is an option that cannot be relinquished.¹³

10 Article 51: 'Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a member of the United Nations, until the Security Council has taken measures to maintain international peace and security.'

11 As noted earlier, Chapter VII allows the Security Council to 'take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security' and to call for forces to implement such action (Article 42).

12 See for example, *Secretary-General presents his Annual Report to the General Assembly*, 20 September 1999, http://www.un.org/News/oss/sg/stories/statments_search_full.asp?statID=28 (accessed 16 October 2007); and UN General Assembly and Security Council, Report of the Secretary-General, *The causes of conflict and the promotion of durable peace and sustainable development in Africa*, A/52/871-S/1998/318, 13 April 1998, paragraph 32.

13 Millennium Report of the United Nations Secretary-General, *We the Peoples: the Role of the United Nations in the 21st Century*, United Nations, New York, 2000, p. 48, <http://www.un.org/millennium/sg/report> (accessed 9 October 2007).

International Commission on Intervention and State Sovereignty (ICISS) report 2001

5.10 In response to the problem posed by the Secretary-General, the Canadian Government established the independent ICISS to examine the question of humanitarian intervention. The ICISS presented its report, *The Responsibility to Protect*, to the Secretary-General in December 2001.

5.11 The ICISS found that the language of past debate such as 'humanitarian intervention' and 'right to intervene' was unhelpful.¹⁴ Instead, it introduced the term 'responsibility to protect'. It reframed the debate from competing principles (of sovereignty and human rights) to the idea that sovereignty entails responsibility. Its central theme was that a sovereign state has primary responsibility to protect its own people, but where a state is unwilling or unable to do so, it becomes the responsibility of the international community to act in its place.¹⁵

5.12 The commission developed a comprehensive framework for the responsibility to protect, with prevention as the single most important dimension. It recognised that when preventative measures fail, intervention by the international community may be required. The ICISS envisaged such intervention as a continuum from diplomatic and economic sanctions through to military intervention as a last resort in extreme and exceptional cases.¹⁶

5.13 The ICISS developed six criteria to be satisfied before a military intervention takes place. It also identified a number of broad operational principles for carrying out a successful military intervention based on the responsibility to protect.¹⁷ The ICISS found that 'there is no better or more appropriate body than the Security Council to authorise military intervention for human protection purposes'.¹⁸ In its view, 'it is the Security Council which should be making the hard decisions in the hard cases about overriding state sovereignty'.¹⁹

14 International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, International Development Research Centre, Ottawa, December 2001, pp. 16–18.

15 International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, December 2001, pp. VIII, XI, and 8.

16 International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, December 2001, pp. XI, 29 and 31.

17 For further details of the criteria and principles see Appendix 5 of this report.

18 International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, December 2001, paragraph (3)A, p. XII.

19 International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, December 2001, paragraph 6.14, p. 49.

5.14 In 2002, the Secretary-General submitted the ICISS report to the General Assembly in order to bring it to the attention of the broader membership of the UN.²⁰

High-level Panel on Threats, Challenges and Change

5.15 In December 2004, the Secretary-General's High-level Panel on Threats, Challenges and Change endorsed the R2P norm in the following terms:

...there is a collective international responsibility to protect, exercisable by the Security Council authorizing military intervention as a last resort, in the event of genocide and other large-scale killing, ethnic cleansing or serious violations of international humanitarian law which sovereign Governments have proved powerless or unwilling to prevent.²¹

5.16 It proposed guidelines, which could form the basis for Security Council deliberations, to maximise the possibility of achieving Security Council consensus as to when it is appropriate to use force. Based on those in the ICISS report, it identified the following five criteria: seriousness of threat; proper purpose; last resort; proportional means; and balance of consequences.²² For details of the criteria originally proposed in the ICISS report, see Appendix 5.

5.17 In his report to the General Assembly on the agenda for the 2005 World Summit, the Secretary-General recommended that the Security Council 'adopt a resolution that sets out principles for the use of force and expresses its intention to be guided by them when deciding whether to authorise or mandate the use of force'.²³

2005 World Summit

5.18 The 2005 World Summit, the name given to the high-level plenary meeting of the 60th session of the General Assembly, was held in September 2005. It endorsed the concept of the responsibility to protect which was formally adopted by the General

20 UN General Assembly, Letter dated 26 July 2002 from the Permanent Representative of Canada to the United Nations addressed to the Secretary-General and Annex, A/57/303, 14 August 2002. The Secretary-General reported to the General Assembly that response to the document would 'be important in generating a new consensus among the international community on controversial issues around the use of military force in response to genocide, ethnic cleansing and other mass atrocities'. UN General Assembly, Report of the Secretary-General, *New international humanitarian order*, A/57/583, 1 November 2002, paragraph 12, p. 9.

21 UN General Assembly, Report of the High-level Panel on Threats, Challenges and Change, *A more secure world: our shared responsibility*, A/59/565, 2 December 2004, paragraph 203, p. 57.

22 UN General Assembly, Report of the High-Level Panel on Threats, Challenges and Change, *A more secure world: our shared responsibility*, A/59/565, 2 December 2004, paragraphs 206 and 207, pp. 57–58.

23 UN General Assembly, Report of the Secretary-General, *In Larger Freedom: Towards Development, Security and Human Rights for All*, A/59/2005, 21 March 2005, paragraph 6(h), p. 58. See also paragraph 126, p. 33.

Assembly in October 2005. The UN resolution recognised that 'each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity'. It noted that 'the international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help protect populations' from such acts. The resolution went further to state:

In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity.²⁴

5.19 While this commitment to the R2P doctrine was generally regarded as a landmark resolution, a number of commentators observed that the summit did not endorse guidelines for the use of force.²⁵ Negotiations on the five criteria, recommended by the Secretary-General,²⁶ did not progress during the debates due to concerns that universally applicable criteria would limit the actions of states or that they would be applied arbitrarily or subjectively.²⁷

Security Council resolutions

5.20 In April 2006, the Security Council reaffirmed the responsibility to protect provisions from the World Summit outcome in its resolution on the Protection of Civilians in Armed Conflict—Resolution 1674.²⁸

Darfur

5.21 Security Council Resolution 1706, which authorised a UN peacekeeping force for Darfur in August 2006, was the first country-specific resolution to make a direct reference to the responsibility to protect provisions.²⁹ The resolution invited 'the

24 UN General Assembly, *2005 World Summit Outcome*, A/RES/60/1, 24 October 2005, paragraphs 138–139, p. 30.

25 See for example, Simon Chesterman, *Reforming the United Nations: Kofi Annan's legacy gets a reality check*, Australian Strategic Policy Institute, May 2006, pp. 13–14; and Alex J. Bellamy, 'Wither the Responsibility to Protect? Humanitarian Intervention and the 2005 World Summit', *Ethics and International Affairs*, 2006, 20, 2, Academic Research Library, pp. 164–166.

26 The Secretary-General spelt out these principles in UN General Assembly, Report of the Secretary-General, *In Larger Freedom: Towards Development, Security and Human Rights for All*, A/59/2005, 21 March 2005, paragraph 126, p. 33 and paragraph 6(h), p. 58.

27 William R. Pace and Nicole Deller, 'Preventing Future Genocides: An International Responsibility to Protect', *World Order*, 2005, Vol. 36, No. 4, p. 28.

28 UN Security Council, Resolution 1674, S/RES/1674 (2006), 28 April 2006, paragraph 4, p. 2.

29 UN Security Council, Resolution 1706, S/RES/1706 (2006), 31 August 2006, p. 1.

consent' of the Sudanese Government which was not forthcoming.³⁰ Some months later, the Secretary-General again cited the 'tragedy of Darfur' stating that 'we have still not summoned up the collective sense of urgency that this issue requires'.³¹ Even after the adoption of UN Resolution 1769 in July 2007, which established the African Union–United Nations Hybrid Operation in Darfur (UNAMID), progress toward deploying a peacekeeping operation has been slow (see also paragraphs 3.34–3.36). In February 2008, the Secretary-General appealed for 'more troops and vital equipment to support the critically under-strength UNAMID stem the violence'.³²

5.22 The humanitarian situation in Darfur highlights the difficulties in implementing the R2P doctrine.³³ The ICISS itself acknowledged that 'unless the political will can be mustered to act when action is called for, the debate about intervention for human protection purposes will largely be academic'. It suggested that the 'most compelling task now is to work to ensure that when the call goes out to the community of states for action, that call will be answered'.³⁴ In this regard, the committee notes Kofi Annan's plea for the international community to do better and 'develop the responsibility to protect into a powerful international norm that is not only quoted but put into practice, whenever and wherever it is needed'.³⁵

Committee view

5.23 The committee recognises that even where the protection of civilians is a major and urgent concern, governments remain hesitant to commit forces or funding to a peacekeeping operation where a state's sovereignty is at issue.

Australia and Responsibility to Protect doctrine

5.24 For many years, the Australian Government has called on the international community to do more to protect civilians from human rights abuses. For example, in June 2004, Australia, Canada and New Zealand called on the Security Council to

30 UN Security Council, Resolution 1706, S/RES/1706 (2006), 31 August 2006, paragraph 1, p. 3; and UN Security Council, *Report of the Secretary-General on Darfur*, S/2006/764, 26 September 2006, paragraphs 49–51, pp. 9–10.

31 UN Secretary-General, Address to mark International Human Rights Day, SG/SM/10788, 8 December 2006.

32 UN News Centre, *Secretary-General calls for more resources for Darfur peacekeeping mission*, 5 February 2008. See also 'Joint UN-African force takes over in Darfur', the *Australian*, 2 January 2008, p. 7.

33 See for example, Rebecca J. Hamilton, 'The Responsibility to Protect: From Document to Doctrine—But What of Implementation?', *Harvard Human Rights Journal*, vol. 19, 2006, pp. 293–297.

34 International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, December 2001, paragraph 8.7, p. 70.

35 UN Secretary-General, Address to mark International Human Rights Day, SG/SM/10788, 8 December 2006.

consider 'adopting a new resolution on the protection of civilians in armed conflict'. They also indicated that they would 'remain actively engaged and supportive of these efforts'.³⁶

5.25 In the lead up to the 2005 World Summit, the Australian Government 'worked to gain support from UN member states for the Responsibility to Protect doctrine'.³⁷ It regarded the summit as 'an opportunity to gain strong endorsement by leaders' for this emerging norm.³⁸

Implementing the doctrine

5.26 While evidence to the inquiry roundly endorsed the Responsibility to Protect doctrine, there were different views on what the adoption of this principle means for Australia in practice.

Views of non-government organisations (NGOs)

5.27 The NGO sector expressed strong support for the Responsibility to Protect doctrine, with Oxfam Australia and Christian World Service (CWS) welcoming the Australian Government's endorsement of it.³⁹ A number of NGOs, however, argued that the doctrine should be afforded greater prominence in Australia's decision to participate in peacekeeping operations and in shaping the structure and implementation of operations. There was strong consensus among NGOs that one of the main issues to be addressed, including by Australia, is how to put the Responsibility to Protect doctrine into practice.⁴⁰

5.28 CWS recommended that Australia adopt a human protection operation framework to replace existing peacekeeping discourse. The framework would:

...reinforce existing Australian best practice policies while providing a robust and predictable set of deployment guidelines. It should also be noted that while this is a rules-based, as opposed to ad hoc, approach it remains

36 Statement by Mr Allen Rock, Ambassador and Permanent Representative of Canada to the United Nations, on behalf of Australia, Canada and New Zealand, UN Security Council Open Debate on the Protection of Civilians in Armed Conflict, 15 June 2004.

37 Department of Foreign Affairs and Trade, *Annual Report 2005–2006*, p. 107.

38 Statement by HE Mr Peter Tesch, Ambassador and Deputy Permanent Representative, Australian Mission to the UN, Plenary exchange on the President's draft outcomes document for the High-level Summit, 21 June 2005. See also Minister for Foreign Affairs, the Hon Alexander Downer MP, Speech to the Law Institute of Victoria, *International Law: Developments and Challenges*, Melbourne, 23 November 2005.

39 Oxfam Australia, *Submission 24*, p. 2; and Christian World Service, *Submission 31*, p. 6.

40 See for example, Oxfam Australia, *Submission 24*, p. 3; and Christian World Service, *Submission 31*, p. 4.

able to flexibly and appropriately adapt to each unique deployment climate.⁴¹

5.29 Austcare also highlighted the need for 'the development of operational doctrine' and suggested that 'Australia should aim to be at the forefront in developing this doctrine'.⁴² It urged the Australian Government to do more to implement the doctrine so that it is 'reflected in a consistent manner in government policies and white papers on foreign policy, defence and aid'.⁴³

5.30 Oxfam Australia encouraged the Australian Government 'to develop a strategy to implement the principle of the responsibility to protect, inclusive of all relevant government departments'. It argued that such a strategy would provide a clear policy framework for the deployment of Australian peacekeepers.⁴⁴

5.31 The Australian Government is aware of the view that it should find ways to ensure that the Responsibility to Protect doctrine is translated into action. It should be noted that NGOs themselves are yet to reach agreement on a common R2P 'operational doctrine' that would apply to NGOs, especially in relation to the responsibility to react.⁴⁵

Australian Government's view

5.32 DFAT believed that the adoption of the Responsibility to Protect doctrine was a significant step forward, particularly as it was endorsed by consensus and enshrined by reference in a Security Council resolution. Mr Michael Potts, DFAT, observed, however, that while ostensibly there is an international consensus for the R2P concept, matters have to be developed as to how 'you operationalise it, particularly on the preventative side'. He stated:

I think the international community these days is not bad at reacting to difficult political humanitarian situations, although it can be slow as in Darfur and you would always want improvement in terms of rebuilding.

41 *Committee Hansard*, 20 August 2007, p. 34.

42 *Committee Hansard*, 6 September 2007, p. 24.

43 Austcare, *Submission 11*, p. 2.

44 *Committee Hansard*, 21 August 2007, pp. 15–16.

45 For example, World Vision Australia noted that 'in terms of responsibility to react, as an organisation we believe we need to do much more thinking, research and analysis about the full implications of what that might mean for us...it is one thing for governments to be taking on that role in an international community in the context of the UN; it is quite different for an NGO, like World Vision, that has traditionally not supported the use of force, to be saying it is appropriate for the end point to be always and every time military intervention'. *Committee Hansard*, 21 August 2007, pp. 36–37. See also Oxfam Australia, *Committee Hansard*, 21 August 2007, p. 20.

...While the adoption of it [R2P] was very much an achievement, operationalising it is going to be very much a challenge.⁴⁶

5.33 With regard to R2P, the Australian Government in 2007 publicly recognised that 'transforming international legal norms into practice and commitments into action is no easy task'.⁴⁷ It has called on the Security Council to 'develop a practical approach to implement the responsibility to protect'.⁴⁸ To this end, Australia recently announced that it will become a founding donor of the new Global Centre for the Responsibility to Protect which will conduct research and coordinate advocacy to identify, prevent or respond to populations under threat.⁴⁹ Australia welcomed the Secretary-General's intention to appoint a special advisor for the responsibility to protect.⁵⁰ In February 2008, Edward C. Luck, of the independent International Peace Academy in the United States, was appointed to this position.⁵¹

Committee view

5.34 The committee recognises that the Australian Government has been working in the international community to promote the R2P concept. It also notes the Australian Government's support for the new Global Centre for the Responsibility to Protect. The committee understands, however, that the international community has difficulties putting R2P into practice and there is a real concern that its adoption may not translate into action. In this regard, the committee believes that the government should continue to encourage the international community to move forward by adopting guidelines for the implementation of the doctrine.

5.35 The committee also acknowledges suggestions by some NGOs that the Australian Government should take steps to implement the R2P doctrine domestically.

46 *Committee Hansard*, 13 September 2007, p. 9. See also Mr Michael Bliss, *Committee Hansard*, 13 September 2007, p. 9.

47 Statement by Ambassador John McNee, Permanent Representative of Canada to the United Nations, on behalf of Canada, Australia and New Zealand, UN Security Council Open Debate on the Protection of Civilians in Armed Conflict, 22 June 2007.

48 Statement by HE Robert Hill, Ambassador and Permanent Representative of Australia to the United Nations, to the UN Security Council on the Protection of Civilians in Armed Conflict, 20 November 2007.

49 According to the Centre, it will, along with associated centres throughout the world, serve as a 'catalyst for moving from principle to practice'. It was officially launched on 14 February 2008 with the Australian Government as a sponsor along with the governments of Belgium, Canada, the Netherlands, Norway, Rwanda and the United Kingdom. Global Centre for the Responsibility to Protect, <http://www.globalcentrer2p.org/about.html> and <http://www.globalcentrer2p.org/brochure.pdf> (accessed 14 May 2008).

50 Statement by HE Robert Hill, Ambassador and Permanent Representative of Australia to the United Nations, to the UN Security Council on the Protection of Civilians in Armed Conflict, 20 November 2007.

51 UN Secretary-General, SG/A/1120, 21 February 2008. The Academy changed its name to the International Peace Institute in March 2008.

It agrees with Austcare's suggestion that the requirements for protection should be 'reflected in a consistent manner in government policies and white papers on foreign policy, defence and aid'.⁵²

5.36 On this matter of formulating policy, the committee noted in the previous chapter that peacekeeping is a whole-of-government, whole-of-nation undertaking but that there is not one policy document that covers the joint efforts of all contributors. It has recommended that the Australian Government should produce a white paper on Australia's peacekeeping operations. The development of this paper would provide an opportunity for the government to articulate its position on R2P, and the implications for, and how it applies to, Australian participation in peacekeeping operations. This is further explored in Chapter 24.

Responsibility to prevent

5.37 There are three components to the responsibility to protect—the responsibility to prevent, the responsibility to react and the responsibility to rebuild.⁵³ The committee now turns to look at the responsibility to prevent as an important element of the responsibility to protect, and its significance for Australia's contribution to peacekeeping operations.

5.38 A number of witnesses stressed the importance of the prevention aspect of the R2P doctrine. World Vision Australia noted the attention given to the 'pointy end around military intervention', arguing that if more were done at the prevention end, there would be 'a lot less need to react'. It suggested that a whole range of things 'can be undertaken and should be undertaken by governments and others before military intervention is even constructed as a notion of where we might end up'. Emphasising the importance of the responsibility to prevent, it argued that the doctrine is much fuller than military intervention and it 'would like to see the fullness of the responsibility to protect actually investigated'.⁵⁴

5.39 Similarly, Christian World Service argued that 'the majority of the action that would be taken under an...R2P framework would be non-military'. It emphasised that R2P looks at prevention, which comprises a range of measures, including diplomacy, to prevent conflicts arising and looks 'more at the responsibility to rebuild a situation to ensure that it does not lapse again'.⁵⁵ Oxfam Australia observed that the R2P doctrine can have a preventative effect in terms of getting governments to recognise their own responsibilities and the consequences of not fulfilling them. Mr James Ensor, Director of Public Policy, Oxfam Australia, gave an example of a keynote

52 Austcare, *Submission 11*, p. 2.

53 International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, December 2001, pp. XI and 17.

54 *Committee Hansard*, 21 August 2007, pp. 36–37.

55 *Committee Hansard*, 20 August 2007, pp. 39 and 40.

address given recently by the International Crisis Group in Sri Lanka on the applicability of R2P:

That dialogue and discussion gave Sri Lankan civil society a much broader understanding of what the responsibilities of the Sri Lankan government and the LTTE [Liberation Tigers of Tamil Eelam] were in terms of their conduct and of some of the international norms and the implications if those conflicting parties—and in particular the government—did not live up to their responsibilities in relation to the protection of civilians in conflict.⁵⁶

5.40 AusAID explained to the committee that its approach to peacekeeping operations 'is premised on the principle that primary responsibility for protection of crisis-affected communities rests with the government of that territory'. According to AusAID, its role is to 'assist the state and its authorities to assume this responsibility in accordance with international standards and norms'.⁵⁷

5.41 To help states fulfil their obligations to protect, AusAID emphasised that it takes a two-pronged approach—remedial, to halt abuses; and preventative, to promote dissemination of key legal instruments. It reflects several of the core principles of the Good Humanitarian Donorship Initiative to which Australia and 23 other institutional donors have committed.⁵⁸

Conclusion

5.42 The committee recognises that Australia has given strong support to the adoption of the Responsibility to Protect doctrine. It notes, however, the call by Kofi Annan for the international community to do better and 'develop the responsibility to protect into a powerful international norm that is not only quoted but put into practice, whenever and wherever it is needed'.⁵⁹ It believes that Australia's role now is to help ensure that the doctrine extends beyond lofty rhetoric to action where required. In this regard, the committee makes the following recommendation:

56 *Committee Hansard*, 21 August 2007, p. 27.

57 AusAID, answer to written question on notice 1a, 25 July 2007.

58 AusAID, answer to written question on notice 1a, 25 July 2007. The GHD initiative 'provides a forum for donors to discuss good practice in humanitarian financing and other shared concerns. By defining principles and standards it provides both a framework to guide official humanitarian aid and a mechanism for encouraging greater donor accountability.' In 2003 a meeting was convened by the Government of Sweden to discuss good humanitarian donorship. It was attended by representatives from 16 donor governments (Australia, Belgium, Canada, Denmark, Finland, France, Germany, Ireland, Japan, Luxembourg, the Netherlands, Norway, Sweden, Switzerland, the UK and the US), as well as the European Commission, the OECD, the International Red Cross and Red Crescent Movement, NGOs, and academics.
<http://www.goodhumanitarianandonorship.org/default.asp> (accessed 15 May 2008).

59 UN Secretary-General, Address to mark International Human Rights Day, SG/SM/10788, 8 December 2006.

Recommendation 2

5.43 The committee recommends that the Australian Government continue to actively support the R2P doctrine and, through its representations in the UN, ensure that international deliberations continue to be informed by the doctrine.

5.44 The committee also recommends that in the committee's proposed white paper on peacekeeping (Recommendation 37), the Australian Government include a discussion on, and an explanation of, Australia's current position on this evolving doctrine.

Chapter 6

Legal foundation for peacekeeping operations

6.1 By its nature, a peacekeeping operation involves an outside state, or states, providing security and humanitarian support to a sovereign country. While such operations are frequently undertaken with the permission of the host country, an intervention may also take place without consent, for example, in humanitarian and peace enforcement operations. In all instances, peacekeeping operations raise important legal considerations for participants. This chapter examines the legal framework of both UN peacekeeping operations and those that have not been initiated by the UN. It then looks at the Australian Government's consideration of the legal aspects of a peacekeeping operation before it decides whether to commit Australian personnel to a mission.

UN operations

6.2 As outlined in Chapter 2, under international law the UN has the authority to deploy international forces and to authorise the use of force to restore and maintain peace. Within the UN, the Security Council has primary responsibility for promoting international peace and security.¹ Resolutions of the UN Security Council based on Chapters VI and VII of the UN Charter provide the legal foundations for a UN peacekeeping or peace enforcement operation. Chapter VIII of the UN Charter recognises the existence of regional arrangements or agencies for dealing with the maintenance of international peace and security that are appropriate for regional action. This provision means that regional organisations do not need a UN mandate to undertake a peacekeeping operation but that no enforcement action shall be taken under regional arrangements without the Security Council's authorisation.²

1 See for example, UN General Assembly, Report of the High-level Panel on Threats, Challenges and Change, *A more secure world: our shared responsibility*, A/59/565, 2 December 2004, paragraphs 193–194, p. 55.

2 Article 53, Chapter VIII, Charter of the United Nations. The committee discussed the increase in the complexity of peacekeeping mandates and the blurring between peacekeeping and enforcement action. Thus the definition of enforcement can be contested. The Australian Defence Force Peacekeeping Centre defined peace enforcement as 'the coercive use of civil and military sanctions and collective security actions, by legitimate, international intervention forces, to assist diplomatic efforts to prevent armed conflict from starting, escalating or spreading or to restore peace between belligerents, who may not consent to that intervention. Peace enforcement operations differ from war. In war, the ultimate military aim is to defeat a designated enemy force. In peace enforcement operations, the military aim will normally be to coerce the belligerent(s) or potential belligerent(s) into avoiding or ceasing armed conflict and participating in peaceful settlement of disputes'.
<http://www.defence.gov.au/adfwp/peacekeeping/index.htm> (accessed 12 January 2008).

6.3 Even though a UN-mandated peacekeeping operation carries considerable legal weight and is backed by the authority of the international community, Australian experts study carefully the legal aspects of a UN mission. The Attorney-General's Department has a key role in providing legal and legal policy advice to government on issues involved in implementing a decision to participate in a peacekeeping operation, including the interpretation and implementation of Security Council resolutions.³ It works closely with DFAT and also the ADF and the AFP to ensure that the proposed operation accords with international law, Australian domestic law and the law of the state in which the operation is taking place.⁴

Non-UN operations

6.4 In some cases, individual countries or a coalition of countries may be better placed than the UN to deploy a peacekeeping operation. For example, the Security Council recognises that regional organisations, with their local knowledge, are 'well positioned to understand the root causes' of many conflicts in their neighbourhood and to assist in their prevention or resolution. The need for prompt action may also result in a regional organisation deploying a peacekeeping operation without a UN resolution.⁵ Ms Bird, DFAT, explained that a situation could develop where there is a desperate call by a host country for intervention but where the Security Council for a variety of reasons—political or other considerations—is not able to give its blessing to an operation but a regional grouping of countries are prepared to do it.⁶

6.5 As noted above, Chapter VIII of the UN Charter provides for regional organisations to be involved in settling disputes. Even so, such arrangements lack the legal standing that derives from a UN mandate. Ms Bird outlined the differences between UN and non-UN missions:

UN peacekeeping operations are the ones that are authorised by the UN Security Council and funding is provided through the UN. Operations which are carried out by regional organisations or groups of countries are organised by those countries themselves...the essential difference is that the

3 Attorney-General's Department, *Submission 13*, p. 2.

4 See for example, *Committee Hansard*, 24 July 2007, p. 5. Lt Gen Gillespie stated: 'we also have our lawyers working with the Attorney-General's Department and Foreign Affairs lawyers to see that the legal framework for what we are being asked to do is there—for example, whether or not there is a Security Council resolution that covers it'.

5 The Report of the High-level Panel on Threats, Challenges and Change recommended that Security Council approval should be 'in all cases sought for regional peace operations'. It noted, however, that in some urgent situations authorisation 'may be sought after such operations have commenced'. UN General Assembly, Report of the High-level Panel on Threats, Challenges and Change, *A more secure world: our shared responsibility*, A/59/565, 2 December 2004, paragraph 272 (a), p. 71.

6 *Committee Hansard*, 25 July 2007, p. 55.

UN peacekeeping operations are mandated by the Security Council, organised and run by the UN.⁷

6.6 Although a mission established without a UN mandate does not have the legal underpinnings that derive from a UN resolution, there are measures that can be taken to align it closely with a UN operation. The UN Charter stipulates that the activities of regional operations are to be consistent with the purposes and principles of the UN.⁸ It also asserts that the Security Council shall be kept fully informed of activities undertaken or in contemplation under regional arrangements.⁹ Ms Bird noted that often there is some kind of UN authorisation but that the level of UN approval or acknowledgement can vary: the Council may sanction or endorse the mission or the Secretary-General may simply put out a statement welcoming it.¹⁰

6.7 The following section looks at Australia's engagements in regional peacekeeping operations that have not been established under a UN mandate.

Australia's engagement in regional operations

6.8 Australia has contributed to a number of peacekeeping operations not conducted under a UN mandate. This engagement has drawn comment on the legal standing of such operations. In June 2001, the Joint Standing Committee on Foreign Affairs, Defence and Trade considered the conditions under which Australia should contribute to a peacekeeping operation and recommended that Australia should only support operations where there is:

- proper authorisation of the Security Council and the mandate is sufficient to meet the circumstances; and
- in the absence of Security Council authorisation, an agreement and commitment between all parties to end a conflict.

6.9 In responding to this recommendation, the then government stated that it 'places high importance on Security Council authorisation of peacekeeping operations, and looks to the Security Council to exercise its responsibility in authorising action to preserve international peace and security'. It did not address the second part of this recommendation.¹¹

6.10 Since 2001, Australia has been actively involved in non-UN mandated regional operations in East Timor and Solomon Islands. Some witnesses to the current

7 *Committee Hansard*, 25 July 2007, p. 55.

8 Article 52, Chapter VIII, Charter of the United Nations.

9 Article 54, Chapter VIII, Charter of the United Nations.

10 *Committee Hansard*, 25 July 2007, pp. 55–56.

11 Government response to the report of the Joint Standing Committee on Foreign Affairs, Defence and Trade on *Australia's Role in United Nations Reform*, *Senate Hansard*, 27 March 2003, pp. 10426–10427.

inquiry expressed reservations about Australia's engagement in, and the legal foundations of, these operations. Austcare was concerned about what it believed was 'the recent trend of the Australian Government (and other western governments) to prosecute peacekeeping outside the UN framework, and without adopting or applying the considerable amount of UN doctrine and experience'.¹² It supported peacekeeping operations that 'are legitimate, in accordance with international law, and preferably authorised under a mandate of the United Nations'.¹³

6.11 The United Nations Association of Australia (UNAA) also argued that the effectiveness of any peacekeeping operation would be 'greatly enhanced if it is clearly under the banner of the UN and has the legitimacy that flows from endorsement by the Security Council'. In its view:

Recent interventions by Australian forces in the Pacific region have lacked that UN support and have accordingly generated unexpected resistance. This has reflected Australia's dominant political and economic position in the Pacific region, making its interventions more easily characterised by opponents as self-serving.¹⁴

6.12 It supported the Joint Committee's recommendations about obtaining proper Security Council authorisation.

Committee view

6.13 The committee strongly supports the finding of the 2001 Joint Committee that the deployment of a peacekeeping operation requires proper authorisation from the Security Council. It notes the Australian Government's response in 2003 to this recommendation which clearly indicated that the government is cognizant of the importance of obtaining this authorisation. Even so, Australia has participated in, and continues to be involved in, regional missions conducted under Chapter VIII that do not have a UN mandate. The committee now examines the key legal factors influencing the government's decision to contribute to such missions.

Consent and legal instruments

6.14 The UNAA recognised that circumstances may arise where the UN is reluctant to intervene but where Australia believes that for national interest reasons a peacekeeping operation is needed.¹⁵ In the absence of Security Council authorisation, it stressed, as did the 2001 Joint Committee, the importance of having an agreement and commitment between all parties to end the conflict. Indeed, UNAA underlined the

12 *Submission 11*, p. 6.

13 *Submission 11*, p. 2.

14 *Submission 3*, paragraph 4.3.

15 *Submission 3*, paragraph 4.5.

importance of having clear support of the parties directly involved in the conflict and the approval of regional organisations.¹⁶

6.15 DFAT and Defence similarly recognised the need to have a peacekeeping mission well grounded in law, particularly by securing the consent of the host country to the operation.¹⁷ Ms Bird explained further:

One of the considerations that we look at when deciding whether or not to participate, or recommend to government to participate, is to ensure that it does have an appropriate legal framework—so a UN endorsed operation or a regional operation where we have the consent of the state involved. Those kinds of considerations filter through the process. We have the benefit of our own legal branches that consult quite closely with A-Gs.¹⁸

6.16 The Attorney-General's Department went into greater detail about the legal requirements for a non-UN mandated mission. It argued that in the absence of authorisation by the Security Council, the consent or request of a state provides the basis under international law for another state to deploy its personnel in the territory of the requesting state. Furthermore, it cited two fundamental requirements for consent that must be satisfied:

- the entity making the request has the legal authority to request and consent to deployment by another State; and
- recognised international instruments that document the State's authorisation for a foreign deployment are used.

6.17 In collaboration with DFAT and Defence, A-G's provides legal advice and drafting assistance on the legal instruments documenting the authorisation of a deployment. Recent international instruments that have been used to authorise a deployment include:

- May 2006—an exchange of Third Party Notes between Australia and East Timor (the term 'Third Party Note' refers to written communications between States);
- November 2006—an exchange of Third Party Notes between Australia and Tonga;
- 2003—Agreement in the form of a treaty between Solomon Islands, Australia, New Zealand, Fiji, Papua New Guinea, Samoa and Tonga concerning the operations and status of the police and armed forces and other personnel deployed to Solomon Islands to assist in the restoration of law and order and security.¹⁹

16 *Submission 3*, paragraph 4.5.

17 See for example, Defence answer to question on notice W1, 24 July 2007.

18 *Committee Hansard*, 25 July 2007, p. 46.

19 *Submission 13*, pp. 2–3.

International Stabilisation Force—Timor-Leste

6.18 The legal framework for the ISF deployed to Timor-Leste in May 2006 provides an example of the consideration the Australian Government gave to the legal standing of the mission. Authority for the ISF is based on a bilateral agreement following a signed request from Timor-Leste. This operation is separate, though complementary, to the UN peacekeeping mission in Timor-Leste.²⁰ To ensure that the requesting authority had the power to request and consent to the deployment, the then Minister for Foreign Affairs, Alexander Downer, insisted that if Timor-Leste were going to issue an invitation to Australia to contribute to the mission, it needed to be signed by its President, Prime Minister and 'ideally by the Speaker'.²¹

6.19 Securing Security Council approval or endorsement is another important means of conferring international legal recognition on a regional peacekeeping operation. The UN recognised the ISF mission in Security Council Resolution 1690 by expressing its appreciation and full support for the deployment of the multiforce in response to the request of the Government of Timor-Leste. The resolution called on the international security force 'to continue to work in close coordination with the Government of Timor-Leste as well as the United Nations Office in Timor-Leste'.²² The Security Council reaffirmed these views in August in resolutions 1703 and 1704. Resolution 1704, which established the United Nations Integrated Mission in Timor-Leste (UNMIT), not only recognised the ISF but called upon this force to cooperate with and provide assistance to UNMIT. It also asked all parties in Timor-Leste to cooperate fully in the deployment and operation of UNMIT and the international security forces. The Australian Government believes that these resolutions conferred legitimacy on the ISF.²³

Regional Assistance Mission to Solomon Islands

6.20 RAMSI also illustrates the steps that Australia took to ensure that this regional peacekeeping operation had a firm legal footing.

6.21 An agreement between the host and participating countries, the RAMSI treaty, provided the international and regional legal basis for the mission. There were also complementary legal instruments to the deployment, notably the *Facilitation of*

20 Department of Foreign Affairs and Trade, *Annual Report 2005–2006: South and South-East Asia*, www.dfat.gov.au/dept/annual_reports/05_06/performance/1/1.1.2.html (accessed 15 March 2007). By 25 May 2006, Australia, Malaysia, New Zealand and Portugal sent troops to East Timor under the ISF to help restore security and support the UN missions. Australia led the force and its commitment included 2,600 troops and 200 police.

21 Minister for Foreign Affairs, the Hon Alexander Downer MP, interview, AM, 25 May 2006.

22 UN Security Council, Resolution 1690, S/RES/1690 (2006), 20 June 2006, paragraph 3, p. 2.

23 Attorney-General's Department, *Submission 13*, p. 2; Department of Foreign Affairs and Trade, *Submission 15*, p. 3.

International Assistance Act 2003 (FIA).²⁴ This legislation, which supported the intervention and authorised the presence of external personnel, was initially passed by the Solomon Islands Parliament without dissent, and is reapplied annually. The then Minister for Foreign Affairs, Alexander Downer, informed the Australian Parliament that the first condition necessary for Australia to deploy forces was 'wholehearted support in the Solomon Islands for an intervention'. He stated further that although there was some debate, the Parliament of Solomon Islands in the end unanimously passed a resolution supporting the peacekeeping operation.²⁵

6.22 DFAT had no doubts that the mission had solid legal foundations, especially considering the consent of the Solomon Islands Government to the operation.²⁶ Furthermore, to strengthen the legal basis for RAMSI, Australia insisted that the mission have 'comprehensive support' from the region. In this regard, the Pacific Islands Forum (PIF), representing 16 member states, endorsed the intervention.²⁷ Mr David Ritchie, DFAT, noted that PIF leaders themselves 'annually consider RAMSI and annually endorse it'.²⁸ In his view, the 'spectrum of legal mechanisms and quasi-legal mechanisms' provides 'a very solid underpinning for RAMSI's legitimacy'.²⁹

6.23 It should also be noted that the RAMSI treaty underwent parliamentary scrutiny in Australia. The Attorney-General's Department explained that where the instrument is a treaty, it is subject to the Australian parliamentary treaty process which involves the treaty being tabled in Parliament with an accompanying National Interest Analysis. Treaties are also examined by the Joint Standing Committee on Treaties.³⁰

6.24 Although not a UN-mandated mission, the Solomon Islands Government notified the President of the Security Council of the mission and provided him with the key legal documents authorising the intervention.³¹ The Pacific Islands Forum also

24 *Committee Hansard*, 25 July 2007, pp. 69–70.

25 Minister for Foreign Affairs, the Hon Alexander Downer MP, *House Hansard*, 12 August 2003, p. 18206.

26 *Committee Hansard*, 25 July 2007, p. 48.

27 Minister for Foreign Affairs, the Hon Alexander Downer MP, *House Hansard*, 12 August 2003, p. 18206.

28 *Committee Hansard*, 25 July 2007, pp. 69–70.

29 *Committee Hansard*, 25 July 2007, pp. 69–70.

30 *Submission 13*, pp. 2–3. Attorney-General's and DFAT routinely appear before that committee to provide advice concerning the interpretation of treaties and domestic implementation of international obligations.

31 UN Security Council, Letter dated 31 July 2003 from the Charge d'affaires a.i. of the Permanent Mission of Solomon Islands to the United Nations addressed to the President of the Security Council, S/2003/799, 11 August 2003.

provided the Security Council with a report on their activities relating to RAMSI.³² In September 2003, New Zealand, the then Chair of the Forum, acknowledged the statements of support from the Security Council, noting at the same time that RAMSI was undertaken in accordance with the Charter. New Zealand urged the UN, where it could, to assist the process to rebuild the social structure and economy of Solomon Islands.³³

6.25 In September 2004, the Security Council recognised the deployment of RAMSI. In his report to the General Assembly, the Secretary-General stated that the Security Council was briefed by the UN Secretariat before 'it endorsed the operation'. He stated further that the Department of Political Affairs and UN Development Program 'undertook a needs assessment mission to Solomon Islands to determine the additional support needed to move the peace-building and reconciliation process forward and to complement the activities of RAMSI'.³⁴

Committee view

6.26 The committee supports the view that the Security Council should be the primary authority for the deployment of a peacekeeping operation and that Australia should not take any action that would diminish this authority. Even so, it accepts that a conflict situation may arise where the Security Council is not able to act and, due to the seriousness or urgency of the situation, Australia may feel duty bound to participate in a peacekeeping operation. In these cases, the legal grounds for a regional operation must stem from the host country's request for assistance and its consent for the particular operation. Evidence suggested that the government is fully aware of the importance of having solid international legal underpinnings, in the form of the host country's consent, for a regional operation.

Legality and legitimacy

6.27 Confusion or doubts about the source and nature of the consent or the terms of the operation's mandate may undermine the legitimacy of the legal arrangements for a peacekeeping operation. Although legal instruments inviting and consenting to a mission confer international legitimacy on a peacekeeping operation, local political circumstances may undermine their currency in the host country. A background note to the *Workshop on the Fundamental Principles of UN Peacekeeping* observed that 'consent is often unreliable and subject to manipulation by the parties'. It observed further that 'much depends on whether consent is given freely or grudgingly through

32 UN General Assembly, Letter dated 21 August 2003 from the Permanent Representative of New Zealand to the United Nations addressed to the Secretary-General, A/58/304, 22 August 2003, paragraphs 13–15.

33 UN General Assembly, 14th plenary meeting, A/58/PV.14, 26 September 2003, p. 7.

34 UN General Assembly, Report of the Secretary-General, *Cooperation between the United Nations and regional and other organizations*, A/59/303, 1 September 2004, paragraph 83, p. 19.

external pressure'.³⁵ The former Ambassador of the Federal Republic of Germany to the UN, Professor Tono Eitel, has made a clear distinction between legality and legitimacy. He said:

The main criterion for legitimacy is the attitude of the public towards a measure and not the legal basis: thus a measure which is considered to be 'legitimate' might be illegal, i.e. not supported by the law, but somehow 'right' according to ethical consideration, while 'legal' could mean that something is legally right, but considered to be ethically and politically wrong.³⁶

6.28 Thus, the recognition conferred on a mission by way of legal instruments can be fragile if parties to the dispute question the status of the documents, re-interpret them or withdraw their consent. For example, in March 2007, the then Australian Minister for Foreign Affairs expressed concern about what appeared to be a deliberate attempt by some local groups in Solomon Islands to frustrate the work of RAMSI and to undermine its reputation. In an open letter to the people of Solomon Islands, he noted some of the difficulties being created for RAMSI personnel and sought continuing support for the mission.³⁷ More recently, the Solomon Islands Minister for Foreign Affairs, External Trade and Immigration informed the UN General Assembly that 'the nature of the arrangements and activities embraced by the 2003 agreement, as well as their practical application and operation since that time, appear to transgress Article 52 of the Charter' dealing with regional arrangements.³⁸

6.29 Clearly, any legal document must have the continuing support of all parties to the arrangement, particularly that of the host country. This matter of legitimacy, as distinct from the legality of a mission, is discussed in greater detail in Chapter 16.

Committee view

6.30 Because the status of legal documents authorising a peacekeeping operation may be undermined by circumstances such as political tensions between the parties to the agreement, other means are necessary to buttress the legal standing of a non-UN-mandated operation. Thus, the committee also recognises the importance of securing clear endorsement for the mission from the UN, preferably through a Security Council resolution. Essential to gaining UN authorisation or approval is to ensure that the mission mandate is consistent with the principles of the UN Charter. The committee also notes the importance of ensuring that the UN is kept fully informed about the

35 Background note, Workshop on the Fundamental Principles of UN Peacekeeping, Stockholm, 26–28 September 2006.

36 Professor Tono Eitel, 'The United Nations in the 21st Century: Japanese, German and US perspectives', Forschungskreis Vereinte Nationen, 21–22 September 2000, p. 7.

37 A letter to the People of Solomon Islands from the Hon Alexander Downer MP, Minister for Foreign Affairs, Australia, Attachment A to answer to question in writing no. 5423, *House Hansard*, 22 March 2007, p. 206. See also paragraphs 16.9–16.11.

38 UN General Assembly, 13th plenary meeting, A/62/PV.13, 1 October 2007, p. 25.

activities associated with the regional mission and, where possible, is involved in supporting or assisting the mission.

6.31 The committee strongly supports the recommendations of the 2001 Joint Committee that any regional peacekeeping operation in which Australia is engaged has UN authorisation. The committee understands, however, that in some urgent cases UN authorisation may not be forthcoming in time for a deployment. In these instances, the committee believes that the government needs to take added precautions to secure a firm legal footing for the operation.

Conclusion

6.32 The committee is satisfied that the Australian Government gives adequate consideration to the legal aspects of a peacekeeping operation before committing Australian personnel to that mission. The committee's only concern relates to the legal arrangements for non-UN missions where any consideration of Australia's participation must take account of factors likely to affect the perceived legitimacy of the arrangement. The committee considers that endorsement, recognition or approval by the UN assists in conferring legitimacy on the peacekeeping operation and strengthens the legal standing of the documents authorising the mission. In the committee's view, the stronger the connection with the UN, the more likely it is that the legal arrangements for the peacekeeping operations will be seen as correct and proper. Strong endorsement from countries in the region also adds legal weight to a non-UN mandated mission.

Recommendation 3

6.33 The committee recommends that before the Australian Government decides to contribute to a non-UN mandated peacekeeping operation, it is satisfied that the mission has a proper legal framework with recognised authority to deploy the operation and is consistent with Australian law. In this regard the committee recommends that:

- **as early as practicable, the UN is consulted and fully informed about developments and any proposals for a peacekeeping operation;**
- **the Australian Government places the highest priority on securing regional support for the peacekeeping operation;**
- **the host country, through its legally recognised authorities, has requested the establishment of a peacekeeping operation and willingly consented to the deployment of forces and the conditions under which they are to operate—the agreement to be documented in appropriate legal instruments and provided to the Security Council; and**
- **the legal documents authorising the deployment of a peacekeeping operation to be treated, if not in the form of a treaty, in a way similar to treaties; that is, tabled in Parliament with an accompanying National Interest Analysis and examined by a parliamentary committee.**

Furthermore, that the operation's mandate:

- **is in complete accord with the UN Charter and is accountable to universally accepted human rights standards and Australian law;**
- **contains arrangements to ensure that the Security Council and the peacekeeping operation complement each other's efforts to keep the peace; and**
- **includes provisions making the mission accountable to the UN and covers issues such as reporting procedures and channels for the exchange of information.**

Finally, through both formal and informal channels, the government endeavours to obtain UN endorsement of the operation even though the operation may have commenced.

6.34 Australia's active role in recent regional peacekeeping missions underlines the importance of ensuring that they had solid legal underpinnings. The committee believes that this difficult and complex area of securing internationally recognised legal authority to undertake a peacekeeping operation warrants further discussion and clarification. The committee suggests that its proposed white paper on peacekeeping contain a discussion and an explanation of this matter and of the guidelines the government would apply in considering a regional peacekeeping operation.

Chapter 7

Use of force and force protection

7.1 The rules governing the conduct of a peacekeeping operation are another major consideration influencing the decision to participate in a mission. When and under what conditions peacekeepers can use force is of particular importance. In this chapter, the committee examines two aspects of the use of force—its legal basis and its adequacy to protect Australian peacekeepers and civilians.

Rules governing conduct of deployment

7.2 The UN Charter is primarily concerned with finding a peaceful resolution to a dispute. Even so, peacekeepers may be called on to use force not only to defend themselves but to defend the mission or civilians. Political and military leaders depend on two main instruments—the mission's mandate and the rules of engagement (ROE)—to guide their determinations on the use of force. The mandate is intended to provide a clear statement of the mission's objectives and tasks while ROE govern how these are to be put into action. ROE are concerned with the laws of armed conflict and prescribe the types of force which may be used by a deployment in different circumstances. Among other things, they define who is or is not a combatant, who can be engaged and under what circumstances. ROE may also cover matters such as the procedure for dealing with people detained by UN personnel.¹

7.3 Guidelines on the use of force may be found in the Status of Forces Agreement or Status of Mission Agreement between the UN and the state hosting the operation. More detailed guidelines for the use of force are generally contained in standing or standard operating procedures issued to the UN mission by the force commander. They define what is meant by force and the principles governing its use.²

Use of force—legal considerations

7.4 The Australian Government recognises the need to ensure that Australian peacekeepers use force in accordance with the mission's mandate, international humanitarian law and the laws of armed conflict. In conjunction with Defence and DFAT, A-G's advises the government on matters concerning the use of force, including ROE.

7.5 Lt Gen Gillespie made clear that Australia is a law-abiding nation and the ADF a law-abiding force.³ He noted the need for compatibility between international norms and Australian law, stating that the ADF operates under the Geneva

1 *Submission 13*, p. 3.

2 Trevor Findlay, *The Use of Force in UN Peace Operations*, Stockholm International Peace Research Institute, Oxford University Press, 2002, pp. 12–15.

3 *Committee Hansard*, 24 July 2007, p. 5.

Conventions which are enshrined in Australian domestic law. To ensure that ADF personnel have appropriate and necessary legal protections under Australian domestic law, he explained that the ADF have their 'own unique rules of engagement'. He stated:

...we have national rules of engagement, and those rules of engagement are measured against not only those international conventions et cetera but also the requirements of our own domestic law.⁴

7.6 In preparing ROE or any subsequent amendments, Defence consults with DFAT and A-G's. They do so to ensure that ROE accord with 'the terms of the deployment's authorisation by the receiving State, as well as with Australia's obligations under international humanitarian law'. A-G's explained:

International humanitarian law—sometimes referred to as the law of armed conflict—is the body of international law governing the conduct of hostilities, the methods and means of warfare, and rules designed to protect the victims of international and internal armed conflicts. While many peacekeeping operations may not, as a matter of law, concern armed conflicts, it is Australian policy to act consistently with international humanitarian law principles in all peacekeeping operations.⁵

7.7 Lt Gen Gillespie informed the committee that ADF members may decline to participate in a mission because the task at hand is inconsistent with the rules of engagement:

Our special forces are out there and will accept and not accept some missions based on their rules of engagement. Where the issue has become really close for us is, if you have a special forces group operating as a special forces, we can apply Australian rules really easily. It is where you have a mixed group that you have that sort of issue. It might become very difficult for me, if I was the deployed commander of a coalition force, issuing orders. I am always an Australian whether I am with the UN or not and, therefore, I am held accountable under Australian law, and if I were issuing orders that were counter to the Australian ROE but were not counter to others I would leave myself exposed. They are the sorts of things that our lawyers and the Attorney-General and people slave over.⁶

7.8 These precautions also apply to ADF members on exchange appointments. Lt Gen Gillespie explained that the ADF approves Australian participation on a case by case basis. According to Lt Gen Gillespie, the ADF generally supports exchange programs unless 'there was a major legal issue or a national concern about Australian troops participating in that sort of operation':

4 *Committee Hansard*, 24 July 2007, p. 12.

5 *Submission 13*, p. 3.

6 *Committee Hansard*, 24 July 2007, p. 12.

The reason that we approve them individually is to satisfy ourselves that their employment would meet Australian interests and expectations and to identify them individually to ensure that we meet with them eye to eye in our missions, that they have Australian protective kits and that they understand that they are obligated by their Australian sovereignty, not by the nation that they are proceeding to the war zone with. It is quite a formal process. If a unit is going, they apply through the high commission, the embassy, in the country concerned, we come back, we consider the merits of the case, we approve it and then the defence attaché in the country concerned gives them quite a formal briefing about their obligations.⁷

Committee view

7.9 The committee has no doubts that adequate consideration is given by the ADF and A-G's to ensure that before Australia commits to a peacekeeping operation, it is satisfied that Australian peacekeepers are operating under ROE that accord with international humanitarian law and Australian domestic law.

Force protection—health and safety of peacekeepers

7.10 Although ROE must be consistent with international humanitarian law and Australian domestic law, the adequacy of the rules and their appropriateness in relation to achieving the operation's objectives is another important consideration. Lt Gen Gillespie emphasised the importance of having ROE that adequately protect Australians serving in a peacekeeping mission.⁸

7.11 As observed by the Canadian Government, there is no way to undertake 'bold and difficult missions without risk, particularly to personnel'. It noted that 'Given the current security context, the difficulties faced by participants in international peace operations are daunting'.⁹ In this regard, the UN places the highest priority on the safety and security of its personnel in peacekeeping operations.¹⁰

7.12 While the UN, through the Special Committee on Peacekeeping Operations, promotes safety awareness, reviews security standards and produces guidelines such as the Medical Guidelines for Peacekeeping Operations, the responsibility for the safety and wellbeing of Australian peacekeepers resides ultimately with the Australian

7 *Committee Hansard*, 24 July 2007, p. 19.

8 *Committee Hansard*, 24 July 2007, p. 13.

9 *Submission 37*, p. 7.

10 See for example, UN General Assembly, Report of the Special Committee on Peacekeeping Operations, *Comprehensive review of the whole question of peacekeeping operations in all their aspects*, A/57/767, 28 March 2003, paragraphs 148–160, pp. 21–22.

Government.¹¹ It is the Australian Government that takes the decision to participate in a mission and has a duty of care to its peacekeepers.

7.13 In this regard, the Brahimi Report noted that the willingness of member states to contribute troops to complex operations 'implies a willingness to accept risk of casualties on behalf of the mandate'.¹² It acknowledged that the reluctance to accept this risk had risen since the complex missions of the mid-1990s where there were 252 fatalities in 1993; 168 in 1994; and 126 in 1995.¹³ Thus, although the UN places the highest priority on the safety and security of its personnel in peacekeeping operations, member states must weigh up the risks to their personnel before deciding to contribute.¹⁴

7.14 In the following section, the committee looks at the main factors that the government considers in the decision to participate with regard to force protection and the health and safety of Australian peacekeepers during deployment. They include:

- the mandates of peacekeeping operations and matching their objectives with the rules of engagement; and
- the level of force protection and its implications for the safety and health of peacekeepers.

Mandates and rules of engagement

7.15 Australians engaged in peacekeeping missions operate in environments which may be relatively benign, while others may be extremely hazardous. Indeed, peacekeepers may operate in a dangerous and volatile environment where law and order has broken down, where they may be the targets of hostile forces, subjected to ambush, intimidation, crossfire, and mine warfare.¹⁵ They may be called on to disarm warring factions or intervene to protect innocent civilians from attack. They may witness atrocities including murder, or extreme human distress such as severely maimed or emaciated people, including children. Some may suffer long-term

11 See for example, Office of Mission Support, Department of Peacekeeping Operations, *Medical Guidelines for Peacekeeping Operations, Medical Support Unit/LSD/OMS*. The Medical Support Section, in the Department of Peacekeeping Operations, *inter alia*, advises field missions on all medical operational matters, develops and documents operational medical policies, doctrines and guidelines and plans and co-ordinates medical support for new, ongoing and liquidating missions between the DPKO, the Mission headquarters and troop contributing countries, <http://www.un.org/Depts/dpko/medical/role.htm> (accessed 27 September 2007).

12 Brahimi Report, paragraph 52.

13 United Nations, fact sheet, Fatalities by Year to 31 May 2008.

14 See for example, UN General Assembly, Report of the Special Committee on Peacekeeping Operations, *Comprehensive review of the whole question of peacekeeping operations in all their aspects*, A/57/767, 28 March 2003, paragraphs 148–160, pp. 21–22.

15 See for example, *Report of the Review of Veterans' Entitlements*, commissioned by the Minister for Veterans' Affairs, conducted by the Hon John Clarke QC, Air Marshal Doug Riding and Dr David Rosalky, 2003, paragraphs 14.141 and 14.148.

psychological trauma because of their experiences.¹⁶ The situation in Rwanda, where peacekeepers were unable to intervene to prevent genocidal massacres, is an extreme example of this type of experience.

7.16 The Australian Government recognises the risks posed to the physical and mental health of Australian peacekeepers.¹⁷ For example in 2006, the then Prime Minister described the proposed mission to Timor-Leste (ISF) as dangerous. He stated, however, that 'it is always a solemn responsibility of any government to place the men and women who defend our country in danger...we must not walk away from the possibility that casualties could be suffered by the forces that will go to East Timor'.¹⁸

7.17 This statement captures the often conflicting interests that the Australian Government must balance. In this case, the national interest and the safety and welfare of Australian personnel likely to be engaged in a peacekeeping operation were key considerations in the mix of factors that the government examined before deciding to commit forces to the mission. The focus of the following section is on the consideration that the government gives to the adequacy of mandates with regard to the safety and mental wellbeing of Australian peacekeepers.

Clarity of mandates

7.18 The committee has already noted that mandates do not always provide clarity even to the extent of articulating the mission's goals. Further, that some mandates are a hybrid of chapters VI and VII which may cause some confusion about how peacekeepers are to act when it comes to the use of force. Language used in a mandate such as 'all necessary means to fulfil its mandate' does not provide precise guidance for peacekeepers on the use of force. For example, in some cases, the meaning has extended beyond protecting UN personnel, facilities, installations and equipment to including the protection of civilians and humanitarian workers 'under imminent threat of physical violence'.¹⁹

7.19 Furthermore, a recent study on UN mandates found that political leaders interpret the mandates 'as they see fit, influencing mission organization and leadership, and thus, how the legitimate use of force is understood'. It observed that the mandate interpretation is influenced by the Department of Peacekeeping Operations (DPKO) and the Secretary-General, but also:

16 *Committee Hansard*, 24 July 2007, p. 23.

17 See for example, *Committee Hansard*, 25 July 2007, p. 11; *Committee Hansard*, 20 August 2007, p. 17; and Attorney-General's Department, 'Enhancing the Safety of Australians Working for the UN', 3 January 2001.

18 Prime Minister, the Hon John Howard MP, Speech, *House Hansard*, 25 May 2006, p. 65.

19 See for example UN Security Council, Resolution 1493, S/RES/1493 (2003), 28 July 2003, paragraph 25, in relation to the UN Organisation Mission in the Democratic Republic of the Congo (MONUC).

...interpretations by the various peacekeeping contingents recruited for the operation, their commanders, and the UN Force Commander further impact their execution. Force commanders in multilateral operations also remain tied to their political leaders at home. All have understandings of what the mandate calls for and, without a single chain of command, those interpretations can tug personnel in different directions.²⁰

7.20 It concluded that a lack of common understanding of purpose and ROE of a mission is 'unfortunately, familiar territory'.²¹ Another study made a similar finding stating:

Experience from the field has shown that mission mandates are regularly interpreted in different ways at strategic, operational, and tactical levels.²²

7.21 Writing in *Australian Army Journal*, Colonel John Hutcheson similarly observed that within any coalition, the contributing forces will have different perceptions about the mission and levels of acceptable risk.²³ In this regard, Lt Gen Gillespie underlined the need for personnel to be absolutely sure of what they can and cannot do. Otherwise, he argued, without that surety 'you end up having issues; wrong decisions are made'.²⁴ A shared understanding of the use of force relies on key documents starting with the mandate and reinforced by others such as ROE.

Committee view

7.22 Clearly, UN mandates as they relate to the use of force in peacekeeping operations and the relevant ROE are extremely important for the safety and welfare of Australian peacekeepers. It follows that, before committing Australia to a peacekeeping operation, the government must satisfy itself that all instruments covering the use of force are unambiguous, clearly understood, appropriate to the mission and provide adequate protection for Australian personnel. The level of protection afforded to peacekeepers is also an important consideration.

Adequacy of mandates

7.23 The Returned and Services League of Australia (RSL) argued that the ROE for each peace enforcing or peacekeeping mission must be sufficiently robust to allow

20 Victoria Holt and Tobias Berkman, *The Impossible Mandate? Military Preparedness, the Responsibility to Protect and Modern Peace Operations*, The Henry L. Stimson Center, 2007, p. 91.

21 Victoria Holt and Tobias Berkman, *The Impossible Mandate? Military Preparedness, the Responsibility to Protect and Modern Peace Operations*, The Henry L. Stimson Center, 2007, pp. 91–92.

22 International Peace Academy, 34th IPAA Vienna Seminar on Peacemaking and Peacekeeping, *Peace Operations in Africa*, Final Report, New York, 2004, paragraph 3.1.1.

23 John Hutcheson, *Australian Army Journal*, vol. IV, no. 2, p. 98.

24 *Committee Hansard*, 24 July 2007, p. 13.

deployed Australian forces to achieve the mission's objectives. It argued that the safety of these forces should not be compromised by unrealistic ROE, and that self-defence is a right of deployed forces.²⁵

7.24 The ADF and the AFP give particular attention to the operational dimensions of a mission and the ability of their personnel to protect themselves against hostile action. Defence stated clearly that it identified the risks to personnel as a factor that it would take into consideration when examining a proposal for a peacekeeping operation.²⁶ The AFP similarly noted the importance of ensuring that a mandate and ROE provide adequate protection to peacekeepers. In an address at the Joint Services Staff College, Federal Agent Peter White explained that the AFP assesses its participation in UN missions against key principles, one of which is the level of risk to police personnel. He said:

While police have been deployed to high-risk-level missions in the past, the degree of risk for each mission is assessed to ensure that adequate protection is provided to police. This may be in the form of UN military or local police/military and extends to the provision of body armour.²⁷

7.25 Assistant Commissioner Walters maintained that whether officers are to be armed or not depends on the circumstances, stating that 'the bearing of arms on a mission will be dictated by the mission itself'. He advised the committee that not all of the AFP or police officers deployed into international missions are armed. AFP officers in Timor-Leste in 2006, however, were armed as are officers in Solomon Islands who carry weapons as part of their day-to-day functions under the authority of the *Facilitation of International Assistance Act* (FIA).²⁸

7.26 In the case of RAMSI, the then Minister for Foreign Affairs, Alexander Downer, made clear to the Solomon Islands authorities that before Australia would intervene, it wanted 'a secure mission'. He said:

The judgment of the Federal Police and the military was that we should have that type of intervention that we have had, with the appropriate ratios that we have of military support for what is, essentially, a police operation. There have been some who have said that the military footprint is too great and so on but our response to that is that the military and the police have had to make a judgment about what they think will keep the Australians,

25 *Submission 9*, p. 3.

26 *Submission 30*, paragraph 11, p. 4.

27 Australian Federal Police, Federal Agent Peter White, 'Peacekeeping commitment has long tradition', Peacekeeping Study—Joint services Course at the Joint Services Staff College, Canberra, 1998, http://www.afp.gov.au/about/publications/platypus_magazine/platypus_magazine_previous_editions/1998/september_1998/peace.html (accessed 25 September 2007).

28 *Committee Hansard*, 25 July 2007, pp. 17–18.

particularly, secure. So this has to be a secure mission, or as secure as you could ever make a mission.²⁹

7.27 Assistant Commissioner Walters noted that the AFP are mindful about the guidelines for UN missions and spoke of the opportunities to seek changes to the rules or guidelines governing a particular mission should circumstances require an adjustment. He referred to a situation in 2006 where the AFP were concerned about issues around the use of force guidelines. In this instance, the AFP went back to the UN and made some suggestions to the DPKO on how they might be modified. He said:

So if we feel that there are issues around the guidelines which might not have been foreseen at the time they were drafted, then the UN welcomes suggestions, and it is our obligation to go back to the UN to suggest that those guidelines be amended as required...We made some suggestions to the UN around that. So, whilst we are not directly involved in the development of the initial guidelines, there is scope for comment.³⁰

7.28 Clearly, the primary safeguards for Australian peacekeepers are the very mandate and ROE under which they serve. The government can decline to contribute to a peacekeeping operation on safety or security grounds or seek changes to the mandate that would satisfy its concerns.

Committee view

7.29 Evidence indicates that the ADF and the AFP place the welfare of their personnel at the forefront of their consideration of a proposed peacekeeping operation, which is reflected in advice to government. Even so, a number of witnesses raised the matter of the adequacy of force protection for Australian forces. The following section looks at these concerns.

Adequacy of force protection

7.30 Although the government takes account of the need to have adequate force protection when it is considering a proposed peacekeeping initiative, the committee received evidence indicating that there have been a number of missions where force protection proved inadequate for the peacekeepers. In general terms, the Australian Peacekeeper and Peacemaker Veterans' Association (APPVA) suggested that force protection had been inadequate in past peacekeeping operations placing ADF members at 'great risk'. According to the APPVA, the low numbers of Australian deaths on peacekeeping operations was 'a result of quick thinking, being well trained and general good luck'.³¹ It noted that specialist troops, while capable of self-

29 Minister for Foreign Affairs, the Hon Alexander Downer MP, *House Hansard*, 12 August 2003, pp. 18208–9.

30 *Committee Hansard*, 25 July 2007, p. 32.

31 *Submission 16*, p. 8.

protection, need to have a protection party when conducting their roles and mission tasks.³²

Physical safety

7.31 A few witnesses cited the Australian Training Support Team East Timor (ATST-EM) as an example of the failure to appreciate the need for stronger force protection. ATST-EM was deployed to East Timor during 1999–2003. Its primary mission was to establish the East Timor Defence Force (ETDF)—otherwise known as Falintil—to train and develop them to be a conventional army.³³ Although service in East Timor was classified as warlike from October 1999 to August 2003 and then downgraded, ATST-EM was classified as non-warlike service.³⁴

7.32 Two submitters, both ADF members attached to ATST-EM, suggested that they had inadequate force protection. The author of Submission 7 stated that ATST-EM personnel received ADF pre-deployment training in Darwin. He noted, however, that:

There was a total lack of situational awareness of what was required of the ADF ATST EM members operating in a high risk environment under warlike conditions. Force preparation personnel in Darwin were unaware of ATST EM members' role and mission in EM and were therefore unable to prepare them properly, particularly with regards to operating in a high risk threat environment unarmed.³⁵

7.33 Captain Wayne McInnes, also a member of ATST-EM, stated that they were sent off to force preparation in Darwin. They were given exactly the same force preparation as every other soldier who was going in to East Timor armed and in warlike conditions into the Australian Battalion 6RAR Group (AUSBAT) or the Australian National Command Element. He informed the committee, however, that when members of his team arrived in country, they were told they were:

...not going to operate under those conditions but instead were to be unarmed because they were part of the defence cooperation project and that their job was a peacetime role in an operational environment—a total contradiction in terms.³⁶

32 *Submission 16*, paragraph 8.6.

33 *Submission 7*, p. 1

34 *Committee Hansard*, 21 August 2007, p. 48.

35 *Submission 7*, p. 1. He stated further: ATST EM members on arrival in EM were positioned as advisors/trainers to the ETDF, in this capacity there were times when they were exposed to acts of violence or aggression by rival ETDF members. Having to physically separate and placate rival ETDF members who were armed, during training who threatened other ETDF soldiers with stabbing or shooting, threats from ETDF soldiers to members of the Civil Police and to members of the ATST EM. *Submission 7*, pp. 1–2.

36 *Committee Hansard*, 21 August 2007, p. 55.

7.34 According to Captain McInnes, when they deployed, they had no force protection despite the orders he received stating that they were to have such protection.³⁷ He explained:

ATSTEM personnel operated in Dili, Metinaro and Los Palos and did so under high risk situations. Especially 1 BAD operating in total isolation at Los Palos, unarmed, without force protection or close support under War Like Conditions imposed by the UN.³⁸

7.35 He argued that the inadequacy of the force protection placed members of his team in a vulnerable situation where they were 'deployed armed only with pick handles, inadequate radio communications and without an interpreter'. In his opinion, there were numerous incidents where their 'personal security was placed at extremely high risk'.³⁹ Submission 7 also noted that ATST-EM personnel were unarmed and placed at great risk at a time when all other members deployed with the UN were armed at all times. He described some of the incidents they confronted which included being physically threatened by truck loads of disaffected dissidents attempting to incite a riot or civil uprising. He also wrote:

...members were required to drive between Metinaro and Los Palos for a number of reasons, a distance of some 200kms taking five hours, unarmed and in a hostile environment with no escort or protection save their own initiative and ability...⁴⁰

7.36 In response to this evidence, Defence noted that the team was separate from UN peacekeeping forces. It explained that ATST-EM was deployed under the auspices of the bilateral Defence Cooperation Program (DCP) to conduct training that supported the development of the ETDF.⁴¹ It indicated that generally personnel with the DCP are posted unarmed to countries they assist:

The activities of the training support team were deliberately and intentionally developed to be of a peacetime nature. The members deployed as part of the team were in a training role and part of the DCP and not involved in peacekeeping activities or combatant roles or otherwise assigned to the UN Peacekeeping Force.⁴²

7.37 Defence stated further:

It was considered at the time and prior to their deployment that members of the training support team would not be required to use force to achieve their training objectives and that casualties were unlikely. They were not armed

37 *Committee Hansard*, 21 August 2007, p. 54.

38 *Submission 5*, p. 3.

39 *Submission 5*, p. 2.

40 *Submission 7*, p. 2.

41 Department of Defence, answer to written question on notice W8, 24 July 2007.

42 Department of Defence, answer to written question on notice W9, 24 July 2007.

and their protection was provided by international peacekeepers from other nations. The nature of their service was therefore considered, at the time, to be similar to normal peacetime duty in Australia.⁴³

7.38 It should be noted, however, that following a recent review of the circumstances of ATST-EM deployment, the Chief of Defence Force recommended that ADF members in ATST-EM be retrospectively included in the forces that were on 'warlike' and later 'non-warlike' service.⁴⁴ Their service has now been reclassified.⁴⁵

Committee view

7.39 The committee believes that the experiences of this small contingent provide the ADF and other agencies with lessons that should be learnt about force protection. If not already, ATST-EM should be a case study for all agencies who participate in peacekeeping operations to remind them that no matter how small a contingent, Australian peacekeepers must have an adequate level of force protection.

Recommendation 4

7.40 In light of the concerns raised about the conditions under which some members of ATST-EM were deployed, the committee recommends that the ADF conduct a review of this deployment to identify any shortcomings and ensure that lessons from ATST-EM's experiences inform the deployment of similar small contingents. This case study would, for example, examine matters such as their preparation to serve as unarmed peacekeepers, the chain of command arrangements and the provision of health services.

Mental health

7.41 The need for adequate force protection is important not only for the physical protection of Australian peacekeepers but also to ensure that they are not placed in situations that unnecessarily jeopardise their mental health. APPVA referred to peacekeeping operations in Rwanda, Somalia and Cambodia where, according to the Association, the inability of ADF members to intervene to prevent civilian deaths or injuries had a devastating effect on them. For some it is 'still living memory today, with large reported cases of mental illness, in particular Post Traumatic Stress Disorder (PTSD)'.⁴⁶ Mr Paul Copeland, APPVA, noted:

UN service can be frustrating for soldiers on the ground, airmen and airwomen, and sailors. The experience has been that the lack of ability to intervene in various instances—and we are not only talking about Rwanda;

43 Department of Defence, answer to written question on notice W15, 24 July 2007.

44 Department of Defence, answer to written question on notice W15, 24 July 2007.

45 Budget Paper No. 2, 2008–2009, Part 2, Expense Measures.

46 The Second United Nations Mission in Rwanda (UNAMIR II); The United Nations Transitional Authority in Cambodia (UNTAC). *Submission 16*, paragraphs 3.5 and 3.6.

we are also talking about the many operations that we have served on for many years...it is a very difficult situation to work in—to be under the UN mandate for that particular operation and to perform the tasks that are given to Australian troops, for example, and to remain neutral and not intervene. It is a very difficult task indeed. The restraint of Australian troops has been tested to the absolute maximum, and that is why we have a number of people who are severely mentally ill.⁴⁷

7.42 Professor Timothy McCormack, Director of the Asia Pacific Centre for Military Law, University of Melbourne, also referred to the situation in Rwanda—the Kibuye massacre—where a group of ADF medics, lightly armed and outnumbered by Rwandan military forces, were powerless to stop the killing and maiming of civilians. He informed the committee that they 'still talk about the trauma they have to live with of knowing that they were unable to do anything'.⁴⁸

7.43 To prevent a recurrence of these types of situations, Rear Admiral (Retired) Kenneth Doolan stressed the importance of the rules of engagement which in his view 'must be sufficiently robust, and the commanders on the ground, in the air and at sea...must understand and be comfortable with those rules of engagement'. He noted:

You cannot foresee every conceivable circumstance, but the worst thing that can happen to a commander on the ground is to have weak rules of engagement which hamstringing him or her in circumstances such as that [the former Yugoslavia].⁴⁹

7.44 In this regard, the APPVA recommended that:

...negotiation by Australia prior to the insertion of a PKF, Monitors, Liaison Officers or Observers needs to have robust protective measures dependent upon the operational mandate. These measures are not only for self-protection, but also for the protection of innocent civilians.⁵⁰

7.45 Later in the report, the committee considers the post-deployment management of Australian peacekeepers who have been harmed as a result of serving in a peacekeeping operation. For the time being, the committee is concerned with minimising the risk of harm to Australian peacekeepers by ensuring that the mandate provides appropriate force protection. In this regard, the committee believes that the Australian Government must satisfy itself before committing to an operation that there are no deficiencies in the mandate and the accompanying ROE or Status of Forces Agreement that would expose Australian peacekeepers to situations such as happened in Rwanda.

47 *Committee Hansard*, 21 August 2007, p. 42.

48 *Committee Hansard*, 21 August 2007, p. 69. Also see, John Connor, 'Bravery under Fire', *Wartime*, Australian War Memorial, 2007, vol 39, pp. 37–39.

49 *Committee Hansard*, 5 September 2007, p. 5.

50 *Submission 16*, paragraph 9.1.

Conclusion

7.46 The committee has drawn attention to the range of people and agencies involved in interpreting the mandate and ROE of a peacekeeping operation which can lead to inconsistency or confusion regarding the use of force in the field. Poorly worded mandates magnify the potential for differences in interpretation of the use of force.

Recommendation 5

7.47 The committee recommends that, before deploying Australian personnel to a peacekeeping operation, the Australian Government ensure that all instruments covering the use of force are unambiguous, clearly understood, appropriate to the mission and provide adequate protection.

7.48 The committee also notes that mandates that do not provide adequate force protection may jeopardise the health and wellbeing of peacekeepers. The committee recognises that Australian peacekeepers must have clear rules of engagement that 'match the needs on the ground', to avoid situations where they lack the capacity or the authority to perform tasks such as protect civilians.⁵¹

Recommendation 6

7.49 The committee recommends that all government agencies advising the Australian Government on Australia's participation in a proposed peacekeeping operation address clearly the adequacy of force protection provided in the mandate and accompanying ROE. This consideration is not only from the perspective of the physical safety of Australian personnel but also their mental wellbeing. Ultimately, the government must be satisfied that the mandate matches the needs on the ground.

51 See for example, United Nations Association in Canada, *Peacekeeping to Peacebuilding: Lessons from the Past Building for the Future*, Report on the UN–Canada 50th Anniversary of UN peacekeeping International Panel Series, 2006–2007, March 2007, p. 156.

Chapter 8

Exit date, exit state, exit strategy

8.1 In 2002, the then Minister for Defence, Senator Robert Hill, stated that it is 'always easier to get into an intervention than out of it'.¹ The strategy for withdrawing from a peacekeeping operation is a real and practical problem and another key factor influencing the decision to contribute to a peacekeeping operation. In this chapter, the committee examines current thinking on how and when to conclude a peacekeeping mission. It seeks to establish the importance of an exit date, exit state and exit strategy to the success of a peacekeeping operation and the consideration that the Australian Government gives to these factors in its decision to contribute to a mission.

Timeframe for peacekeeping operations

8.2 Consideration of the length of a peacekeeping operation or how to conclude it begins with the formulation of the mandate. As noted in Chapter 4, the committee underlined the need for a mandate to have clearly stated objectives which then provide a starting point for determining the time required to achieve these goals.

8.3 Defence provides advice to government on what it thinks the duration of a mission should be and how the deployment should be structured. Lt Gen Gillespie explained that Defence uses all of the assets at its disposal to gauge the potential for success of a mission and how long that might take to achieve. For assessments, such as the likely length of a mission, he informed the committee:

We would tend to do it jointly and, in that particular sense, ONA may have a very large role to play in providing advice on how that looks. You start off at that level and make some macro assessments of how long the mission might last and then you can start to provide advice to the government on how long you might participate in that, given a whole range of circumstances, expectations, developments in your region and in other parts of the world et cetera.²

8.4 He also indicated that Defence provides government with a number of options, whereby things such as duration of the operation may be discussed. According to Lt Gen Gillespie, even if Australia were to deploy without a specific timeframe, the government on an annual basis reviews all Australia's military commitments to operations around the world.³ He noted further that the government may come up with an exit strategy for Australia and stipulate that:

1 Minister for Defence and Leader of the Government in the Senate, opening address, International Peace Operations Seminar, Parliament House, Canberra, 29 April 2002.

2 *Committee Hansard*, 24 July 2007, p. 18.

3 *Committee Hansard*, 24 July 2007, p. 18.

Australia will support this for X period of time. We will give a two-year commitment to this mission and at the end of two years we will be out. The United Nations has a two-year warning period to find somebody to replace us if the mission goes beyond that time.⁴

8.5 Even so, the committee expects that to be effective, Australia's participation in a peacekeeping operation would be considered in light of the mission's objectives, the time expected for the successful completion of the mission and how Australia's contribution would fit with the overall goal of the mission. The following section considers the problems in determining a timeframe for withdrawing an operation.

Traditional operations

8.6 Lt Gen Gillespie noted that traditionally, the UN did not place a high priority on setting an exit date. He explained that prior to 1985, the UN 'tended to get into missions and work at them until they were done. If they took 20 years, then that is how long they took'.⁵

8.7 The UN mission to Cyprus is an example of such a protracted engagement. It was established in 1964 to prevent further fighting between the Greek Cypriot and Turkish Cypriot communities. Yet, over 40 years later, the mission is still a ceasefire operation. The AFP has been continuously engaged in peacekeeping operations in Cyprus since then and today deploys 15 officers who, with other United Nations Police (UNPOL) officers, police the buffer zone.

8.8 In July 2006, with the encouragement of the Secretary-General, the Greek Cypriot and the Turkish Cypriot leaders recognised that the status quo was unacceptable and made a commitment to ensure that the right atmosphere prevailed for the process 'involving bi-communal discussion' that would contribute to a comprehensive settlement. The Secretary-General, however, continues to urge both sides to move the agreement forward indicating that the UN would continue to put pressure on the parties to do so.⁶

8.9 This mission highlights the propensity for some peacekeeping operations to be open ended. Without an incentive to end the conflict, parties to the dispute make no real progress toward a lasting resolution and the mission continues indefinitely.

4 *Committee Hansard*, 24 July 2007, p. 5.

5 *Committee Hansard*, 24 July 2007, p. 5.

6 A Statement by the President of the Security Council on 17 April 2008 stated that the Security Council was encouraged by 'the launch of the Working Groups and the Technical Committees that will prepare the ground for the start of fully fledged negotiations...on a durable settlement', S/PRST/2008/9.

Complex operations

8.10 Lt Gen Gillespie explained that the UN has changed its approach to setting a time for withdrawing an operation:

In my experience, Namibia was the first UN mission where the UN said quite emphatically—and the UN Security Council and the General Assembly enforced it along the way—that, to create an independent nation, conduct the elections and do all of the things that we had to do, 12 months was an appropriate time. They worked very hard at achieving the mission inside the 12-month mandate that was given, and they did.

...I think that the UN, since Namibia, has come a long way in trying to determine how long a mission should take and then hold people accountable for doing it. Although, given the nature of some of the conflicts that we have around—for example, the UN deployment in Lebanon at the present time—it would be hard to say, 'You've got a mandate for 12 months and we'll all be out in 12 months time; here's our exit strategy.'⁷

8.11 Setting an exit date leaves no doubt about when the mission is to end, and is likely to provide a powerful incentive for all parties to the dispute to reach a settlement and restore peace and stability. A set date, however, also creates difficulties. Austcare suggested that:

Placing artificial time constraints on peacekeeping operations, mainly for political purposes, is unlikely to be helpful to the people living in conflict-affected countries.⁸

8.12 Some studies prefer to focus on an end state rather than end date for withdrawing a peacekeeping operation.⁹

End state

8.13 The International Force in East Timor (INTERFET) is often cited as an example of a mission where a clear mandate, adequate resources and commitment to the operation set a solid foundation for its success. Defence said:

INTERFET benefited from a clearly defined mission and endstate—a clear goal to which the coalition could be led. A timely and appropriate United Nations mandate, together with nations willing to contribute quality assets to a common cause was also important to success.¹⁰

7 *Committee Hansard*, 24 July 2007, p. 5.

8 *Submission 11*, p. 10.

9 See for example, Austcare, *Submission 11*, p. 10. Austcare contended that sunset clauses are important for the purpose of reviewing commitment timetables and achievements, but considered that 'more emphasis be placed on the achievement of "end state" rather than "end date"'.¹⁰

10 Department of Defence, answer to written question on notice W3, 24 July 2007.

8.14 INTERFET, however, had been established in September 1999 as a multinational force under a unified command structure with a limited and explicit mandate. It was to restore peace and security to East Timor, protect and support the United Nations Assistance Mission in East Timor (UNAMET) in carrying out its tasks and, within force capabilities, facilitate humanitarian assistance operations. The mandate also stated clearly that INTERFET was to be replaced 'as soon as possible' by a UN peacekeeping operation.¹¹

8.15 During February 2000, responsibility was transferred in phases from INTERFET to the military component of the United Nations Transitional Administration in East Timor (UNTAET).¹² Established in October 1999, UNTAET had a much broader and longer-term objective. It was tasked with the overall responsibility for the administration of East Timor and was empowered to exercise all legislative and executive authority, including the administration of justice.¹³ It is this type of complex multidimensional mission that poses significant challenges for decision makers in determining when a deployment should be withdrawn.

8.16 Today, many studies tend to see these complex missions progress through phases from a shorter-term peacekeeping operation to the longer-term peacebuilding processes. For example, in 2000, the importance of ensuring a smooth transition from the conflict phase to a post-conflict peacebuilding phase was a dominant and recurring theme in a UN debate about peacekeeping operations.¹⁴ Reflecting on this debate, the Secretary-General noted that the ultimate purpose of a peacekeeping operation is to achieve an enduring peace. He then highlighted the complex challenges and the large costs in attaining lasting domestic peace:

It becomes sustainable, not when all conflicts are removed from society, but when the natural conflicts of society can be resolved peacefully through the exercise of State sovereignty and, generally, participatory governance.¹⁵

8.17 A number of witnesses to this committee also conceived of a successful peacekeeping operation moving through phases to a post-conflict peacebuilding

11 UN Security Council, Resolution 1264, S/RES/1264 (1999), 15 September 1999, p. 12..

12 UN Security Council, *Report of the Secretary-General on the United Nations Transitional Administration in East Timor*, S/2000/738, 26 July 2000, paragraph 51, p. 7.

13 UN Security Council, Resolution 1272, S/RES/1272 (1999), 25 October 1999.

14 UN Security Council, Press Release SC/6951, 15 November 2000; and UN Security Council, 4223rd meeting, S/PV.4223 and S/PV.4223 (resumption 1), 15 November 2000.

15 UN Security Council, Report of the Secretary-General, *No exit without strategy: Security Council decision-making and the closure or transition of United Nations peacekeeping operations*, S/2001/394, 20 April 2001, p. 2.

stage.¹⁶ Associate Professor Wainwright drew on Australia's experience to describe the transitional phases of a mission:

The military presence initially is there to restore security and it needs to be strong at the beginning. But, then, as things stabilise...there is scope for large numbers of the ADF to scale down and to just maintain a training capability, continuing within the defence cooperation program, for example—continuing training and ongoing assistance and relationship building. Likewise the AFP, which again comes in at the outset and is working to build up the local policing capability. When it is judged that the local policing capability has been built up effectively and can do the job on its own, the AFP can scale that down, perhaps keeping a small presence for any continuing capability building and relationship maintaining. Then there is the long-term institution building end of things, which is going to be there for many years to come, in my view.¹⁷

8.18 Witnesses, such as Associate Professor Wainwright, stressed the importance of ensuring that the identified end state anticipates the difficulty of achieving sustainable peace. She recognised that many of the conflicts are 'generational' problems that 'require a long-term commitment on the part of the Australian Government and others to try to grapple with them'.¹⁸ Christian World Service suggested that 'a viable exit strategy should be a condition of entry' into a humanitarian peacekeeping operation.¹⁹

Exit strategy

8.19 In 2001, the Joint Standing Committee on Foreign Affairs, Defence and Trade recommended that Australia should only commit support to a peace operation where, *inter alia*, there is 'a specified exit strategy within the operation'.²⁰ In its response, the government agreed with the emphasis placed on the importance of exit strategies. It further explained that Australia had previously nominated a specific end-point for

16 Dr Anthony Murney, AFP, suggested that peace operations are 'about continuance, and the nature of the future relationship that you might have with the nation that you have been dealing with'. *Committee Hansard*, 25 July 2007, p. 13. Professor Raymond Apthorpe suggested that the objective of an international involvement is to create good relationships which do not end when the specific purpose of the first phase of the intervention ends. *Submission 32*, p. 3.

17 *Committee Hansard*, 20 August 2007, p. 12.

18 *Committee Hansard*, 20 August 2007, p. 12.

19 *Submission 31*, paragraph 3.1.2.

20 Joint Standing Committee on Foreign affairs, Defence and Trade, *Australia's role in United Nations Reform*, June 2001, p. 57.

Australia's participation in peacekeeping operations where it had been possible and appropriate to do so.²¹ It indicated:

Australia will continue to encounter circumstances where the exit strategy decision must focus on the achievement of a lasting peace, rather than on set time limits. In complex post-conflict situations like East Timor and Bougainville, a date-defined exit strategy may be challenging to achieve, and must be weighed against other important issues such as ensuring the sustainability of the peace and security of those areas and ensuring the stability of our close neighbourhood.²²

8.20 An exit strategy is not only concerned with identifying an end state but, more importantly, with how that state is to be achieved. A review of UNTAET found that from the outset it was clear that the mission was to be an interim administration whose end state was known—the political process of transition was completed with East Timor's independence. Even so, it observed that the Security Council had prescribed an end-state without an accompanying roadmap. It noted the value of having a mandate implementation plan, explaining:

It is a tool for missions to 'exit with a strategy', placing milestones along the way that guide the mission to its eventual exit.²³

8.21 The International Commission on Intervention and State Sovereignty (ICISS) stated that no matter how 'well or ill-defined the end state of intervention, political vision should encompass what it will take to get there—conceptually, as well as in terms of resources'.²⁴ Along similar lines, Roland Rich, former Director of the Centre for Democratic Institutions, proposed that 'the end point may not always be predictable but the direction should be clear and a point should be ascertainable where the emergency intervention ends and the regular processes of development assistance

21 Government response to the Joint Standing Committee on Foreign Affairs, Defence and Trade report on *Australia's Role in United Nations Reform*, 27 March 2003, p. 1. It stated: 'The Government has done this with respect to our participation in the UN Mission in Ethiopia and Eritrea and to our contribution to the (non-UN) International Military Advisory and Training Team (IMATT) in Sierra Leone'.

22 Government response to the Joint Standing Committee on Foreign Affairs, Defence and Trade report on *Australia's Role in United Nations Reform*, 27 March 2003. p. 1.

23 Conflict Security & Development Group, King's College, London, *A Review of Peace Operations: A Case for Change: East Timor*, 10 March 2003, pre-publication copy, paragraph 360. This was a project funded by the governments of Canada, Germany, Norway, Sweden and the United Kingdom.

24 International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, December 2001, paragraph 7.15, p. 60.

take over'.²⁵ A report on a recent Wilton Park Conference on International Peace Support Operations also found that:

Benchmarks, or measurements indicators, need to be built into the planning of peace support operations to enable progress to be assessed and transition or exit strategies established.²⁶

8.22 A number of witnesses to the inquiry took this same view. Associate Professor Wainwright supported the concept of having an exit state but also spoke of 'exit strategies'—of how the end state is to be achieved:

When we are seeking to devise an exit strategy we should look less to a certain date in the future—and in this case long into the future—than a state of affairs on the ground. That state of affairs should be, broadly speaking, that a particular state can maintain its own security; that it has a viable and working police force which can seek to maintain law and order; and has institutions which can continue to promote economic growth to maximise the stability and prosperity of those states. So we are looking, broadly speaking, at an exit state such as that and therefore the exit strategy has to be: how do we work towards that?²⁷

8.23 Mr David Purnell, United Nations Association of Australia, suggested that any operation should have 'contingency processes worked into it so that it would be reviewed at certain points and choices would be made about what changes would be made—whether there would be a reduction in deployment, a rearrangement of deployment and all that sort of thing'. Otherwise, he argued, there is the 'danger of things drifting'.²⁸ He suggested:

...if there were a clearer, more transparent analysis of what was needed and what the stages might be so that everybody understood what we were committing ourselves to then we could assess...what was going on.²⁹

8.24 While Assistant Commissioner Walters recognised that ideally an exit strategy would be part of the planning, he was of the view that 'in some circumstances the exit strategy might not be as detailed as in others'. He used RAMSI as an example:

...when you look at RAMSI, the exit strategy is very much couched in terms of saying that we will be there as long as it takes to get the job

25 Roland Rich, *Crafting Security Council Mandates*, The Centre for Democratic Institutions, p. 18, <http://polsc.anu.au/rich%20paper.rft> (accessed 21 January 2008). The paper appeared as a chapter in United Nations Press, *The United Nations Role in Promoting Democracy: Between Ideals and Reality*, Edward Newman and Roland Rich, (ed).

26 Report on Wilton Park Conference 'The White Paper on Transnational Terrorism', WP844, *International Peace Support Operations: How can the Capacity Challenges be Met?*, 4–7 June 2007.

27 *Committee Hansard*, 20 August 2007, p. 12.

28 *Committee Hansard*, 5 September 2007, pp. 25–26.

29 *Committee Hansard*, 5 September 2007, p. 26.

finished. From a policing perspective, it is to capacity build the Solomon Islands police force to a point where it can stand on its own two feet and serve the people of the Solomon Islands. We expect that our contribution in terms of numbers and resources will be drawn down over a period of time, but rather than set a time frame around dates, it is more around achieving milestones regarding the capacity building or the development of the Solomon Islands police.³⁰

Milestones

8.25 Many of the references cited above refer to the importance of an exit strategy having milestones or benchmarks. A number of commentators have drawn attention to the importance of understanding the significance of these markers. Professor Simon Chesterman, New York University, noted that elections are often cited as 'the appropriate endpoint for international engagement in a crisis'.³¹ He observed that elections in conflict areas such as Cambodia and Bosnia, or 'impoverished countries' such as East Timor are 'rightly regarded as technical triumphs'. He stated, however, that technical triumphs have 'only rarely been matched by political success' and 'in general, the emphasis has been on form at the expense of substance'. He said:

The transition to democracy requires a transformation in public mentality similar to that which underpins respect for rule of law. Elections may provide evidence of this transformation, but they are only a small part of what is required to realize it.³²

8.26 Mr Michael Maley from the Australian Electoral Commission reinforced this point. He said that the introduction of electoral processes into peacekeeping operations 'is not a magic formula for resolving political conflicts'.³³

8.27 UNTAET again provides an example of the importance of having appropriate milestones as reliable indicators of real progress. Sergio Vieira De Mello, Transitional Administrator for East Timor (1999–2002), highlighted the need for substance in determining a milestone or end state. In 2001, he informed the Security Council that UNTAET would be judged 'not just on how many schools it rebuilds or roofs it replaces'. He explained:

30 *Committee Hansard*, 25 July 2007, pp. 12–13.

31 Simon Chesterman, 'Building Up or Building Down the State: State-building and Humanitarian and Development Assistance', Chesterman paper (02/11/05), SSRIC Humanitarian Action Seminar, 8 February 2005, p. 15.

32 Simon Chesterman, 'Building Up or Building Down the State: State-building and Humanitarian and Development Assistance', Chesterman paper (02/11/05), SSRIC Humanitarian Action Seminar, 8 February 2005. See also Roland Rich, *Crafting Security Council Mandates*, The Centre for Democratic Institutions, nd, p. 19, <http://polsc.anu.au/rich%20paper.rft> (accessed 21 January 2008). The paper appeared as a chapter in United Nations Press, *The United Nations Role in Promoting Democracy: Between Ideals and Reality*, Edward Newman and Roland Rich, (ed).

33 *Submission 21*, Annex 1, p. 14.

Rather, judgement will also rest on how successfully UNTAET is able to assist the East Timorese in fully realizing their independence as masters of their own future and their own democratic and independent State.³⁴

8.28 He stressed that the aim was to ensure that the transition to self-government occurred gradually throughout the mandate, rather than suddenly at the moment of independence.³⁵

8.29 This view was supported by others addressing the Security Council at that time who also stressed the importance of ensuring that benchmarks measure real progress. For example, Harri Holkeri, President of the General Assembly, stated that the international community 'cannot afford to exit East Timor prematurely, or without a well-prepared strategy'.³⁶ In 2006, the then Secretary-General, Mr Kofi Annan, observed that while the UN removed its last soldiers from East Timor in May 2005, 'within just one year an international force had returned to the country as it slipped back towards violence'. He reported:

Observing the setback in Timor Leste, we have been reminded that, while the concerns of the Organization's financial and personnel contributors must always be taken into account, it is important that the international community does not withdraw too hastily from conflict-scarred countries.³⁷

8.30 A recent report on the mission to Timor-Leste underlined the importance of using substantial long-term change rather than a 'technical' achievement as an indicator for a successful exit strategy. It noted that the elections in Timor-Leste in 2007 were peaceful and assessed as 'being free and fair'. It went on to find, however, that the violence that followed the announcement of the formation of the new government was an 'indication of the fragility of the political situation and the need for further sustained efforts to build a truly democratic society'.³⁸

8.31 A similar situation can be identified in Solomon Islands. Most observers agree that the ADF's pacification was a success with over 6,000 militiamen arrested, over 9,000 charges laid and more than 3,000 guns confiscated.³⁹ A recent study noted, however, that while civil stability has returned, 'security gains will prove temporary if the underlying economic stagnation that led to the civil unrest is not addressed'. In its view, the security gains are fragile and 'must be matched by efforts to reform the real

34 UN Security Council, 4265th Meeting, S/PV.4265, 26 January 2001, p. 8.

35 UN Security Council, 4265th Meeting, S/PV.4265, 26 January 2001, p. 4.

36 UN Security Council, 4265th Meeting, S/PV.4265, 26 January 2001, p. 16.

37 UN General Assembly, *Report of the Secretary-General on the work of the Organization*, Supplement No. 1, A/61/1, 2006, pp. 15 and 16.

38 UN Security Council, *Report of the Security Council Mission to Timor-Leste, 24 to 30 November 2007*, S/2007/711, 6 December 2007, p. 2.

39 Gaurav Sodhi, 'Five out of Ten: A Performance Report on the Regional Assistance Mission to the Solomon Islands (RAMSI)', The Centre for Independent Studies, *Issue Analysis*, no. 92, 31 January 2008, p. 1.

bottlenecks in the economy'. It concluded that 'without addressing the real constraints to development, it has no exit strategy'.⁴⁰

Committee view

8.32 The committee notes that the success of a mission is secured not only through technical achievements such as an election, confiscation of arms or the physical repair or construction of homes and buildings, but rather through a longer-term process of state building. The end state and the exit strategy should recognise the challenge of establishing sustainable peace and the processes needed to reach that state. The committee recognises the importance of managing expectations about the success of a complex mission. It believes that the exit strategy should convey the message that achieving sustainable peace takes time and demands significant resources.

8.33 The committee acknowledges the views expressed on East Timor, especially that withdrawal from a post-conflict state should not be hasty and that despite other pressing concerns such as financial and personnel commitments, a mission's success depends on the painstaking task of state-building. Equally, it may depend on the willingness of domestic actors to engage in dialogue that addresses the root causes of civil breakdown which initially led to the need for a peacekeeping operation.

8.34 East Timor also shows that while peacekeepers may refer to the progress of a mission through phases toward the goal of lasting peace and security, that transition is not always linear and that a post-conflict phase may experience setbacks such as renewed outbreaks of violence.

Conclusion

8.35 The committee stresses the importance of specifying in a mission's mandate an exit state. Moreover, the mandate should recognise that a peacekeeping operation moves in stages toward its final objective. The committee agrees with the weight of evidence that the identified exit state should also be accompanied by a roadmap or exit strategy—a clear and structured plan for achieving the end state. This strategy relates back to the objectives set out in the mandate which, as noted earlier, must be clearly defined, realistic and attainable and based on a sound understanding of all facets of the problem. The committee believes that it is important for an exit strategy or roadmap for transition to contain milestones against which the outcomes of peacekeeping and peace enforcing measures can be assessed. The committee notes that these benchmarks should be more than indicators of 'technical' achievements and while identifying key attainments such as an election, should also take cognizance of, and mark progress toward, the ultimate goal of sustainable peace.

40 Gaurav Sodhi, 'Five out of Ten: A Performance Report on the Regional Assistance Mission to the Solomon Islands (RAMSI)', The Centre for Independent Studies, *Issue Analysis*, no. 92, 31 January 2008, pp. 1 and 18.

8.36 Nonetheless, the committee accepts that in a UN operation where Australia is not taking a lead role and its national interests are not vitally linked to the success of the operation, that the government may decide to commit forces for a specified time. As noted earlier, the UN requires 'a two year warning period' to allow it to find replacements. The committee regards this arrangement as reasonable. The committee believes, however, that even where the government's exit strategy is tied to an exit date, Australia's participation should fit into the overall strategy of achieving the mission's objectives. Thus, the government should clearly articulate the objectives of the Australian contribution in light of the mission's mandate and how they are to be achieved.

Recommendation 7

8.37 The committee recommends that, when considering a proposed peacekeeping operation, the Australian Government examine in detail the mission's exit strategy to ensure that Australia's contribution is part of a well-planned and structured approach to achieving clearly stated objectives. When committing forces to an operation the Australian Government should clearly articulate its exit strategy.

Part III

Preparation and coordination for peacekeeping operations

In this part of the report, the committee examines how the changing nature of peacekeeping operations has affected Australian government agencies and non-government organisations (NGOs) in preparing their personnel for deployment. It looks at the role of respective organisations in peacekeeping, their personnel and equipment and pre-deployment training, including issues of health and wellbeing.

First, the committee discusses the two main Australian contributors to peacekeeping operations, the Australian Defence Force (ADF) and the Australian Federal Police (AFP). This is followed by a chapter on ADF–AFP interoperability. The committee then turns to other government agencies to explore how they prepare their personnel for deployment. The committee is particularly interested in examining how government agencies coordinate their activities in peacekeeping operations.

Having considered preparation for peacekeeping from a whole-of-government perspective, the committee looks at Australian NGOs. It explores their role in peacekeeping and their relationship with government agencies. Taking a whole-of-nation approach, the committee looks at the level of cooperation and coordination between the government and non-government sectors, which includes an examination of civil–military interaction.

Chapter 9

Australian Defence Force

9.1 The Australian Defence Force (ADF) has been involved in overseas peacekeeping operations for 60 years. Since 1947, the ADF has participated in 39 UN peacekeeping operations and 16 non-UN operations.¹ ADF troops have operated close to home in East Timor and Solomon Islands and further afield in places like Somalia and the Middle East.²

9.2 The changing nature of peacekeeping has affected the ADF's role. It is increasingly involved in activities such as policing and civil–military tasks, mediation between disputants, negotiation, training and education of other forces and delivery of humanitarian assistance.³

9.3 In this chapter, the committee examines the capacity of the ADF, in terms of personnel and equipment, to meet the growing demands of peacekeeping operations. It discusses the current standard and adequacy of training for the ADF, including whether there is a need for additional peacekeeping training or a permanent peacekeeping force. The committee then looks at the health and safety preparation of ADF personnel for service in a peacekeeping mission.

Capacity

9.4 Today's complex peacekeeping operations place significant demands on Defence capacity and equipment. Defence acknowledged that it must have a force prepared and resourced to meet the challenges of overseas deployment. For example, the *2006–2016 Defence Capability Plan* states:

The emphasis will be on a professional, well-trained, well-equipped force that is available for operations at short notice, and one that can be sustained on deployment over extended periods. This type of force will provide the flexibility to deal with operations other than conventional war, and contribute to coalition operations.⁴

9.5 The committee looks first at ADF personnel before discussing equipment and logistics.

1 *Submission 30*, p. 1. See also *Committee Hansard*, 24 July 2007, p. 2.

2 *Submission 30*, p. 2.

3 John Hutcheson, *Australian Army Journal*, vol. IV, no. 2, p. 98.

4 Commonwealth of Australia, *Defence 2000—Our Future Defence Force*, Defence White Paper, pp. xiii–xiv.

Personnel

9.6 The number of peacekeeping operations has surged since the end of the Cold War, and more troops are required to meet this demand. Australia has responded to the call. Currently, the ADF is actively engaged in eight peacekeeping operations, five of which are UN-led, one supports the multinational force of observers in the Sinai and two are Australian-led operations: Regional Assistance Mission in Solomon Islands (RAMSI) and International Stabilisation Force (ISF) in East Timor.⁵ In July 2007, approximately 1,200 personnel were deployed in support of peacekeeping operations: 33 with UN operations, 25 in the Sinai, 140 in Solomon Islands and 990 in Timor-Leste.⁶

9.7 Australia also has troops posted to overseas operations that are not classified as peacekeeping operations. At January 2008, there were 1,575 ADF personnel deployed in Iraq (Operation Catalyst) and 970 personnel committed to the International Security Assistance Force in Afghanistan, which reached over 1,000 by mid-2008.⁷

9.8 In August 2006, in response to the growing need for an increased force, the Australian Government announced plans to raise two additional army battalions that would strengthen the numbers of ADF personnel available for overseas deployment, including peacekeeping operations.⁸ Defence informed the committee that these two battalions, 7 RAR (7th Battalion Royal Australian Regiment) and 8/9 RAR, would be raised in two stages, the second stage depending on 'a demonstrated growth in Stage One'. The committee notes that the Parliamentary Secretary for Defence Procurement, Greg Combet, announced in May 2008 that the government has committed \$650m in 2008–09 to the Enhanced Land Force initiative.⁹

5 *Committee Hansard*, 24 July 2007, p. 3.

6 *Committee Hansard*, 24 July 2007, p. 3; Department of Defence, *Annual Report 2006–07*, p. 56. Over time, the number of personnel has fluctuated in East Timor, starting at over 5,000 during INTERFET decreasing to 780 before increasing again to 'just under a thousand' in February 2008. Department of Defence, Operation Astute, <http://www.defence.gov.au/opastute/default.htm> (accessed 19 February 2008); Prime Minister Rudd and Chief of Defence Force Angus Houston, Transcript, Press Conference, 11 February 2007, http://www.pm.gov.au/media/Interview/2008/interview_0066.cfm (accessed 19 February 2008).

7 Department of Defence, <http://www.defence.gov.au/opcatalyst/default.htm> (accessed 28 February 2008) and <http://www.defence.gov.au/opslipper/default.htm> (accessed 25 July 2008).

8 DFAT, *Submission 15*, p. 7.

9 Department of Defence, answer to written question on notice W2, 24 July 2007; and the Hon Greg Combet MP, Parliamentary Secretary for Defence Procurement, Speech, 15 May 2008.

Recruitment and retention

9.9 The ADF has for many years experienced difficulties in recruiting and retaining personnel. On 20 March 2008, when announcing the new Defence senior leadership team, the Minister for Defence, Joel Fitzgibbon, stated that 'the single biggest challenge facing the Australian Defence Force in the future is our people and skills shortage'. He recognised, as had his predecessors, the need for the ADF to find effective ways to recruit and retain personnel.¹⁰ The difficulties associated with recruitment and retention have been discussed in several reports and estimates hearings over the last two decades.¹¹ The *Defence Update 2007* stated:

As the ADF's commitments on operations grow, Defence needs to grow to about 57,000 full-time military personnel over the coming decade. A total of \$3.1 billion is being invested in recruitment and retention initiatives...¹²

9.10 Despite the need to improve Defence recruitment and retention, Lt Gen Gillespie stated categorically that the government had 'never decided not to be involved in an operation because we did not have the forces'.¹³ This position, however, was not universally shared. DFAT noted in relation to sending a force to Darfur that Australia is unable to contribute more because of 'the ADF's current operational commitments across a range of peacekeeping and other operations'.¹⁴

Equipment

9.11 As well as having sufficient personnel, Defence needs to have equipment appropriate for peacekeeping operations. Although evidence suggested that this matter was not of significant concern to submitters, including Defence, the committee looks briefly at the suitability of the ADF equipment for the rising number of complex peacekeeping operations.

9.12 Lt Gen Gillespie stated clearly that 'equipment procured for Defence of Australia will continue to suit peace operations'.¹⁵ In his view, the ADF, so far, had

10 The Hon Joel Fitzgibbon MP, Minister for Defence, 'Transcript of Defence service chiefs appointments', Media release, 20 March 2008.

11 For further information, including a summary of reports, see Senate Foreign Affairs, Defence and Trade References Committee, *Recruitment and Retention of ADF Personnel*, October 2001.

12 Department of Defence, *Australia's National Security, A Defence Update 2007*, Chapter 6—Update on People and Resources, http://www.defence.gov.au/ans/2007/chapter_6.htm (accessed 29 October 2007).

13 *Committee Hansard*, 24 July 2007, p. 11.

14 *Committee Hansard*, 13 September 2007, p. 3.

15 Lieutenant General Kenneth Gillespie, 'The ADF and Peacekeeping', speech at the conference 'Force for Good? Sixty Years of Australian Peacekeeping', Australian War Memorial, Canberra, 13 September 2007, MSPA 70913/07, <http://www.defence.gov.au/media/SpeechTpl.cfm?CurrentId=7061> (accessed 14 November 2007).

been able to respond to overseas missions without having 'had to radically restructure our force' but not without adjustments to the capabilities:

We found in Afghanistan and Iraq that the Bushmaster [infantry mobility vehicle] had some threat against it, so we increased its protection. We have put some weapons on it that we had not envisaged doing before...The point I am trying to make here is that, if we needed vehicles for Timor or Iraq and all those other places, we did not have to invent them. We had them by taking our force structure posture. If we have to increase force protection and put weapons on them, then that is mission specific.¹⁶

9.13 He continued:

[I]t is one of the benefits of the way that we force structure for the defence and warfighting defence of our nation...that we can pick up the other tasks along the road by leveraging back to the delivery of military force but using the hardware and the people and their skills to get the peace outcomes that we want.¹⁷

9.14 Major General (Retired) Michael Smith, Austcare, submitted, however, that the ADF might 'need some additional assets' for peacekeeping.¹⁸ Mr Rob Wesley-Smith, Australians for a Free East Timor, also expressed concern that the ADF's heavy equipment might not always suit operations other than war. It seemed to him that:

...since 1999 that the ADF has only 'big' or 'heavy' equipment, suitable for fighting a full-on war, but not suitable for dealing with civilian unrest and gang skirmishes...So it needs to have more versatile equipment and outfitting.¹⁹

9.15 In his submission, he referred to the outbreak of violence in Timor-Leste in 2006 suggesting that the large weapons used by foot patrols at that time were 'inappropriate'.²⁰

Committee view

9.16 The committee accepts that Australia's contributions to peacekeeping operations will be constrained in large measure by the practical considerations of available resources, including personnel and equipment. Clearly, the ADF is looking to increase the number of its personnel and has received increased funding for this purpose. The committee accepts that recruiting and retaining people suitable for service in the ADF has been a major challenge for many years and supports current efforts to address this problem. The committee notes the Minister for Defence's

16 *Committee Hansard*, 24 July 2007, p. 10.

17 *Committee Hansard*, 24 July 2007, p. 8.

18 *Committee Hansard*, 6 September 2007, p. 35.

19 *Submission 20*, p. 5.

20 *Submission 20*, p. 5.

observation that the ADF must find effective ways to recruit and retain personnel. With regard to equipment, the committee notes observations about the need for 'more versatile equipment' or 'additional assets', but considers that the ADF has the ability to build on its current capabilities to meet the demands of peacekeeping.

Training for peacekeeping operations

9.17 Lt Gen Gillespie stated that the ADF is structured for war fighting and has always had a deployment culture. When asked about Defence doctrine and training and how it applies to a low-level threat environment, he acknowledged the importance of adapting to the changing nature of peacekeeping.²¹ Even so, he underlined his view that the ADF focuses on what 'Defence needs to do for the country: that is, be prepared to defend Australia and its interests, and we force structure along those lines'. He stated:

We have found that we can adapt that force structure and our preparedness model to help in all sorts of environments...sometimes that adaptation is a war-fighting adaptation. Sometimes it is going to Aceh and doing it unarmed and just using military brute manpower to bring about an outcome.²²

9.18 Addressing a conference at the Australian War Memorial in September 2007, Lt Gen Gillespie stated that the ADF's force structure 'continues to provide forces that are adaptable to peace operations'. Even so, he recognised that the 'demanding nature of contemporary peace operations may involve adjustments to our individual and collective training regimens'. He stated that the ADF was reviewing its existing training regime for peace operations and indicated that preparing for a peacekeeping operation would take a 'more prominent place in our defence planning than it has in the past'. He explained that the ADF was preparing its personnel for peacekeeping because such 'training makes good sense, and can potentially be a force multiplier'. Nonetheless, he pointed out that this training would be 'supplementary to our primary war fighting roles and combat related training'.²³

9.19 Recognising that training is an integral part of ADF culture, Lt Gen Gillespie maintained that ADF members are not deployed on operation until the training has been done and understood.²⁴ Brigadier Andrew Sims, Director-General, Support, Headquarters Joint Operations Command, spoke of generating a culture whereby:

21 *Committee Hansard*, 24 July 2007, p. 8.

22 *Committee Hansard*, 6 September 2007, p. 45.

23 Lieutenant General Kenneth Gillespie, 'The ADF and Peacekeeping', speech at the conference 'Force for Good? Sixty Years of Australian Peacekeeping', Australian War Memorial, Canberra, 13 September 2007, MSPA 70913/07, <http://www.defence.gov.au/media/SpeechTpl.cfm?CurrentId=7061> (accessed 14 November 2007).

24 *Committee Hansard*, 24 July 2007, p. 14.

...if the environment is such or the threat is so great you train these guys so they are instinctive. That occurs not just before you leave Australia but also when you are in theatre. This training is continual; it is ongoing...from my time in Bosnia and East Timor, I certainly know that we were doing it once a fortnight. They would sit there and we would go over it again and again. That sounds tedious, but the guys understood that they did not have the time to stop and think; they could lose someone. That training is reinforced all the way through.²⁵

9.20 Defence noted that the ADF has developed a good reputation for its training and professionalism:

Australia's contributions to peace operations are highly regarded and often sought, not least because our military personnel have developed a reputation for professionalism, reliability and resourcefulness. In the case of peace operations beyond our region, Defence places priority on adding value predominantly through the contribution of expertise, rather than pure numbers of military personnel.²⁶

9.21 The Australian Peacekeeper and Peacemaker Veterans' Association (APPVA) was one of the many submitters who supported this view:

...the ADF has arguably the best trained service personnel in the world. The training has significantly provided successful contributions toward PKO [peacekeeping operations] and has provided international accolades for the professionalism of these people.²⁷

9.22 While the ADF may be well trained, their remit has expanded to include a range of activities involved in peacekeeping such as mediation, negotiation, education, training and humanitarian tasks. The committee now considers how this is incorporated into the ADF's pre-deployment training.

Pre-deployment training

9.23 Lt Gen Gillespie informed the committee that specific peacekeeping training is routinely conducted as part of the ADF's pre-deployment training.²⁸ Training covers mission mandate and skills training, liaison and negotiation skills, cultural awareness and civil-military cooperation (CIMIC).²⁹ It is delivered by the 39th Personnel Support

25 *Committee Hansard*, 24 July 2007, p. 15.

26 *Submission 30*, p. 3.

27 *Submission 16*, p. 6; see also *Committee Hansard*, 24 July 2007, p. 14.

28 *Committee Hansard*, 24 July 2007, p. 2. See also Major General Ford, who stated that all ADF personnel receive some peace operations training during the basic military training. *Submission 4*, p. 2.

29 Department of Defence, *Submission 30*, p. 5.

Battalion (39 PSB), based in Randwick, Sydney.³⁰ While mainly an ADF training facility, the 39 PSB has also trained representatives from the AFP, DFAT, Customs, the Quarantine Service and Immigration.³¹

9.24 Defence stated that, in addition, the ADF may organise a specific mission rehearsal exercise (MRE) to 'practise and refine the ADF contingent's ability to deal with potential mission scenarios'.³² The APPVA considered MREs as 'some of the finest preparations for operations in the world'.³³ These exercises also included personnel from other government and non-government agencies and are referred to in Chapter 13.

ADF Peacekeeping Centre and International Peace Operations Seminar

9.25 Mainly a 'repository for peace operations expertise and experience', the ADF Peacekeeping Centre (ADFPKC) at Williamtown also has a role in educating and training ADF for peacekeeping operations. According to Defence, the centre also monitors international peace operations, assists ADF units and individuals train for peace operations, and develops doctrine, procedures and tactics for peace operations.³⁴

9.26 Lt Gen Gillespie explained the difference between ADFPKC training and mission-specific training:

The peacekeeping centre is more about the policy, doctrine and engagement type things that some of the leadership would be doing or how to be a military observer. The pre-deployment training we give prepares people to live in the environment and understand the culture, and to gain some of the new techniques in things that they might do.³⁵

9.27 Austcare submitted that the ADFPKC had contributed little to the development of peace operations, as 'it has been starved of resources for many years, staffed by only 2–4 middle-ranking officers, and having little clout within the ADF'.³⁶ The committee notes that the centre is indeed staffed by only a few officers—a Director at Lieutenant Colonel level and three staff officers, one from each service,

30 Australian Defence Force Peacekeeping Centre, <http://www.defence.gov.au/adfpc/peacekeeping/> (accessed 2 July 2007).

31 Department of Defence, *Submission 30*, p. 5. For more information on this battalion, see *Estimates Hansard*, 4 June 2008, p. 70.

32 *Submission 30*, p. 5.

33 *Submission 16*, p. 6.

34 Department of Defence, <http://www.defence.gov.au/adfpc/peacekeeping/about.htm> (accessed 8 April 2008).

35 *Committee Hansard*, 24 July 2007, p. 20.

36 *Submission 11*, p. 15.

responsible for analysis and development, doctrine and training.³⁷ Defence informed the committee that the 'authorised establishment of full-time staff at the ADF Peacekeeping Centre is currently two [which] is supplemented by Reserve personnel and staff from the ADF Warfare Centre when required'.³⁸

9.28 Defence acknowledged that the centre is small but suggested that it continues 'to meet all its tasking by utilising outside resources and the resources of the ADF Warfare Centre, of which it is an integral part'. It informed the committee further that the Peacekeeping Centre is 'to maintain all its responsibilities with two full-time staff supported by a contractor pool and Reservists'.³⁹

9.29 This centre also provides training to higher ranks (from Major to Lieutenant Colonel equivalent) through the annual two-week International Peace Operations Seminar (IPOS). The seminar focuses on policy and doctrine and involves 40 to 50 participants from Australia and overseas, including the ADF, government and non-government agencies and civilians.⁴⁰

9.30 While the content changes according to circumstances and the needs of the ADF, common topics include: conflict prevention; the UN; ADF/Australian government policy and planning; civil–military cooperation (CIMIC); humanitarian issues; gender; culture; and dealing with the media.⁴¹ The Asia Pacific Centre for Military Law (APCML) conducts a two-day module on legal issues for the IPOS seminar.⁴²

9.31 According to Defence, over the last three years (prior to July 2007), 251 personnel had attended training activities conducted by the ADF Peacekeeping Centre. It should be noted that these figures also included overseas participants.⁴³

9.32 Referring mainly to IPOS, Red Cross argued that, while acknowledging the large number of people and time constraints involved, IPOS-type training should be provided to all those deploying to overseas peace operations:

37 Department of Defence, <http://www.defence.gov.au/adfwc/peacekeeping/about.htm> (accessed 8 May 2008).

38 Department of Defence, answer to question on notice 1, 24 July 2007.

39 Department of Defence, answer to written question on notice W20, 24 July 2007.

40 ADF Peacekeeping Centre, International Peace Operations Seminar, www.defence.gov.au/adfwc/peacekeeping (accessed 20 June 2007).

41 ADF Peacekeeping Centre, International Peace Operations Seminar, www.defence.gov.au/adfwc/peacekeeping (accessed 20 June 2007).

42 *Committee Hansard*, 21 August 2007, p. 61. It also conducts one- or two-day training at the Joint Services Staff College at Weston Creek, ACT, for all three services. A higher level training course for 12 months is organised at the Centre for Defence and Strategic Studies at Weston Creek.

43 Department of Defence, answers to written questions on notice W20 and 21, 24 July 2007.

...with the exception of the AFP's IDG course, which all deploying AFP personnel must attend, other training programs target only a limited number of Defence and other government personnel who may be deployed. The vast majority of a peacekeeping contingent is therefore unlikely to have a clear understanding of the humanitarian organisations and their legitimate roles in the area of operation. This raises squarely the need for more uniform training of *all* Australian personnel deploying on peace operations.⁴⁴

9.33 The committee is of the view that while the role expected of the ADFPKC is ambitious and to be applauded, the centre does not have the resources necessary to fulfil its objectives. It is clear that the centre has limited capacity to include any significant number of ADF personnel in its seminars and courses or to conduct research of substance, particularly in the important area of analysis and development.

Scope for improvement

9.34 Despite the training that ADF members undergo before deployment to a peacekeeping operation, some witnesses were of the view that the ADF could do more. They particularly wanted to highlight the challenges facing those trained for warfare but deployed on a peacekeeping operation. The United Nations Association of Australia (UNAA) and the UN Youth Association of Australia (UNYAA) observed:

We think a concerted effort should be made to train personnel for the diverse challenges of peace operations, particularly focusing on familiarising the ADF with the different rules of engagement within peace operations and also their requirements under international humanitarian law and the different requirements in those situations.⁴⁵

9.35 Major General (Retired) Tim Ford noted that while there is a requirement for the Australian military to be competent in their own discipline, it also needs to understand the complex nature of peacekeeping operations:

The ADF has already appreciated that those deploying on peace operations must be well trained in 'war fighting' capabilities, and the 'use of force' to be credible, but they must also appreciate the principles of minimum use of force, consent and impartiality, and the complex nature of peacekeeping operations to be fully effective.⁴⁶

9.36 Major General Smith, Austcare, agreed. He drew attention to the 2006 deployment of the ADF to Timor-Leste stating that his heart went out to these 'Australian diggers' who 'were not really equipped and prepared for the task that we were asking them to do'. In his view:

44 Australian Red Cross, *Submission 22*, p. 4.

45 *Committee Hansard*, 5 September 2007, p. 24. See also Nicholas Stuart, 'Forces face new challenges', *Defence Review*, *Canberra Times*, 29 October 2007, p. 8.

46 *Submission 4*, p. 2. Major General Ford was Previous Head of Mission UNTSO and Military Adviser, Department of Peacekeeping Operations, UN Headquarters.

[We] cannot anymore say that you are a war fighter or you are a peacekeeper; you are a soldier. The same people who might be doing the traditional peacekeeping thing of monitoring for one part of their assignment might be doing almost war fighting for another and then in the middle they might have to do some crowd control as well. So we have a responsibility to prepare our young men and women for that...⁴⁷

ADF personnel serving as peacekeepers



OPERATION TOWER in Timor-Leste (image courtesy Department of Defence).

47 *Committee Hansard*, 6 September 2007, p. 34. Major General Mike Smith gained personal experience in peacekeeping operations in Kashmir, Cambodia and East Timor. He was the first deputy force commander of the UNTAET peacekeeping force that replaced the Australian-led INTERFET multinational force.



Engineers from the 3 Combat Engineer Regiment, as part of Timor-Leste Battle Group 3, build a playground for the children of the Hope Orphanage in Gleno (image courtesy Department of Defence).



West Australian Army Reserve soldiers during perimeter patrol around the palm oil plantation at Mbalisuna (image courtesy Department of Defence).



A Malaysian policeman and an Australian Timor-Leste Battle Group soldier conduct a vehicle check in the mountain area south of Dili in the district of Dare (image courtesy Department of Defence).

9.37 Writing in the *Australian Army Journal*, Colonel John Hutcheson also noted that Australian soldiers had a good understanding of the application of lethal force but 'developing other techniques (and non lethal weapons) to subdue an adversary will increase the number of options available' to them. He indicated that more work could be done in developing soldiers' thinking and decision-making, suggesting that the 'army must continue to work at placing soldiers in a variety of scenarios to support their decision-making skills at home and in-theatre'.⁴⁸

Australian Training Support Team East Timor (ATST-EM)

9.38 Apart from the general support for ADF to improve their training regime so that it gives greater attention to peacekeeping-type activities, as distinct from warfare, there was no evidence of significant problems with ADF's training programs. One particular deployment, however, did raise concerns that related directly to the requirement for ADF peacekeepers to be trained for non-military type tasks. Two members of ATST-EM were highly critical of their preparation for this mission. As noted in Chapter 7, ATST-EM was deployed to East Timor during 1999–2003 with the primary mission to establish, train and develop the East Timor Defence Force to be a conventional army.⁴⁹ Captain Wayne McInnes argued that there was 'no fundamental linkage between the normal, run-of-the-mill soldiering skills and those

48 John Hutcheson, *Australian Army Journal*, vol. IV, no. 2, p. 103.

49 *Submission 7*, p. 1

skills that are required by soldiers to operate in an environment when it is defence cooperation'. He stated:

There is no real training package available that gives you any sort of foundation to be able to operate within international law and to understand the politics of the day. There is not a great understanding of the functioning of UNTAET,⁵⁰ as well. So you are under a cloud of uncertainty, right from the word go.⁵⁰

9.39 The committee has already suggested in Chapter 7 that the experiences of ATST-EM should be used as a case study to ensure that the lessons to be learnt from this deployment are captured. It would also provide an opportunity to look carefully at whether ADF personnel would benefit from additional training that focuses on the challenges of serving in an operation unarmed, as members of ATST-EM were, or in situations and operations where war-fighting skills are not applicable.

Committee view

9.40 The committee acknowledges that the ADF is widely recognised and respected for its high standards, professionalism and effectiveness. The committee notes, however, that peacekeeping entails a range of activities not necessarily associated with warfare. The committee notes that the skills and capabilities required to deal with peacekeeping operations are not new. Armies during conflict have always been required to give thought to how to engage with the civilian authorities and populace. It is just as important to have these skills and capacities to deal with conventional conflict situations as the war in Iraq has demonstrated.

9.41 Even so, the committee has drawn attention to the suggestions by some submitters, particularly former ADF members who served in command positions in peacekeeping operations, about the need to have training over and above that required for warfare. As outlined above, the ADF has incorporated into its training regime programs specifically designed for peacekeeping deployments. In this regard, the committee notes the limited capacity of the ADF Peacekeeping Centre, especially at a time when the nature of peacekeeping is changing and presenting new challenges for the ADF.

9.42 The committee also notes the comments by Lt Gen Gillespie indicating that training for peacekeeping operations is going to take a 'more prominent place' in ADF training. The committee supports this initiative and suggests that the ADF report regularly to the committee on the progress made in this area of training.

Recommendation 8

9.43 The committee recommends that the ADF place a high priority on its undertaking to give training for peacekeeping operations a 'more prominent

50 *Committee Hansard*, 21 August 2007, p. 54.

place' in its training regime. This training should extend to reservists as well as regular members of the ADF.

9.44 One major concern about the ADF's training for peacekeeping operations related to the integrated nature of modern operations, and the need to cooperate and coordinate activities with other government agencies and non-government organisations. This aspect of ADF's training is considered further in Chapter 11—ADF–AFP interoperability; Chapter 13—Coordinating Australia's contribution; and Chapter 14—Non-government organisations.

Permanent peacekeeping capability

9.45 Some submitters wanted to go further than introducing additional training elements for ADF personnel: they argued that a special peacekeeping capability should be established within the ADF. For example, the UNAA and the UNYAA supported this view, explaining:

...once you train down people whose primary responsibilities are conflict to do peacekeeping operations, their effectiveness at doing those peacekeeping operations will never be as good as those of a group who have been trained specifically for [peacekeeping].⁵¹

9.46 Yet many submitters were of the opposite opinion and, like the RSL, strongly opposed a designated peacekeeping capability:

The ADF trains and prepares for war...In the past suggestions have been made that the ADF should primarily train for peace keeping operations. It is fortunate that these suggestions have been ignored...training for war ensures that...[a]dapting these core combatant skills to the individual circumstances of each peace keeping or peace enforcing operation is...comparatively simple and has proven to be successful in a number of varied locations and situations. Any armed force trained specifically for peace keeping would find it impossible at short notice to step-up to higher levels of operations, which is a further reason for maintaining the current training regime.⁵²

9.47 Major General Ford concurred:

I do not ever see a peacekeeping force sitting around Australia waiting to go somewhere; I see us preparing for an operation based on the forces that we have got training in our different organisations. The [AFP], the ADF and other departments have a capacity; and when we start to think about going into a mission...where we need to bring those together...we will.⁵³

51 *Committee Hansard*, 5 September 2007, p. 29.

52 *Submission 9*, pp. 3–4. See also *Submission 31*, p. 12.

53 *Committee Hansard*, 20 August 2007, p. 27.

9.48 These views align with Defence's contention that it is 'well positioned to contribute effectively to peace operations' and sees no need to establish a permanent peacekeeping force.⁵⁴ Lt Gen Gillespie reinforced this argument and pointed to the problems that have arisen in countries where the defence force has been restructured for peacekeeping operations:

In the military arena, once you move down the line of deciding to restructure...it will take you a decade or more to recover if you [decide] that you need to change back or you need to take a different posture. With the nature of defence acquisition and the capabilities that you have, even if you can build the battleship really quickly, after you have given away battleships it is really hard to re-instil in a crew, commander and team all the professional attributes necessary for that battleship to become a military capability. By and large that can take a decade or more...Others have found it pretty hard to go back...⁵⁵

9.49 Speaking more generally about a dedicated peacekeeping unit, AusAID representatives also agreed that it was not preferable. Mr March considered the more pragmatic approach was to ensure sound understanding and interoperability between agencies, so that they are able to operate together effectively when required:

Are our standby mechanisms and our discussions outside of the crisis robust enough? Perhaps they can be finetuned so that when we need to bring a particular number of police plus a particular number of humanitarian actors and a particular number of military actors, you can bring them together quickly and there is an understood degree of interoperability and you can bring that to bear. To me, that seems infinitely more manageable and resource efficient than having a unit of very high level capability just off to one side, not doing much.⁵⁶

9.50 AusAID was of the view that better understanding between agencies, increased information exchange, joint planning and preparation could continue to enhance Australia's contribution.⁵⁷

9.51 The Joint Standing Committee on Foreign Affairs, Defence and Trade in its 2001 report on *Australia's role in United Nations reform* was also of the view that the ADF 'should be trained for war rather than solely for peacekeeping'.⁵⁸

54 *Submission 30*, p. 1.

55 *Committee Hansard*, 24 July 2007, p. 9.

56 *Committee Hansard*, 25 July 2007, p. 82.

57 See for example comments by Alan March, *Committee Hansard*, 25 July 2007, p. 76.

58 Joint Standing Committee on Foreign Affairs, Defence and Trade, *Australia's role in United Nations reform*, June 2001, p. 70.

Committee view

9.52 Considering the evidence about ADF capability and the debate for or against a permanent peacekeeping force, the committee is of the opinion that Australia should not move towards a permanent peacekeeping force within the ADF. Indeed, many submitters roundly rejected the notion of Australia having a dedicated permanent peacekeeping force. As noted earlier, however, the committee recognises the importance of having specific peacekeeping training for ADF members that builds on the ADF's already highly regarded pre-deployment training.

Training in health, safety and wellbeing

9.53 Australian peacekeepers may live and work under conditions that pose significant hazards to their health due to isolation, inadequate sanitation, contaminated water, or the prevalence of endemic diseases such as malaria. Being away from home for long periods of time, in potentially volatile situations, is not easy. Preparation and training in health matters, including mental health, should therefore be an important part of the ADF preparation for deployments. In the following section, the committee looks at this aspect of ADF training.

9.54 According to Defence, health and first aid training is part of the initial employment training for all personnel. This includes education about health and hygiene and prevention of sexually transmitted diseases including HIV/AIDS. It also consists of mental health training based on the *ADF Mental Health Strategy*.

9.55 Defence informed the committee that throughout their service careers, ADF members are encouraged to maintain a sense of personal well-being and to develop a healthy and physically fit lifestyle.⁵⁹ Annual awareness training focuses on health education and screening, alcohol, tobacco and drug usage, with refresher training provided throughout the career of an ADF member.⁶⁰

9.56 There is also mandatory pre-deployment training on health and hygiene issues specific to the deployment as well as psychological and mental health preparation both for the deployment and return to Australia.⁶¹ Psychological briefings include topics such as preparing for separation from family, cultural adaptation, identifying and managing operational stressors, and suicide prevention.

Committee view

9.57 In this chapter, the committee noted the ADF's pre-deployment health training and its efforts to raise health awareness amongst its personnel. During the inquiry, the mental health of ADF peacekeepers was raised as a matter of concern. The committee

59 Department of Defence, answer to written question on notice W25, 24 July 2007.

60 Department of Defence, answer to written question on notice W17, 24 July 2007.

61 Department of Defence, answer to written question on notice W17, 24 July 2007.

takes this matter seriously and continues its consideration of the mental health of ADF peacekeepers in Chapter 21 which focuses on post-deployment care.

Families

9.58 In relation to preparing ADF members and their families for separation, the Australian Veterans and Defence Services Council (AVADSC) suggested that members' families should attend a pre-deployment briefing. In its view, families should be aware of matters such as approximate date of departure and length of service overseas, how to contact their loved ones and where to obtain assistance if required.⁶²

9.59 The committee heard of the services available to deploying members and their families. It noted the Defence Community Organisation's (DCO) role in arranging debriefings, emergency finance, counselling services, information on local support groups, and other assistance.⁶³ However, the committee understands that while DCO services are available on request, they are not part of the briefing process.

Committee view

9.60 The committee notes the call for the involvement of ADF families in the briefing process and draws the ADF's attention to these concerns.

ADF's duty of care

9.61 ADF personnel on peacekeeping deployments are generally armed and operate in an unfamiliar and sometimes volatile environment. Under these conditions, safety in the use of weapons and equipment is extremely important. During this inquiry, concerns about the adequacy of training with regard to safety were raised only in relation to ATST-EM. However, the committee is aware of a number of previous reports and inquiries that are relevant. In 2002, the Auditor-General noted that during deployments to East Timor, there were 117 unauthorised discharges of weapons by Australian troops, mainly as a result of incorrect drills. The audit report suggested that Defence 'should continue to seek to minimise the incidence of such discharges and examine the feasibility of issuing blank ammunition to enhance the realism of pre-deployment training'.⁶⁴

9.62 Also, the committee's 2005 report on the effectiveness of Australia's military justice system identified what it regarded as lapses in the ADF's duty of care, noting:

62 *Submission 10*, p. 3.

63 Department of Defence, answer to written question on notice W25, 24 July 2007; Defence Community Organisation, <http://www.defence.gov.au/dco/timeapart.htm> (accessed 15 November 2007).

64 The Auditor-General, *Management of Australian Defence Force Deployments to East Timor*, Audit Report No. 38 2001–02, Performance Audit, paragraph 5.103.

One factor that became increasingly obvious as this inquiry progressed was the apparent lack of awareness by those in middle management of inappropriate or risky behaviour. Their unawareness or inaction meant that unsafe work practices continued unchecked until an incident requiring investigation shed light on such practices. Unfortunately, in some cases, the incident sparking the investigation involved the death of an ADF member.⁶⁵

9.63 The committee also cites recent inquiries such as the Boards of Inquiry into the death of Private Jacob Kovco, the Nias Island Sea King Accident and the coroner's inquest into the death of Trooper Angus Lawrence. All point to serious breaches in safety procedures. For example, the Board of Inquiry into the Sea King accident stated bluntly that the 'Navy's stated commitment to safety was not matched in practice'.⁶⁶

9.64 Although these incidents were isolated and did not occur during a peacekeeping operation, they are nonetheless potent reminders to the ADF of the need to ensure that all ADF members are properly trained and comply with health and safety guidelines and procedures, including the maintenance of equipment.

Conclusion

9.65 The ADF has a long and proud history of involvement in peacekeeping operations. The evidence presented to this inquiry demonstrated that the ADF is continuing its fine tradition through its highly professional and well-trained personnel. The committee, however, raised a number of matters that it believes the ADF should review. These include the need for ADF personnel to receive additional training over and above that required for warfare and the adequacy of the preparation of ADF personnel with regard to mental health.

9.66 In the next chapter, the committee turns its focus on the other major Australian contributor to peacekeeping operations, the AFP.

65 Senate Foreign Affairs, Defence and Trade References Committee, *The effectiveness of Australia's military justice system*, June 2005, paragraph 15.26.

66 Commonwealth of Australia, *Royal Australian Navy Nias Island Sea King Accident Board of Inquiry Report*, 2007, Executive Summary, paragraph 15.

Chapter 10

Australian Federal Police

10.1 Australian police have been involved in peacekeeping operations since 1964 when officers were sent to Cyprus as part of the United Nations Force (UNFICYP).¹ However, police involvement in overseas deployments, including peacekeeping, has increased in the last decade: the Australian Federal Police (AFP) is currently deployed in Cyprus, Solomon Islands, Sudan, Timor-Leste, Nauru, Tonga, Vanuatu, Cambodia and Afghanistan.² As of January 2008, the total number of AFP officers deployed to international missions was 323. This number rose to 393 with the additional 70 who went to Timor-Leste in February 2008. The majority of deployed AFP officers are serving in peacekeeping operations in Solomon Islands (208) and in Timor-Leste (130).³

10.2 In this chapter, the committee examines the changing nature of peacekeeping operations and its impact on the AFP. It looks at the AFP's preparedness and capacity to meet the growing demands of these operations and its pre-deployment training regime, taking account of any additional skills required for peacekeeping.

Changing AFP contribution

10.3 Police carry out the function of maintaining law and order for the community. Their role in peacekeeping operations, while consistent with this broad function, presents particular challenges for AFP personnel. They are expected to deliver a police service and exercise discretion in a country that may have a different political and legal system and where law and order and the judicial system are failing or broken down completely. Increasingly, they are required to operate in multidimensional situations and actively participate in capacity building. AFP personnel may be called on to provide a range of police services and technical skills or train others in police functions; undertake investigations of alleged human rights abuses; and assist in managing refugee movements.

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- 1 Prior to the establishment of the AFP in 1979, the Commonwealth Police and the ACT Police participated in international operations. For more information, see for example: http://www.afp.gov.au/_data/assets/pdf_file/3855/factsheetpeacekeepingidg.pdf (accessed 30 June 2008) and http://www.afp.gov.au/_data/assets/pdf_file/3728/BriefHistoryOfAFP1979-2004.pdf (accessed 30 June 2008)
 - 2 *Committee Hansard*, 25 July 2007, p. 29; AFP, International Deployment, Current Deployments, http://www.afp.gov.au/international/IDG/current_deployments.html (accessed 30 June 2008).
 - 3 AFP Commissioner Mick Keelty, *Estimates Hansard*, 18 February 2008.

10.4 The contribution that the police make to peacekeeping is widely recognised.⁴ Assistant Commissioner Walters, AFP, stated:

There is a growing recognition, in the UN and in other organisations, of the importance of policing, particularly in postconflict societies. Once you create a security pause and law and order is restored, the role of policing in capacity building, in law enforcement and in the law and order institutions of those states is absolutely critical to building a solid foundation for economic growth and good governance.⁵

10.5 He also highlighted the role that the AFP is undertaking, particularly capacity building in the region:

We are very much trying to put our resources at the front end of what some people call failing or fragile states to make sure that they do not slide into the category of failed states where a lot more effort and resources need to be put into rebuilding institutions. Our focus is very much at that front end of trying to arrest the deterioration of conditions in those countries.⁶

10.6 He further acknowledged that the task at hand is 'very much a generational issue and will require long-term commitment'.⁷ The following section looks at the AFP's capacity to meet the demands of today's peacekeeping operations.

Capability

10.7 Unlike the ADF, the AFP does not have a deployment tradition—it has not been part of AFP culture.⁸ In 2004, however, the government recognised the need to establish a dedicated group within the AFP with the full time responsibility of international deployments. The establishment of the International Deployment Group (IDG) in 2004 was intended to assist planning within the AFP and overcome 'operational drawbacks linked to ad-hoc deployments, ensuring there are resources dedicated exclusively to the Group's activities, rather than other operational demands'.⁹

4 See Prime Minister, the Hon John Howard MP, Press Release, Transcript of doorstep interview, Perth, 2 February 2004.

5 *Committee Hansard*, 25 July 2007, p. 6.

6 *Committee Hansard*, 25 July 2007, p. 6.

7 *Committee Hansard*, 25 July 2007, p. 7.

8 Lieutenant General Ken Gillespie, Vice Chief of Defence Force, acknowledged the AFP's need for overseas operations capability and the IDG's role in instilling deployment culture into the AFP. *Committee Hansard*, 24 July 2007, p. 20.

9 Senator the Hon Chris Ellison, Minister for Justice and Customs, 'Australia boosts regional law enforcement capacity', Press release, 2 February 2004.

Australian Federal Police in Solomon Islands



During the riots in Solomon Islands in April 2006 (image courtesy AFP).

International Deployment Group

10.8 Assistant Commissioner Walters explained that the IDG is 'a capability through which the AFP could deploy police officers and unsworn personnel offshore'.¹⁰ Its tasks are to contribute to 'offshore law enforcement initiatives' and participate in 'capacity development programs within the Law and Justice Sector'.¹¹

10.9 In March 2007, the IDG employed over 600 people: approximately 250 were Australia-based and 350 were involved in overseas operations.¹² Of the 350,

10 *Committee Hansard*, 25 July 2007, p. 8.

11 AFP, International Deployment, <http://www.afp.gov.au/international/IDG.html> (accessed 22 February 2008); *Committee Hansard*, 25 July 2007, p. 9.

12 AFP, International Deployment, <http://www.afp.gov.au/international/IDG.html> (accessed 30 June 2008). By November 2007, IDG had 709 members, out of which 450 were serving overseas. Sources: Nick O'Brien, 'AFP's international deployment role grows', *Australian Security Magazine*, 1 February 2008, p. 32. Assistant Commissioner Paul Jevtovic, quoted in Juani O'Reilly, 'Policing the neighbourhood and keeping peace in the Pacific', *Platypus Magazine*, Edition 96, September 2007, p. 11.

100 officers had been seconded from Australian state police and thirteen Pacific Island countries.¹³ The 250 Australia-based personnel were mostly unsworn officers and worked in Canberra in areas such as HR, finance, contracts and logistics, capacity building and training.¹⁴

10.10 Commissioner Mick Keelty has noted that while a proportion of the IDG is directed to security, the IDG has a broad spectrum of skills. Its major skill is 'a capability for capacity building to train police in developing countries and also a forensic capability' with only a proportion of the total number in the IDG directly related to riot control and security. According to Commissioner Keelty:

We are one of the only countries in the developed world that has a capacity in policing to put offshore to deliver part of the legal justice systems in other countries and it is something that has become quite a key focus for both the organisation and, indeed, governments.¹⁵

10.11 Associate Professor Elsinia Wainwright thought the expansion of the IDG was 'the right trajectory for the AFP':

I think that the expanded IDG is a good idea, if they can find the right personnel, because there has been a shortage of police to do these kinds of tasks, and training up police in a standing body does...make good sense, particularly as it will decrease the need to backfill from the states.¹⁶

10.12 It should also be noted that the IDG has UN accreditation as a training organisation.

Operational Response Group

10.13 In 2006, the government announced that it was lifting the IDG's capability by establishing a 150-strong Operational Response Group (ORG). This initiative allows the IDG to have a group in 'a constant state of readiness for emergency responses to law and order issues and stabilisation operations'.¹⁷ The AFP informed the committee

13 AFP, International Deployment, <http://www.afp.gov.au/international/IDG.html> (accessed 30 June 2008).

14 *Committee Hansard*, 25 July 2007, p. 22. AFP overseas deployments are based on 20-week blocks, with 16 weeks in a mission and four weeks on leave, after which the officer will rotate back to mission. A deployment can be done over a 40-, 60-, 80- or 100-week period. Some officers stay in the same mission, for example RAMSI, for the duration of their deployment, whereas others might rotate out of one mission and go into another. Some officers can deploy with their families (determination 20 positions), however, most positions are unaccompanied (determinations 2 and 19). *Committee Hansard*, 25 July 2007, pp. 14–15.

15 AFP Commissioner Mick Keelty, Speech, Law Council of Australia, 35th Annual Legal Convention, 23 March 2007, p. 2.

16 *Committee Hansard*, 20 August 2007, p. 8.

17 Prime Minister, the Hon John Howard MP, Press Release, Transcript of press conference, Australian Federal Police, New South Wales Headquarters, Sydney, 25 August 2006.

that the ORG has 'highly-skilled capability in crowd control and riot management with rapid deployment capability, as well as...the infrastructure to support our offshore missions'.¹⁸

10.14 By July 2007, the ORG had grown to encompass around 200 personnel including an operational arm of 150 split into a group of approximately 50 tactical operators—'the traditional SWAT members who are trained up to that level'—and a group of around 100 to comprise a riot response group with lethal capability. The remaining group of 50 provide support across areas such as dogs, marksmen, maritime, and aviation ground surveillance capability.¹⁹

10.15 Dr Anthony Murney, Manager, Planning and Development, IDG, noted that the ORG gives the AFP the ability to operate in environments that it 'has not been able to operate in initially, in previous kinds of interventions, in as professional a way as we might like'.²⁰ Associate Professor Wainwright thought there is a need for this sort of capability:

It makes good sense to build up the capability the AFP has to go in at the sharp end of activities, more alongside the ADF. This is, I think, in response to a clear need that was perceived in East Timor...²¹

10.16 Furthermore, Assistant Commissioner Walters told the committee that the AFP and the ORG had learnt a lot in the last two years and are now at the 'cutting edge' with training initiatives.²²

Committee view

10.17 The committee believes the establishment and expansion of IDG and the development of tactical capability through the ORG are necessary for the AFP to be able to participate in, and contribute to, international peacekeeping operations. The committee acknowledges the pioneering nature of the ORG which epitomises the AFP commitment to developing the particular skills necessary for the challenges of modern peacekeeping. It supports the AFP's work in this area and believes that the AFP is now at the forefront in developing a broad-based capability to assist other countries to deliver an effective policing service.

18 Assistant Commissioner Paul Jevtovic, IDG, quoted in Juani O'Reilly, 'Policing the neighbourhood and keeping peace in the Pacific', *Platypus Magazine*, Edition 96, September 2007, p. 11.

19 *Committee Hansard*, 25 July 2007, p. 20.

20 *Committee Hansard*, 25 July 2007, p. 21.

21 *Committee Hansard*, 20 August 2007, p. 9.

22 *Committee Hansard*, 25 July 2007, p. 20.

Personnel

10.18 The Police Federation of Australia (PFA) drew attention to an AFP shortage of police officers despite budget increases for recruitment.²³ Like the ADF, the AFP is experiencing recruitment and retention difficulties. The AFP noted that, with the rapid expansion of the national security sector over the past few years, policing 'now faces one of its most critical challenges in continuing as a sustainable and steadfast national and community resource'.²⁴

10.19 It should also be noted that while Commissioner Keelty acknowledged that there are 'a finite number of people able to be deployed', he indicated that the IDG had no difficulty deploying, at short notice, the 70 extra AFP officers required in Timor-Leste in February 2008. He acknowledged that there was a limit to what the IDG could do but that 'at the moment we are managing the requests that are coming from the government'.²⁵

Recruitment process

10.20 The Australian Government announced in August 2006 that it had allocated \$493 million for the IDG to increase its staffing levels to 1,200 personnel by June 2008.²⁶ The increase in funding would strengthen the IDG's capacity to deploy 'skilled personnel for long-term capacity-building, peacekeeping missions and bilateral programs', and to relieve the pressure of seeking contributions from state and territory police services.²⁷ It would enable the IDG to deploy around 750 sworn officers offshore and at short notice.²⁸

10.21 In July 2007, Assistant Commissioner Walters told the committee that IDG recruitment was on track and 'very attractive to a lot of people', with applications

23 *Submission 14*, p. 4. The total number of AFP officers is around 6,600, of which 30% are females. Just over a third are sworn officers (around 2,600). Approximately 2000 sworn and 2100 unsworn AFP officers meet the selection criteria for overseas deployment. AFP, answers to questions on notice 6 and 10, 25 July 2007. Mr Mark Burgess, PFA's Chief Executive Officer, was of the view that there was a need to recruit in excess of 13,000 police across Australia in the next three years and that several jurisdictions were 'struggling to meet their own requirement'. *Committee Hansard*, 6 September 2007, p. 12.

24 *Submission 28*, p. 9.

25 AFP Commissioner Mick Keelty, *Estimates Hansard*, 18 February 2008.

26 Juani O'Reilly, 'Policing the neighbourhood and keeping peace in the Pacific', *Platypus Magazine*, Edition 96, September 2007, p. 11.

27 *Committee Hansard*, 25 July 2007, p. 8; *Submission 15*, p. 7.

28 *Committee Hansard*, 25 July 2007, p. 26.

coming from AFP and state and territory police officers and former police officers wanting to rejoin the service.²⁹

10.22 Some submitters expressed concern about the recruitment for the IDG having an adverse affect on other police jurisdictions in Australia. In response to this claim, the AFP pointed out that only 0.02 per cent of the total police strength in Australia is seconded from state and territory services to the AFP.³⁰

Committee view

10.23 The committee supports the AFP's endeavours to attract quality staff to the IDG and believes that this places the AFP in a strong position to respond to the demands of international deployments.

Equipment and logistics

10.24 Until now, the AFP has not had primary responsibility for the full range of equipment and logistics necessary for international peacekeeping operations because it has been either part of UN missions or able to rely on ADF capability. Assistant Commissioner Walters informed the committee that the AFP has decided to expand its own capabilities due to the increasing number of missions and because the AFP may be required to deploy to missions not involving the ADF.³¹

10.25 Major General Adrian Clunies-Ross, RSL, argued that the AFP needs to build independent capabilities:

They will inevitably be working in conjunction with the Defence Force, and it would seem to me reasonably logical that they would have their own means of transport, communications and various other things. It would be impossible for them to work from the Defence Force's capabilities...³²

10.26 Although the ADF and the AFP are separate organisations and have their own requirements for self-sufficiency, the AFP is not looking to build a 'complete logistical capability' within the IDG, as Assistant Commissioner Walters noted:

29 *Committee Hansard*, 25 July 2007, pp. 21–22 and 28. During a Senate Estimates hearing on 18 February 2008, Commissioner Keelty stated 'Phase 1 occurred in the period October to December 2006. We had 66 positions advertised and filled. Phase 2 occurred over the period January to June 2007, and 169 positions were advertised and filled. Phase 3 occurred over the period July to December 2007, and 95 positions were advertised and will be filled in the period between January and June this year. Phase 4 seeks to recruit 220 additional positions and it is also scheduled to be finished by June 2008'.

30 *Committee Hansard*, 25 July 2007, p. 22. Commissioner Keelty referred to two groups to join the IDG: secondees, who serve in the IDG for two years (or sometimes for a shorter period of 12 months) and then return to their parent police force; and recruits for permanent service.

31 *Committee Hansard*, 25 July 2007, p. 11.

32 *Committee Hansard*, 5 September 2007, p. 8.

Our preference is not to do that but to utilise ADF where we feel that is appropriate and where ADF resources are available. We find the current arrangements with PDL [Patrick Defence Logistics] to provide the logistical support is probably the most effective and efficient way for us to provide the capability.³³

10.27 He further stated that the IDG's capability development cell will be looking at AFP requirements, best practice and new technologies in consultation with other organisations, including Defence.³⁴ More recently, Commissioner Keelty indicated that a number of their contracts were 'on the back of the interoperability between the AFP and ADF...[to] maximise the benefits for the government in terms of what we acquire and how much it costs'.³⁵

10.28 One proposed major acquisition is protected response vehicles. The committee understands that, due to the sometimes volatile situations that the IDG officers face during overseas deployments, the AFP is looking to buy such vehicles to 'provide the most secure capability' for its officers.³⁶ According to Commander Steve Lancaster, Manager, ORG, the AFP is looking at a combination of small and large vehicles, some enclosed and some open-air troop carriers suitable for the tropics.³⁷ He explained that observing the capacities of other forces in East Timor had given the AFP an opportunity to assess the most appropriate kinds of transport for the IDG's role in the Asia-Pacific region. For example, the Portuguese police unit used 'smaller, nimble teams' that are able to respond effectively to multiple strikes around the city. In contrast, the Royal Malaysian Police proved effective for 'big public demonstrations' and used open-air troop carriers to move around *en masse*.³⁸ The AFP provided no information on the number of vehicles required or the budget allocated for the procurement. The committee understands that the first of the new vehicles are expected to be delivered at the end of 2008.³⁹

10.29 In February 2008, Mr Andrew Wood, Chief Operating Officer, AFP, stated that under the current budget allocation for 'supplier expenses', the IDG had a little over \$150 million which, in his view, was 'quite reasonable resourcing'.⁴⁰

33 *Committee Hansard*, 25 July 2007, p. 16.

34 *Committee Hansard*, 25 July 2007, p. 11.

35 AFP Commissioner Mick Keelty, *Estimates Hansard*, 18 February 2008.

36 Nick O'Brien, 'AFP's international deployment role grows', *Australian Security Magazine*, 1 February 2008, p. 32.

37 *Committee Hansard*, 25 July 2007, pp. 11–12.

38 *Committee Hansard*, 25 July 2007, pp. 11–12.

39 Leigh Funston, 'AFP seeks protected vehicles', *Australian Security Magazine*, 1 February 2008, p. 14.

40 *Estimates Hansard*, 18 February 2008.

Committee view

10.30 The committee notes the need for the AFP to have logistical capability of its own. It accepts the view that the AFP cannot build 'a complete logistical capability', and in some cases will rely on the resources of the ADF to assist it during a peacekeeping operation. It recognises that where the AFP requires its own capability, compatibility with Defence systems should be a primary consideration.

Recommendation 9

10.31 The committee recommends that the AFP adhere to a procurement policy that requires, where possible, any equipment purchased for use in a peacekeeping operation to be compatible with equipment or technology used by the ADF.

Training for peacekeeping operations

10.32 The AFP started to train its officers for overseas deployments in 1999 but it was not until 2004, with the establishment of the IDG, that increased attention and resources were given to train and prepare police for multidimensional and complex missions overseas.⁴¹

10.33 In the following section, the committee discusses the AFP's prerequisites for employment with the IDG, examines pre-deployment training for international operations and assesses its adequacy. The committee then looks at training in areas of health, safety and wellbeing.

Prerequisites for international policing

10.34 The AFP informed the committee that in practice, an officer for deployment to a peacekeeping operation is required to have more than four years policing experience.⁴² Commissioner Keelty explained:

There is no point in sending police overseas to train and develop foreign police if they are not developed themselves in the domestic environment.⁴³

10.35 He noted that the biggest challenge for the AFP is:

...to ensure that all AFP members have: an incredibly clear and focussed understanding of the basic tenets of policing; a deep knowledge of the principles underpinning the profession of policing; a comprehensive

41 AFP, IDG Fact File, p.7, <http://www.afp.gov.au/international/IDG.html> (accessed 2 July 2007); AFP International Deployment, Pre-deployment training, http://www.afp.gov.au/international/IDG/pre-deployment_training (accessed 30 June 2008); *Submission 28*, p. 15.

42 AFP, answers to questions on notice 3 and 6, 25 July 2007.

43 *Estimates Hansard*, 18 February 2008.

understanding of the AFP's stated values, and, most importantly, the ability to apply all of this knowledge in an appropriate cultural framework.⁴⁴

10.36 Officers must also meet several other requirements including that of being 'Use of Force' qualified (certified competency to use weapons) for the duration of deployment.⁴⁵

10.37 According to Assistant Commissioner Paul Jevtovic, IDG, officers with particular skills or expertise may also be recruited by the IDG. He noted in an interview that in the early years, the recruitment for missions such as RAMSI was more about 'getting people offshore, but as the missions have evolved along with our understanding of the challenges, we now advertise specific positions'. He further explained that through this process, the AFP can better assess people's skills and match them with roles AFP officers may have in the future.⁴⁶

Pre-deployment training

10.38 Assistant Commissioner Walters explained that there is 'a fairly comprehensive training program', depending on the officers' skills, level of experience and status of being either sworn or unsworn.⁴⁷ State and territory police officers can join the AFP through the lateral entry program in which officers are trained in AFP processes and procedures.⁴⁸

10.39 The IDG Learning and Development Branch reviewed training requirements in 2006 in light of the various environmental and jurisdictional challenges encountered during deployments.⁴⁹ A restructured training program commenced in March 2007. It is conducted in three stages:

- pre-deployment training (PDT);
- mission update information sessions—conducted immediately prior to deployment together with administrative and logistics tasks; and

44 AFP Commissioner Mick Keelty, 'Policing in a Foreign Space', Speech at the National Press Club, 11 October 2006.

45 AFP, answer to written question on notice 6, 25 July 2007. Other requirements are: current passport, completion of pre-deployment training; medical and psychological clearance; no current professional reporting standard issues or open compensation case; and current first aid certificate.

46 Assistant Commissioner Paul Jevtovic quoted in Juani O'Reilly, 'Policing the neighbourhood and keeping peace in the Pacific', *Platypus Magazine*, Edition 96, September 2007, p. 12.

47 *Committee Hansard*, 25 July 2007, p. 25.

48 *Committee Hansard*, 25 July 2007, pp. 14 and 25.

49 AFP, International Deployment, IDG Training Unit, <http://www.afp.gov.au/international/IDG.html> (accessed 20 June 2007).

- in-country briefing—conducted by the force in command of the specific mission.⁵⁰

10.40 The PDT is a five-week (35-day) course, compulsory for all personnel undertaking overseas duties under the IDG. It focuses on core skill requirements (with two broad themes, capacity development and safety), on assessment and performance feedback. The course is divided into three parts: operational safety and administration; formal instruction; and scenario phases.⁵¹

10.41 The first ten days are reserved for use of force qualification or re-qualification; the rest of the program focuses on 'providing participants with the skills to live and work in a foreign environment'. The participants learn a 'coaching approach to capacity development...delivered within a setting of cultural appropriateness, values and human rights'.⁵²

10.42 The course content is modified in accordance with changing mission requirements. It usually covers topics such as culture and mentoring skills, capacity building, humanitarian assistance, and the UN Standard Generic Training Modules (SGTM), the minimum skill and knowledge requirements for United Nations Police.⁵³ In addition, police officers are trained in negotiation and conflict resolution.⁵⁴ Human rights training, delivered by the AFP's legal team, covers child and gender issues, based on the UN training package.⁵⁵ Legal training provides an overview on the criminal process of host nations.⁵⁶ Theoretical knowledge is then put into practice in the scenario phase, a practical nine-day field exercise during which the 'participants are immersed in a fictional mission developed to simulate a variety of situations the members may encounter when deployed overseas'.⁵⁷

10.43 Professor Andrew Goldsmith, Flinders University, observed the challenges facing the AFP in preparing officers for international deployments:

I know of no other single police force in the world that has had to respond in such a way across areas which, if we are to be completely frank, are not

50 AFP, International Deployment, International Deployment FAQ, http://www.afp.gov.au/international/IDG/idg_faq.html#training (accessed 6 March 2008).

51 AFP, International Deployment, Pre-deployment training, http://www.afp.gov.au/international/IDG/pre-deployment_training (accessed 30 June 2008).

52 AFP, International Deployment, Pre-deployment training, http://www.afp.gov.au/international/IDG/pre-deployment_training (accessed 30 June 2008).

53 *Submission 28*, pp. 11–12.

54 AFP, answer to written question on notice 12, 25 July 2007.

55 AFP, answer to question on notice 9, 25 July 2007.

56 AFP, answer to written question on notice 7, 25 July 2007.

57 Assistant Commissioner Paul Jevtovic, quoted in Juani O'Reilly, 'Policing the neighbourhood and keeping peace in the Pacific', *Platypus Magazine*, Edition 96, September 2007, p. 12; AFP, answers to written questions on notice 9 and 12, 25 July 2007.

just about policing; they are about community development and broader social development. A police officer from Belconnen is not necessarily naturally well-prepared to do capacity development in Baucau, East Timor.⁵⁸

10.44 In an attempt to foster situational awareness and help manage the challenges associated with preparing officers for international deployments in low-resource settings, the AFP has established an innovative training complex at Majura, ACT. The Wanggirrali Ngurrumbai Centre includes a site which simulates village or town conditions in a developing country. Various training scenarios are utilised to replicate deployment environments and include: a general store, burning buildings, exploded vehicles, roaming animals, limited toileting facilities and erratic water and power supply. The site also has a CCTV capacity which can be used to film recruits for training and development purposes.⁵⁹

10.45 During and after the pre-deployment training, police officers have time to decide if they want to go ahead with overseas deployment. Assistant Commissioner Walters explained:

They go through the predeployment training and into, as best as we can create here, the operating environment they will be working in. We have had instances of people self-selecting themselves out of deployment because, having put themselves in that environment, they realise, 'Maybe this is not what I thought it was going to be.' We think that is a positive.⁶⁰

10.46 Assistant Commissioner Walters noted that so far the AFP has had 'sufficient interest' in voluntary terms but that '[t]here is scope for the commissioner to direct people to undertake duties'.⁶¹

58 *Committee Hansard*, 20 August 2007, p. 55.

59 Assistant Commissioner Paul Jevtovic, 'IDG—one year on', *Platypus Magazine*, June 2005, p. 31; AFP Commissioner Mick Keelty, 'Opening of Australian Federal Police International Training Complex', 23 June 2005, https://www.afp.gov.au/media/national_media/national_speeches/2005/opening_of_australian_federal_police_international_training_complex.html (accessed 18 April 2008).

60 *Committee Hansard*, 25 July 2007, p. 15.

61 *Committee Hansard*, 25 July 2007, p. 29.

AFP—training for peacekeeping operations



AFP's Wanggirrali Ngurrumbai Centre, Majura, ACT (image courtesy AFP).



AFP pre-deployment training exercise, Wanggirrali Ngurrumbai Centre, Majura, ACT (image courtesy AFP).



AFP pre-deployment training exercise, Wanggirrali Ngurrumbai Centre, Majura, ACT (image courtesy AFP).

Adequacy of pre-deployment training

10.47 During the inquiry, many witnesses praised the way in which the AFP prepares and trains its officers to meet the growing demand for their services in peacekeeping and the high standards they have achieved in such a short period.⁶² Mr Norman Webber, UN Police Association of Australia (UNPAA), thought that the AFP 'have turned out one of the best, if not the best, UN policing groups in the world'.⁶³ Associate Professor Wainwright agreed with this assessment, saying that the IDG:

...is at the cutting edge of policing, stabilisation and post-conflict reconstruction and capacity-building operations at a time when internationally there are far too few civilian police to deploy to such operations and to meet the need which is there.⁶⁴

10.48 While some submitters to the inquiry regarded the AFP's performance as very positive, particularly the recent improvements since the formation of the IDG, they

62 See for example Professor Apthorpe and Mr Townsend, *Submission 32*, p. 4; and Professor Goldsmith, *Committee Hansard*, 20 August 2007, p. 55.

63 *Committee Hansard*, 6 September 2007, p. 12.

64 *Committee Hansard*, 20 August 2007, p. 1.

saw room for improvement through further consolidation and expansion.⁶⁵ The main area of concern was in coordination and cooperation particularly with the ADF and in language and cultural awareness training. These matters are dealt with in Chapters 11, 14 and 18. The PFA stated that it is 'satisfied that pre-deployment training meets all agreed protocols provided such training is regularly re-assessed'.⁶⁶

10.49 On this matter of scope for improvement, the committee notes, in particular, the efforts that the AFP is taking to ensure that it is getting independent evaluation of its performance. There are a number of projects underway, including a joint venture with Flinders University and the Australian National University (ANU) on a three-year evaluation called 'Policing the Neighbourhood'. Commissioner Keelty noted that one of the preliminary findings of this project helped in the development of a more focused course of training for our own police, particularly on human rights, on language and coaching skills.⁶⁷ The AFP is also collaborating with the University of Queensland in the development of performance measures to assist the AFP assess its contributions to peacekeeping operations.⁶⁸

Committee view

10.50 The committee commends the AFP for its pre-deployment training which, it believes, equips AFP personnel to assist other nations build capacity in the area of law and order. It notes, in particular, the AFP's open and flexible approach to developing new ways to improve its effectiveness, especially through independent evaluation of its performance. The IDG and its innovative training programs also provide a model for other countries.

Training in health, safety and wellbeing

10.51 Training for health, safety and wellbeing is also an important part of the IDG's pre-deployment preparation. This training is based on and exceeds the requirements set by the UN and includes safety and first aid training and AIDS and HIV awareness. Participants are also provided with literature on these matters.⁶⁹

10.52 A medical examination is part of the international recruitment process. Its purpose is to identify 'any medical condition for which a further risk assessment or advice may be required' and to ensure that all medical procedures (examinations,

65 See for example, Major General Ford, *Submission 4*, p. 2. He suggested that lessons from community policing be incorporated into IDG training because individual and collective skills learned in community policing would be useful in peacekeeping missions.

66 *Submission 14*, p. 12.

67 AFP Commissioner Mick Keelty, Speech, Law Council of Australia, 35th Annual Legal Convention, 23 March 2007.

68 *Submission 28*, p. 11.

69 AFP, answer to written question on notice 13, 25 July 2007.

laboratory and vaccinations) are carried out in a timely manner.⁷⁰ Tests are also run to determine the suitability of an officer for overseas deployment. Assistant Commissioner Walters acknowledged that an AFP officer about to be deployed is making a significant commitment. He said:

[I]t is a big decision for officers to make and to say, 'If I'm going to do a 100-week deployment in the IDG, for a fair amount of time, what would be nearly a two-year period, I'm going to be away from my family'.⁷¹

10.53 The AFP conducts psychological testing and a range of 'other predeployment processes' to make sure that people, before they deploy, are medically and psychologically capable of undertaking the deployment.⁷²

Concerns relating to training and preparedness

10.54 While submitters were positive about AFP preparedness, several issues were raised which go to both the effectiveness of the officer performing his or her duty on deployment as well as safety issues. They concern unsworn officers performing the duties of sworn officers and alleged breaches of safeguards with regard to the use of arms.

Sworn and unsworn officers

10.55 Although the AFP is giving considerable attention to the training requirements of its members, the committee received a suggestion that unsworn police officers were performing duties that only sworn officers should undertake.

10.56 Mr Mark Burgess, CEO, PFA, noted that on a number of occasions, concerns had been raised about the lack of distinction between the role that a police officer, a protective service officer and an administration person is to perform on a deployment.⁷³ His concern was about the safety of police officers and protective service officers in situations where an officer was performing a function for which he or she was not fully trained. With regard to unsworn officers on deployment, he explained:

...they do not have the full training of a fully sworn police officer. We would argue that there is a duty of care, on behalf of not only the AFP commissioner but all commissioners who provide police officers to these deployments, to ensure that their officers are working side by side in policing functions with officers who are fully trained. We do not want to see a situation where police officers are working side by side with people

70 AFP, International Deployment, International Deployment FAQ, http://www.afp.gov.au/international/IDG/idg_faq.html (accessed 30 June 2008).

71 *Committee Hansard*, 25 July 2007, p. 15.

72 *Committee Hansard*, 25 July 2007, p. 15.

73 *Committee Hansard*, 6 September 2007, p. 11.

who are not fully sworn, not fully trained, but who, for all intents and purposes, from a visual perspective, look like police officers.⁷⁴

10.57 On the matter of unsworn officers, the AFP advised the committee that:

IDG Peacekeeping missions are structured through analysis of the roles, tasks and any constraints that have been set by the mounting authority; for example the United Nations. There is not a reliance on retired or unsworn personnel; rather IDG contributions are based on mission need and in the case of RAMSI this is achieved through a combination of sworn, unsworn and former retired members.⁷⁵

10.58 The AFP also noted that 'Unsworn AFP members are clearly distinguishable from sworn staff as their uniform incorporates a distinctive coloured shirt (taupe) which is mandatory dress in mission under Commander's Orders'.⁷⁶

Committee view

10.59 The committee notes the concerns raised about unsworn officers taking on the tasks of sworn officers. Apart from the one allegation, it had no other indication that unsworn officers were performing the duties of sworn officers. The committee notes the AFP's assurances that there is not a reliance on retired or unsworn personnel in peacekeeping operations.

Safety and bearing arms

10.60 While the vast majority of members of the AFP perform routine policing functions, they also face particularly tense situations during peacekeeping operations and may be called on to use force during their deployment.

10.61 Clearly, training for the safe and appropriate use of firearms—the degree of force required, when and against whom to use weapons—is an important consideration for AFP's international deployments. The AFP provided the committee with details about the weapons competency procedures which indicate that there is a robust certification system in place.

10.62 Because of the requirement that an officer have at least four years of policing experience for international deployments, all sworn AFP officers have weapons competency and are 'certified as use of force qualified under AFP Commissioner's Order 3'. To obtain weapons competency, police officers need to pass a written test that 'probes the member's understanding of police powers and procedures', and practical tests to establish 'proficiency in the use of firearms, batons, handcuffs and

74 *Committee Hansard*, 6 September 2007, p. 10.

75 AFP, answer to written question on notice 1(a), 25 July 2007.

76 AFP, answer to written question on notice 1(b), 25 July 2007.

OC [oleoresin capsicum] spray'.⁷⁷ Competency needs to be re-certified every 12 months. If a member fails to re-certify, he or she is no longer deemed deployable.⁷⁸

10.63 Assistant Commissioner Walters noted that 'officers carry firearms very much for the protection of the officer, for the protection of life and limb, effectively'.⁷⁹ He explained that, depending on the mission, the AFP has in place internal orders that relate to the use of weapons. Commissioner's Order 3 governs the use of firearms, and there may also 'be other mission-specific orders or directives...that might dictate when and how weapons might be used'.⁸⁰

10.64 The riots in Timor-Leste in June 2006 highlighted the importance of sound training in the use of weapons during periods of high level threats. Commander Lancaster explained in detail the situation in which AFP officers found themselves:

...it was still high risk right through the six months that we were there. There were occasions when we would have almost daily incidents of rock-and dart-throwing. Occasionally there were times where it just went 'off'...for want of a better word—for two or three days. On those occasions we probably had two incidents where we discharged firearms. It was the only time and they were only ever used as warning shots—basically, as a last resort.⁸¹

10.65 He also noted the important role that the ORG had in this highly volatile situation where the general duties police were out of their vehicles and in a very dangerous life-threatening situation until the tactical people, the ORG and the GNR (Portuguese National Republican Guard), turned up to assist.⁸²

10.66 He used AFP experiences in Solomon Islands in 2006 to highlight further the importance of good judgement based on sound training on the appropriate and proper use of force:

...being general duties, when we turned up to events where people were hammering each other with rocks, we had to have the standard operating procedure of not feeling compelled to go down there and deal with it straightaway. We learnt to make sure we had the right tools, the people and the support and to get the tactical people in order to go down and deal with the situation more efficiently. We found that worked better. Also, we had state police within our ranks, and these people had been shotgun trained in their home state. We brought in training from BLP and AFP shotgun training and gave them the capability to use the beanbag rounds, which are

77 AFP, answer to written question on notice 4, 25 July 2007.

78 AFP, answer to written question on notice 4, 25 July 2007.

79 *Committee Hansard*, 25 July 2007, p. 19.

80 *Committee Hansard*, 25 July 2007, p. 18.

81 *Committee Hansard*, 25 July 2007, p. 19.

82 *Committee Hansard*, 25 July 2007, p. 19.

less lethal, within their general duties. This was not used so they would get themselves into trouble; it was used so they would get themselves out of trouble, and that proved to be very effective as well.⁸³

10.67 Despite sound training and Commissioner's Orders in place, World Vision Australia referred to what it believed were shortcomings in pre-deployment preparations with regard to the application of force. It raised allegations pertaining to the use of force in RAMSI, including that some IDG members might be using weapons without having undertaken either approved training or a validation program to ensure their competency.⁸⁴

10.68 It also raised concerns about a training presentation on the use of less than lethal force, in which it understands training was given by a person not certified to deliver it and unacceptable, possibly illegal, information was provided.⁸⁵

10.69 The AFP informed the committee that the Professional Standards investigations had inquired into these allegations and in some instances found shortcomings, which the AFP have addressed.⁸⁶

Committee view

10.70 The committee notes the AFP requirements for weapons competency. It also notes the suggestion made to the inquiry that there may have been breaches of the rules governing the use of firearms. It has taken account of the AFP's assurances that its officers undergo thorough training and appropriate certification and that the alleged breaches were investigated and, where necessary, remedied. Yet, it is concerned that these issues have arisen. The committee urges the AFP to ensure that all weapons deployed on a peacekeeping operation have been approved by the Commissioner for use during the operation and all AFP members on a peacekeeping operation who are permitted to use particular weapons are fully qualified in their use.

10.71 The committee did not take evidence on the robustness of the Professional Standards investigations that looked into the allegations of inappropriate or improper use of weapons. It takes this opportunity to stress the importance of ensuring that investigations into alleged breaches of safety rules and regulations are independent and transparent. Furthermore, that there are appropriate reporting procedures in place that encourage members of the AFP to report breaches of safety rules or lapses in safety practices.

83 *Committee Hansard*, 25 July 2007, p. 19. BLP Training and Services provides training and services in relation to munitions, hostile environments, police and military tactics, etc.

84 *Submission 19*, p. 5.

85 *Submission 19*, p. 5.

86 For a full description of these matters see: AFP, answer to written question on notice 9, 25 July 2007; *Submission 19*, p. 4.

Conclusion

10.72 The AFP has taken major steps to improve its preparedness for peacekeeping operations and is continuing to expand to meet future requirements. It is recruiting to increase the number of IDG staff and looking to improving its logistical capability by procuring new vehicles. It has developed a pre-deployment training program that is both comprehensive and innovative. The AFP is also committed to open and independent evaluation of its performance as peacekeepers, showing a willingness to embrace change and reform to ensure that it remains an effective peacekeeping force. The committee considers that the AFP is well prepared for international deployments and acknowledges that its performance is of a very high standard.

Chapter 11

ADF and AFP interoperability

11.1 To this stage, the committee has looked at ADF and AFP training as though each organisation operated as a silo, as a distinct entity with separate training and pre-deployment programs. Today's peacekeeping operations, however, with their multidimensional and multifaceted nature, require coordination and cooperation between the different elements of a peacekeeping operation:

Cooperation is an essential prerequisite of effective peace promotion. Sufficient cooperation to avoid operations counteracting each other is the very least requirement. Most attempts at cooperation have until now, however, failed to progress further than polite presentations of activities carried out by individual actors. If the aim is to help create lasting peace, however, this is not enough.¹

11.2 In this chapter, the committee considers the extent to which the training and education of ADF and AFP peacekeepers prepares them to work together as constructive partners.

Separate and joint roles of ADF and AFP

11.3 Lt Gen Gillespie used recent experiences to demonstrate the critical role that both the ADF and the AFP have in Australia's contribution to peacekeeping:

If you take Timor or the Solomon Islands, when the institutions responsible for law and order and security have broken down then you need to replace them. The two institutions that Australia can deploy are the Australian Federal Police and the ADF...We went in and re-established law and order and security and we used the instrumentalities that should be used to help do that—the police and the military.²

11.4 The ADF and the AFP, however, have different roles and functions and that carries through to peacekeeping operations.³ Lt Gen Gillespie observed:

...if it is a law and order issue it is to do with the police. Some of the security issues can be police issues as well. But the other end of the spectrum—armed gangs, murderers and failed institutions—is more into the military line. They are the sorts of issues that the AFP and defence are confronting at present so that next time we are put in that situation we handle it much better.⁴

1 Folke Bernadotte Academy, *Cooperation in Crisis and Conflict: A training manual for you serving abroad*, Sandviken, 2005, preface, p. 1.

2 *Committee Hansard*, 24 July 2007, p. 23.

3 Associate Professor Wainwright, *Committee Hansard*, 20 August 2007, p. 8.

4 *Committee Hansard*, 24 July 2007, p. 23.

11.5 Although the ADF and the AFP have distinct functions in a peacekeeping operation, they may need to support and rely on each other to achieve the mission's objective. Lt Gen Gillespie stated:

Then, as now, most military patrols will have a policeman with them so that powers in terms of law and order for arrest and detention remain where they should be, which is with the police force. If you are trying to bring a nation along to be a law-abiding nation, it ought to learn that police do policing and that the military are about something else.⁵

11.6 The ADF and the AFP are operating within a security and law and order spectrum, which means that they are moving in and out of phases according to prevailing circumstances. In some instances the military would not be required which may give way to a police presence. A sudden flare-up of violence may reverse the situation, with the military again taking the prominent role. Often the military and the police are occupying the same space though performing different functions. Thus, interoperability between the two forces is critical if they are to operate as an effective force. Assistant Commissioner Walters further explained:

Once you create a security pause and law and order is restored, the role of policing in capacity building, in law enforcement and in the law and order institutions of those states is absolutely critical to building a solid foundation for economic growth and good governance. So we are working very closely at the moment with Defence around interoperability to ensure that when Australia provides a response it is across the whole spectrum.⁶

11.7 Defence considered that the ADF and the AFP working together offshore would be a continuing feature of peacekeeping operations, particularly given the emergence of operations in response to the breakdown of internal state institutions.

Removing capability gaps

11.8 Given the distinct yet complementary roles of the military and the police in a peacekeeping operation, Lt Gen Gillespie considered it appropriate that, rather than develop skills in each other's work, their efforts be directed at ensuring there are no security capability gaps. He accepted that 'at the margins some of the defence and police capabilities will move closer together'.⁷

11.9 Some witnesses suggested that there had been capability gaps in some of the operations where the ADF and the AFP have been involved, particularly in relation to the timing of the response and the transition from military to police prominence.

5 *Committee Hansard*, 24 July 2007, pp. 22–23; see also AusAID, answer to written question on notice 13, 25 July 2007.

6 *Committee Hansard*, 25 July 2007, p. 6.

7 *Committee Hansard*, 24 July 2007, p. 23.

11.10 A 2005 article by Lt Col John Hutcheson, who commanded the third rotation of Combined Joint Task Force 635 (CJTF 635) that deployed to Solomon Islands in 2004, revealed some of the difficulties experienced by the ADF and the AFP in Solomon Islands in achieving a high level of interoperability. He noted:

A number of the military activities conducted in support of the PPF [Participating Police Forces] in the Solomon Islands mission demonstrated that significant differences existed in the planning methodologies and descriptive language that each agency employed. For instance, while the Australian Defence Force (ADF) possesses a proactive planning culture, the PPF were largely reactive in character and had little appreciation of the response timings that might be required to conduct actions on foreign soil. Simply, the PPF did not fully grasp the concept of an operation with multiple tasks as part of a wider campaign plan. As a result, the police approach led to many short-notice requests for military support, an inability to prioritise tasks (and assets) to achieve a particular outcome and a tendency to take inadequate force protection measures. The police approach was characterised by compartmentalised activity—an approach that was further exacerbated by the existence of different threat assessment methodologies.⁸

11.11 According to Lt Colonel Hutcheson, the absence of an overall campaign plan by the PPF made it 'difficult to ensure that military activities supported the civil authority in an efficient manner—for instance, during the process of making arrests of suspected criminals'. Further:

During the planning of military support in which a platoon of troops was involved in assisting the PPF to apprehend a particularly high-profile criminal, there was a distinct lack of shared information between the police and the military. Lack of information resulted in insufficient time for briefing, rehearsals and the preparation of police and soldiers for a potentially dangerous inter-agency operation.⁹

11.12 He made a number of suggestions to improve the situation including:

- arranging a system of military secondments to the AFP in order to provide that organisation with a basic understanding of ADF planning methodologies and military culture;
- developing intelligence and operational procedures that ensure the evolution of what might be described as a common operating picture;

8 John Hutcheson, 'Helping a Friend: An Australian Military Commander's Perspective on the Regional Assistance Mission to the Solomon Islands', *Australian Army Journal*, vol II, no. 2, Autumn 2005, p. 48.

9 John Hutcheson, 'Helping a Friend: An Australian Military Commander's Perspective on the Regional Assistance Mission to the Solomon Islands', *Australian Army Journal*, vol II, no. 2, Autumn 2005, p. 49.

- producing an inter-agency handbook based on the RAMSI experience (and modelled to an extent on the ABCA [American–British–Canadian–Australian] Coalition Operations Handbook); and
- developing joint doctrine to facilitate common procedures in inter-agency planning, command and control, intelligence assessment, and the conduct of operations.

11.13 Lt Colonel Hutcheson also noted that the cultural differences between the PPF and CJTF 'created a number of psychological barriers.' He cited as an example, the ADF's 24-hour, seven-days-a-week approach to operations compared with eight-hour-shift mentality of the PPF. In his view, this 'cultural difference was broken down over time as police–military cooperation deepened, personal relations developed and an inter-agency awareness was gradually created'.¹⁰ He suggested that 'in-theatre training sessions, designed to build civil–military familiarity and to ensure that the PPF employed military personnel and resources effectively', could improve the situation.¹¹

11.14 In a 2006 address, Commissioner Keelty acknowledged Lt Col Hutcheson's views on the shortcomings of PPF. These included the PPF failure to grasp fully the concept of an operation with multiple tasks as part of a wider campaign plan and the existence of different threat assessment methodologies. He suggested:

...even if only some of these and similar observations are accurate, the AFP needs to redouble its efforts to ensure that the systems, the processes and, more importantly the doctrine, underpinning future operations by the IDG are adequate.¹²

11.15 More recently, Mr Rob Wesley-Smith observed the unrest in Timor-Leste in May 2006:

After maybe an early role of demonstrating overwhelming force, the need was clearly for police, for flexibility, for a capacity to find out what was behind the incidents, to catch perpetrators, and to remove them from the action for a long enough time. Instead we had a rather ridiculous and embarrassing ongoing scenario of heavily armed and heavily kitted military trying to deal with Timorese who could just run away and hide.¹³

11.16 Both the ADF and the AFP acknowledge that a gap in interoperability had existed and that they have learnt some important lessons. Commander Steve

10 John Hutcheson, 'Helping a Friend: An Australian Military Commander's Perspective on the Regional Assistance Mission to the Solomon Islands', *Australian Army Journal*, vol II, no. 2, Autumn 2005, p. 50.

11 John Hutcheson, 'Helping a Friend: An Australian Military Commander's Perspective on the Regional Assistance Mission to the Solomon Islands', *Australian Army Journal*, vol II, no. 2, Autumn 2005, p. 50.

12 AFP Commissioner Keelty, Speech, National Press Club Address, 11 October 2006.

13 Mr Rob Wesley-Smith, Australians for a Free East Timor and Australia East Timor Association, *Submission 20*, p. 1.

Lancaster, Manager, ORG, explained that one of the major lessons for AFP–ADF interoperability was to 'shorten the gap' between the ADF and AFP engagement. He observed that 'we have to get a response there earlier, effectively to enable the ADF not to have to perform a policing role in that environment'.¹⁴ Lt Gen Gillespie stated that the lessons from May 2006 were learnt and are now put into effect in deployments.¹⁵

11.17 According to Assistant Commissioner Walters, there certainly has been a 'grey area' between the peacekeeping capabilities of the ADF and the AFP. He noted that the IDG, including the ORG, allows the AFP 'to bridge the gap that previously existed in a mission situation between the role of defence and the role of policing'.¹⁶ A particular capability of the AFP is their 'less than lethal' force that sits between general duties and lethal force:

We found in Timor that, if we sent the normal general duties police out in the street with batons, handcuffs and OC spray, the area of engagement was over 20 or 30 metres because they were hurling rocks or sending darts at us and those sorts of tools were not quite enough. The ADF's next step could be the use of lethal force, whereas we have less lethal capability to be able to counteract that with things like shotgun bean bag rounds, which are very effective over 30 to 50 metres. We found they were very effective in that environment.¹⁷

11.18 The violence that occurred in Solomon Islands in April 2006 and Timor-Leste in May 2006 demonstrates that peacekeeping operations occur in volatile circumstances with the potential for sudden shifts in the security environment. Again, military and police personnel need to understand each other's role and function in such situations so their activities mesh smoothly and no capability gap emerges. It is also critical that they increase their capacity to work side by side.

14 *Committee Hansard*, 25 July 2007, p. 9.

15 *Committee Hansard*, 24 July 2007, pp. 22–23.

16 *Committee Hansard*, 25 July 2007, p. 9.

17 Commander Lancaster, *Committee Hansard*, 25 July 2007, p. 9.



Burning buildings during the riots that occurred in Solomon Islands in April 2006 (image courtesy AFP)



Members of the ADF and the AFP working together during the Solomon Islands riots in April 2006 (image courtesy AFP)



Commander of the Participating Police Force and Commander of the Combined Task Force 635, at the Australian-led Regional Assistance Mission to Solomon Islands (RAMSI) Headquarters in Solomon Islands (image courtesy Department of Defence).

Enhancing interoperability

11.19 There are many considerations that can enhance or diminish the ADF and the AFP's ability to operate together. Assistant Commissioner Walters noted that more is required than simply building capability within individual organisations and emphasised the importance of interoperability between the ADF and the AFP.¹⁸

18 *Committee Hansard*, 25 July 2007, p. 34.

11.20 Lt Gen Gillespie explained that experience in East Timor and Solomon Islands over the past few years has made apparent the need for the two agencies to work more closely together, not only on the ground but also 'in terms of our procedures, our understanding, the capabilities that we have'. This familiarity with the way each other operates is to ensure that 'we communicate with the same equipment and have the same expectations of each other in our tactics, our techniques and our procedures'.¹⁹

11.21 The AFP submitted that interoperability remains a 'work in progress', with developments in 'command and control relationships, intelligence and information sharing, compatibility of systems and planning strategies being of the highest importance'.²⁰ Assistant Commissioner Walters explained:

The body of work that we are doing now is to make sure that when we deploy in that situation again we do know each other organisationally and, as much as we can, personally, so that we deploy cohesively rather than as two agencies having to smash together at that time.²¹

11.22 Commissioner Keelty explained that the AFP and the ADF were working toward 'an effective policy on interoperability'. In his view, a greater cohesion and understanding between them was now producing positive results. He believed that it was 'incumbent upon the leadership to ensure a seamless approach to these interoperability deployments'.²² Assistant Commissioner Jevtovic provided some concrete examples of the steps being taken to establish 'common ground in the areas of doctrine and communication'. He referred to the requirement for an exchange of training initiatives and exercises, 'so people are not exposed to a situation where our cultures, language and planning methods are different'. He noted that both organisations had agreed to a number of senior officer outposts to key areas within each other's organisations.²³

11.23 Defence cited measures such as improved and integrated planning between them and personnel exchange programs that are intended to improve ADF–AFP interoperability.²⁴ Lt Gen Gillespie referred to the process that takes place on deployment through improved personal contacts:

One of the really interesting things, if you go to the Solomon Islands in the first few weeks of either deployment of the military or the AFP, is to see the two groups starting to work together to build trust so that if one group or

19 *Committee Hansard*, 24 July 2007, pp. 19–20.

20 *Submission 28*, p. 15.

21 *Committee Hansard*, 25 July 2007, p. 10.

22 AFP Commissioner Keelty APM, Speech, National Press Club Address, 11 October 2006.

23 Assistant Commissioner Paul Jevtovic, quoted in Juani O'Reilly, 'Policing the neighbourhood and keeping peace in the Pacific', *Platypus Magazine*, Edition 96, September 2007, pp. 13–14.

24 Defence, answer to written question on notice W6, 24 July 2007.

the other gets into trouble they know how the other group will react and how it will all work. I think it augurs well for the future, because the sort of peace operation we are talking about will, I think, be out there for a while.²⁵

11.24 Both Defence and the AFP were clearly of the view that the two organisations, especially with the development of the IDG and the ORG, had an increasing ability to work together to provide the security capability to meet Australia's future involvement in peacekeeping operations. Neither saw the need for a different or separate security entity focussed specifically on peacekeeping operations. Assistant Commissioner Walters explained:

I think that the model that is presently being worked through between ADF and AFP to provide a broader capability will provide the government with the capability it requires. I do not see that there is a need to establish a separate peacekeeping capability.²⁶

11.25 The committee notes that the foundations for effective interoperability are set long before deployment. Mutual understanding and trust, the building blocks of interoperability, start with secondments, education and training in the pre-deployment phase. The committee now looks more closely at the measures taken to improve ADF/AFP interoperability.

Secondments

11.26 The AFP explained that it has staff at various ADF establishments, including Joint Operations Command in Sydney and Canberra and the ADF Warfare Centre in Newcastle. Placing AFP officers in these establishments is intended to 'maximise the exchange of police information and advice for planning, operations and education'.²⁷

11.27 In addition to long-term secondments, AFP officers also participate in some ADF training and awareness raising activities. For example, Commander Lancaster observed that the ADF 'have made a proactive deliberate step to reach out and meet up with us to try to get us to learn from that and start developing that trust'.²⁸ Defence also commented on secondments from the AFP and the excellent relationship between the two organisations:

The idea is to help that international deployment division move from a 'policing in Australia' context to a policing role in support of or being supported by the military in the sorts of environments that we are talking about there. Cooperation has been outstanding. There has been lots of good

25 *Committee Hansard*, 24 July 2007, p. 20.

26 *Committee Hansard*, 25 July 2007, p. 34.

27 *Committee Hansard*, 25 July 2007, p. 3.

28 *Committee Hansard*, 25 July 2007, p. 24.

work and a lot of rapid progress, and we are expecting it to get stronger as time goes on.²⁹

11.28 To date, the ADF has not reciprocated with secondments of personnel to the IDG. Assistant Commissioner Walters indicated that while there were no current proposals for ADF secondments to the AFP, the AFP would be looking for 'opportunities for that to occur if it is appropriate'.³⁰

11.29 The ADF and AFP have also established a number of working groups to improve interoperability into the future. Lt Gen Gillespie identified several inter-agency forums that take place: ADF representatives lecture at AFP courses, and police personnel attend ADF staff college courses.³¹ These are intended to bring the two organisations closer together so that on deployment they are more familiar with each other's roles and understand how each other operate.³²

Committee view

11.30 It is important to acknowledge the separate roles of the ADF and the AFP and the important contribution both organisations make to Australia's peacekeeping operations. The evidence indicated that there is no apparent need for a specific peacekeeping capability and that the ADF and the AFP can deliver an adequate security response to peacekeeping operations. The effectiveness of their response, however, depends in large measure on how well they work together.

11.31 Australia's experience in peacekeeping operations that respond to intra-state conflicts, such as those in Timor-Leste and Solomon Islands, demonstrates the spectrum of security responses required. In these environments, interoperability between the ADF and the AFP and their ability to transition in and out of different security levels are essential. There was general agreement in evidence that Australia is currently on the right path to developing and coordinating its contribution to the security element of peacekeeping operations. For example, the AFP's IDG, including the ORG, now provides an important element of the total security response that Australia is able to bring to peacekeeping operations. Such improvements in capability are highly commended by the committee.

11.32 The committee is also conscious that successful interoperability goes well beyond having the right range of capabilities and logistical compatibility. It is important for both the ADF and the AFP to share intelligence, assess threats, integrate strategies and tactics, command operations and communicate during operations.

29 *Committee Hansard*, 24 July 2007, pp. 19–20.

30 *Committee Hansard*, 25 July 2007, p. 24.

31 *Committee Hansard*, 6 September 2007, p. 40.

32 Assistant Commissioner Walters, *Committee Hansard*, 25 July 2007, p. 10.

11.33 The committee found that the ADF and the AFP have not always been able to operate smoothly in the field due to a lack of familiarity and different work culture. Defence acknowledged the need for 'the agencies to work more closely' while the AFP referred to interoperability as a 'work in progress'. Clearly more work is to be done and both the ADF and the AFP should treat this as a matter of urgency. Lt Colonel Hutcheson's suggestions indicate the scope for improving interoperability (see paragraph 11.12), particularly exchange programs, secondments and developing joint doctrine.

11.34 The committee fully supports the secondments of officers as a means of developing mutual understanding of the different work environments, practices and cultures and of cultivating a network of contacts that should endure into the future. It urges both agencies, particularly the ADF, to increase the number of personnel seconded to relevant units in the AFP. For the same reasons, it favours greater engagement by the ADF and the AFP in each other's pre-deployment training courses.

Recommendation 10

11.35 The committee recommends that the ADF and the AFP work together to devise and implement programs—joint training and exercises—and develop shared doctrine that will improve their interoperability when deployed overseas. In particular, the committee recommends that the ADF implement a program of secondments of their members to the IDG.

11.36 The committee envisages that another way of enhancing interoperability between the ADF and the AFP may be through the establishment of a joint training facility (see Chapter 25).

11.37 In this chapter, the committee focused on ADF–AFP interoperability. The committee now broadens its consideration of Australia's contribution to peacekeeping to include other government agencies that deploy personnel to peacekeeping operations.

Chapter 12

DFAT, AusAID and other government agencies

Introduction

12.1 In the previous three chapters, the committee examined the roles, preparedness and training regimes of the ADF and the AFP as separate entities and then as combined elements in a peacekeeping operation. Peacekeeping operations, however, are no longer solely the domain of the military or the police—other government agencies have become major players. The important role of these 'other' organisations in peacekeeping operations was acknowledged in several submissions. Ms Gillian Bird, DFAT, noted:

The traditional blue helmet model...is no longer the norm. Today we are seeing many operations, which include peacemaking and law enforcement functions, humanitarian protection, support for electoral processes and institution building and postconflict reconstruction as essential elements of their mandates. These operations require the skills not only of trained military personnel but also of civilian police, aid workers, legal personnel, medical personnel and accountants.¹

12.2 AusAID also observed that there is 'an increasing awareness internationally that peacekeeping operations must be situated within a comprehensive and long-term approach to peacebuilding and statebuilding'.²

12.3 In this chapter, the committee introduces the main agencies likely to be involved in peacekeeping, with a particular focus on DFAT and AusAID. It also considers their respective roles and the training regimes for personnel to be deployed.

Government agencies and their roles

12.4 In addition to Defence and the AFP, a number of government agencies have contributed to peacekeeping operations in Bougainville, East Timor or Solomon Islands. They include DFAT, Attorney-General's Department, AusAID, Australian Electoral Commission (AEC), Customs, Department of Finance and Deregulation (Finance), Office of Financial Management, National Archives, Treasury and Department of Veterans' Affairs.³

1 *Committee Hansard*, 25 July 2007, p. 44.

2 *Submission 26*, p. 3.

3 DFAT, answer to written question on notice 1, 25 July 2007.

12.5 As at July 2007, Australia had a significant number of civilian personnel in UN peacekeeping missions including 152 civilians deployed in East Timor and Solomon Islands.⁴

12.6 DFAT has a central role in coordinating the whole-of-government response to conflicts in cooperation with the ADF and the AFP.⁵ As noted in Chapter 3, during the early stages of a proposed mission, DFAT monitors and gathers facts about international events, consults with other countries and, through discussions with other departments, provides advice to government on the likely effects of Australia's participation in a peacekeeping operation. DFAT also assigns staff to peacekeeping operations. For example, Mr Tim George, a career diplomat with DFAT, is the Special Coordinator of RAMSI.

12.7 AusAID is also a major contributor to peacekeeping operations, working with its partners, including NGOs, in the field of development and humanitarian aid. It focuses on conflict prevention and peacebuilding; conflict management and reduction; and post-conflict recovery.⁶ Its aid programs play 'a critical role' in supporting peacekeeping operations.⁷ AusAID does not generally deploy staff into line positions within peace operations. Its officers tend to work with and alongside 'key actors in peace operations to inform Australian Government humanitarian and development responses to the particular crisis'.⁸

12.8 In addition to its own staff deployments and contracted experts, AusAID assists volunteer efforts. In 2006–07, AusAID spent \$31.5 million to place 882 Australian volunteers overseas in 29 countries in the Middle East, Africa and the Asia–Pacific region.⁹ AusAID places volunteers through volunteer service providers.¹⁰

12.9 Other agencies such as the AEC, Treasury and Finance also provide skilled staff to assist a peacekeeping operation. For example, involved in international electoral assistance since 1989, the AEC has staff with extensive experience in the management of elections and cooperation with other agencies internationally.¹¹ AEC staff have served as election supervisors, researchers and project managers. They have

4 *Committee Hansard*, 25 July 2007, p. 43.

5 Department of Foreign Affairs and Trade, *Annual Report 2006–07*, 2007, p. 49.

6 *Submission 26*, p. 21.

7 *Submission 26*, p. 5.

8 AusAID, answers to written questions on notice 2a and 8, 25 July 2007.

9 AusAID, *Annual Report 2006–07*, p. 104.

10 AusAID, *Annual Report 2006–07*, p. 104; AusAID, Partners, Volunteers, <http://www.aisaid.gov.au/partner/volunteer.cfm> (accessed 9 November 2007).

11 *Submission 21*, pp. 11–12.

also provided training for new electoral administrators in recipient countries and coordinated curriculum development.¹²

12.10 Treasury has participated in international peacekeeping operations since 2003 as part of RAMSI in Solomon Islands. In financial year 2006–07, three departmental officers were deployed with RAMSI, assisting their counterparts to use the budget process to encourage accountable and transparent spending decisions.¹³ Another four Treasury officers were deployed to the Economic Reform Unit to liaise with 'government, donors and other stakeholders to identify opportunities for economic reform and facilitate its implementation'.¹⁴

12.11 Similarly, in 2006–07, three Finance officers were deployed as part of the Financial Management Strengthening Program within RAMSI. They 'provided training in budget processes for local officials and continued work on maintaining and developing the financial management framework and expenditure controls for the Solomon Islands Government'.¹⁵

Agency-specific training

12.12 Unlike ADF or AFP personnel, government civilian peacekeepers are not charged with restoring or maintaining peace or enforcing law and order. They are selected for their specialist knowledge and skills and tend to occupy administrative roles. Hence they are not as likely as the military or the police to confront difficult conflict situations. Nonetheless, they live and work in an environment very different from home and are often without immediate access to the resources they would normally have at hand.

12.13 There is a substantial amount of evidence emphasising the need for and benefits of pre-deployment training for public servants engaged in peacekeeping operations. For example, the Challenges Project argued that 'For government employees it is a matter of due diligence that governments make available comprehensive training for peace operations'.¹⁶

12.14 Mr David Ritchie, DFAT, observed that there is 'a substantial training component for Australian public servants who are deployed to Solomon Islands government departments'. The pre-deployment preparation comprises a unit of

12 *Submission 21*, pp. 2–3 and 6; *Committee Hansard*, 5 September 2007, p. 19.

13 Department of the Treasury, *Annual Report 2006–2007*, p. 40.

14 Department of the Treasury, *Annual Report 2006–2007*, p. 41.

15 Department of Finance and Administration, *Annual Report 2006–2007*, p. 27.

16 Challenges Project is a multinational cooperation, initiated in 1997, to promote cooperation and to develop recommendations to benefit peace operations. See *Meeting the Challenges of Peace Operations: Cooperation and Coordination*, Elanders Gotab, Stockholm, 2005, p. 129, <http://www.folkebernadotteacademy.se/roach/images/pdf/challenges.pdf> (accessed 27 November 2007).

training in Australia and then further training in Solomon Islands which includes cross-cultural awareness courses and instruction in the work environment.¹⁷ DFAT noted that it provides training in cultural awareness and language skills both prior to deployment and in the country of operation. Language and cultural awareness training is discussed more fully in Chapter 18.

12.15 AusAID has engaged RedR Australia, a humanitarian organisation specialised in training NGOs in the field of humanitarian operations, to provide security training for its employees. In 2006–07, 30 AusAID officers took part in the RedR Essentials of Humanitarian Practice course and 18 in the Personal Security and Communications course. In addition, one officer attended the Basics of International Humanitarian Response course run by the Office of the United Nations High Commissioner for Refugees (UNHCR) Centre.¹⁸

12.16 The training regime for AusAID's Rapid Response Team (RRT)—'a team of trained AusAID emergency response personnel'¹⁹—is more comprehensive. In addition to the above courses, members undertake a psychological test and attend an RRT course. It is a five-day training program focusing on the global context in humanitarian disaster response; AusAID specific issues; data collection and analysis; and familiarisation with communication devices. The training finishes with a two-day simulation. Training at overseas posts is otherwise similar but the content and context is customised for local conditions. According to AusAID, other government agencies and NGOs are increasingly attending the course.²⁰

12.17 Because of the smaller number of Australian civilian officers deployed to a peacekeeping operation and the diversity of their tasks and functions, relevant agencies do not have a training regime as structured as the ADF or the AFP. Many rely on other agencies such as DFAT, AusAID, ADF and AFP or other sources such as universities and NGOs to help them prepare their officers for deployment. The Australian Red Cross was of the view that training across government agencies for personnel potentially involved in peacekeeping 'appears to be inadequate'.²¹ It wanted to emphasise the important role that it and similar organisations 'can play in the pre-deployment phase and would strongly recommend that such organisations be involved in all general and pre-deployment training and briefings offered'.²²

17 *Committee Hansard*, 25 July 2007, p. 63.

18 AusAID, answer to written question on notice 3a, 25 July 2007.

19 *Submission 26*, p. 13.

20 AusAID, answers to written questions on notice 4b and 4c, 25 July 2007.

21 *Committee Hansard*, 21 August 2007, p. 2.

22 *Committee Hansard*, 20 August 2007, p. 3.

12.18 AusAID has taken on a role training personnel from other government agencies, which is discussed in the following chapter dealing with coordinating Australia's contribution to peacekeeping operations.²³

Training the trainers

12.19 Public servants deployed to a peacekeeping operation are often involved in training their host country counterparts. To have a lasting benefit, local people should learn from these experts and as soon as practicable replace them. Thus, peacekeepers in these positions need to be able to effectively impart their specialist skills and knowledge. In this regard, Professor Raymond Apthorpe and Mr Jacob Townsend pointed to the importance of teaching and training skills:

The tendency is to assume that those with knowledge can make others learn it, which is an assumption challenged by experience and the existence of teacher training for our own education systems.²⁴

12.20 They submitted that a 'major requirement for executing capacity-building programs effectively is to have staff who are trained as trainers'.²⁵ Using the same argument, Associate Professor Wainwright raised the issue of dependency and the importance of ensuring that those working within host governments are passing on skills and not just doing the job themselves.²⁶

12.21 The AFP certainly recognises its role as a teacher in a peacekeeping operation. Personnel attend courses to learn 'a coaching approach to capacity development'.²⁷ The committee believes that all Australian personnel likely to be involved in capacity building should undergo courses on how to be an effective trainer.

Contracting

12.22 According to DFAT, where 'the right skill sets are not readily available', government agencies attempt to find a suitable candidate from outside the public service through a merit selection process or contracting. All are required to abide by either the Australian Public Service Code of Conduct or a Code of Conduct developed for contractors. Public servants are required to undergo a security clearance; contractors are required to be of 'good name and character' and have no criminal record.²⁸

23 AusAID, answer to written question on notice 4a, 25 July 2007.

24 *Submission 32*, p. 6.

25 *Submission 32*, p. 6.

26 *Committee Hansard*, 20 August 2007, p. 13.

27 See Chapter 10, paragraph 10.41.

28 DFAT, answer to written question on notice 2, 24 July 2007; AusAID, answer to written question on notice 24, 25 July 2007.

12.23 AusAID follows the same guidelines as DFAT when recruiting civilians for overseas operations. It can 'enter into direct contract arrangements for the provision of technical advisers', and has a formal funding agreement with RedR Australia to provide technical experts to UN agencies. The deployments are usually 'of three to six months' duration but may be as short as a few weeks'. In the period July 2006–July 2007, there had been 55 such deployments.²⁹

12.24 AusAID advised that training for contractors is outsourced. GRM International provides pre-deployment briefings to contracted personnel and suppliers 'as stipulated in AusAID's contract for the Provision of Services for Governance and Related Aid Activity in Solomon Islands'. AusAID stated that it monitors GRM's performance through quarterly milestones reporting and independent annual audits.³⁰

Committee view

12.25 The committee recognises the importance of ensuring that all Australian peacekeepers receive adequate training before they are deployed. It accepts that departments such as Treasury, that contribute only a small number of staff to peacekeeping operations, may not have the resources or expertise to train staff adequately for deployment. The committee is therefore concerned that officers from such departments may miss out on appropriate training opportunities.

12.26 In the committee's view, the current training programs for Australian public servants, apart from AusAID's RRT, could be better structured. To some extent, the existing lack of structure is understandable because specialists are being drawn from various departments to perform specific tasks. The committee believes that more could be done to coordinate the training programs for Commonwealth public servants in a peacekeeping operation.

12.27 Preparing officers engaged in capacity building to be effective teachers and trainers is one particular area that warrants close attention.

12.28 The committee also believes that contractors who undertake work on behalf of the Australian Government in a peacekeeping operation should be appropriately trained and prepared. Agencies that engage outside contractors still have responsibility for the conduct and behaviour of contractors. The committee believes that government agencies, as part of their due diligence and duty of care obligations, must ensure that any contractor performing work on behalf of the Commonwealth in a peacekeeping operation is fully equipped to do so.

Recommendation 11

12.29 The committee recommends that DFAT and AusAID jointly review the pre-deployment training arrangements for Commonwealth officers being

29 AusAID, answer to written question on notice 2, 25 July 2007.

30 AusAID, answer to written question on notice 8, 25 July 2007.

deployed on peacekeeping missions with a view to establishing a government approved course of training. The committee recommends further that:

- **all Commonwealth personnel deploying to a peacekeeping operation satisfy the requirements of this course;**
- **relevant government agencies require all their external contractors providing services to a peacekeeping operation to undergo appropriate screening and training; and**
- **to ensure the effective transfer of skills and knowledge, DFAT and AusAID include in their pre-deployment preparations a 'training for trainers' course for personnel whose duties involve instructing or coaching people in a host country.**

Conclusion

12.30 To this point, the committee has considered training from an individual agency perspective. The ADF, AFP and AusAID, in particular, have developed programs suited specifically for their officers, though AusAID has taken on a training function for other departments. The committee has also considered ADF and AFP interoperability. As the committee found with the ADF and the AFP, the various elements of a peacekeeping operation work best when they come together as an integrated whole. The following chapter looks at the approach taken by the Australian Government and its agencies to achieving this integration.

Chapter 13

Coordinating Australia's contribution

13.1 Cooperation between agencies involved in a peacekeeping operation is critical to the success of a mission. Defence made clear that it understood the necessity for whole-of-government cooperation, explaining:

In recent years, a more whole-of-government approach to peace operations has developed. Such an approach necessitates a thorough understanding of the interrelated roles of all actors involved and methods to plan and implement a multifaceted campaign. The whole-of-government approach...whereby all relevant elements are coordinated at the strategic and operational level, maximises the efficacy of the resources made available.¹

13.2 In this chapter, the committee considers the existing mechanisms for the coordination of Australian peacekeeping operations. It also examines the structures that provide whole-of-government policy direction. The first section is concerned with planning and coordination at the strategic level. The second section focuses on operational considerations and preparedness, identifying how Australian peacekeepers can work together effectively as a coordinated and well-integrated whole.

Coordination—strategic level

13.3 The arrangements for coordinating and implementing Australia's contribution to peacekeeping operations are developed case by case and based on 'flexibility, responsiveness and reliability'. Ms Gillian Bird, DFAT, observed that 'We have well-established and well-tried structures to make decisions and to coordinate planning and implementation'.²

13.4 The following mechanisms are used to formulate whole-of-government policy and to coordinate Australia's involvement in peacekeeping operations:

- the National Security Committee of Cabinet (NSC) and the Secretaries Committee on National Security (SCONS) provide policy direction and development;
- the Strategic Policy Coordination Group (SPCG) at the deputy secretary level provides strategic oversight and direction across agencies; and
- standing interdepartmental committees (IDCs) address specific peacekeeping operation issues.³

1 *Submission 30*, p. 6.

2 *Committee Hansard*, 25 July 2007, p. 44.

3 *Committee Hansard*, 25 July 2007, p. 44.

13.5 As noted in Chapter 3, the NSC sets policy and is chaired by the Prime Minister. It sits at the highest level of government, convenes regularly, and meets on a daily basis, if required. The SPCG includes DFAT, PM&C and Defence as the core agencies.⁴ Although chaired by PM&C, any member of the committee may call a meeting if issues arise. The SPCG committee meets routinely on a monthly basis, and more frequently as required.⁵

13.6 The IDCs provide a whole-of-government framework for policy formulation and coordination of an individual peacekeeping operation. Whole-of-government working groups focussed on particular areas, such as a legal working group and security working group, come under the IDC. For example, with RAMSI, DFAT convenes an IDC that meets weekly.⁶ However, Australia's contribution in Timor-Leste is coordinated through the SPCG, which includes the AFP, A-G's and AusAID as well as the core agencies for discussions on East Timor.⁷ Major General Mike Smith commented that he was 'surprised that there was not an IDC or a real whole-of-government approach to the recent East Timor mission' as there was for RAMSI.⁸

13.7 In addition to specific whole-of-government fora, agencies have established other mechanisms for coordinating peacekeeping operations. For example, AusAID and ADF 'meet at head of agency/CDF level periodically for strategic and senior level discussions'. During a humanitarian crisis, the ADF places liaison officers with AusAID.⁹

13.8 Lt Gen Gillespie considered that the new Joint Operations Command Headquarters at Bungendore, near Queanbeyan, NSW, would improve whole-of-government planning and coordination:

Because of the way that our headquarters are constructed at the present time, the different capabilities that the headquarters can bring are in the different places. Whilst we can engage with other departments, we can't engage with them with all the toolsets there at one time. We will be able to do that in Bungendore. So situational awareness, intelligence, access to legal staff, the ability to take something from the joint operations level back to the strategic commitments/whole-of-government level will be vastly increased. Turnaround times will decrease. The duplication of effort and staffs will decrease dramatically.¹⁰

4 *Committee Hansard*, 25 July 2007, p. 61.

5 Lt Gen Gillespie, *Committee Hansard*, 24 July 2007, pp. 10–11.

6 *Committee Hansard*, 25 July 2007, p. 3.

7 *Committee Hansard*, 25 July 2007, p. 61.

8 *Committee Hansard*, 6 September 2007, p. 36.

9 *Committee Hansard*, 25 July 2007, p. 85.

10 *Committee Hansard*, 24 July, pp. 2, 16.

13.9 In addition to the standing forums and facilities for coordinating peace operations, the committee received some examples of operation-specific coordination.

RAMSI

13.10 Individual operations have mechanisms for coordination on the ground. For example, RAMSI has a special coordinator, a DFAT officer, who has overall responsibility for the mission. In addition, the senior group involves an AusAID development coordinator, a senior AFP officer and a senior ADF officer. The group meets frequently to ensure 'total transparency of knowledge between them...so that the mission is in fact ready for contingencies that may be foreseen'.¹¹ RAMSI's Special Coordinator is also supported by a Deputy Special Coordinator from New Zealand, and an Assistant Special Coordinator from Fiji.¹²

13.11 In addition to thrice-weekly coordination meetings in Honiara, there is a weekly IDC meeting by telephone hook-up between the Office of the Special Coordinator and agencies in Canberra. The Special Coordinator's office also provides a weekly situation report. DFAT coordinates a six-monthly report to the NSC, with input from all agencies.¹³ Mr Alan March, AusAID, explained the information flow from Solomon Islands back to contributing agencies:

There is a whole-of-government structure in Honiara that captures this information, makes decisions and prioritises. Thereafter, there is a twin stream in which information then comes back to Canberra. It is through that whole-of-government reporting back to the whole-of-government structure here in Canberra and then separately through the line agencies...¹⁴

13.12 In an audit of the coordination of Australian government assistance to Solomon Islands, the ANAO concluded that the coordination arrangements between Australian government agencies were sound.¹⁵ The ANAO found that program objectives had been established for RAMSI, an evolutionary approach to strategic planning employed, a strategic approach to risk management adopted and arrangements put in place for regular whole-of-government reporting to the Australian Government.¹⁶

13.13 As noted earlier, this IDC approach is not used for Timor-Leste which is coordinated through the SPCG.

11 *Committee Hansard*, 25 July 2007, p. 64.

12 DFAT, *Submission 15*, p. 9.

13 Mr Tim O'Brien, ANAO, *Committee Hansard*, 6 September 2007, p. 51.

14 *Committee Hansard*, 25 July 2007, p. 77.

15 Mr John Meert, *Committee Hansard*, 6 September 2007, p. 52.

16 ANAO, Audit Report No. 47 2006–07, *Coordination of Australian Government Assistance to Solomon Islands, Department of Foreign Affairs and Trade and Australian Agency for International Development*, p. 13.

Peace Operations Working Group and other contacts

13.14 DFAT also informed the committee about the Peace Operations Working Group which looks at peacekeeping operations more thematically. It is an informal working group chaired by DFAT, with members from Defence, AFP, AusAID and A-G's. The group was formed in 1995 and meets as required, generally 'a few times a year'. Mr Michael Potts, DFAT, described three main aims of the Peace Operations Working Group:

Firstly, its objective is information sharing...Secondly, it is a very useful clearing house...to look at how peacekeeping is likely to figure on the [General Assembly] agenda for this year. Thirdly, it provides the opportunity for new initiatives, to look at, for example, what we might want to do with the Peacebuilding Commission and so on.¹⁷

13.15 Agencies also maintain informal dialogue with each other. For example, the AEC liaises with other agencies regarding countries in which it has long-term interest; and it is frequently consulted on election-related matters and governance issues. Outside Australia, AEC staff maintain contact with Australian embassies and high commissions. The AEC observed that it has 'invariably received strong support from them'.¹⁸

Adequacy of existing arrangements

13.16 The Government of Canada advised the committee that it has adopted a whole-of-government approach to peace operations and has established a specific bureau for this purpose.¹⁹ In Australia, government departments and agencies did not see the need for a specialised coordination group; they were satisfied with existing arrangements.²⁰ AusAID noted, however, that these arrangements have a 'high transaction cost' as agencies have to invest senior and experienced people in the process. It added that some agencies have had to strengthen their 'senior level staffing profile to be able to engage in this'. Nevertheless, AusAID considered that 'It is certainly an acceptable cost, and it is certainly a cost that is far outweighed by the dividends of having a more joined up approach'.²¹

13.17 In reference to RAMSI, DFAT noted the 'intensity and complexity' of managing whole-of-government planning and implementation, observing the

17 *Committee Hansard*, 25 July 2007, p. 62. DFAT noted that the working group discusses a range of peacekeeping policy issues including the work of the UN's Special Committee on Peacekeeping (C34) and regional capacity-building initiatives. See DFAT, answer to written question on notice 5, 25 July 2007..

18 *Submission 21*, p. 14.

19 *Submission 37*, p. 6.

20 See for example, DFAT, *Committee Hansard*, 25 July 2007, p. 61; AFP, answer to question on notice 10, 25 July 2007; AEC, *Submission 21*, p. 14.

21 *Committee Hansard*, 25 July 2007, pp. 81–82.

importance of devoting sufficient resources to the coordination task.²² It was satisfied that the development of the IDG and engagement between the agencies provides the capabilities that Australia needs for the kinds of operations it is involved in.²³ AusAID considered that such costs would mitigate over time as agencies 'get intuitively more involved with aligning our systems and the areas of overlap become much more clearly understood at all levels in agencies'.²⁴

Committee view

13.18 The committee notes the formal mechanisms that exist to coordinate the Australian Government's contribution to peacekeeping operations at a strategic level. Evidence suggested that government agencies are satisfied with current arrangements.

13.19 The committee accepts the argument that flexibility is needed when coordinating arrangements for peacekeeping operations to enable appropriate responses to the circumstances of each mission. It would be interested in the findings of a comparative study into the effectiveness of the approach taken for RAMSI with the establishment of an IDC and that for East Timor where coordination is managed through the SPCG. The committee believes that there are important lessons to be learnt from such review and analysis.

Recommendation 12

13.20 The committee recommends that DFAT undertake a comparative review and analysis of the strategic level arrangements for the planning and coordination of RAMSI and peacekeeping operations in Timor-Leste and to use the findings as a guide for future missions.

13.21 In Chapter 14, the committee considers how these mechanisms relate to those outside government, and in particular, the extent to which NGOs understand and engage with the process.

Coordination—operational level

13.22 Having considered the whole-of-government arrangements for managing peacekeeping operations, the committee now examines how effectively Australian government agencies work at an operational level. Although the committee has already discussed ADF–AFP interoperability, it considers them here within a whole-of-government context.

13.23 With the increasing number of civilian personnel engaged in peacekeeping, greater attention has been given to the importance of whole-of-government

22 *Submission 15*, p. 9.

23 *Committee Hansard*, 25 July 2007, p. 64.

24 Mr Alan March, *Committee Hansard*, 25 July 2007, p. 82.

cooperation.²⁵ Dr Bob Breen, ANU, noted that Australia's involvement in peacekeeping operations in Bougainville, Papua New Guinea, was significant in this regard. This was the first time that diplomats were involved at an operational, tactical level. It was also the first time that civilian peace monitors were engaged in an operation:

Mixing those groups in and getting them to work cohesively with the military marks the first attempt by a number of agencies to take a more than crisis time interest in longer term commitments to work together to get an effect on the ground.²⁶

13.24 The findings of an ANAO report on the coordination of Australian government assistance to Solomon Islands illustrated the importance of government agencies working together. The report identified some deficiencies in coordination on the ground when the security situation deteriorated rapidly in April 2006. It found that while some civilian members of RAMSI were well informed about developments during the riots, others were not.²⁷ DFAT advised the committee that a broad 'lessons learned' exercise had been undertaken following the riots and, as a result, RAMSI had 'strengthened security, including establishing clear lines of communication in Honiara'. Some of the changes put in place included the launch of a security website to provide information to personnel and the development of a new civilian security plan, including regular threat and risk assessments.²⁸

13.25 The experiences in Honiara in 2006 underscore the fact that peacekeeping operations may occur in volatile environments, where temporary flare-ups of violence and breakdowns in law and order test the effectiveness of the interoperability of all relevant government agencies. With the involvement of civilians from a range of agencies, it is essential that basic information about personnel, such as knowing their location, is available through a central register and reliable communication networks are in place and efficiently managed.

13.26 DFAT also advised the committee that coordination had been further improved in light of RAMSI's response to the tsunami that caused widespread destruction in Solomon Islands in April 2007, with all RAMSI civilians required 'to enter their current and planned movements on to the RAMSI Civilian Security website'.²⁹

25 See for example, Department of Defence, *Submission 30*, p. 6.

26 *Committee Hansard*, 5 September 2007, p. 46.

27 *Committee Hansard*, 6 September 2007, p. 52.

28 DFAT, answer to written question on notice 6, 24 July 2007.

29 DFAT, answer to written question on notice 6, 24 July 2007.

Coordination—preparedness

13.27 Administrative tools such as clear lines of communication are essential to achieving coordination between all components of a peacekeeping operation. But a shared understanding of the government's objectives in the mission, of the roles and functions of participating agencies and how their contribution forms part of an integrated mission is also important. For example, Defence noted:

In recent years a more whole-of-government approach to peace operations has developed. Such an approach necessitates a thorough understanding of the interrelated roles of all actors involved and methods to plan and implement a multifaceted campaign.³⁰

13.28 Furthermore, Defence expected that peacekeeping operations would continue 'to evolve as a strategic tool for the resolution of conflict' and that such operations 'will contribute to, and are coordinated with, a whole-of-government approach'.³¹

13.29 Agencies should have a common understanding of a range of important matters such as the legal aspects of a peacekeeping operation and their implications for Australians participating in the mission. For example, the Australian Red Cross suggested that joint training must include a detailed explanation of the legal framework within which the operations are undertaken. In its view, training needs to include, as a minimum, the relevant UN or bilateral agreements covering such operations and the underlying international legal framework—in particular international humanitarian law and international human rights law. Training should also include clear guidance as to the application of Australian domestic law, including criminal law.³²

13.30 Studies indicate that joint pre-deployment training provides the platform for a successful deployment. The Folke Bernadotte Academy, a Swedish Government initiative with a particular focus on peace operations, has noted that 'There is a critical need for participants in peace operations to train together' prior to the deployment, instead of meeting for the first time on location. It has stated:

The earlier in one's education and training that one is exposed to the often different views of other disciplines, the more readily one can adapt to the needs of cooperative work in the field.³³

30 *Submission 30*, p. 6.

31 *Submission 30*, p. 3.

32 Australian Red Cross, *Submission 22*, pp. 3–4.

33 Challenges Project, *Meeting the Challenges of Peace Operations: Cooperation and Coordination*, Elanders Gotab, Stockholm, 2005, p. 124, <http://www.folkebernadotteacademy.se/roach/images/pdf/challenges.pdf> (accessed 14 November 2007).

13.31 The committee now considers the measures taken by the Australian Government and its agencies to achieve an effective whole-of-government operation through pre-deployment training and preparation.

Staff secondments

13.32 As noted in Chapter 11, the AFP second officers to various Defence establishments. Several departments also second staff to other departments to improve the links between their organisations, increase their knowledge and understanding of each other's work and to encourage more comprehensive and cohesive input to peacekeeping operations. AusAID explained that it provides a seconded liaison officer to the IDG to assist in the coordination of duties/projects of mutual interest to both agencies. It said:

In line with these responsibilities, the AusAID liaison officer provides assistance in the development and design phase of the IDG's current Capacity Development training program. The AusAID liaison officer continues to provide ongoing advice to IDG and contributes to all relevant IDG training/course components, particularly in areas of capacity building and practice. This officer also delivers briefings to all IDG pre-deployment training courses to provide a broad overview of AusAID, its mandate and the development projects in which it is involved.³⁴

13.33 The AFP appreciates the benefits that derive from the exchange of personnel and reciprocates by placing officers within AusAID. Assistant Commissioner Walters described the strong strategic partnership between AFP and AusAID:

The linkage from peace, stability and development to security and the rule of law is well known. The AFP's relationship with AusAID in preparing and implementing police and law and justice programs in pre and postconflict environments grows. We have staff members embedded in AusAID's Fragile States Unit and the Office of Development Effectiveness and we benefit from having an AusAID liaison officer attached to the International Deployment Group.³⁵

13.34 A number of other agencies also second officers to AusAID, particularly to the Fragile States Unit.³⁶

AusAID's Fragile States Unit

13.35 AusAID's Fragile States Unit (FSU) was formed in 2005 to analyse international and regional experiences in relation to vulnerable states, particularly

34 AusAID, answer to question on notice 1, 25 July 2007.

35 *Committee Hansard*, 25 July 2007, p. 3.

36 It has been renamed the Fragile States and Peace-building Unit(FSP).

those in Australia's region.³⁷ It was conceptualised at the outset as an inter-agency unit, recognising the need for an integrated approach to fragile states.³⁸

13.36 Both the AFP and Treasury have officers placed within the FSU. Defence does not currently have personnel seconded to the FSU but stated that it would consider assigning an officer for 2008.³⁹

13.37 Mr March, AusAID, considered that one of the greatest strengths of the FSU is the improvement in inter-agency understanding and the approach it fosters:

I think strengths are...that we bring from Treasury, AFP and, in the past, from Defence, their perspective into our thinking, planning and conceptualisation of how we are preparing activities and thinking about providing advice to other programmatic areas in AusAID.⁴⁰

13.38 The advantages flow both ways. Ms Alison Chartres, Director of the FSU, commented that officers seconded to unit:

...take the knowledge that they are gaining from the unit and AusAID staff that they are working with in our building back into Treasury. So they have regular meetings back with Treasury and AFP. They report back, they share the experiences that they are accessing through our international work and our regional reviews that we are undertaking.⁴¹

13.39 Overall, secondments bring agencies closer together, increase the level of mutual understanding and help to build a body of expertise that cuts across agencies. They pay dividends when such officers are deployed because much of the ground work for cooperation and coordination between these agencies has already been done.

Joint training

13.40 Some agencies use training to improve understanding between agencies, increase people-to-people links across agencies and enhance the whole-of-government approach to peacekeeping operations. In particular, AusAID has taken on a role training personnel from other government agencies. The FSU not only conducts applied research work and actively encourages other agencies to place personnel in the unit, but it also contributes to inter-agency coordination through training programs and pre-deployment briefings. Mr Alan March explained:

This group here plus officers who work with us would on a regular basis provide briefing to Australian Defence Force and the Australian Federal

37 AusAID, *Submission 26*, p. 8.

38 *Committee Hansard*, 25 July 2007, p. 79.

39 *Committee Hansard*, 25 July 2007, p. 75; Defence, answer to a question on notice W7, 24 July 2007.

40 *Committee Hansard*, 25 July 2007, p. 76.

41 *Committee Hansard*, 25 July 2007, p. 76.

Police. In general, it is command and staff college courses on issues as diverse as state fragility, humanitarian response and humanitarian law, peace conflict issues, gender issues, but up to and including briefing rotations of AFP staff and ADF staff who are about to deploy to a theatre for a particular activity.⁴²

13.41 In 2003, AusAID established a Peace Conflict and Humanitarian Adviser position to provide training for peacekeepers, civilian police and humanitarian workers.⁴³ The position develops capacity-building tools and training and oversees a 'modularised' training package on peace and conflict concepts and terminology. According to AusAID, its intention is to expand the package to comprise thematic issues such as gender and peacebuilding, and continue delivering it to other government and non-government agencies.⁴⁴

13.42 AusAID noted that it has a large role in the design of the two-day humanitarian segment of the International Peace Operations Seminar (IPOS).⁴⁵ IPOS gives AusAID an opportunity to present its view on coordination, namely, that 'we can work with the ADF in this busy battle space with both of us doing our core capabilities—but having a much better understanding of where we overlap—and improving that work'.⁴⁶ AusAID Operations Support Unit has briefed DFAT and other public service employees in RAMSI on peace, conflict and development issues.⁴⁷

13.43 The ADF offers a number of opportunities for personnel from other government agencies to attend its pre-deployment courses. According to Defence, the 39th Personnel Support Battalion has trained representatives from agencies such as AFP, DFAT, Customs and Immigration. Participants from other agencies have also attended and given presentations at IPOS. According to the Australian Peacekeeper and Peacemaker Veterans' Association (APPVA), agencies such as DFAT have also been involved in Defence's Mission Rehearsal Exercises (see paragraph 9.24).

13.44 The AEC provides training for Australian government agencies regarding electoral matters. It has collaborated with the ADF and contributed to IPOS since 1994.⁴⁸ The AEC noted:

In the last two years they (ADF) had major exercises going where they were simulating peace operations with an electoral dimension and we went

42 *Committee Hansard*, 25 July 2007, p. 81.

43 *Submission 26*, pp. 3, 17.

44 *Submission 26*, p. 7; AusAID, answer to written question on notice 4a, 25 July 2007.

45 Mr Steve Darvill, AusAID, *Committee Hansard*, 25 July 2007, p. 84.

46 *Committee Hansard*, 25 July 2007, pp. 83–84.

47 DFAT, answer to written question on notice 3, 25 July 2007.

48 *Committee Hansard*, 5 September 2007, p. 18.

along for a week each time to provide input into that exercise to try to make it more realistic for the military officers who were doing that work.⁴⁹

13.45 The AEC has not been involved in the AFP's IDG training courses. Mr Maley explained that in Solomon Islands, the AEC would work through its contacts in the Solomon Islands Electoral Commission, whose role it would be to coordinate election security with police authorities. He also commented:

I suspect the IDG has been focused very much on the sort of emergency end of the deployments in a case like Timor or the Solomons and that normally electoral processes are not going to arise in that sort of environment until things have calmed down very considerably.⁵⁰

13.46 The committee notes that the IDG's role has extended well beyond initial emergency response to longer-term institution and capacity building. The committee suggests it would be worthwhile for the AEC and AFP to consider opportunities for AEC contribution to the IDG pre-deployment training.

Adequacy of training

13.47 While commending the efforts of departments to improve their understanding and cooperation, some submitters concluded that more could be done. World Vision Australia endorsed the secondments so far undertaken between government agencies, but saw scope for significantly increased exchanges of information, training and staff between key departments.⁵¹ Further, Major General Ford asserted:

...there is considerable ignorance concerning the complexity of peacekeeping operations in many components of the ADF. In particular, our military leadership could work more closely with AFP leadership and DFAT at developing expertise in combined approaches to international and regional security initiatives.⁵²

13.48 AusAID was of the view that 'Australia's whole-of-government approach is seen as international best practice'. Even so, it believed that there was room for improvement in planning and preparation for peacekeeping operations across military and civilian elements, 'Where gains can be made is on systems alignment and joint doctrine and policy approaches'.⁵³

13.49 Assistant Commissioner Walters also thought that the experience of agencies beyond the security sector could be further utilised:

49 Mr Michael Maley, *Committee Hansard*, 5 September 2007, p. 18. See also *Submission 21*, p. 14.

50 *Committee Hansard*, 5 September 2007, p. 20.

51 World Vision Australia, *Submission 19*, p. 6.

52 *Submission 4*, p. 2.

53 Mr Alan March, *Committee Hansard*, 25 July 2007, p. 73.

I think that to date we have done a reasonable job from a whole-of-government perspective on trying to anticipate the challenges and other developments, particularly in the arc of instability and particularly in our region. I think there are opportunities for us to garner the experience and resources of other institutions to help inform that body of work. Whilst the AFP and the ADF have been working closely together and will enhance that level of work, we will also bring the Department of Foreign Affairs and Trade and AusAID—who also have extensive experience in offshore missions and other activities—into the picture to try and inform that bigger picture. I think it has been working well to date, but there are opportunities that we can exploit by having broader engagement.⁵⁴

13.50 Major General Ford advocated a 'combined military, police and DFAT approach to training leaders who are prepared to command Australian contingents in peace operations'. He pointed to the need for a coherent whole-of-government approach that 'both studies and teaches an integrated Australian approach to peacekeeping and peace-building'.⁵⁵ To this end, he argued for a dedicated national peacekeeping facility staffed by civil, military and police experts.

13.51 Similarly, Austcare commented that 'Australia's impressive record of contributing to peacekeeping operations notwithstanding...more needs to be done to coordinate "whole-of-government" and "whole-of-nation" effectiveness'. Austcare also argued that part of the solution lies in the formation of an independent national institute.⁵⁶

13.52 Associate Professor Elsin Wainwright considered that the 'linkages between all the agencies are pretty good on a world scale', but saw merit in a centralised institutional capacity focused on aspects of peace building that are not directly security related, such as democracy, finance and economics. She considered that one possible avenue would be to expand the SFU within AusAID.⁵⁷

13.53 It may be that a central agency is required to promote a whole-of-government strategy to peacekeeping involving not only training but a whole range of activities including the development of doctrine and the evaluation of programs. This proposal is considered in detail in Chapter 25.

Committee view

13.54 The committee recognises the important role that joint training or combined courses have in preparing Australian peacekeepers for deployment. The committee is encouraged by the efforts of key agencies to improve their understanding of each

54 *Committee Hansard*, 25 July 2007, p. 34.

55 *Submission 4*, p. 2.

56 *Submission 11*, p. 15.

57 *Committee Hansard*, 20 August 2007, p. 9.

other's roles and methods of operation. It believes, however, that activities such as secondments and joint training do not yet form part of a whole-of-government strategy. It appears that activities geared toward improving coordination currently rely on the motivation of individual agencies. The committee commends the AFP for its initiative in seconding officers to other departments and its willingness to form what it terms 'interdepartmental partnerships'. The committee recognises that AusAID is similarly keen to take on an active role in interagency training and notes the role that the Fragile States Unit may play in this regard.

13.55 The committee is also pleased that Defence is making places available for AFP and other government agency personnel in its training courses and encourages it to continue these efforts. However, it considers that Defence has been somewhat more active in creating opportunities for other agencies within its structures than it has been in placing its own personnel within other agencies. The committee sees significant benefit in key departments having a sound appreciation of each other's role, approach and procedures. It urges them, particularly Defence and DFAT, to seek opportunities to place their staff with other departments.

Conclusion

13.56 Overall, the committee is of the view that if Australia is to achieve an effective whole-of-government training framework, it must begin by finding a way to integrate the separate training programs and *ad hoc* courses into a coherent whole. While allowing agencies to continue to train their personnel for their specific functions, this whole-of-government approach would avoid duplication, identify and rectify gaps in training and promote better cooperation and coordination among all participants in the field. A central agency is required to provide overarching strategic guidance and planning that would give coherence to the agencies' individual and joint education and training programs.

13.57 In the next chapter, the committee looks at the role of non-government organisations (NGOs) and their pre-deployment training.

Chapter 14

Non-government organisations

14.1 In this chapter, the committee's focus shifts to non-government organisations (NGOs). The committee looks firstly at the role and function of NGOs in peacekeeping operations and the pre-deployment training and preparation of NGO personnel. In the context of peacekeeping operations, it then considers the working relationship between the government sector and NGOs.

Role of NGOs

14.2 The role of NGOs in peacekeeping operations is very different from that of the ADF or the AFP. NGOs engaged in humanitarian or development work are, according to the Australian Red Cross, motivated by the objective of reducing human suffering. It observed that these NGOs:

...are often engaged in a peacekeeper's 'area of operation' long before military forces arrive, and often remain long after military and other government forces retire. They are able to undertake their operations...on the basis that they act in a neutral and impartial manner, and provide their aid on the basis of need alone.¹

14.3 The committee took evidence from a number of NGOs engaged in humanitarian work, including World Vision Australia (WVA), Oxfam Australia, the Australian Red Cross, Austcare and Christian World Service (CWS). Their activities range from poverty reduction and local capacity building to conflict and disaster relief.² Humanitarian NGOs build relations across the local community, including churches, women's groups and educational organisations.³

14.4 These unarmed NGOs work in conflict and disaster situations, often in 'some of the most dire humanitarian situations'.⁴ They are limited in the physical protection they can offer to their operations and, according to Oxfam, 'are dependent on a base level of security to ensure staff safety and the safety of the people who benefit from our programmes'.⁵ In many cases they work alongside Australian peacekeepers.

1 *Submission 22*, p. 2.

2 See for example, Austcare, *Committee Hansard*, 6 September 2007, p. 23; WVA, *Submission 19*, p. 2; CWS, *Submission 31*, p. 3; Oxfam Australia, *Annual Report 2005–06*, pp. 8–9, http://www.oxfam.org.au/about/annual_report/2005-2006.pdf (accessed 29 October 2007); and Oxfam Australia, <http://www.oxfam.org.au/getactive/work/volunteer> (accessed 21 January 2008).

3 DFAT, *Committee Hansard*, 25 July 2007, p. 51; and AusAID, *Submission 26*, p. 14.

4 See Oxfam, *Submission 24*, p. 2/12.

5 *Submission 24*, p. 2.

14.5 When considering their role in a peacekeeping operation, an important feature of NGOs is that, although they subscribe to broad principles to relieve human suffering, they are a diverse and heterogeneous group and approach a peacekeeping operation from their own particular perspectives. Each has its own charter, international affiliations, objectives, work culture and area of operation. Because of their specific focus and limited responsibility, they may not be in a position to appreciate the complexities of an operation as a whole.

Importance of pre-deployment training and education

14.6 As has long been acknowledged, training is also important to NGO personnel.⁶ For example, Mr David Brown, Asia Manager, Australian Red Cross, noted that peacekeepers with particular technical expertise, such as in water and sanitation or food relief, do not necessarily have an understanding of international humanitarian law nor of the preparation required for working in a complex environment.⁷ Austcare noted that Australian NGOs have more to learn about UN doctrine and procedures that apply to complex emergencies and peacekeeping. It observed that, 'It is too late and inefficient for NGOs to learn this in an ad hoc manner on the ground when operations have commenced and people are most in need of humanitarian assistance'.⁸ It is essential therefore that NGO personnel undergo appropriate preparation for a peacekeeping operation.⁹

Preparation

14.7 While a number of NGOs commented on the efforts made by government agencies to increase the skills of their peacekeepers, NGOs provided little detail on the training of their own personnel.

14.8 The Australian Red Cross noted that Australian NGOs tend to recruit and organise training for their peacekeepers.¹⁰ For example, the training program for WVA's global rapid response team, which responds to major emergencies, includes components such as team building, cultural awareness, and health and wellbeing.¹¹

6 See for example, ARF CBM Workshop on Peace Arrangements Ensuring Stability and Security Including Civil–Military Cooperation, 22–23 March 2005, Tokyo, p. 4.

7 See for example, *Committee Hansard*, 20 August 2007, p. 6; and Report for the Conference on the EC Project of Crisis Management, Madrid, Spain, 27–28 May 2002, p. 21.

8 *Submission 11*, p. 12.

9 See for example, Report for the Conference on the EC Project of Crisis Management, Madrid, Spain, 27–28 May 2002, p. 7.

10 AusAID informed the committee that it provides support to Australian NGOs to train, recruit and deploy civilians for peacekeeping operations. AusAID, answer to written question on notice 2(d).

11 *Committee Hansard*, 21 August 2007, p. 33.

14.9 Austcare sends aid volunteers overseas through partnering with volunteer organisations such as the Australian Volunteers International (AVI).¹² AVI delivers pre-deployment training, including a three-day comprehensive briefing on aid and development, capacity building, health and security advice, and cultural effectiveness training. Their orientation program in-country may include language training.¹³

14.10 The Australian Red Cross runs a compulsory six-day basic training course for potential volunteers as part of the selection process, 'after which successful applicants are placed on the database' to wait to go overseas. Participants are taught about the Red Cross movement, international humanitarian law and the work in the field.¹⁴ Mr Robert Tickner, CEO, Australian Red Cross, explained that the 'conduct of a basic training course for delegates is a precondition to the International Committee of the Red Cross accepting our people'.¹⁵

14.11 The Australian Council for International Development (ACFID) is the umbrella organisation for Australian NGOs in the field of international aid and development. It provides training and information services for its members, including Red Cross, Oxfam and World Vision.¹⁶ According to ACFID, the training is tailored to meet the members' needs on various topics, including communications and fundraising, governance, gender equality, capacity building and evaluation.¹⁷

14.12 The Australian Red Cross informed the committee that although 'centralised' training is available through ACFID:

...there is no standard, accredited training that every person from the variety of different NGOs will do.¹⁸

14.13 The committee also received evidence on NGOs developing joint training programs. Mr Geoffrey Shepherd, Head, Humanitarian and Emergency Affairs, WVA, referred to attempts to develop a joint training exercise involving NGOs.¹⁹ However, for the Australian Red Cross, joint training might not always be feasible. Mr Tickner said:

12 Austcare, <http://www.austcare.org.au/get-involved/volunteerinternships.aspx> (accessed 21 January 2008).

13 Australian Volunteers International, <http://www.australianvolunteers.com/work/index.asp?menuid=250.010.020> (accessed 25 February 2008).

14 *Committee Hansard*, 21 August 2007, p. 6; and Australian Red Cross, http://www.redcross.org.au/ourservices_aroundtheworld_overseasdelegates_btc.htm (accessed 21 January 2008).

15 *Committee Hansard*, 21 August 2007, p. 12.

16 *Committee Hansard*, 6 September 2007, pp. 13 and 19.

17 Australian Council for International Development, *Annual Report 2007*, p. 5.

18 *Committee Hansard*, 21 August 2007, p. 12.

19 *Committee Hansard*, 21 August 2007, p. 34.

Obviously we have pretty active dialogue with the major agencies, and essentially good personal relationships. Whether or not we are able to move to some common training is a bit problematical for us at least in one sense, because the Red Cross and Red Crescent Movement has particular modes of operation which are quite identifiably different from those of many other agencies.²⁰

14.14 The Australian Red Cross advised the committee that it is developing an international humanitarian law seminar together with ACFID. It will concentrate on 'the obligations and the rights of humanitarian workers in the field, particularly under humanitarian law, and then to give broad guiding principles similar to those in IHL [International Humanitarian Law]'.²¹

14.15 RedR Australia, a not-for-profit humanitarian organisation, delivers training for many government and non-government organisations, such as Oxfam Australia, Australian Red Cross, World Vision Australia and AusAID.²² Mr Shepherd acknowledged the role of RedR, indicating that it offers the main humanitarian course in Australia and is funded by AusAID. It also conducts a security training course, which runs over three to four days.²³

14.16 In addition to domestic training, Ms Melanie Gow, WVA, explained that there are international training opportunities for NGO staff:

There certainly are courses internationally that you can attend through which you can be certified and recognised for your humanitarian expertise and practice...But in Australia, to my understanding, it is much more informal.²⁴

14.17 While there are training opportunities in Australia and overseas for NGOs involved in peacekeeping operations, they are neither mandatory nor fit into a comprehensive preparation regime for the deployment of personnel to a peacekeeping operation. For example, the Centre for International Governance & Justice (CIGJ) at the ANU noted that Australian civilians are not systematically recruited to peacekeeping operations but 'tend to find civilian peacekeeping opportunities at their own initiative'.²⁵ According to CIGJ, Australian civilian peacekeepers 'draw upon their own varied personal experience and training in relevant fields'. It argued that 'Australia should pay greater strategic attention to the training and development of nationals involved in civilian peacekeeping activities'. In its view, the establishment of

20 *Committee Hansard*, 21 August 2007, p. 12.

21 Ms Rebecca Dodd, *Committee Hansard*, 21 August 2007, p. 13.

22 RedR Australia, Training, Tailored courses, <http://www.redr.org.au/content/view/35/63/> (accessed 1 November 2007).

23 *Committee Hansard*, 21 August 2007, p. 34; see also Chapter 12, paragraph 12.16.

24 *Committee Hansard*, 21 August 2007, p. 34.

25 *Submission 29*, pp. 1–2.

a centre of excellence for civilian peacekeeping in Australia would provide an opportunity for Australian government agencies to offer more strategic support to civilian peacekeepers.²⁶ Such an initiative would provide 'specialised civilian peacekeeping training' and result in a more systematic training and support mechanism for civilian experts likely to be involved in peacekeeping operations.

14.18 The committee has already briefly referred to the proposal for establishing a joint education and training facility that would assist government agencies prepare their personnel for peacekeeping activities. It would seem sensible that such a facility would take account of the important role of NGOs in peacekeeping. The proposal for a joint training facility is an emerging theme in this report; it is mentioned later in this chapter and discussed in greater detail in Chapter 25.

Committee view

14.19 The committee notes the important role that NGOs play in pre- and post-conflict environments and commends their contributions to peace building. It recognises that training is important to prepare civilian peacekeepers adequately for their tasks. Even highly skilled technical experts from Australia require effective pre-deployment training to carry out their duties in accordance with international and Australian law and the operation's mandate. They should be aware of security risks and other dangers they may face, and they should have the skills to cope in a different cultural environment. The committee has concerns that, in general, training is not compulsory and is not universally provided to NGO volunteers.²⁷

14.20 While some of the NGOs were critical of the training and lack of cooperation and coordination of government agencies, they did not apply this same standard to the NGO sector. The committee has noted that NGOs are not a homogenous group and understands the difficulties they have in appreciating the range of responsibilities, roles and functions of others participating in the operation. The activities of an NGO affect not only other NGOs occupying the same space but the range of government agencies performing tasks such as providing security, enforcing law and order as well as building capacity.

14.21 The committee sees opportunities to improve NGO cooperation and coordination in peacekeeping operations. It urges NGOs to develop joint standards and training for these operations and to explore ways they can cooperate with each other in the delivery of training. It believes that Australian NGOs, under the guidance of ACFID, should review their training programs with a view to establishing standards for training peacekeepers. The committee encourages the government, through AusAID, to support the NGO sector in developing these guidelines and implementing

26 *Submission 29*, pp. 1–2.

27 The committee notes the requirement for Red Cross personnel to have completed its basic training. It also notes the role of ACFID and RedR in providing training to the NGO sector.

training regimes. It notes the proposal for the establishment of an Australian centre of excellence for peacekeeping.

14.22 Having noted the significant role of NGOs in peacekeeping, the committee now considers how effectively government and non-government agencies coordinate their activities in a peacekeeping environment. Given the weight of evidence regarding civil–military cooperation, the committee examines the relationship between the ADF and civilian sector in detail in the following chapter.

Government–NGO coordination

14.23 Modern peacekeeping operations with their broad range of tasks and activities create significant coordination challenges for the government and non-government sectors. NGOs are independent of government and their priorities or objectives do not necessarily reflect those of government. Even so, they often work side by side with government officials in a peacekeeping operation and, in some instances, government and non-government agencies rely on each other to deliver aid or assistance to local communities. It is important that the efforts of all organisations—government and non-government—are coordinated to achieve the best possible outcomes for those affected by conflict.

Importance of cooperation and coordination

14.24 The importance of coordination and cooperation between government and non-government sectors in peacekeeping operations is widely recognised.²⁸ Assistant Commissioner Walters stated:

...we are aware of the value of engaging with the NGOs and working through an enhanced program of consulting NGOs so both of us have an understanding of our roles and how we can assist each other more as we move further into this area of work.²⁹

14.25 AusAID stated that with the number of 'actors' involved in peacekeeping operations, 'effective coordination and coherence is essential'.³⁰

14.26 While submitters to the inquiry recognised the essential roles of government and non-government organisations in peacekeeping operations, they had different views about how effectively these organisations work together. In this section, the committee looks at the interaction between the two sectors at the strategic planning

28 See for example, *CIMIC in UN & African Peace Operations*, African Civil Military Coordination Programme, 2006, p. 30. See also UN General Assembly, Report of the Joint Inspection Unit, *Investigation of the relationship between humanitarian assistance and peace-keeping operations*, (JIU/REP/95/6), A/50/572, 24 October 1995. It noted that the UN accepts that humanitarian actors can play a useful role when 'linked and coordinated with peacemaking, peace-keeping and peace-building'.

29 *Committee Hansard*, 25 July 2007, p. 40.

30 *Submission 26*, p. 9.

level and during pre-deployment preparations. It considers some of the pre-deployment activities designed to cultivate good relations between government and non-government agencies engaged in peacekeeping including joint planning, preparation and training.

Planning at strategic level

14.27 AusAID recognised that a fully consultative process between all actors, including NGOs, is needed at the planning stage of a peacekeeping operation. Such consultation ensures that:

...roles are well defined, and coordination mechanisms are established, while preserving critical distinctions between roles of contributing agencies (for example, maintaining a discrete level of independence of humanitarian actors that will ensure safety of both aid workers and those they seek to assist and encourage actors to maintain access).³¹

14.28 In the previous chapter, the committee noted the whole-of-government framework for planning and coordinating a peacekeeping operation. It referred to the National Security Committee of Cabinet (NSC) and the Secretaries Committee on National Security (SCONS); the Strategic Policy Coordination Group (SPCG) and standing interdepartmental committees (IDCs).

14.29 There is no formal arrangement for NGOs to be involved at this level of planning. Even so, government agencies consult with NGOs prior to deployment. For example, ACFID brings key people in the NGO sector to engage with government agencies, including Treasury, Finance, AusAID and DFAT, at a roundtable twice a year.³² Mr Shepherd, WVA, commented that these discussions have been very fruitful for enhancing relations in the field.³³ He explained that before the recent deployment to Solomon Islands, there was a whole-of-government meeting with NGOs to look at the broader issues.³⁴

14.30 While Mr March, AusAID, noted that NGOs are engaged in dialogue with AusAID before a mission, he suggested the situation could be improved.³⁵

Committee view

14.31 The committee notes that NGOs are not represented at the strategic planning level. It believes that deliberation at the IDC level is rightly the business of the government agencies that are able to speak freely and frankly on matters strictly the

31 *Submission 26*, p. 9.

32 *Committee Hansard*, 6 September 2007, p. 21.

33 *Committee Hansard*, 21 August 2007, p. 42.

34 *Committee Hansard*, 21 August 2007, p. 38.

35 *Committee Hansard*, 25 July 2007, p. 89. He cited East Timor as an example.

preserve of government. Some NGOs, however, will have local knowledge and an understanding of a particular conflict that should be reflected in advice to government. The committee believes that relevant government agencies must liaise with the NGO sector to ensure that this sector forms part of an effective whole-of-nation response to a peacekeeping operation.

Recommendation 13

14.32 The committee recommends that AusAID coordinate a consultation with DFAT, Defence, AFP, ACFID and key NGOs to establish a more effective mechanism for involving the NGO sector in the planning of Australia's involvement in peacekeeping operations.

Joint preparation and training

14.33 Apart from that related to civil–police and civil–military cooperation, the committee received limited information on the measures taken to develop links and improve coordination between Australian government and non-government agencies at the operational level. The committee starts its consideration with the civil–police cooperation.

14.34 The AFP explained that it was looking to enhance its relationship with NGOs. Assistant Commissioner Walters provided an example of the evolving types of activities in which the AFP engages:

At a recent Austcare roundtable, the AFP had an opportunity to promote and explain its work and to listen to different speakers on issues relevant to Austcare. The AFP was also able to discuss how it could cooperate more closely with Austcare to achieve greater synergies in their work.³⁶

14.35 Commissioner Keelty provided another example of the AFP's approach to engaging with NGOs in order to gain from their experiences in the field. He referred to working with 'some of the religious NGOs' and also recalled a meeting with Greenpeace before deployment to Solomon Islands and how its local knowledge was of value to the AFP:

...if you were to think about that for a minute, there are not too many organisations in the world who have good intelligence networks on where logging and corruption in logging camps has taken place.³⁷

14.36 A number of NGOs are involved in coordinated AFP training through the IDG, including the office of the UN High Commissioner for Refugees, Australian Red

36 *Committee Hansard*, 25 July 2007, p. 39.

37 AFP Commissioner Mick Keelty, Speech, Law Council of Australia, 35th Annual Legal Convention, Sydney, 23 March 2007.

Cross, Greenpeace and ACFID.³⁸ ACFID, for example, has once a month for over two years briefed AFP officers deploying to RAMSI. Ms Neva Wendt, ACFID, explained:

We try to impart some information about the development challenges that face the Solomon Islands. We try to advise the police of who they are likely to come across in the Solomon Islands... We try to give them an idea of the views by civil society... of the RAMSI intervention.³⁹

14.37 In addition, the Australian Red Cross provides ongoing training for the IDG.⁴⁰ The Red Cross noted that the IDG provides an opportunity for it and other NGOs to give presentations at IDG's training programs so that 'those deployed are aware of the roles and mandates of these organisations'.⁴¹ In its view, the provision of such training to all involved in a peacekeeping operation is invaluable if they are 'to fully understand the environment in which they will be asked to operate'.⁴²

14.38 AusAID informed the committee that together with government and non-government partners, it continues to improve training and preparedness of Australians for peacekeeping operations; however, the focus still appears to be an informal process.

14.39 In its submission, the Australian Red Cross referred to a recommendation made by the Joint Standing Committee on Foreign Affairs, Defence and Trade in 1994 that humanitarian and other organisations should be involved in general and pre-deployment training. The Red Cross observed that while NGOs are involved in joint training, it 'does not appear to be a uniform practice'. Overall, it found that apart from the IDG course, which all deploying AFP personnel must attend, other training programs target only a limited number of personnel who may be deployed. It concluded:

The vast majority of a peacekeeping contingent is therefore unlikely to have a clear understanding of the humanitarian organisations and their legitimate roles in the area of operation. This raises squarely the need for more uniform training of *all* Australian personnel deploying on peace operations.⁴³

14.40 The Australian Red Cross advised the committee that it was not involved in training other government departments and agencies, although it would be interested in pursuing other collaborative arrangements.⁴⁴ It indicated that it 'would support a

38 AFP, answer to question on notice 8, 25 July 2007.

39 *Committee Hansard*, 6 September 2007, pp. 15–16.

40 *Committee Hansard*, 21 August 2007, pp. 3 and 5.

41 *Submission 22*, p. 4.

42 *Submission 22*, p. 4.

43 *Submission 22*, p. 4.

44 *Committee Hansard*, 21 August 2007, p. 5.

review of the scope and effectiveness of training available to all agencies and personnel deployed on peace operations'. It made clear it needed to be involved in that training and pre-deployment briefings.⁴⁵

14.41 The committee also heard from a number of universities that offer various courses or are undertaking projects relevant to peacekeeping. The four main peace studies centres are based at the University of New England, the University of Queensland, the University of Sydney, and more diffusely within the Australian National University.⁴⁶ The committee believes that such institutions could be included as part of a whole-of-nation approach to preparing Australian peacekeepers for deployment.

Committee view

14.42 The committee considers it important that ample opportunities are available for NGOs and government agencies to share knowledge, ideas and concepts and to develop mutual understanding and appreciation of each other's work. It believes that having NGOs as regular presenters in pre-deployment briefings, seminars or training courses run by government agencies, as well as inviting them to participate in training exercises or workshops, should become a standard feature of the government's pre-deployment training regime.

14.43 The committee believes that there is scope for both DFAT and AusAID to improve cooperation and coordination between the two sectors especially by extending activities beyond briefings to joint training and collaborative planning. It commends the AFP's commitment to involve NGOs in its training programs and to explore opportunities to cultivate stronger links through pre-deployment engagements. The committee supports the AFP in these endeavours. NGOs should also be actively pursuing ways to build stronger relations with the government sector.

Recommendation 14

14.44 The committee recommends that a whole-of-government working group, such as the Peace Operations Working Group, arrange to hold regular meetings with representatives of NGOs engaged in peacekeeping operations to discuss and develop training programs and courses that would improve their working relationship. The committee recommends further that, in consultation with other government agencies and relevant NGOs, DFAT and AusAID review this arrangement in 2010 to assess the value to each organisation involved, and how it could be improved. The results of the review would be contained in DFAT's annual report.

14.45 The matter of civil–military relations dominated the evidence concerning government coordination with humanitarian NGOs. In the following section, the

45 *Submission 22*, p. 5.

46 See Professor Helen Ware, *Submission 38*.

committee provides detailed consideration of the coordination and cooperation between the ADF and NGOs.

Chapter 15

Civil–military coordination

15.1 In this chapter, the committee focuses on the notion of civil–military cooperation (CIMIC). It identifies where the military and civilian sectors are working well together; where there are impediments to effective coordination; and how they could be reduced or removed.

15.2 The committee has placed a greater emphasis on CIMIC rather than the broader government and non-government sector because most of the evidence before the committee discussed issues of coordination and cooperation through a CIMIC paradigm. The committee understands that, historically, the military has been the major contributor to peacekeeping and that many of the models that are used in a peacekeeping setting derive from military culture. The committee is mindful that examining issues of coordination and cooperation through the concept of CIMIC does not facilitate a discussion of alternative approaches. It does, however, allow the committee to analyse in detail an important aspect of the relationship between the government and non-government sectors in a peacekeeping operation.

15.3 The concepts of civil–military *cooperation* and *coordination* have received increased attention in recent years. At the international level, the UN's civil–military coordination (CMCoord) doctrine focuses on facilitating the humanitarian mission in a militarised environment and creating mutual understanding between the military and civilian components of an operation.¹ The concept of humanitarian civil–military coordination used by the Inter-Agency Standing Committee (IASC)² is consistent with that used by the UN Civil–Military Coordination Section. It defines this concept as:

The essential dialogue and interaction between civilian and military actors in humanitarian emergencies that is necessary to protect and promote humanitarian principles, avoid competition, minimize inconsistency, and when appropriate pursue common goals. Basic strategies range from

1 Major General Mike Smith, *Committee Hansard*, 6 September 2007, pp. 27–28. Department of Peacekeeping Operations, 'Civil–Military Coordination Policy', http://www.un.org/Depts/dpko/milad/oma/DPKO_CMCOORD_Policy.pdf (accessed 9 April 2008).

2 The IASC is a forum of key UN and non-UN humanitarian partners and was established in June 1992 in response to UN General Assembly Resolution 46/182 on the strengthening of humanitarian assistance.

coexistence to cooperation. Coordination is a shared responsibility facilitated by liaison and common training.³

15.4 In contrast to the UN CMCoord, which emphasises 'shared responsibility', civil–military cooperation (CIMIC) tends to look at cooperation from a military perspective.

Importance of CIMIC

15.5 Although the military and civilian components of a peacekeeping operation have been working side by side for many years, the increasing levels of interaction between them have underlined the significance of civil–military coordination. The growing awareness of the importance of coordination has produced a body of thought, which is still evolving, on CIMIC. The central concern of CIMIC is with establishing and maintaining a constructive relationship between the military and civilian sectors.

15.6 CIMIC is often referred to as a 'force multiplier', but there are a number of significant difficulties in achieving effective coordination.⁴ The UN civil–military officer field handbook notes that problems with coordination extend to, among other things, security, medical evacuation, logistics, transport, communications and information management. It states further:

The challenges include such issues as ensuring that humanitarians have the access they require, but at the same time do not become a target. Other challenges include minimizing the competition for scarce resources such as ports, supply routes, airfields and other logistic infrastructure.⁵

15.7 The failure to establish effective and appropriate civil–military relations not only creates inefficiencies but can also have more serious consequences for the mission.⁶ Thus, in complex missions, militaries need to be able to do more than just generate combat power. To avoid duplication of efforts, prevent wasting energy and resources, and to promote the safety and wellbeing of all, both military and humanitarian workers need to ensure that their activities are complementary. The committee now examines the ADF's approach to CIMIC.

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- 3 *Submission 22, Attachment Guidelines on The Use of Military and Civil Defence Assets To Support United Nations Humanitarian Activities in Complex Emergencies*, March 2003, p. 5. See also UN Office for the Coordination of Humanitarian Affairs (OCHA), Civil–Military Coordination Section, <http://ochaonline.un.org/AboutOCHA/Organigramme/EmergencyServicesBranchESB/CivilMilitaryCoordinationSectionCMCS/tabid/1274/Default.aspx> (accessed 22 October 2007).
- 4 See for example, UK Ministry of Defence, Joint Doctrine Publication 3-90, Civil–Military Cooperation (CIMIC), April 2006 edition; Graham M. Longhurst, 'The Evolution of Canadian Civil–Military Cooperation (CIMIC)', *Canadian Military Journal*, Winter 2006–2007, p. 55; Thomas R. Mockaitis, 'Civil–Military Cooperation in Peace Operations: the Case of Kosovo', Strategic Studies Institute, October 2004, p. vi.
- 5 UN, Civil–Military Coordination Officer Field Handbook, Version E 1.0, 2008, p. 7.
- 6 UN, Civil–Military Coordination Officer Field Handbook, Version E 1.0, 2008, p. 8.

Defence CIMIC Doctrine

15.8 The Department of Defence recognised that the military 'seldom brings success in its own right'. It acknowledged the importance of coordinating activities with humanitarian aid agencies, including AusAID and NGOs:

Such planning can ensure military efforts do not cut across carefully planned NGO campaigns. Conversely uncoordinated NGOs' goals and actions can unwittingly contribute to a conflict or compromise the desired security of a mission.⁷

15.9 Defence has formulated its own *Defence Civil–Military Cooperation Doctrine* and procedures. These are designed to assist in planning and implementing ADF missions within the wider civilian context. Defence is of the view that the current procedures, which focus on role definition, planning and consultation, meet its objectives for peacekeeping operations. It acknowledged, however, that 'to the extent that these procedures can produce greater cooperation in mutually securing respective ADF and civilian goals, there may be some benefit in further alignment with UN procedures'.⁸

15.10 Major General Ford explained that the term 'civil–military cooperation' developed from a military background. He noted that it has been 'seen as the way the military gets other organisations to work with it' and how it makes sure that NGOs 'do not interfere' with military operations.⁹ Even so, in his view, ADF CIMIC doctrine tended to be more encompassing in reality:

Certainly we still run CIMIC [cooperation] courses in the Australian Defence Force rather than civil–military coordination courses. Having said that...generally the discussion is much more integrated than the name and the background of that term 'CIMIC' suggests.¹⁰

15.11 Even so, according to Major General Smith, Austcare, there is a difference in approaches to CIMIC. For example, in the view of NGOs, ADF's approach to CIMIC tends to be: 'How can we work with civilian agencies to achieve our military mission?' He explained that the UN focus is on 'civil–military coordination rather than on cooperation'. He suggested that while there may only be a name difference, 'the definition is very different'.¹¹

15.12 AusAID considered that, while reflecting different perspectives, both the UN and the ADF approaches to civil–military interaction were appropriate:

7 *Submission 30*, p. 7. See also Lt Gen Gillespie, *Committee Hansard*, 24 July 2007, p. 6.

8 Department of Defence, answer to written question on notice W22, 24 July 2007.

9 *Committee Hansard*, 20 August 2007, p. 29.

10 *Committee Hansard*, 20 August 2007, p. 29.

11 *Committee Hansard*, 6 September 2007, p. 28.

In essence, the UN doctrine approaches CIMIC from the civilian direction while the ADF approaches CIMIC from the military side. Both are complementary and allow for each group to establish operating arrangements (from coexistence to cooperation) appropriate to the entire range of hostile, potentially hostile, or stable environments encountered.¹²

15.13 Nonetheless, while recognising the importance of the ADF aligning its activity with its military mission, AusAID also noted that the ADF should remain cognisant of the broader picture in order to provide NGOs with 'the space and independence they need to operate'.¹³ It stated further that, 'More gains could be made in terms of joint conceptualisation, joint planning and joint preparations, including work on joint doctrine or policy'.¹⁴ In the context of 'continuous improvement', it was of the view that there was room for improvement in 'closer doctrine and policy settings and in recognising the separate but overlapping contributions' by both sectors.¹⁵

15.14 World Vision Australia observed that ADF's processes in developing its approach to CIMIC had been inclusive:

...as the ADF were developing their policy for civil–military engagement, engagement with NGOs over the development of that policy seemed crucial to them and it seemed crucial to us as well, because it gave us both a better understanding of the space in which we work and how we can operate more effectively in the field.¹⁶

15.15 ACFID also reported a good relationship with the ADF in relation to CIMIC functions.¹⁷

15.16 In contrast, Austcare expressed concern about the appropriateness of the ADF's approach to CIMIC. It argued that the Defence CIMIC doctrine is focussed on the ADF's role and ensuring that civil–military relations facilitate the ADF missions.¹⁸ In its view, the ADF needs to go further:

...and be prepared to share and adjust its doctrine to accommodate the views of key civilian agencies, or risk criticism of being unable to reflect civilian requirements. The adoption of CMCoord doctrine would obviate this dilemma.¹⁹

12 AusAID, answer to written question on notice 12, 25 July 2007.

13 AusAID, answer to written question on notice 12, 25 July 2007.

14 *Committee Hansard*, 25 July 2007, p. 73.

15 *Committee Hansard*, 25 July 2007, p. 74.

16 *Committee Hansard*, 21 August 2007, p. 32.

17 *Committee Hansard*, 6 September 2007, p. 22.

18 Austcare, *Submission 11*, p. 14; AusAID, *Submission 26*, p. 10.

19 *Submission 11*, p. 14.

15.17 It recommended that the ADF and the AFP align their CIMIC doctrine and procedures with those of the UN, 'thereby ensuring a uniform standard based on UN experience'.²⁰

Committee view

15.18 The committee recognises that the failure to establish effective and appropriate civil–military relations not only creates inefficiencies but can have more serious consequences for missions.²¹ The ADF has developed a CIMIC doctrine to assist it to plan and implement ADF missions in the wider civilian context. A number of NGOs reported that the ADF's approach to CIMIC was appropriate. AusAID agreed but was of the view that 'in the context of continuous improvement', there was scope for improvement. Defence indicated that there may be some benefit in further aligning their doctrine with UN procedures to achieve greater cooperation between ADF and NGOs in meeting their respective objectives. Austcare went further to suggest that the ADF should adjust its CIMIC doctrine to accommodate civilian requirements. In light of the evolving nature of CIMIC and the suggestion that ADF's doctrine could be improved, the committee believes that an ADF review of its CIMIC doctrine would be timely.

Recommendation 15

15.19 The committee recommends that, in consultation with AusAID and ACFID, Defence review its civil–military cooperation doctrine, giving consideration to identifying measures to improve coordination between the ADF and the NGO sector when engaged in peacekeeping activities.

15.20 The committee recommends further that Defence include a discussion on its CIMIC doctrine in the upcoming Defence White Paper as well as provide an account of the progress made in developing the doctrine and its CIMIC capability in its annual report.

15.21 It should be noted that the AFP now forms an important part of the security contingent in complex peacekeeping operations, and its relations with NGOs are important. Professor Raymond Apthorpe and Mr Jacob Townsend commented that it 'might be worth attempting to lead a progressive conceptual shift from CIMIC (civil–military cooperation) to CIMPIC (civil–military–police cooperation)'.²² Both the AFP and AusAID saw merits in this proposal, though they were concerned that recognition must be given to the different roles of these groups and any such doctrine should not

20 *Submission 11*, p. 14.

21 UN, Civil–Military Coordination Officer Field Handbook, Version E 1.0, 2008, p. 8.

22 *Submission 32*, p. 5.

compromise their core functions.²³ The committee also sees value in this proposal to consider the police component in developing CIMIC doctrine.

Recommendation 16

15.22 As part of this review process, the committee recommends that, in consultation with AusAID and other relevant government agencies and ACFID, Defence and the AFP consider the merits of a civil–military–police cooperation doctrine. The consideration given to this doctrine would be reflected in the committee's proposed white paper on peacekeeping.

15.23 A most important factor when considering CIMIC doctrine is how well it works in practice. In developing and implementing its CIMIC doctrine, the ADF and government as a whole should start by looking at the early stages of a peacekeeping operation.

Planning at pre-deployment level

15.24 As noted previously, NGOs remain largely outside the formal structure for conceiving and planning peacekeeping operations. There is no standing or formal whole-of-government mechanism for government agencies and NGOs to consult at the strategic planning phase. The UN CMCoord states quite clearly that 'to ensure all issues are given adequate attention and to facilitate timely direction, coordination should take place at the highest possible level'.²⁴ Some witnesses were critical of the lack of planning between government and NGOs at this strategic level.

15.25 Major General Smith, Austcare, was of the view that 'it is too late to commit to an operation and then expect NGOs to magically fit into whatever template' might have been decided. He argued that 'The earlier that representatives of NGOs can be brought into this planning process, the better it will be'. For example, based on his own experience as an ADF peacekeeper in East Timor, he considered that INTERFET would have benefited from better coordinated planning:

The mistake that I made—and it was a total lack of training and understanding—was in relation to the humanitarian dimension of that operation. There was a clause in the mandate that said that INTERFET would conduct humanitarian operations within force capabilities. Had I been educated about the way the UN works, I would have immediately organised with the incoming humanitarian coordinator being deployed to East Timor to arrive in Australia for discussions with General Peter Cosgrove to ensure that the humanitarian plan had been sorted out in advance. As it was, it took 10 days on the ground before the humanitarian coordinator and the INTERFET commander actually got their humanitarian

23 AusAID, answer to question on notice 13, 25 July 2007; and AFP, answer to question on notice 14, 25 July 2007.

24 UN Department of Peacekeeping Operations, Civil–military coordination policy, 9 September 2002, paragraph 15.

plans in sync. They were actually very, very divergent. That is an example of the sort of cooperation that I think needs to go on in planning and preparation.²⁵

15.26 He advised the committee that he was unaware of any current mechanism, 'where the NGO community, AusAID and Defence come together in any type of planning way for any of these crises.' In his view, the situation should be addressed.²⁶ Overall, Austcare noted that more needed to be done to improve Australia's 'whole-of-nation' effectiveness. It stated that post-mission reports have 'repeatedly indicated a failure of adequate civil–military preparation and planning'.²⁷ Austcare suggested that AusAID take a greater role in facilitating a common understanding of such doctrine and procedures among Australian NGOs.²⁸

15.27 ACFID, the peak organisation for Australian humanitarian NGOs, stated that its engagement with the ADF is limited compared to that with other federal departments:

Looking out to the next decade the one area that strikes us as being a bit weak, given how effective the dialogue is with AusAID and how it is emerging with the AFP as well, is having an informal dialogue with the ADF in the way we do on a variety of other issues with other agencies.²⁹

15.28 According to ACFID, there were advantages to be gained through better dialogue between the military and civilian sectors and from NGOs having a better understanding of the way the ADF plans and prepares for operations. In particular, Mr Paul O'Callaghan, ACFID, saw benefits in further discussion on 'issues to do with protection, humanitarian space and capacity building', and in preparing for the transitions from short-term, security-focussed phases of operations to longer-term reconstruction tasks.³⁰

15.29 AusAID also commented on the importance of collaborative strategic planning. In its view, 'Defence planners and task force commanders and their staff need to be aware of the overall peacemaking and peacebuilding agenda and how best to interact with them'. It proposed that by working closely with Defence at the headquarters level, they could develop 'an effective plan for engaging with the broad

25 *Committee Hansard*, 6 September 2007, pp. 23 and 27. Major General Smith served in Kashmir, Cambodia and East Timor, including as first deputy force commander of UNTAET, The Australian Institute of International Affairs (AIIA) also referred to 'a serious lack of CIMIC pre-mission planning which resulted in a number of inefficiencies'. *Submission 23*, p. 16

26 *Committee Hansard*, 6 September 2007, p. 27.

27 *Submission 11*, p. 3.

28 *Submission 11*, p. 14.

29 *Committee Hansard*, 6 September 2007, p. 18.

30 *Committee Hansard*, 6 September 2007, p. 15.

humanitarian and development community to achieve the Australian Government's objective in undertaking peace operations'.³¹

Committee view

15.30 The committee believes that the aim of CIMIC should be to manage the interaction between the military and civilian participants in a peacekeeping operation so that their activities coordinate. But today's military operations take place in complex environments where the military engage in a range of activities not all of which are strictly military in nature. Clearly, consultation and planning between the ADF and NGOs, from the earliest stages of a peacekeeping operation, establishes the foundation for a good working relationship in the field. The committee notes the call by NGOs for better dialogue at a more strategic level between the ADF and NGOs.

CIMIC at operational level

15.31 At an operational level, the importance for military–NGO cooperation and coordination is apparent. There are a range of coordination tasks confronting both the military and NGOs. AusAID noted that coordination is required in the areas of 'security, medical evacuation, logistics, transport, communications and information management'. It agreed with the statement made in the *UN Civil–Military Coordination Officer Field Handbook*, quoted earlier, that coordination challenges also arise 'in providing humanitarian actors with access to affected populations, while ensuring they do not become a target...minimising the competition for scarce resources such as ports, supply routes, airfields and other logistics infrastructure'.³²

15.32 The committee first considers the extent to which the ADF has developed a CIMIC capability.

Developing CIMIC capability

15.33 Some NGOs expressed concerns about ADF's CIMIC capability. For example, referring to INTERFET, the Australian Institute of International Affairs was of the view that CIMIC relationships were generally *ad hoc* and there was a lack of CIMIC experience.³³ It stated that a general lack of resources available for civilian tasks led to the conclusion that the ADF 'lacked specialist civil–military capability, and that in any future coalition operations such capability was a major requirement'.³⁴

15.34 Austcare suggested that the ADF had been slow to develop and implement this capability.³⁵ It pointed to more recent events in Timor-Leste in 2006 where, in its

31 *Submission 26*, pp. 11–12.

32 *Submission 26*, p. 10.

33 *Submission 23*, p. 16.

34 *Submission 23*, p. 16.

35 *Submission 11*, p. 14.

view, 'civil-military assets were not applied with optimal effect, causing dissatisfaction with the local community as well as among humanitarian agencies and NGOs'.³⁶

15.35 World Vision Australia reported inadequacies also based on the recent experiences in Timor-Leste. It noted incidents where certain parts of the ADF were engaged with civil society but 'when asked if and how they related to CIMIC, they did not seem to know of its function regarding their operations'.³⁷

15.36 The importance of developing an effective CIMIC capability takes on a greater significance in peacekeeping operations where Australia is taking a lead role. AusAID submitted that there is currently a gap in this area:

Necessity has prompted the OCHA [UN Office for the Coordination of Humanitarian Affairs] to develop an effective humanitarian-focused civil-military coordination capability for use in situations involving both significant military and humanitarian operations. Australia needs to develop a similar capability to be used in those few situations where Australia leads a peace operation and there is no OCHA presence.³⁸

15.37 The committee notes that the current government, in its pre-election policy document on Defence, recognised that the recent deployment of ADF to Solomon Islands and Timor-Leste demonstrated the need to improve ADF's CIMIC capability. It indicated that it would expand the ADF's CIMIC capability consistent with the UN's emphasis on civil–military cooperation.³⁹ In conjunction with the committee's proposal that the ADF review its CIMIC doctrine, the committee is of the view that the ADF should also examine ways to strengthen its CIMIC capability.

15.38 The UN CMCoord policy has set down guidelines for the training of civil–military coordination staff. The committee is of the view that the ADF should consider these guidelines in reviewing their CIMIC capability.

Recommendation 17

15.39 The committee recommends that in conjunction with its review of CIMIC doctrine, ADF consider ways to strengthen its CIMIC capability.

15.40 Developing CIMIC capability, however, must take account of a number of difficulties.

36 *Submission 11*, p. 14.

37 *Submission 19*, p. 8.

38 *Submission 26*, p. 15.

39 Kevin Rudd, Joel Fitzgibbon, Alan Griffin, *Labor's Plan for Defence*, Election 2007, Policy Document, November 2007, p. 6.

Challenges for CIMIC

15.41 A major challenge for CIMIC stems from the different expectations and priorities of NGOs and the ADF. Mr March, AusAID, described the different roles in the following way: the 'military seek to neutralise and separate actors; civil response seeks to empower and reconcile actors'.⁴⁰ Lt Gen Gillespie observed that the complexity of the security environment complicates military–NGO relations in peacekeeping operations:

It is okay if you are in a very clinical humanitarian situation, but if you add to it a security dimension...that is where we get the operating space that creates those sorts of frictions.⁴¹

15.42 He referred to potential clashes in the early stages of a peacekeeping operation between the humanitarian assistance and security phases:

If it is a particularly bad incident that you are dealing with, then you will have traumatised people with no food and no means of income. That is when NGO communities and defence need to have a far better understanding of each other's requirements and do it and coordinate their efforts in a better way.⁴²

15.43 Major General Ford acknowledged that issues surrounding the concept of 'humanitarian space' are particularly challenging. He agreed with the view that the more robustly the military are required to act to maintain security, the more difficult it is to achieve coordination and cooperation between the activities of humanitarian organisations and the military. He added, 'There is a lot of work going on now about determining how best you approach that'.⁴³ AusAID also noted that the different priorities can create tensions:

Military deployments are undertaken to conduct specific missions...and civilian actors operating in the same geographic area may be engaged in a range of activities in support of possibly different mandates.⁴⁴

15.44 The fundamental differences in the roles and functions of the military and civilian peacekeepers are not going to change. Defence's primary goal will be to create a secure environment while NGOs' objective will be to deliver assistance to affected populations. Developing an effective CIMIC means accepting, understanding and working with these differences.

40 *Committee Hansard*, 25 July 2007, p. 73.

41 *Committee Hansard*, 6 September 2007, p. 40.

42 *Committee Hansard*, 24 July 2007, p. 21.

43 *Committee Hansard*, 20 August 2007, p. 29.

44 AusAID, answer to written question on notice 12, 25 July 2007.

Mutual misunderstanding

15.45 Evidence presented to the committee suggested that, to work cooperatively and to coordinate their activities, organisations need to have a better understanding of each other's roles and mandates. For example, Mr Shepherd, WVA, explained that 'We cannot operate in that space without understanding the context of the other players within that space'.⁴⁵

15.46 Despite this acknowledgement, Major General Smith commented that there 'is a huge misunderstanding among many NGOs about the nature of the ADF'.⁴⁶ In this regard, Lt Gen Gillespie acknowledged that Defence could improve:

I do think sometimes that we do not explain ourselves well enough. As an organisation, we are perhaps not as well understood by NGOs as we should be. I think, and certainly from where I sit directing it, we reach out regularly to try and do a better job.⁴⁷

15.47 The different views about the appropriate role of the military in conducting humanitarian tasks pose another challenge for the civil–military relationship, especially where the military's humanitarian activities may create political complications for NGOs.⁴⁸

NGOs—*independence and impartiality*

15.48 Humanitarian agencies generally work on the basis of common humanitarian principles: neutrality, impartiality and independence. Some NGOs expressed concern about the military delivering humanitarian assistance and the effect that may have on the perception of NGOs' neutrality. Representatives from Oxfam Australia explained that NGOs could be put in a dangerous position if any perception arose that they were aligned to a political or military entity. As an example, the Australian Institute of International Affairs noted that in East Timor some NGOs were reluctant to use the designated civil–military operations centre because of its proximity to the INTERFET headquarters.⁴⁹

45 *Committee Hansard*, 21 August 2007, p. 31.

46 *Committee Hansard*, 6 September 2007, p. 27. See also Steve Darville, 'The Rule of Law on Peace Operations From the Perspective of an Institutional Donor, the Asia Pacific Centre for Military Law', *The Rule of Law on Peace Operations, A Challenges of Peace Operations Project Conference*, 2002, p. 50.

47 *Committee Hansard*, 6 September 2007, p. 43.

48 The UN defines 'Humanitarian Assistance' as aid that 'seeks, as its primary purpose, to save lives and alleviate suffering of a crisis-affected population'. Further, it 'must be provided in accordance with the basic humanitarian principles of humanity, impartiality and neutrality'. *Guidelines on the Use of Military and Civil Defence Assets to Support United Nations Humanitarian Activities in Complex Emergencies*, March 2003, p. 3, Attachment to Australian Red Cross, *Submission 22*.

49 *Submission 23*, p. 16.

15.49 Oxfam argued that ADF involvement in humanitarian assistance can create an impression that NGOs are in some way linked to military operations.⁵⁰ It drew attention to the UN's Inter-Agency Standing Committee on Humanitarian Affairs' guidelines that state, 'it is important to maintain a clear separation between the roles of the military and humanitarian actors, by distinguishing their respective spheres of competence and responsibility'.⁵¹ In this regard, Oxfam argued that the military are not humanitarian workers and should not conduct humanitarian activities themselves, or be perceived to do so.⁵² It further asserted that the ADF should avoid 'humanitarian rhetoric' or language in describing its operational capabilities because of the likely consequences for humanitarian agencies.⁵³ Oxfam argued that the role of the military in peacekeeping operations is intrinsically political:

We do not have any problem with the Australian military distributing food or carrying out humanitarian operations in natural disasters for instance. They are not complex emergencies; they are not politically derived conflicts...It only becomes an issue where there is a conflict and there are political agendas.⁵⁴

15.50 Defence had a different perspective:

...there are some NGO groups who, through upbringing and all the rest of it, look upon the military with great suspicion: we are 'warmongers'. We actually see ourselves as humanitarians.⁵⁵

15.51 Dr Breen observed the humanitarian interest among ADF personnel and commented that Australian peacekeepers have been disappointed when they have not been able to be part of a team 'fixing up the circumstances of local people who have had a tough time'. He said Australian peacekeepers 'wanted to respond in a human way rather than just having their guns cocked ready to shoot'.⁵⁶

15.52 Despite different views on the appropriate role of the ADF in a 'humanitarian space', it is clear that the ADF has resources that are useful in a humanitarian effort. Within Australia, the ADF is a unique organisation in terms of its ability to access conflict areas with sufficient equipment and personnel to provide an immediate humanitarian response. AusAID noted:

50 *Submission 24*, pp.6–7.

51 IASC, Inter Agency Standing Committee on Humanitarian Affairs, quoted in Oxfam Australia, *Submission 24*, p. 6. The guidelines emphasise the need for humanitarian agencies to 'maintain an actual and perceived distance from the military', particularly belligerent forces or representatives of an occupying power, so as not to jeopardise the security of beneficiaries, humanitarian actors or the humanitarian operation as a whole.

52 *Committee Hansard*, 21 August 2007, p. 17. See also Austcare, *Submission 11*, p. 14.

53 *Submission 24*, p. 7.

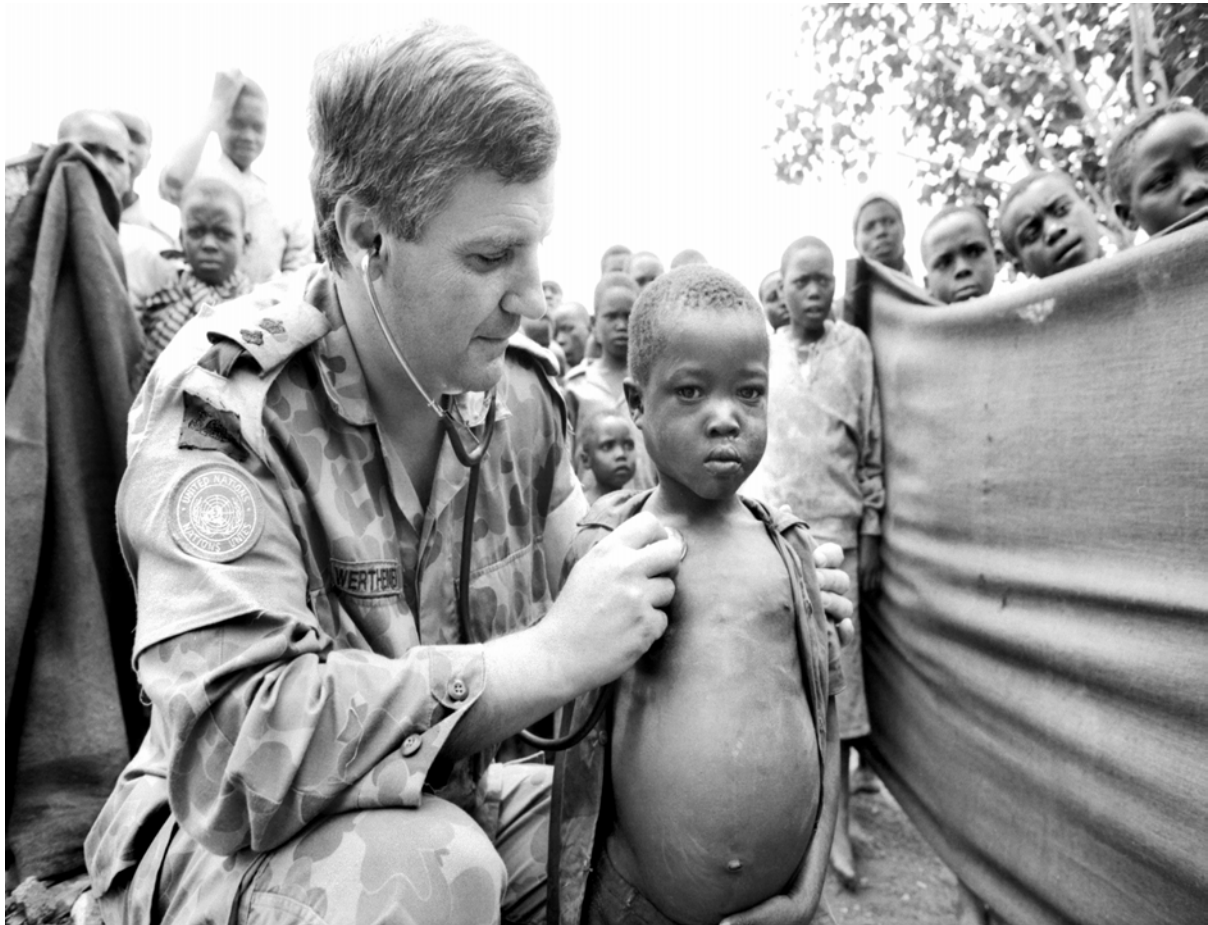
54 *Committee Hansard*, 21 August, p. 19.

55 *Committee Hansard*, 6 September 2007, p. 42.

56 *Committee Hansard*, 5 September 2007, p. 56.

...the primary military role in peace operations is to establish and maintain a secure environment in which development can take place. On those occasions when the environment is too hostile for civilians to conduct development activities it may be appropriate for military forces to undertake focused reconstruction tasks in line with the national development strategy...⁵⁷

ADF providing humanitarian assistance



Australian Medical Support Force in Rwanda (courtesy Australian War Memorial, negative number MSU/94/0048/28).

57 AusAID, answer to written question on notice 12, 25 July 2007.



An engineer from the 3 Combat Engineer Regiment, as part of Timor-Leste Battle Group 3, helps build a playground for the children of the Hope Orphanage in Gleno (image courtesy Department of Defence)

15.53 Rear Admiral Ken Doolan, from the RSL, suggested that the ADF is a legitimate resource for the government to use:

...if there were a humanitarian need, it would be churlish of the nation not to use its Defence Force to assist to the extent that it could and would wish to do so. Terminology really is not the important thing if you are looking at the needs of the person on the ground.⁵⁸

58 *Committee Hansard*, 5 September 2007, p. 10.

15.54 While some witnesses considered there were distinct roles for humanitarian and military agencies in peacekeeping operations, others provided a more nuanced perspective. The Australian Red Cross was of the view that there is a need for recognition and respect for each other's different roles and principles. Mr David Brown, Asia Manager, Australian Red Cross, said:

I think we would be disingenuous if we said that the military does not, in many circumstances, have a role to play as humanitarian agents. Conversely, there have been many examples of the military saving lives through its humanitarian intervention. Where the military has not been deployed, in some cases, it has also cost lives. So we do not want to say that we are talking about the humanitarian workers over here and the military over there... But we do have some very strong principles about neutrality and about impartiality.⁵⁹

15.55 There are immense practical considerations in facilitating a humanitarian response to conflict. Dr Breen noted that in hostile environments, where the need is immediate and delivering aid and sustenance to people is difficult, the military is inevitably the conduit.⁶⁰ He was of the view that it is not an aim of the military to subsume the role of NGOs. In his experience, the ADF always steps aside to allow NGOs to do the job 'if they are up to it and they are prepared to deploy their people under the same austere conditions under which the military work'.⁶¹

15.56 Defence did not resile from the political basis of its operations. Both Defence and RSL witnesses noted that the ADF does not undertake humanitarian work voluntarily; its activities are a matter of government policy.⁶² Even so, the committee notes the guidance offered in CMCoord which states that:

All non-security related tasks must be coordinated fully within the mission, with the UN Country Team and with the larger humanitarian/development community, depending on the context.⁶³

15.57 Again, the emphasis is on achieving an integrated mission where the humanitarian activities of the military and civilian components are complementary.

59 *Committee Hansard*, 21 August 2007, p. 7. Dr Connor, contributor to the official history project—*Australian Peacekeeping and Post-Cold War Operations*, provided an example of the difficult balance between NGOs' emphasis on neutrality and the pragmatic utility of military resources. In Somalia, prior to the deployment of UN forces, the security situation had deteriorated and food aid had to be transported by air due to hijacking of road transport. The arrival of UNITAF enabled road convoys with troop escorts. The situation was difficult for humanitarian agencies: the International Red Cross at first did not want to participate because of neutrality but later changed their minds because of the cost–volume benefits of road transport as opposed to air. Dr Connor, *Committee Hansard*, 5 September 2007, p. 55.

60 *Committee Hansard*, 5 September 2007, p. 56.

61 *Committee Hansard*, 5 September 2007, p. 56.

62 *Committee Hansard*, 6 September 2007, p. 42; *Committee Hansard*, 5 September 2007, p. 11.

63 UN Department of Peacekeeping Operations (DPKO), Civil–Military Coordination Policy.

15.58 Mr Shepherd, WVA, observed that the extent to which the military should engage in humanitarian work is of long-standing debate, upon which there is little agreement even within NGO circles. He acknowledged that tension is created between the military and humanitarian workers: 'it will always remain for us—how do we actually operate within that same space when we have quite different mandates'.⁶⁴

Committee view

15.59 Clearly the complex foreign policy space in which peacekeeping operations occur brings different pressures on the relationship between humanitarian and security agencies. The committee recognises the critical role of the ADF in creating a secure environment and the important work of humanitarian agencies in providing assistance in contemporary peacekeeping operations. Together the military and civilian agencies create the conditions necessary for rebuilding a state.

15.60 In some instances, due to the level of security risk or the lack of existing infrastructure, the military may be the only, or the most able, organisation to provide humanitarian relief. The committee considers it appropriate that the government use available resources, including the military's material and logistical resources and the skills of its members where required, to meet such need.

15.61 Nonetheless, it is clear that when engaged in humanitarian work, the ADF needs to appreciate and respect the concerns of NGOs, especially the importance they attach to neutrality and impartiality. On the other hand, NGOs need to understand the reasons the military becomes involved in delivering humanitarian aid. Mutual understanding and close liaison based on regular consultation, joint planning and training would help the ADF and NGOs to resolve tensions. On a practical level, these would also encourage a more economical, efficient and better-targeted use of resources.

Information sharing

15.62 The different agencies that are involved in a peacekeeping operation obtain their information about local conditions from various sources. For example, NGOs can be well known in local communities and have a good understanding of the local environment, social context and issues underpinning conflict. Defence has formal intelligence-gathering infrastructure and relationships as well as the networks it builds in local communities.

15.63 The information and insights that different organisations gather can be mutually useful for all in achieving their aims, but information exchange is not necessarily straightforward or appropriate. There are a number of constraints in disseminating information.

64 *Committee Hansard*, 21 August 2007, p. 39.

15.64 A common theme in evidence from NGOs concerned the sensitivities associated with information sharing. They explained that an organisation that shares security-related information risks perceptions of partiality. Such perceptions can be both inhibiting and dangerous for humanitarian agencies that rely on their neutrality and independence.

15.65 Although recognising limitations, the Australian Red Cross submitted that information exchange between humanitarian agencies and security forces can be appropriate:

...to ensure their neutrality (and their protection) one must distinguish between information about the humanitarian situation on the ground, and information about military/security issues in their area of operation. To provide the former can assist in the provision of humanitarian assistance and decrease tension, whereas to provide or be perceived as providing military/security information may increase tensions and hamper access and security for humanitarian agencies.⁶⁵

15.66 It noted that such a distinction between types of information is not always categorical and its personnel need to err on the side of neutrality and impartiality. They should only share information that is 'useful to the humanitarian situation—that is, the victims on the ground'.⁶⁶

15.67 For security and mission-specific reasons, Defence is also constrained in the information it shares. Nonetheless, there remains much scope for the ADF and NGOs to keep each other informed about matters relevant to the operation. AusAID took the view that there will always be tensions with regard to information sharing. It stated:

It is appropriate for NGOs to provide details on their capabilities, infrastructure if any, plans, concerns, etc, and for the military to provide information, as appropriate and consistent with their own force protection, on their military goals and policies (including rules of engagement), as well as information on military hazards to NGOs (e.g. known minefields, unexploded ordinance), and information on civilian access to military support (e.g. medical facilities).⁶⁷

15.68 Thus, for practical and safety reasons, there is a need for information exchange. Oxfam, however, expressed concern about being able to obtain necessary information from the military:

65 *Submission 22*, p. 3.

66 As an example, Miss Rebecca Dodd, National Manager, Australian Red Cross, explained: 'in terms of radio communication, there would be strict guidelines about not passing on information through radio communication about the position of certain people and about certain military information. If there is military information in terms of weapons and what is available, to discuss it is something to be avoided'. *Committee Hansard*, 21 August 2007, p. 7.

67 AusAID, answer to written question on notice 14, 25 July 2007.

...timely information and clarity on mandates, rules of engagement, division of roles and responsibilities and mission parameters have in various cases been difficult to obtain. This information is necessary for humanitarian organisations to assess programme viability and security protocols.⁶⁸

15.69 It was of the view that RAMSI had exposed the problems of lack of timely and accurate information on the mission's mandate and operations.⁶⁹

15.70 The committee accepts that the exchange of information between the military and other organisations at an operational level will inevitably be constrained by factors such as mission requirements and each organisation's principles and needs. However, there are clear benefits to, and in some cases compelling reasons for, having well-established and effective communication networks between the military and civilian sectors.

15.71 Having said that, the committee is of the view that NGOs need to appreciate the critical work of military peacekeepers, who at times place themselves in harm's way to secure a safe environment that then enables NGOs to carry out their work. The committee understands the importance of neutrality and impartiality to NGOs, but it also believes that they have a responsibility that extends beyond looking after their own safety and those under their care to include those who are protecting them. This responsibility should be a major consideration when deciding whether or not to disclose information to the military.

Command structures

15.72 AusAID noted that 'NGOs are structured relatively informally and value diversity of commitment and input, while a military has the onerous responsibility of the management of and (as required) application of lethal force'.⁷⁰ Thus, unlike the military, the NGO community does not have a unified, hierarchical command chain for passing on information. It is not a homogenous body with common ideologies or perspectives. Dr Brett Parris, Senior Economic Advisor, WVA, observed:

NGOs are constituted differently...There are also a range of views among the NGO community on engagement with the military and police and that just complicates some aspects in getting a single coherent NGO view on those sorts of sensitive issues.⁷¹

15.73 It was of the view that the flatter and fluid structure of humanitarian organisations reflects their aim of including local people and communities in the

68 *Submission 24*, p. 5.

69 *Submission 24*, p. 5.

70 AusAID, answer to written question on notice 14, 25 July 2007.

71 *Committee Hansard*, 21 August 2007, p. 35.

decisions that affect them. This structure means that decision making can take longer.⁷²

15.74 From Defence's perspective, the differences between NGOs, including in their attitudes to the military, can make coordination challenging.⁷³ Lt Gen Gillespie observed that tensions on the ground usually relate to the decision-making process within the NGO community. He noted that the ADF has a unified command structure, giving it a clear path through to the appropriate military commander to resolve issues during operations suggesting:

If the NGO organisations were to have a similar coordinating mechanism then in my humble opinion a lot of that friction would go away.⁷⁴

15.75 Lt Gen Gillespie informed the committee that he 'would be delighted to see an NGO coordinating body that we could work with in the places that we go to'.⁷⁵

15.76 WVA acknowledged that the ADF's hierarchical structure, with clear command and control lines, enables it to make decisions quickly. At the same time, the military organisation can be difficult to relate to if there are no clear access points. WVA noted the usefulness of having, within the military, appropriate points of contact that understand both cultures and are 'better able to facilitate dialogue'.⁷⁶ ACFID, the peak body for Australian NGOs, related a relevant experience from East Timor:

...We were advised directly by the CEOs of several agencies that there was a real possibility of significant bloodshed. We were asked if we could pass on this information. Regrettably, because we have not really been able to establish a useful lower level connection to operations command to pass information on, we ended up going through more political channels and passing it up to the Parliamentary Secretary for Defence. That was probably not the best way to do it, frankly...there could well be value in simply having a point of connection where, if we do have what seems to be credible information from serious people...we can contribute that...But, at the moment, we do not have that capacity.⁷⁷

15.77 Evidence to the committee suggested that NGO consultation with the ADF is occurring on an *ad hoc* basis. The dialogue between the military and NGOs in general stands to improve if both sectors could provide a central point of contact through which this engagement can occur. The ADF should appreciate that those outside the organisation do not have a clear understanding of how they can gain access to relevant ADF personnel and should review its mechanisms for information exchange. This

72 *Submission 19*, p. 7.

73 *Committee Hansard*, 6 September 2007, p. 43.

74 *Committee Hansard*, 6 September 2007, p. 41.

75 *Committee Hansard*, 6 September 2007, p. 42.

76 *Submission 19*, p. 7.

77 *Committee Hansard*, 6 September 2007, pp. 19–20.

observation also relates back to ADF CIMIC capability and the need for it to have adequate numbers of appropriately trained staff deployed with their peacekeeping contingents.

15.78 Despite difficulties in establishing clear communication networks, the ADF and NGOs do converse during an operation. Both Defence and some NGOs observed that coordination occurs at a practical level on the ground. Lt Gen Gillespie was positive about the ability of the ADF and NGOs to resolve issues in operational areas, stating 'I cannot think of any occasion in the last decade where we have undertaken major security operations in a humanitarian environment where we have arrived at an intractable problem between the NGO community and ourselves'.⁷⁸ Oxfam representatives commented that NGOs and the military are always negotiating and coordinating: the military and humanitarian coordinators meet weekly or more often 'so that we can negotiate this space so that they can protect us and civilians at the same time'.⁷⁹

Summary of impediments

15.79 The committee has identified a number of impediments to effective coordination and cooperation between the military and civilian sector. They include:

- ADF's current limited CIMIC capability;
- the diverse and heterogeneous nature of NGOs;
- the different roles, functions and priorities of the two sectors, especially during times of heightened conflict and violence, where they are occupying the same space;
- misunderstandings about each other's roles and priorities;
- contested humanitarian space where the military may deliver humanitarian services, and its influence on perceptions of NGO impartiality and neutrality;
- sensitivities about sharing information; and
- command structures that create communication difficulties between the military and NGOs.

15.80 Dr Breen was of the view that the approach of the security sector to coordinating with other agencies is 'changing in a positive way', and observed a 'very different mindset from some years ago'.⁸⁰ Consistent with this view, Lt Gen Gillespie

78 *Committee Hansard*, 6 September 2007, p. 42.

79 *Committee Hansard*, 21 August 2007, p. 27. Mr Geoffrey Shepherd, Head of Humanitarian and Emergency Affairs, World Vision Australia, also referred to these meetings which provide 'an opportunity for all to give feedback'. *Committee Hansard*, 21 August 2007, p. 35.

80 *Committee Hansard*, 5 September 2007, p. 56.

commented that a 'huge amount of work' has been done in the last three years by military and NGOs to improve cooperation.⁸¹

15.81 OCHA believes that training is a primary means for sharing lessons learned about civil–military relations and building informal networks. The committee now looks at the current measures taken by the ADF and NGOs to meet the challenges to coordination and cooperation.

Pre-deployment training

15.82 The ADF engages NGOs to deliver particular components of its pre-deployment training, mainly relating to cultural awareness or human rights and humanitarian law. For example, the Australian Red Cross noted that it both participates in, and presents at, the ADF's International Peace Operations Seminar (IPOS), CIMIC courses and the UN military observers course run by the ADF Peacekeeping Centre (ADFPKC).⁸² The Australian Red Cross also runs an ADF instructors course for interested ADF members involved in training in the laws of armed conflict.⁸³

15.83 In 2006, AusAID appointed a Civilian–Military Liaison Officer within its Humanitarian and Emergency Section to assess AusAID's involvement in ADF training activities and to advise on further areas of engagement.⁸⁴ AusAID also held a Humanitarian Forum in 2006 with a particular focus on civil–military relations, including how the shape of the initial crisis response and the choice of instruments and approaches affect future state-building endeavours.⁸⁵

15.84 The Asia Pacific Centre for Military Law (APCML), an initiative of the ADF's Legal Branch and the University of Melbourne Law School, runs a week-long CIMIC course. Its objective is to inform participants from both government and non-government agencies on the planning factors that are crucial to the ADF's conduct of CIMIC activities.⁸⁶ The course comprises topics such as the law of peace operations, military operations law and civil–military cooperation in military operations.⁸⁷

Joint training exercises

15.85 Several government agencies and NGOs, including AusAID and WVA, attended the Australian Command and Staff College Exercise Excalibur in 2006.

81 *Committee Hansard*, 24 July 2007, p. 6.

82 *Committee Hansard*, 21 August 2007, p. 3.

83 *Committee Hansard*, 21 August 2007, pp. 3 and 5.

84 *Submission 26*, p. 11 and *Committee Hansard*, 25 July 2007, p. 84.

85 *Submission 26*, p. 12.

86 Professor Tim McCormack, *Committee Hansard*, 21 August 2007, p. 64; *Submission 26*, p. 12.

87 *Committee Hansard*, 21 August 2007, pp. 60–61.

Another joint exercise, Exercise Talisman Sabre, was conducted in 2007.⁸⁸ The exercises focused on joint operational planning for a complex stability operation, involving military planners, representatives of other government agencies and NGOs working together.⁸⁹ WVA reported that Exercise Excalibur was 'a valuable experience, with numerous lessons for our civil–military engagements'. It considered, however, that such exercises could be made even more realistic if NGOs were engaged in the initial planning process.⁹⁰ WVA observed that taking these forums further into the future would depend on dialogue with the ADF and other players.⁹¹

Suggestions for strengthening CIMIC

15.86 A number of witnesses made suggestions for improving liaison between the ADF and NGOs, including at the pre-deployment planning level. For example, Mr O'Callaghan saw great benefit in the NGO sector being able to engage with the ADF in a structured but informal setting such as a bi-annual roundtable. He preferred an informal approach because 'it is more likely to be a productive exchange of views if it is done in a way which enables the ideas to be tested out'.⁹² This proposal had been put to Defence but Mr O'Callaghan indicated that Defence considered it appropriate for AusAID to handle all policy dialogue with NGOs.⁹³

15.87 Austcare recommended that the Australian Government establish an independent national institute as a 'centre of excellence' to undertake necessary training and research on peacekeeping. According to Austcare, the centre would give 'particular focus to strengthening civil–military relations'.⁹⁴ The committee notes a similar proposal by the Centre for International Governance & Justice (CIGJ) for a centre of excellence for civilian peacekeeping in Australia. CIGJ saw this centre as an opportunity for Australian government agencies to provide more strategic support to NGOs by offering 'specialised civilian peacekeeping training'.⁹⁵ Clearly such a centre would be an ideal vehicle for promoting the development and strengthening of CIMIC.

88 *Submission 26*, p. 12.

89 Lieutenant General Kenneth Gillespie, 'The ADF and Peacekeeping', speech at the conference 'Force for Good? Sixty Years of Australian Peacekeeping', Australian War Memorial, Canberra, 13 September 2007, MSPA 70913/07. See also *Committee Hansard*, 5 September 2007, p. 18; *Submission 26*, p. 12; and *Submission 19*, p. 7.

90 *Submission 19*, pp. 2 and 7.

91 *Committee Hansard*, 21 August 2007, p. 34.

92 *Committee Hansard*, 6 September 2007, p. 21.

93 *Committee Hansard*, 6 September 2007, p. 21; and Paul O'Callaghan, correspondence to Senator Marise Payne, 9 September 2007.

94 *Submission 11*, p. 15.

95 *Submission 29*, p. 2.

15.88 Major General Smith referred to a proposal Austcare had put to ADF for NGOs, ADF, AFP and AusAID to review jointly four case studies where the ADF and NGOs have been in the same place at the same time: Afghanistan (a high threat environment); Solomon Islands and East Timor (two not-so-high threat but conflict related environments); and Aceh after the tsunami (a non-conflict emergency). Major General Smith said no response had yet been given.⁹⁶

15.89 According to WVA, NGOs should also be actively seeking ways to improve engagement with the ADF. It acknowledged that development and understanding of CIMIC doctrine was not a one-way process, with the onus also on humanitarian agencies to improve their understanding of CIMIC. In that regard, WVA had employed a person to focus on civil–military relationships, including engaging with peacekeepers, the AFP and international partners. It considered that 'there is no way that World Vision can have an understanding of civil–military relations without that direct kind of engagement'.⁹⁷

15.90 Based on the evidence, the committee sees potential to improve CIMIC. For example, it mentioned in Chapter 13 the informal Peace Operations Working Group, chaired by DFAT, with members from Defence, AFP, AusAID and A-G's. The group's focus is not on specific operational issues, but more thematic issues around Australia's involvement in peacekeeping operations. This existing forum could be gainfully used to improve dialogue across the government and NGO sectors, including between the ADF and NGOs.

15.91 The committee also recognises that joint training and education can help establish common understandings and trust and provide opportunities for the military and civilian sector to work through coordination problems. In this way, CIMIC becomes not only a force multiplier but also an 'aid multiplier' by improving the delivery of aid.⁹⁸

15.92 These proposals are worthy of serious consideration and illustrate the need and the potential for the Australian Government, ADF, AusAID and NGOs to strengthen CIMIC.

Committee view

15.93 During the inquiry, some witnesses referred to what they believed were deficiencies in the ADF's CIMIC capability. A number of NGOs also called for improved dialogue with the military, better understanding between the organisations and closer involvement in the planning of peacekeeping operations. They have made suggestions that would require Defence to strengthen its engagement with NGOs,

96 *Committee Hansard*, 6 September 2007, p. 28.

97 *Committee Hansard*, 21 August 2007, p. 32.

98 See for example, Thomas R. Mockaitis, *Civil–Military Cooperation in Peace Operations: The Case of Kosovo*, Strategic Studies Institute, October 2004, p. vi.

including through roundtables and case studies. Communications and command structures could be improved, which would facilitate better coordination. The committee also notes that NGOs could facilitate this process through better organisation and liaison amongst themselves. The committee notes ACFID's role as the peak body for humanitarian NGOs and sees capacity for ACFID to form a better conduit between Defence and the NGO community.

15.94 The committee has recommended that Defence review its CIMIC doctrine and consider ways to strengthen its CIMIC capability. It now builds on these proposals.

Recommendation 18

15.95 The committee recommends that AusAID, ACFID and Defence jointly review the current pre-deployment education programs, exercises, courses and other means used to prepare military and civilian personnel to work together in a peacekeeping operation. The committee recommends further that based on their findings, they collectively commit to a pre-deployment program that would strengthen cooperation between them and assist in better planning and coordinating their activities.

15.96 The committee sees merit in Austcare's proposal for four collaborative case studies to identify ways to improve coordination between the security and humanitarian elements of peacekeeping operations.

Recommendation 19

15.97 The committee recommends that Defence, AFP, AusAID and DFAT commission a series of case studies of recent complex peacekeeping operations, as proposed by Austcare, with the focus on the effectiveness of civil–military cooperation and coordination. Their findings would be made public and discussed at the Peace Operations Working Group mentioned in Recommendation 14.

15.98 To this stage of the report, the committee has mentioned a joint training facility as a means of improving the effectiveness of Australian peacekeepers and Australia's overall contribution to peacekeeping. Evidence in this chapter adds weight to this case. Through training programs, seminars and workshops, such a facility could draw together teachers, students, researchers and former, current and future peacekeepers from government and non-government sectors. The facility would enhance CIMIC and develop future forms of civil–military–police coordination. It would also provide a site for empirical, evidence-based research and the evaluation of past and current practice. It would operate at the policy and operational levels, ensuring that Australia keeps abreast of new ideas and approaches to peacekeeping. It would also be involved at the practical level by assisting individual agencies prepare their personnel for deployment and foster a whole-of-nation approach to peacekeeping. The proposal for a centre of excellence is examined in greater detail in Chapter 25.

Conclusion

15.99 Today, the ADF shares peacekeeping space with many government and non-government actors. For this reason, the committee feels that Australia requires a more holistic approach to coordinating its peacekeeping efforts. It has made a number of recommendations but they are by no means exhaustive. The potential for improving CIMIC and, indeed, extending the CIMIC framework to include all government agencies is great.

Part IV

Partnerships—host and participating countries

To this stage of the report, the committee has been concerned with the effectiveness of Australian peacekeepers from the individual agency, whole-of-government and whole-of-nation perspective.

The committee now considers Australia's role as a participant with other countries in a peacekeeping operation. It first explores some of the challenges Australian peacekeepers face in establishing and maintaining a constructive partnership with the host country. It is particularly concerned with peacekeeping operations where Australia is taking an active or lead role and bears a heavy responsibility for achieving a well-coordinated, cohesive mission. According to *United Nations Peacekeeping Operations: Principles and Guidelines*, an integrated mission is one where there is:

A shared vision among all United Nations actors as to the strategic objectives of the United Nations presence at the country-level. This strategy should reflect a shared understanding of the operating environment and agreement on how to maximise the effectiveness, efficiency, and impact of the United Nations overall response.⁹⁹

In subsequent chapters, the committee examines Australia's relationship with its peacekeeping partners and the difficulties encountered in achieving an 'integrated operation'.

The committee identifies the main factors that contribute to effective coordination and cooperation between the partners in a peacekeeping coalition and whether Australia could do more to enhance this relationship. In this context, it considers the implications for the way Australia prepares its peacekeepers for deployment. The committee also looks at how effectively Australia engages with the peacekeeping aspects of the UN as the international body charged with maintaining international peace and security and with regional associations.

99 UN Department of Peacekeeping Operations, *United Nations Peacekeeping Operations: Principles and Guidelines*, 2008, pp. 53–54.

Chapter 16

Working with host countries

16.1 The relationship with host countries is critical to the success of peacekeeping operations. To achieve a secure and stable environment in which local people can build a sustainable peace, peacekeepers need to be in a constructive partnership with both the host government and the local community. Cultural differences, changing political priorities and varying or shifting expectations are a few of the factors that can strain the relationship and adversely affect a peacekeeping operation.

16.2 In this chapter, the committee discusses the nature of the relationship between those contributing to a peacekeeping operation and the host country. It seeks to identify the fundamental principles for developing cooperative and productive relationships.

Sovereignty and intervention

16.3 The challenge confronting peacekeepers is to help restore, maintain and build peace and stability while respecting the right of the local people to determine their own affairs. It is no small matter for a sovereign government to seek international assistance to establish or maintain internal peace. Professor Edward Wolfers, a former adviser to the Papua New Guinea Government, provided some insights into the sensitivities attached to inviting external assistance:

It is hard to describe how difficult it can be for politicians and officials proud of their country's sovereignty and independence and sensitive to criticism and perceptions of failure to recognize the necessity (or, at least, the possible advantages) and agree to an external, third-party presence and role in the resolution or aftermath of an internal conflict...Acknowledging the need for a third-party is, in certain respects, both an unwelcome intrusion into a vision, even a dream, and an unwelcome, discomfiting admission of failure in practice.¹

16.4 Thus, there will always be tensions and sensitivities in the relationship between peacekeepers and the people of the host state. In this context, the committee looks at the challenges confronting peacekeepers in resolving the paradox of promoting national self-determination through outside intervention.² They include:

- maintaining the legitimacy and credibility of a peacekeeping operation in light of differing priorities, changing expectations and cultural sensitivities;

1 *Submission 39*, p. 10.

2 See Roland Paris and Timothy D. Sisk, *Managing Contradictions: the Inherent Dilemmas of Postwar Statebuilding*, International Peace Academy, November 2007, p. 4.

- restoring or rebuilding state institutions without reinforcing the structures that gave rise to the conflict or imposing unwelcome outside norms and values; and
- building local capacity while avoiding host country dependency on the participating countries.

Legitimacy and credibility

16.5 In Chapter 6 of this report, the committee noted that the legitimacy conferred on a mission can be fragile if parties to the dispute question the status of the legal documents authorising the operation; if they re-interpret the documents; or if they withdraw their consent. Further, it noted that the public's attitude towards the mission is a key factor influencing the perception of legitimacy, which is why local priorities and expectations are important considerations for peacekeepers.

Conflicting priorities

16.6 Different views on how an operation works toward achieving its objectives can lead to vastly different perceptions about the legitimacy of a mission. A 2006 report by a UN special committee emphasised that the government of the host country has the sovereign right and primary responsibility 'to determine national priorities for peacebuilding activities'.³ Nevertheless, the hopes and goals of the host country and those of the participating countries are not always the same. The AFP observed:

It is a difficult task with all peacekeeping operations to balance the need to enable local government to run its affairs as a sovereign authority when there is an overwhelming requirement to maintain security and law and order.⁴

16.7 Professor Andrew Goldsmith, Flinders University School of Law, noted that an initial peacekeeping role, where warring parties are separated and basic law and order is restored, is something which meets with 'pretty universal regard from the local populations'. On the other hand, he argued that as operations progress:

...the longer term and often more politically contested activities around capacity building and peace building [are] where many of these political problems and perception problems become more manifest and difficult to engage with.⁵

16.8 Such a situation developed in Solomon Islands where some local groups, at first favourable to the intervention, changed their minds as RAMSI progressed. In his research on international state-building, Dr Michael Fullilove, Lowy Institute for

3 UN General Assembly, *Report of the Special Committee on Peacekeeping Operations and its Working Group at the 2006 substantive session*, New York, 27 February–17 March 2006, A/60/19, 22 March 2006, paragraph 114.

4 AFP, answer to written question on notice 6, 25 July 2007.

5 *Committee Hansard*, 20 August 2007, p. 48.

International Policy, noted that even though the restoration of law and order in Solomon Islands was in everyone's interests, including the Solomon Islands elite, the 'concentration on economic reform and clean government threatens some of those interests'.⁶ Associate Professor Wainwright also observed that 'some of the people implicated in corrupt activity are among those who invited RAMSI in to Solomon Islands'.⁷ Indeed, the 2005 Report of the Pacific Islands Forum (PIF) Eminent Persons Group (EPG) categorised some critics of RAMSI as belonging to a group 'who feel that their individual vested interests are threatened by RAMSI's presence'.⁸

16.9 RAMSI also provides a recent example of the friction that may occur between members of the host government and a participating member after basic law and order have been restored. During 2007, tensions mounted between Australia as a major contributor to RAMSI and some members of the Solomon Islands Government.⁹ According to the then Australian Minister for Foreign Affairs, Alexander Downer, there appeared to be in Solomon Islands 'a deliberate push to undermine RAMSI, to tarnish its reputation, and make it hard for it to continue its work'. He indicated that RAMSI personnel and their families were having difficulties entering and remaining in Solomon Islands. He also mentioned that the Solomon Islands Government had 'spoken about removing the legal protection which allows RAMSI personnel to undertake their work efficiently and independently'.¹⁰

16.10 This dispute resulted in the Australian Minister for Foreign Affairs using the local media to publish an open letter to the people of Solomon Islands seeking their continuing support for the mission. The Solomon Islands Prime Minister, Manasseh Sogavare, strongly objected to this approach, finding it 'absurd for the Foreign Affairs Minister of a foreign state to have the guts to appeal to the people of Solomon Islands

6 Dr Michael Fullilove, *The Testament of the Solomons: RAMSI and International State-Building*, Lowy Institute for International Policy, 2006, p. 18.

7 Associate Professor Elsinia Wainwright, *How is RAMSI faring? Progress, challenges, and lessons learned*, Australian Strategic Policy Institute, April 2005, p. 5. Assistant Commissioner Jevtovic also noted, 'It is difficult in the context that our presence is not always welcome. We often find ourselves in situations where the majority of the community want us, but certain elements don't.' 'Policing the neighbourhood and keeping peace in the Pacific', *Platypus Magazine*, Edition 96, September 2007, p. 15.

8 Report of the Pacific Islands Forum Eminent Persons Group, *Mission Helpem Fren, A Review of the Regional Mission to Solomon Islands*, May 2005, p. 15.

9 Reason for opposition was that there was not a satisfactory plan for training, purchasing, maintenance and security of weapons; the intended timeframe for re-arming was too short; and there was no evidence of broad community support for re-armament. RAMSI, *RAMSI concerned about plans to re-arm Solomon Islands police*, Press Release, 19 January 2007; The Solomon Islands Government did not progress plans to re-arm the police: *RAMSI welcomes decision not to re-arm police*, 25 February 2007, www.ramsi.org, (accessed 27 February 2007).

10 A letter to the People of Solomon Islands from the Hon Alexander Downer MP, Minister for Foreign Affairs, Australia, Attachment A to answer to question in writing no. 5423, *House Hansard*, 22 March 2007, p. 206.

to allow their laws to be trampled on by foreigners'.¹¹ In October 2007, the Minister for Foreign Affairs of Solomon Islands raised in the UN General Assembly the matter of RAMSI and his country's sovereignty:

However disguised and rationalized, intervention and occupation allow assisting nations to spend and earn substantial revenue for their supporting businesses and industries. My Government is too nationalistic to become captive to the fortunes that justify our perpetual retention under a state of siege. My Prime Minister and my fellow ministers and parliamentarians remain unmoved by Australian resistance to our attempts to reclaim our sovereignty and independence.¹²

16.11 The Australian Government refuted these assertions as 'completely unfounded'.¹³ Although relations between the two governments have since improved, these incidents highlight the potential for conflict to arise between host and participating countries.

16.12 The Pacific Islands Forum EPG was of the view that those in Solomon Islands who feel as though their vested interests are under threat from RAMSI are 'clearly adept in their usage of the media'. The committee also notes the EPG's observation that communication with the people of Solomon Islands is an important means of staying on top of misinformation.¹⁴

Expectations

16.13 Peacekeeping operations in both East Timor and Solomon Islands also show the importance of managing local expectations. A number of commentators have referred to the unrealistic hopes generated by the deployment of peacekeeping operations in East Timor.¹⁵ For example, Sergio Vieira De Mello, Special Representative of the Secretary-General, noted in 2000 that the high expectations of

11 Prime Minister Sogavare also said that 'it was the rightful duty of his government to express concern over the RAMSI arrangement amid fears that the mission had become Australia's agent, designed to suppress the legitimate government of Solomon Islands'. Solomon Islands Department of Prime Minister and Cabinet, *Sogavare denies claim on undermining RAMSI*, 26 February 2007.

12 UN General Assembly, 13th Plenary Session, A/62/PV.13, 1 October 2007, p. 25

13 UN General Assembly, 15th Plenary Session, A/62/PV.15, 2 October 2007, p. 47.

14 Report of the Pacific Islands Forum Eminent Persons Group, *Mission Helpem Fren, A Review of the Regional Mission to Solomon Islands*, May 2005, p. 15.

15 See above footnote and Katsumi Ishizuka, Kyoei University, Japan, 'State-building in East Timor', IAPS seminar series, 2004/2005; Hansjoerg Strohmeyer, 'Policing the Peace: Post-Conflict Judicial System Reconstruction in East Timor', *UNSW Law Journal*, vol 24, no. 1, 2001, p. 177.

the East Timorese people had not 'translated into immediate, visible, large-scale development results' causing frustration, impatience and disappointment.¹⁶

16.14 A similar trend can be detected in Solomon Islands. The 2005 Pacific Islands Forum EPG report found that RAMSI's 'initial successes were strongly felt on the ground' and that support and appreciation for its work was 'overwhelming'. Success, however, had generated high expectations: according to the report, there seemed to be 'broadening expectation that RAMSI will be responsible for, or will fix, everything'.¹⁷

16.15 The report argued that this misperception needed to be addressed 'to avoid the further growth of unrealistic expectations'. In its view, it was important for Solomon Islanders to understand that the role of RAMSI was 'to help create the conditions necessary for a return to stability, peace and a growing economy'.¹⁸

16.16 In this regard, the committee draws attention to the comment by the EPG, cited earlier, on the importance of communication with the local people in countering negative views of the mission.¹⁹ The committee also notes a recent Oxfam report that found that, while many Solomon Islanders welcomed RAMSI's role in ending conflict, the wider population appeared to have little understanding of the full range of the mission's activities and how these extended beyond policing.²⁰

Committee view

16.17 East Timor and Solomon Islands provide examples of the importance of respecting a host country's sovereignty. They point to the need to ensure that accurate information about the mission, its goals, progress and limitations is disseminated widely to keep local people fully informed about, and to help manage expectations of, a mission. In this regard, the committee notes that transparency and open communication in a peacekeeping operation is an effective means of garnering support and strengthening the perceived legitimacy of the mission. The committee believes that developing policies and strategies for managing local expectations is a major consideration when planning a peacekeeping operation. Establishing effective means of conversing with local authorities and the community more broadly also has implications for the mix of skills required of a peacekeeper.

16 Sergio Vieira De Mello, Statement, Lisbon Donors' Meeting on East Timor, 22–23 June 2000, p. 6.

17 Report of the Pacific Islands Forum Eminent Persons Group, *Mission Helpem Fren, A Review of the Regional Mission to Solomon Islands*, May 2005, paragraphs 19, 27 and 28.

18 Report of the Pacific Islands Forum Eminent Persons Group, *A Review of the Regional Assistance Mission to Solomon Islands*, May 2005, p. 10.

19 Report of the Pacific Islands Forum Eminent Persons Group, *Mission Helpem Fren, A Review of the Regional Mission to Solomon Islands*, May 2005, p. 15.

20 Oxfam Australia and Oxfam New Zealand, *Bridging the gap between state and society*, July 2006, p. 7.

Conduct of peacekeepers

16.18 The conduct of peacekeepers also has the potential to affect the credibility of an operation. Inappropriate behaviour can weaken local support and provide fuel for those seeking to discredit or otherwise spoil an operation. Dr Breen commented that an 'elite lifestyle of partying' and fraternisation, in particular, are 'not a good look'. He said:

These operations emphasised being a guest in someone's country and behaving appropriately. I think it has to be understood by our troops that that is a winning card, a very positive thing. It requires a certain amount of discipline but, again, it goes back to family respect. You are there to help families, so you behave yourself. You are not there to party on in nightclubs.²¹

16.19 At this point, the committee notes that a number of UN reviews have been conducted to investigate allegations of sexual exploitation and abuse by UN peacekeepers in places such as the Democratic Republic of Congo, Sudan, Haiti, Sierra Leone and Timor-Leste.²² These incidents severely damaged the reputation of the UN and international peacekeeping operations.²³ The revelations prompted re-thinking and reform of the UN's approach to preventing and punishing violations of its standard of conduct.²⁴

16.20 Although there has been no suggestion of such misconduct by Australian peacekeepers, the committee recommends that the Australian Government and relevant agencies exercise constant vigilance to minimise the risk of it occurring. The committee notes that as personnel from a number of agencies, including contractors, now contribute to peacekeeping operations, it is important that standards of behaviour are maintained across Australia's whole contingent. The behaviour of personnel, both on specific duty and during their own free time, is critical to host country perceptions of an operation.

21 *Committee Hansard*, 5 September 2007, p. 54.

22 See for example, Update Report No. 3 Sexual exploitation and abuse by UN peacekeeping personnel, 20 February 2006.

23 Letter from the Secretary-General to the President of the General Assembly dated 24 March 2005, A/59/710. Then UN Secretary General, Kofi Annan, reported 'Such abhorrent acts are a violation of the fundamental duty of care that all United Nations peacekeeping personnel owe to the local population that they are sent to serve'.

24 In 2005, the report *A comprehensive strategy to eliminate future sexual exploitation and abuse in United Nation Peacekeeping operations* was released, leading to a two-year package of reforms. These reforms focus on preventative measures, enforcement measures and remedial action to assist victims of abuse. UN General Assembly, A/59/710, 24 March 2005; DPKO's Comprehensive Strategy on the Elimination of Sexual Exploitation and Abuse, <http://www.un.org/Depts/dpko/CDT/strategy.html> (accessed 1 April 2008).

Peacekeepers in the local community



A Civil Military Liaison Officer assists a child to take a mark at the Burns Creek district in Honiara, Solomon Islands (image courtesy Department of Defence).

16.21 In a 2006 article, Dr Michael Fullilove spoke of the 'profile' that is adopted by different international missions. He noted that 'one of the striking things about RAMSI to an outside visitor with experience of other international interventions is the relative lightness of touch it exhibits'. He observed that compared to some other international missions, RAMSI has adopted a 'fairly low profile' with the main contingent housed in an old resort near the airport. Dr Fullilove contrasted this modest accommodation to

the 'grand government buildings in the centre of town occupied by the UN in Dili and the Coalition Provisional Authority in Baghdad'. He wrote of RAMSI:

One result of this basing decision was that the infamous white four wheel drives are out of sight. A 'no-fraternisation' policy, designed to avoid prostitution and other unattractive spillover effects, has largely been followed.²⁵

16.22 Nonetheless, he accepted that 'RAMSI's presence is noticeable, especially in Honiara, where the influx of expatriates has increased certain living costs'.²⁶

Committee view

16.23 The committee recognises that the presence of peacekeepers in a small island state such as Solomon Islands affects the local economy and may cause resentment among some of the local people. Such a situation highlights the need for Australia, as the main contributor to RAMSI, to ensure that the local people are equipped to take charge of their own affairs as soon as practicable. This matter is discussed later in this chapter.

Recommendation 20

16.24 The committee recommends that the Australian Government consider the lessons from RAMSI regarding the positive local reaction to the mission's 'relatively low profile' with a view to adopting this approach as policy and best practice.

Local values and institution building

16.25 A number of submitters emphasised the view that to engage effectively with the local community and to create a favourable impression, peacekeepers must also be aware of, and sensitive to, societal and cultural differences. This awareness is most important where peacekeepers are helping to restore or rebuild local institutions. According to Dr Breen:

...the measure of success...is whether our peacekeepers make contact in a way that quickly restores the public's confidence in their security and therefore has the knock-on effect of getting them back to being productive, to going home, to planting crops, to getting the kids off to school. From the

25 Michael Fullilove, 'RAMSI and State Building in Solomon Islands', *Defender*, Autumn 2006, p. 34. See also Dr Bob Breen, 'Peace support operations' in Australian Strategic Policy Institute, *Australia and the South Pacific: Rising to the challenge*, Special Report, Issue 12, March 2008, pp. 43–53: he noted the success of a 'low-profile', culturally-sensitive mission in Bougainville, (p. 47).

26 Michael Fullilove, 'RAMSI and State Building in Solomon Islands', *Defender*, Autumn 2006, p. 34.

peacekeepers' end, if they are culturally sensitive and linguistically competent they facilitate that process much faster.²⁷

16.26 Professor Edward Wolfers similarly noted the importance of understanding the local and political context of a conflict in order to be able to assess the peace process. He observed in Bougainville:

The fluid and evolving character of the Bougainvillean factions is pertinent to explaining the impatience, amounting at times to frustration, displayed by foreigners (including members of peace missions) not familiar with Melanesian forms of social organization and mobilization when they could not discern what was happening at key points, pressed for greater activity, and expressed fear that the entire peace process might break down. What they did not always appreciate was that the communities and the organizations involved in the Bougainville peace process were not command systems...In practice, almost everything had to be negotiated, especially if more than one local community were involved. For this to happen, mutual confidence and sufficient trust to co-operate had to be built, even among leaders and commanders identified as members of the same faction.²⁸

16.27 Dr Peter Londey, Australian War Memorial, suggested that sometimes peacekeeping operations try to 'introduce a culture of government which is just completely alien, in a sense, to the local culture'.²⁹ Indeed, Dr Jeremy Farrall, ANU, highlighted the short-sightedness of introducing systems without regard to the customs and traditions of the local people. He argued that the foundations for rule of law institutions can be strengthened by basing them as much as possible in the local context.³⁰ In his view:

...there is a real danger that, if these institutions are set up according to foreign models and supported by foreign actors, when the international community withdraws, as it must one day do, these institutions may implode.³¹

16.28 Similarly, Professor John Braithwaite, ANU, observed that 'Where there is a need to establish a new system, it needs to be grounded in the local society for it to

27 *Committee Hansard*, 5 September 2007, pp. 52–53.

28 *Submission 39*, p. 7.

29 Dr Peter Londey, *Committee Hansard*, 5 September 2007, p. 52. See also Bu Wilson who cited the 'overwhelming' failure to pay attention to local context as one of the significant mistakes made by UNTAET in the development of an indigenous police force in East Timor. Bu Wilson, *Challenges to Sustainable Police-Building: the Development of the Policia Nacional Timor-Leste*, conference paper, included in Lisa Palmer, Sara Niner, Lia Kent (Eds.), *Exploring the Tensions of Nation Building in Timor-Leste*, Proceedings of a forum held at the University of Melbourne on 15 September 2006, Research paper number 1, School of Social and Environmental Enquiry, University of Melbourne, 2007, p. 52.

30 *Submission 29*, p. 7.

31 *Committee Hansard*, 13 September 2007, p. 21.

become accepted'. He observed that this approach was taken in Bougainville where the police service has been built on a village community policing model, with part-time police trained by the New Zealand police in each village.³² The process of reconciliation in Bougainville provides another example of where strategies and solutions were adapted to local conditions:

...the Bougainville political and justice system leadership have chosen to go down that informal reconciliation route. It is more of a restorative justice route, if you like. That has worked well and has connected to their traditions of doing justice.³³

16.29 Professor Braithwaite contrasted the reconciliation process in Bougainville with that in Solomon Islands where the traditional systems were susceptible to exploitation:

Thugs were using traditions to try to get compensation payouts, which was sort of a monetarising of traditional, customary reconciliation, so that maybe the more formal rule of law path in the Solomons was the right way to go. So it was one of those areas where we perhaps did better than in some areas because we were listening rather than having some template for the right way to do rule of law capacity development throughout the region.³⁴

16.30 Clearly, when helping to re-build or create new institutions, peacekeepers must be careful that, while respecting local customs and norms, they do not replicate a system that gave rise to the conflict in the first place. Thus the capability, capacity and willingness of the local population to embrace reforms is another major consideration for a peacekeeping operation. Professor Braithwaite used Solomon Islands and East Timor to make the point that each mission is different, requiring tailored-made solutions to nation building. Referring to Solomon Islands, he said:

...the positives would be that the central banking institutions work terrifically well under indigenous leaderships. The courts also work terrifically well. The prosecution and defence part of the system works very well.³⁵

16.31 He stated that, in contrast, the introduction of the central banking institutions, the courts and judicial system did not work in Timor.³⁶ This observation was reinforced by Professor Hilary Charlesworth, ANU:

The UN did not grapple sufficiently with specific Timorese social networks that refused to map readily onto the Western model of citizen/state

32 *Committee Hansard*, 13 September 2007, p. 22.

33 *Committee Hansard*, 13 September 2007, p. 23.

34 *Committee Hansard*, 13 September 2007, p. 23.

35 *Committee Hansard*, 13 September 2007. p. 22.

36 *Committee Hansard*, 13 September 2007, p. 22.

relations, where the idea of branches of government, such as the judiciary, the legislature and the executive, structure political life.³⁷

16.32 Adding weight to these views on the importance of understanding how the local community works, Professor Goldsmith observed that in Timor-Leste:

We were training police in basic investigative notebook maintenance and things like this while the ministry of interior was self-destructing, leading to the implosion of the police more generally...I think this re-emphasises the fact that it is not technical issues that we need to be strengthening our hand in in many respects; it is really about the deeper politics and the more broadly based cultural context in which we are trying to do what we regard as often being very basic police development activity. We cannot decouple our police training from these contextual political issues.³⁸

Committee view

16.33 When it comes to rebuilding a state's institutional infrastructure, each peacekeeping operation is unique. The long-term success of a peacekeeping operation relies on proper planning based on a sound knowledge of the local context and a comprehensive analysis of the mix of factors that contributed to the conflict. There must be a strong understanding of the political and socio-economic context in order to align the peacekeeping process with the host country's priorities, its capacity, local capability and commitment to manage and administer the system. It also needs to be embedded in the host country's society and political structures without reinforcing the structures that gave rise to the initial conflict.

Australia's dominance in the region

16.34 Evidence before the committee indicated that the perception of Australia as a commanding presence in a peacekeeping operation could also undermine the credibility of a mission. According to a number of analysts and submitters, Australia's dominance in the region heightens sensitivities to Australia's lead role in peacekeeping operations, particularly in RAMSI, and has the potential to adversely affect the local attitude toward the mission. Oxfam noted:

...there is a danger that intervention in Solomon Islands is very much an action by outsiders, driven by external imperatives, with little engagement of the people in whose name they act. Some Solomon Islands critics have argued that, in many areas, the reform process is being driven not by local need, but by the needs of Australia as the key regional power.³⁹

37 Hilary Charlesworth, *Building Democracy and Justice after Conflict*, Academy of the Social Sciences 2007, Cunningham Lecture 2006, p. 4.

38 *Committee Hansard*, 20 August 2007, p. 50.

39 Oxfam Australia and Oxfam New Zealand, *Bridging the gap between state and society*, July 2006, p. 16. See also Report of the Pacific Islands Forum Eminent Persons Group, *Mission Helpem Fren, A Review of the Regional Mission to Solomon Islands*, May 2005, p. 10.

16.35 Professor Goldsmith also noted that 'one can visit Honiara or go to the Solomon Islands and be struck by the huge Australian footprint that the mission evidences'.⁴⁰ He explained:

There is a natural regional dominance. We have the relative scale and ability to respond. One would have to ask: along with that capacity to respond, what is our commensurate cultural and political aptitude to do so?...Australia faces an almost inevitable perception in the region of being a kind of symbolic big brother, and that poses a number of legitimacy problems. It raises the question of how Australia does engage—whether there are ways of tackling some of these issues that do not pose the big bully or big brother symbolism that is easily generated out of these kinds of engagements, even with the best will in the world of the Australian side of the engagement.⁴¹

16.36 The United Nations Association of Australia (UNAA) also referred to recent non-UN-mandated interventions by Australia in the Pacific region and the problem of the perception of dominance. It suggested that Australia's dominant political and economic position in the region allows these interventions to be characterised more easily as 'self-serving'.⁴²

Local ownership and capacity building

16.37 Establishing good relations with the local population is vital to the credibility of, and continuing local support for, the mission. Ultimately, however, the people of the host country will assess the operation on how successfully they believe it is moving toward lasting peace and stability and creating the conditions that would allow them to take charge of their future. To manage their own affairs effectively, the local population need to have the necessary skills and resources. Thus, a peacekeeping operation must consider how best to assist the local population build its own capacity for self-government.

Involving the host country

16.38 The *United Nations Peacekeeping Operations: Principles and Guidelines* state clearly that national and local ownership is 'critical to the successful implementation of a peace process'.⁴³ Reviews and submitters to this inquiry further underlined the importance of promoting local ownership. They recognised that while peacekeepers may be able to enforce security, peace needs to be made, owned and supported by host countries. For example, although a 2007 review by a PIF Task

40 *Committee Hansard*, 20 August 2007, p. 50.

41 *Committee Hansard*, 20 August 2007, p. 49.

42 *Submission 3*, paragraph 4.3.

43 UN Department of Peacekeeping Operations, *United Nations Peacekeeping Operations: Principles and Guidelines*, 2008, p. 39.

Force found 'strong and widespread support' for RAMSI throughout Solomon Islands, it reported that:

...while RAMSI's presence in Solomon Islands was designed to strengthen Solomon Islands sovereignty through support to key institutions, questions of sovereignty and sustainability have emerged as key issues. The Task Force found a sense among Solomon Islands elected political leaders that they did not have full control of the direction their country was moving. Notwithstanding the extensive consultation that has taken place at officials' level between the SIG [Solomon Islands Government] and RAMSI, the absence of effective information flows and the inadequacy of mechanisms for engagement at the higher levels of SIG emerged as a constant theme.⁴⁴

16.39 The Task Force review process itself initiated reforms in this area, including the appointment of a Solomon Islands Government Special Envoy to RAMSI to work with the RAMSI Special Coordinator and PIF Representative. It recommended a regular meeting of this group with the SIG Cabinet, to 'ensure that Ministers are fully informed of RAMSI activities and take ownership of its work, to ensure full understandings of RAMSI's operations and to facilitate the resolution of any differences'.⁴⁵

16.40 Professor Wolfers focused more broadly on the importance of engaging the wider community in the peacekeeping process. He was of the view that while the support of international operations in Bougainville was critical, peace was made by the people of the host country:

The foundations of peace have been twofold: (1) the beliefs and actions of thousands of people, women, children and men, on the ground, praying, reconciling and taking practical steps to promote peace, including by putting pressure on others; and (2) the determination 'to secure lasting peace by peaceful means' at the national level on a bipartisan—in reality, a truly national—basis.⁴⁶

16.41 Oxfam reached similar conclusions about Solomon Islands:

...if Solomon Islanders at all levels of society are not genuinely engaged in the process of reconstruction and reconciliation, the causes of conflict will not dissipate but instead retreat to the shadows and margins of the state building enterprise.⁴⁷

44 Pacific Islands Forum, *Review of the Regional Assistance Mission to Solomon Islands (RAMSI), April–June 2007*, p. 4,

www.forumsec.org/_resources/article/files/RAMSI%20Review%20Task%20Force%20Final%20Report.pdf (accessed 24 January 2008).

45 Pacific Islands Forum, *Review of the Regional Assistance Mission to Solomon Islands (RAMSI), April–June 2007*, p. 7.

46 *Submission 39*, p. 20.

47 Oxfam Australia and Oxfam New Zealand, *Bridging the gap between state and society*, July 2006, p. 18.

16.42 Although international observers on peacekeeping agree with the general view that the principle 'of 'local ownership' is central to the success of a peacekeeping operation, they also accept that 'its practical realization remains very difficult'.⁴⁸ For example, Associate Professor Wainwright commented on the need to provide the breathing space or the window of opportunity for the host country to endeavour to solve the deep-seated problems causing the conflict. She argued, however, that the task is 'enormously fraught and complex' but needs to be done, because if the problems are not resolved, 'you are going to continue to see the kinds of flare-ups we have just seen in East Timor in the last year'. She concluded:

...the challenge for an assisting country such as Australia needs to be to work with the governments of the affected states to help generate the local political will and the demand within the affected populations for solutions—to find and to implement solutions to these crises.⁴⁹

16.43 A number of analysts have cited UNTAET as an example of a mission that 'did not promote local ownership and failed to give sufficient attention to existing local structures and how they might interact with the new ones'. Mr David Harland, UN Peacekeeping Best Practices Unit, has stated:

Other than at the level of the political elites, UNTAET was not good at building local ownership of the transition process.⁵⁰

16.44 He cited several factors that exacerbated this failure to engage Timorese in many day-to-day activities where Timorese support was needed and Timorese capacity needed to grow. These included lack of UNTAET personnel with relevant language skills and lack of translation service. He concluded:

...future missions need to be able to communicate effectively from the beginning, and to bring host country nationals into decision-making at all levels, not just at the elite level.⁵¹

16.45 The discussion about local ownership again highlights the dilemma facing peacekeeping personnel. They must establish the correct balance between developing the administrative capacities of the host country while allowing the host country to manage its own affairs. For example, in some peacekeeping operations, local capacity

48 See for example, Lara Olson and Hrach Gregorian, *Side by side or together? Working for security, development & peace in Afghanistan and Liberia*, The Peacebuilding, Development and Security Program (PDSP), Centre for Military and Strategic Studies, University of Calgary, October 2007, p. 15; UN Department of Peacekeeping Operations, *United Nations Peacekeeping Operations: Principles and Guidelines*, 2008, p. 40.

49 *Committee Hansard*, 20 August 2007, p. 13.

50 David Harland, *UN Peacekeeping operations in post-conflict Timor-Leste: Accomplishments and lessons learned, UNTAET Governance and Public administration: 1999 to mid-2000*, UN Peacekeeping Best Practices Unit, April 2005, p. 9.

51 David Harland, *UN Peacekeeping operations in post-conflict Timor-Leste: Accomplishments and lessons learned, UNTAET Governance and Public administration: 1999 to mid-2000*, UN Peacekeeping Best Practices Unit, April 2005, p. 9.

may be so lacking that mission personnel are needed to fill key positions, including in the areas of law and order. Indeed, a number of Australian peacekeepers have and are currently working in line positions in various institutions in host countries.

16.46 RAMSI provides a case study. It has been structured with local capacity building and strengthening of host country institutions as a central part of the mission. For example, experienced Australian public servants have been placed throughout the justice system in Solomon Islands 'to strengthen the country's ability to deal with the large number of arrests going through the court and prison systems'.⁵² There are also advisers in line positions 'to get the bureaucracy functioning again'.

16.47 For example, integrating RAMSI personnel, with the same powers as their Solomon Island counterparts, within the existing law and order and governance structures, was seen as important for both early results and longer-term structural reform.⁵³ RAMSI's police component (the Participating Police Force) is headed by AFP Assistant Commissioner Denis McDermott, who is also appointed as a Deputy Commissioner of the Solomon Islands Police Force.⁵⁴ In 2004, Mr Nick Warner, then RAMSI Special Coordinator, noted that over time in-line advisers 'will be training up their counterparts to take on these functions to ensure the change in practices is sustained and sustainable'. Referring to Solomon Islands, Mr Warner was of the view that:

In-line powers were vital to our ability to ensure that the justice system functions effectively in the short term, while being strengthened in the long term. A lesson from RAMSI is that these powers were crucial in achieving the fast turn-around in law and order and public finances.⁵⁵

16.48 In 2005, the Pacific Islands Forum EPG agreed with this assessment but on a broader scale:

Since assistance was extended to the Department of Finance and Treasury there has been a substantial improvement in revenue performance, expenditure control and debt-servicing. This in our view has been achieved because RAMSI also provided expertise to fill the vacant in-line positions in the Department as well as appropriate advisory support. It is clear to us

52 Nick Warner, 'Operation Helpem Fren: Rebuilding the Nation of Solomon Islands', Speech to National Security Conference, 23 March 2004, Department of Foreign Affairs and Trade, p. 7, http://www.dfat.gov.au/media/speeches/department/040323_nsc_ramsi.html (accessed 17 April 2008).

53 *Submission 15*, p. 5.

54 See for example http://www.afp.gov.au/_data/assets/pdf_file/71469/26_28_AsaferandmoresecureSolomonIslands.pdf (accessed 12 June 2008).

55 Nick Warner, 'Operation Helpem Fren: Rebuilding the Nation of Solomon Islands', Speech to National Security Conference, 23 March 2004, Department of Foreign Affairs and Trade, p. 10, http://www.dfat.gov.au/media/speeches/department/040323_nsc_ramsi.html, (accessed 17 April 2008).

that this success would not have been possible without the intervention of RAMSI personnel in the hands-on implementation of its assistance to the Department. It is important to involve Solomon Islanders but there is a lack of qualified and experienced staff. We offer this same view in the case of the Ministry of Health.⁵⁶

16.49 DFAT acknowledged, however, that deploying experts within local administrations may create difficulties for local capacity building. Mr Potts, DFAT, identified the problem of displacing or turning advisers into administrative staff almost by default, particularly in a fragile environment like Solomon Islands or even in larger countries such as Papua New Guinea. He said it was not something 'we would want to do without at least knowing it is happening and then assessing the implications'.⁵⁷

16.50 The Australian National Audit Office (ANAO) referred to the challenges the AFP experienced in training Solomon Islanders to be self-sufficient and to take on the responsibility for functions such as law enforcement. Mr David Crossley, Executive Director, ANAO, provided the following example:

Police officers would go along to an event and say, 'I'm here to watch your RSIP [Royal Solomon Islands Police] member take a sworn statement from this witness', but the RSIP member had no idea of how to do that. So the police officer would get frustrated and do it himself. We are saying: 'That is not exactly capacity building. We understand that you've got to do it'.⁵⁸

16.51 Where peacekeepers are called on to supplement or even substitute for particular capabilities, the ultimate goal is to replace them with local people. The UN *Peacekeeping Operations: Principles and Guidelines* states clearly that the aim must always be:

...to restore, as soon as possible, the ability of national actors and institutions to assume their responsibilities and to exercise their full authority, with due respect for internationally accepted norms and standards.⁵⁹

16.52 The experience of the police in RAMSI highlights some of the tensions around local capacity building. Although integrating personnel within local structures has helped achieve results, Professor Goldsmith also considered it has led to perceptions of dominance:

...there is the perception—not just a perception, in this case—that Australians are running both the Royal Solomon Islands Police and the

56 Report of the Pacific Islands Forum Eminent Persons Group, *Mission Helpem Fren, A Review of the Regional Mission to Solomon Islands*, May 2005, p. 13.

57 *Committee Hansard*, 13 September 2007, p. 7.

58 *Committee Hansard*, 6 September 2007, p. 57.

59 UN Department of Peacekeeping Operations, *United Nations Peacekeeping Operations: Principles and Guidelines*, 2008, p. 40.

Participating Police Force, the PPF. It does not take any great observer of events there to sit back and say, 'It looks like there are a lot of Australians running both sides of the operation there.' In hindsight, that underlines something that one might want to think about if one were to do it again or something similar.⁶⁰

16.53 Clearly, integrating Australian personnel into local institutions may compensate in the short term for a lack of experienced or skilled local people but may create longer-term problems of dependency or the perception of dominance. In Chapter 12, the committee pointed to the importance of Australian peacekeepers involved in local capacity building having the ability to impart their skills and knowledge.⁶¹ The above consideration of integrating Australian personnel into local structures strengthens the committee's findings.

Working with community groups

16.54 Civil society and community groups are particularly important in building an environment conducive to long-term peace. Dr Breen observed that the success of peacekeeping operations in the region is 'about engaging local civil society, especially women, clergy and traditional leaders in facilitating the peace process or creating the preconditions for one'.⁶² He saw room for Australia to engage in this process at a deeper level:

...concurrently [with peace enforcement], not sequentially, we should make sure we engage as soon as possible with civil society, which has often been hit for a six in these settings, in order to reassure and build confidence. I think it goes beyond peacekeeping, peace enforcement and peace building in the area of engagement—as neighbours, we should engage with our neighbourhood to try to look at the deeper problems.⁶³

16.55 Austcare also commented on the importance of engaging at a deeper level. In its view, the Australian Government has 'tended to think primarily in terms of supporting and strengthening the host government's apparatus'. While Austcare recognised that such support is important, it considered that this support is of limited value 'unless underpinned by robust democratic development strategies focussed at the grassroots'. Austcare considered that NGOs have a significant contribution to make at the local community level, underscoring the importance of collaboration between government and NGO sectors in planning and implementing peacekeeping operations.⁶⁴ Ms Bu Wilson, ANU, also observed:

60 *Committee Hansard*, 20 August 2007. pp. 53–54.

61 See paragraphs 12.19–12.21 and recommendation 11.

62 *Committee Hansard*, 5 September 2007, p. 43.

63 *Committee Hansard*, 5 September 2007, p. 48.

64 *Submission 11*, p. 13.

It may be possible to create a quasi-functioning state that is able to restore law and order and serve the interests of the intervening forces, but it often does not address the underlying causes of civil unrest, nor can it build long-term peace. Almost invariably such external interventions do not engage extensively with the realities of existence outside the national capital, and can be characterised by a failure to engage with non-state or sub-national actors.⁶⁵

16.56 Consistent with this view, AusAID stated that in Pacific communities, there is often a divide between state institutions and society. It pointed out the need to enhance not only state institutions but also civil society and the relationship between the two.⁶⁶ For example, women and women's groups can have a central role in moving the peace process forward. Their contribution to peacekeeping is discussed later in Chapter 18.

Building local capacity—Australian Electoral Commission

16.57 The Australian Electoral Commission (AEC) provides a good example of how an Australian agency is having notable success in developing local capacity by educating and training local people and involving them in formulating and implementing programs.

16.58 The AEC civic education program (CEP) in Solomon Islands was part of a broader strategy to strengthen and promote good governance and build accountable relationships between government and society.⁶⁷ Local staff worked on the design of curriculum materials and day-to-day management of the project. One AEC coordinator was in Solomon Islands full time and another periodically; the field coordinators and educators were Solomon Islanders. Mr Maley described one of the positive outcomes:

It is a matter of some gratification to us that some of the people who worked with us on that operation have since been able to work internationally in doing capacity building work in other countries. For example, one of our very best facilitators from the civic education program in the Solomons has spent quite a bit of time in the last 12 months in Papua New Guinea, working with the Papua New Guinea Electoral Commission. That is the sort of objective that we try to work towards in putting together these operations.⁶⁸

65 Bu Wilson, *Challenges to Sustainable Police-Building: the Development of the Policia Nacional Timor-Leste*, conference paper, included in Lisa Palmer, Sara Niner, Lia Kent (Eds.), *Exploring the Tensions of Nation Building in Timor-Leste*, Proceedings of a forum held at the University of Melbourne on 15 September 2006, Research paper number 1, School of Social and Environmental Enquiry, University of Melbourne, 2007, p. 52.

66 *Submission 26*, pp. 16–17.

67 *Submission 21*, p. 8.

68 *Committee Hansard*, 5 September 2007, p. 13.

16.59 In 2001–2002, the AEC also carried out an AusAID-funded electoral capacity-building project in East Timor to support the Independent Electoral Commission (IEC) set up by UNTAET. The project included an electoral administrators' course undertaken by all East Timorese IEC staff, with four of them later becoming accredited to run the course. The AEC commented:

Over the life of the project, 11 international and 37 East Timorese staff (including 23 district staff and 14 Dili-based staff) were employed. At the project's completion, a body of trained staff (as many as 4500 people when polling officials are included) had been developed to provide a pool of trained personnel to be drawn upon in the conduct of future electoral events.⁶⁹

16.60 The AEC's ability to provide supervision and training in host countries to ensure that electoral processes are free and fair is an important contribution to Australia's peacekeeping efforts. Its work in regional capacity building by educating and training local people in election processes is producing significant dividends, especially as these people are now using their skills in other Pacific countries. The committee commends the AEC for its work in international electoral assistance and capacity building.

Committee view

16.61 The committee has identified some key factors that should inform Australia's approach to, and planning for, a deployment. They include the need to:

- understand and respect the importance that the host country's attaches to its sovereignty;
- appreciate that Australia may be seen as a dominating force in peacekeeping operations in the region and take steps to foster greater cooperative partnerships;
- promote transparency in the peacekeeping process by ensuring that the local population is fully aware of the mission's short and long-term goals and the progress it is making;
- have a sound appreciation of culture and local customs when introducing or rebuilding state institutions to ensure that capacity building aligns with the priorities, capacity and capability of the host country and does not replicate systems that gave rise to the initial conflict;
- use all available means to promote local ownership of the peacekeeping process by involving the local people in decision making, planning and rebuilding state institutions, and by encouraging, training and equipping local people to take over all aspects of the administration of the country; and

69 *Submission 21*, paragraph 3.20.

- engage with community groups and local leaders and NGOs to help the mission achieve its objectives.

Recommendation 21

16.62 The committee recommends that the Australian Government commission independent research to test, against the experiences of past deployments, the relevance of the factors identified by the committee that should inform Australia's approach to, and planning for, a regional operation (paragraph 16.61). The committee further recommends that the information be used to develop a template for the conduct of future missions.

Conclusion

16.63 In this chapter, the committee considered Australia's role as a major participant in a peacekeeping operation and its relationship with the host country. It examined the complex environment in which peacekeepers and the host country work as partners to secure longer-term peace and stability. It notes that the efforts of Australian peacekeepers to assist a country end conflict and secure peace may fail if the people of the host country are not fully engaged in, or committed to, the success of the operation. The following chapter expands its consideration of the partnership to include other contributing nations.

Chapter 17

Working with participating countries

17.1 Many benefits derive from countries forming a coalition to undertake regional peacekeeping operations. These include being able to amass the considerable resources needed to mount an operation. The mission as a whole is also able to draw on a wider range of experience, specialist skills and capabilities; share costs and equipment including technology; and enhance its credibility by having a broader support base. A coalition, however, also presents challenges. Two Defence personnel described coalition building as 'a demanding task'. They suggested that conducting coalition operations requires 'patience, negotiation, trust and confidence together with guaranteed sources of finance and specialised military response'.¹

17.2 In this chapter, the committee considers the importance of the relationship between the partners in a peacekeeping coalition. Its focus is on the factors that contribute to a good working relationship between participating members and the means of integrating different peacekeeping capabilities into an effective coalition. The committee is concerned predominately with regional missions where Australia takes a leading role. It considers some of the key challenges in forming a coalition including:

- promoting common understandings of the objective of a mission and how it is to be achieved; and
- overcoming the cultural and professional differences between the various national components in a peacekeeping contingent, resolving command or management difficulties and managing different standards of training and levels of competency.

Common understandings

17.3 At the operational level, personal relationships and familiarisation with the way each of the components of a peacekeeping mission operates have a major influence on the overall effectiveness of a mission. Referring to RAMSI, DFAT stated that 'Cultural differences exist not only between contributing countries and the Solomon Islanders but also among the various contributors to RAMSI'.² Lt Gen Gillespie made a similar observation. He noted in his 2007 speech at the Australian War Memorial:

1 Brigadier Steve Ayling and Ms Sarah Guise, 'UNTAC and INTERFET—a Comparative Analysis', *Australian Defence Force Journal*, no. 150, September/October 2001, pp. 47–56, <http://www.defence.gov.au/publications/dfj/adj150.pdf> (accessed 1 July 2008).

2 *Submission 15*, p. 13.

We must remain vigilant, and our training and force preparation must continue to ensure that our peacekeepers are fully aware of the differing cultures they may encounter during operations. In preparing our troops, we now understand it is not just the culture of the host country we must be cognisant of, but those of other nations' peacekeepers, the institutional cultures of the UN agencies and increasingly Non Government Organisations, even how our own cultural behaviours may impact on others.³

17.4 Although forces from contributing countries to a peacekeeping operation serve under the same mandate, they come from diverse backgrounds. As the committee noted earlier, an integrated mission requires a shared vision among the participating members as to the strategic objectives of the mission and a common understanding of the operating environment. They should also have reached agreement on how to maximise the effectiveness, efficiency, and impact of the operation's mandate. In Chapter 7, the committee noted, however, the findings of international studies showing that mission mandates are regularly interpreted in different ways at strategic, operational, and tactical levels.⁴ One study concluded that 'a lack of common understanding of the purpose and ROE of a mission is, unfortunately, familiar territory'.⁵

17.5 This potential for varying interpretations extends beyond key mission documents and permeates through all levels of a peacekeeping operation where personnel from different cultural backgrounds work together. It is particularly acute in crisis situations where, for personal and collective safety, those involved in restoring peace and order need to have a common understanding of operating procedures.

17.6 The previous chapter showed that working with the local people to build peace and develop local capacity requires on the part of peacekeepers a sound understanding and respect for cultural differences and appreciation of different norms and customs. This requirement for understanding and respecting each other's cultural differences also applies to participants in peacekeeping operations who, drawn from different countries, come together in partnership to help achieve the operation's objectives.

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- 3 Lieutenant General Kenneth Gillespie, 'The ADF and Peacekeeping', speech at the conference 'Force for Good? Sixty Years of Australian Peacekeeping', Australian War Memorial, Canberra, 13 September 2007, MSPA 70913/07, <http://www.defence.gov.au/media/SpeechTpl.cfm?CurrentId=7061> (accessed 14 November 2007).
 - 4 International Peace Academy, 34th IPAA Vienna Seminar on Peacemaking and Peacekeeping, *Peace Operations in Africa*, Final Report, New York, 2004, paragraph 3.1.1.
 - 5 Victoria Holt and Tobias Berkman, *The Impossible Mandate? Military Preparedness, the Responsibility to Protect and Modern Peace Operations*, The Henry L. Stimson Center, 2007, pp. 91–92.

Cultural and professional differences

17.7 General Peter Cosgrove was of the view that without the spirit of cooperation and goodwill among the contributing countries to INTERFET, the operation 'would not have delivered the successful outcomes'. He noted that the operation was helped by participants 'knowing each other, and having gained respect for each other through past regional military engagement'. He explained:

The first return on this investment came with the appointment of the Deputy Force Commander, General Songkitti from Thailand. He and I knew each other from the British Army Staff College in the late 1980s. I had met the national commander of the American forces assigned to INTERFET, Brigadier John Castellaw, several times. I knew a number of the other national commanders and in some cases, their superiors back in their home countries. In addition, all of the regional contributors to INTERFET were accompanied by Australian officers who spoke their languages, who knew their cultures and had formed relationships with key officers in their armed forces. A number had trained with Australians in their home countries or had visited Australia for training. Consequently, these regional military leaders could rely on the ADF because they knew us and had worked with us.⁶

17.8 The same approach paid dividends at other levels of engagement. Again General Cosgrove noted that many Australian officers serving with INTERFET were able to establish cooperative relations with their Indonesian counterparts in East Timor because they had trained in Indonesia, or learned Bahasa or hosted Indonesian personnel who had trained in Australia. He spelt out three key operating principles learnt from the INTERFET experience—'know your coalition partners, cultivate a wide network and foster a cohesive team'.⁷

17.9 Lieutenant Colonel John Hutcheson drew on his experiences in Solomon Islands between March and August 2004 to note the differences between the various contingents in terms of 'perceptions about the character of the mission, levels of acceptable risk, and attitudes towards the local population'. In his opinion, the operations by the Pacific island military contingents were:

6 General Peter Cosgrove, Chief of the Defence Force, *Facing Future Challenges to Future Operations: an ADF perspective*, published in *The Rule of Law on Peace Operations—A 'Challenges of Peace Operations' Project Conference*, Asia-Pacific Centre for Military Law, University of Melbourne, November 2002, p. 110.

7 General Peter Cosgrove, Chief of the Defence Force, *Facing Future Challenges to Future Operations: an ADF perspective*, published in *The Rule of Law on Peace Operations—A 'Challenges of Peace Operations' Project Conference*, Asia-Pacific Centre for Military Law, University of Melbourne, November 2002, p. 110.

...often hampered by differing types of doctrine, by a lack of operational experience and by diverse standards of training.⁸

17.10 He wrote that in-theatre training packages designed to build a collective capability helped to address the problems. Looking specifically at Australia's engagement in peacekeeping operations in the region, he also recognised the need for 'standardisation of training'. He went further to talk of a regional initiative to build capacity which is discussed in the following chapter.⁹

Peacekeeping partnerships



A Malaysian policeman and an Australian Timor-Leste Battle Group soldier in the mountain area south of Dili in the district of Dare (image courtesy Department of Defence)

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- 8 John Hutcheson, 'Helping a Friend: An Australian military commander's perspective on the Regional Assistance Mission to the Solomon Islands', *Australian Army Journal*, vol. II, no. 2, Autumn 2005, pp. 51–52. See also discussion on the various interpretations given to key documents such as the mission's mandate and rules of engagement in paragraphs 7.18–7.22.
- 9 John Hutcheson, 'Helping a Friend: An Australian military commander's perspective on the Regional Assistance Mission to the Solomon Islands', *Australian Army Journal*, vol. II, no. 2, p. 52.

Committee view

17.11 The committee recommended earlier in the report that before deploying Australian personnel to a peacekeeping operation, the government ensure that all instruments covering the use of force are unambiguous, clearly understood, appropriate to the mission and provide adequate protection. Clearly, over and above this measure, the government and relevant agencies need to consider how to build rapport between Australian peacekeepers and their partners from different countries in order to minimise the risk of misinterpretations or clashes of expectations or doctrine. They also need to take account of the fact that Australian peacekeepers will be working with others who have different standards of training and levels of competence.

Conclusion

17.12 The previous chapter identified the major challenges to forging a constructive partnership between the host state and the countries contributing to a peacekeeping operation. Many of the same difficulties arise when endeavouring to bring together the forces of the contributing countries into an effective integrated mission. These difficulties arise mainly from a lack of familiarity with how each other operates. Cultural sensitivities and language barriers, tensions within the control and command or management structures, capability gaps or mismatched and different priorities, expectations and interpretations about the objectives of the mission may also create problems. In some cases these difficulties are magnified. In this, and the previous chapter, two critical issues became apparent:

- 1) to form effective partnerships with the host state and other participating countries in a peacekeeping operation, Australian peacekeepers must understand, be sensitive to, and accommodate cultural differences; and
- 2) to produce effective peacekeepers, Australia must prepare its personnel to be not only part of an Australian force but also a partner of the host country and a member of a coalition of participating countries. This means that Australian peacekeepers must be equipped to meet the challenges of working alongside people from diverse cultural and religious backgrounds, who may speak a different language, and have varying experiences of, and attitudes toward, peacekeeping operations.

17.13 The following chapter looks at the steps the Australian Government and its agencies take to develop language skills, cultural awareness and what Lieutenant Colonel Hutcheson termed 'collective capability' (see paragraph 17.10).

Chapter 18

Effective partnerships

18.1 Working effectively with the host country and partner countries in peacekeeping operations means having personnel able to cooperate and coordinate their activities with a wide range of people in often very difficult circumstances. This chapter considers the measures taken to prepare Australian peacekeepers to engage collaboratively with both the host country and participating countries in their joint endeavours to promote peace and stability.

Language skills and cultural awareness

18.2 The committee has tabled a number of reports over recent years that have underlined the importance of language and cultural awareness to developing good and productive working relationships with other nations.¹ This observation has direct relevance to peacekeeping operations where Australians are working side by side with peacekeepers from diverse cultural backgrounds and work experiences.

18.3 The two previous chapters showed that working to build peace and develop local capacity requires on the part of peacekeepers a sound understanding of, and respect for, cultural differences and an appreciation of the different norms and customs of the host state and other participating countries. There is no doubt that the relevant Australian government agencies are fully aware of this requirement and their responsibility to ensure that their peacekeepers are appropriately trained. For example, DFAT noted:

Cultural awareness training, coupled with language training for all deployed personnel is highly recommended for similar operations. Increased training opportunities with regional counterparts would also help to enhance cultural understanding before a deployment.²

18.4 Similarly, the ADF recognised that soldiers need language skills and cultural awareness to build trust across cultural and linguistic divides.³ General Peter Cosgrove stated that good partners learn to speak each other's language, to respect each other's

1 See for example Senate Foreign Affairs, Defence and Trade Committee reports: *Opportunities and challenges: Australia's relationship with China*, November 2005 and *Australia's public diplomacy: building our image*, August 2007.

2 *Submission 15*, p. 13.

3 Lieutenant-General Peter Leahy, Chief of Army, 'The Land Force and Urban Warfare—Pervasive, Persistent and Proportionate', address to Land Warfare Conference, 24 October 2007, CPA 1024/07.

religious and cultural beliefs, to allow for differences and to be inclusive.⁴ Lt Gen Gillespie noted:

[T]he complexity of modern peacekeeping operations requires a broader range of skills from [ADF] peacekeepers. Winning the trust and confidence of the local people requires personnel that are not only well trained and equipped, but also sensitive and respectful of the local customs and culture. It also requires an inherent understanding of the role of the peacekeeper in the broader context of the mission.⁵

18.5 Despite the recognised need for Australian peacekeepers to have cultural awareness and language skills, some witnesses indicated that more could be done to improve training. Australians for a Free East Timor (AFFET) and Australian East Timor Association NSW (AETA) suggested that peacekeepers need to engage in formal education including 'elements of regional geography, cultural differences, religious differences, language training, people sensitivity, skills at rebuilding or community development...and prior travel to the region.'⁶

18.6 In the following section, the committee looks at the education and training opportunities provided to Australian peacekeepers to improve their language skills and cultural awareness. As there is no whole-of-government approach to this training, the committee looks at the approach taken by each of the main agencies.

DFAT and AusAID

18.7 DFAT informed the committee that Commonwealth public servants receive training in cultural awareness and language skills both prior to deployment and in the country of operation. For the Bougainville mission, Defence trained DFAT staff in military familiarisation and cultural and language skills in the Torres Strait and Cape York area.⁷

18.8 AusAID advised the committee that its employees working in Australian missions overseas are provided with 60 hours of one-on-one language training prior to posting. Language training is outsourced to organisations such as the Canberra Institute of Technology (CIT), the Canberra Language School and private contractors. In addition, Ernest Antoine of Praxis Consultants delivers a two day cross-cultural

4 General Peter Cosgrove, Chief of the Defence Force, *Facing Future Challenges to Future Operations: an ADF perspective*, published in The Rule of Law on Peace Operations—A 'Challenges of Peace Operations' Project Conference, Asia-Pacific Centre for Military Law, University of Melbourne, November 2002, p. 111.

5 Lieutenant General Kenneth Gillespie, 'The ADF and Peacekeeping', speech at the conference 'Force for Good? Sixty Years of Australian Peacekeeping', Australian War Memorial, Canberra, 13 September 2007, MSPA 70913/07, <http://www.defence.gov.au/media/SpeechTpl.cfm?CurrentId=7061> (accessed 14 November 2007).

6 *Submission 20*, p. 5.

7 DFAT, answer to written question on notice 3, 25 July 2007.

training course. AusAID explained that adapting skills to 'specific cross-cultural perspectives and contextualising approaches to negotiation and conflict resolution are prioritised within AusAID's pre-deployment training'.⁸

18.9 AusAID also offers a range of training programs to prepare Australian government officials, including its officers and those from other government departments, for the roles and contexts into which they may be deployed. Australian civilians deploying to RAMSI receive separate pre-departure language and cultural awareness training. For example, pre-deployment, they undertake 'a comprehensive four-day training course by the Operations Support Unit, AusAID. According to AusAID, an ANU expert provides training in Solomon Islands *Tok Pisin* (New Guinea Pidgin), with additional classes provided in-country. The AusAID Humanitarian/Peace–Conflict Adviser provides initial awareness training. For civilians embarking on peacekeeping/peacebuilding deployment to Solomon Islands, this session is followed by a briefing (up to half day) by the State, Society and Governance in Melanesia (SSGM) project which includes:

...sections on Melanesian political cultures, social structures, community values, behaviour and social politesse (including taboo behaviour in village and work-place settings) that differ significantly from 'Western' cultural forms and behaviour.⁹

18.10 DFAT advised that in addition, all RAMSI personnel participate in a two-day induction and cultural orientation program after arrival in Solomon Islands.¹⁰

18.11 With regard to contractors, AusAID informed the committee that it also has a responsibility to ensure that language, historical, and cultural training is provided to contractors prior to deployment. AusAID's contract for the Provision of Services for Governance and Related Aid Activity in Solomon Islands stipulates that 'GRM International are required to provide pre-mobilisation briefings covering these issues to Contractor Personnel and Suppliers'.¹¹

ADF

18.12 Language training for ADF members is provided by the ADF Language School, with universities sometimes subcontracted to provide additional training.¹² Australia's geographical location, 'current and foreseeable deployments and...longer term strategic interests' influence the languages taught.¹³ For example, Defence informed the committee that training courses in Tetum, Indonesian, Portuguese and

8 AusAID, answer to written question on notice 7, 25 July 2007.

9 AusAID, answer to written question on notice 8, 25 July 2007.

10 DFAT, answer to written question on notice 3, 25 July 2007.

11 AusAID, answer to written question on notice 8, 25 July 2007.

12 *Committee Hansard*, 24 July 2007, p. 22.

13 Defence, answer to question on notice 3, 24 July 2007.

Solomon Islands Pidgin are conducted annually for deployments in East Timor and Solomon Islands; additional courses are provided if necessary.¹⁴ For non-regional deployments, language training is provided if 'linguist skills are critical to operations'.¹⁵ Lt Gen Gillespie explained that colloquial language training is provided in ADF pre-deployment training.¹⁶ Squadron Leader Ruth Elsley noted that in UN-led missions, the UN provides linguists to whom troop contributing countries have access.¹⁷

18.13 Lt Gen Gillespie regarded cultural awareness as more important than language skills, explaining:

It almost does not matter what country you deploy to because you will find people that you can speak to and that you can use, whereas you can really create some grave mistakes if you do not understand the culture of the country that you are going to. That can set things back really quickly.¹⁸

18.14 He informed the committee that the ADF spends 'quite a bit of time on cultural and religious issues'. This training is intended to prepare the force to 'at least enter the country and start to learn'. According to Lt Gen Gillespie, 'From there you are really relying on them to learn and observe'.¹⁹ Several external organisations provide cultural awareness training for the ADF, including 'government agencies, universities and NGOs'. For example, AusAID provided cultural awareness training to ADF personnel deployed to Sudan.²⁰

18.15 Squadron Leader Elsley explained that both the ADF and the UN 'run a force prep' prior to deployment. In addition, the UN has its own induction program with a cultural awareness component. She observed, however, that Australians were 'very well trained'. Referring to her deployment to Sudan, she noted that, despite going into a Muslim country as a commander, she 'did not face a problem having had that training' behind her.²¹

18.16 Defence has noted the value of using NGOs to provide linguistic and cultural support to the ADF. In Lt Gen Gillespie's words:

One of the things that we are discovering in talking to NGOs and groups like Austcare and others is that many of these organisations have linguists and culturally aware people and that we can establish an early partnership

14 Defence, answer to question on notice 2, 24 July 2007.

15 Defence, answer to question on notice 3, 24 July 2007.

16 *Committee Hansard*, 24 July 2007, pp. 21–22.

17 *Committee Hansard*, 24 July 2007, p. 22.

18 *Committee Hansard*, 24 July 2007, pp. 21–22.

19 *Committee Hansard*, 24 July 2007, pp. 21–22.

20 *Submission 26*, p. 12. See also *Submission 22*, p. 4.

21 *Committee Hansard*, 24 July 2007, p. 22.

with those organisations to go ahead. We are looking at agile ways of acknowledging the depth of the problem, knowing that we cannot possibly train all of the ADF as linguists for the nations that we might go to but still be effective at short notice in those countries.²²

18.17 This observation adds weight to the committee's argument for the ADF and NGOs to strengthen their engagement.

18.18 The ADF's approach to language and cultural awareness training represents what Dr Breen called the 'generational improvement' in the ADF. In his view, there is a new generation that has been overseas and experienced a different culture and thus has developed an understanding of the importance of language and cultural awareness.²³

AFP

18.19 The Australian Council for International Development commended the AFP for incorporating Solomon Islands Pidgin into its training. It had previously regarded the AFP's lack of language skills 'a barrier to police communication with their Solomon Islands colleagues and with the community'.²⁴ Although the AFP is exploring opportunities for individual language training for the future, it recognised limitations. According to the AFP, the majority of deployees will receive only basic language training because of the number of people, missions and languages.²⁵ Assistant Commissioner Walters explained:

The challenges are the volume of people that we have going into missions and the amount of time that it might take for people to become reasonably proficient in those languages. The volume of people going into RAMSI, for example, would make it quite difficult to train everybody in the language before they went into the mission. We do provide opportunities for people to undertake language training whilst they are in the mission, and many of the officers have done that. They see learning another language whilst they are in the mission as another opportunity they are quite keen to pursue.²⁶

18.20 The AFP's pre-deployment training course provides a generic cultural briefing 'to establish a base knowledge of the possible cultural differences' police officers may encounter while on deployment. A country-specific briefing is given prior to departure. Participants also receive literature on cultural differences as well as a booklet of common words and phrases.²⁷ Assistant Commissioner Paul Jevtovic,

22 *Committee Hansard*, 24 July 2007, pp. 21–22.

23 *Committee Hansard*, 5 September 2007, p. 53.

24 *Submission 17*, p. 2.

25 AFP, answer to question on notice 8, 25 July 2007.

26 *Committee Hansard*, 25 July 2007, p. 37.

27 AFP, answer to question on notice 8, 25 July 2007.

National Manager IDG, explained in an interview that 'There is now an emphasis on local culture and coaching and capacity development, with experts and expatriates from mission countries brought in to train our members'.²⁸ The AFP also engages NGOs and other external providers to deliver pre-deployment and mission-specific training. Assistant Commissioner Walters provided an example regarding deployments to Sudan:

...for our people deploying to the Sudan we have members from the Sudanese community come in and talk to our mission members specifically about cultural issues in the Sudan. AusAID is engaged and other NGOs come along to provide information on a range of issues. AFP legal and other specialists talk about human rights issues and obligations. So it is not just within the IDG training team; it is much broader than that.²⁹

18.21 In 2006, members of the Solomon Islands Police Force (SIPF) provided culture, language and operational issues training at the AFP pre-deployment training. Mr Jevtovic, Assistant Commissioner, also stated that the AFP is considering providing presentations on Australian culture to the Solomon Islands and Pacific islands police joining RAMSI to 'help the host forgive us for any cultural slip-ups'.³⁰

18.22 While Dr Breen noted the improvement in ADF's cultural awareness training, he was of the view that the AFP has been 'faster...in coming to terms with the working parts required to engage the region in a way that is coercive but certainly culturally appropriate'. In his view, the AFP's approach has 'a chance of being more successful than some of the abrupt interventions that have characterised approaches in other parts of the world to what you do with peacekeepers and how they interact'.³¹

18.23 ACFID also applauded the AFP's pre-deployment cultural and language training. In its view, the AFP's 'commitment to increase the scale of cultural and language training is certain to reap real dividends in the coming years'. It also commended the AFP for 'bringing onto its own team people who have very strong skills in this field and who also have a good grasp of the value that NGOs can bring to bear'.³²

28 Assistant Commissioner Paul Jevtovic quoted in Juani O'Reilly, 'Policing the neighbourhood and keeping peace in the Pacific', *Platypus Magazine*, Edition 96, September 2007, p. 12.

29 *Committee Hansard*, 25 July 2007, p. 39.

30 Assistant Commissioner Paul Jevtovic quoted in Juani O'Reilly, 'Policing the neighbourhood and keeping peace in the Pacific', *Platypus Magazine*, Edition 96, September 2007, p. 12.

31 *Committee Hansard*, 5 September 2007, p. 53.

32 *Committee Hansard*, 6 September 2007, pp. 14–15. The committee notes that World Vision Australia indicated that '[s]ome AFP members are reportedly having to resort to paying for their own language training at their own initiative'. Assistant Commissioner Walters refuted this claim, stating 'We are providing the language training opportunities in the Solomons—not to say that there are people who might not be doing that, but it is not a requirement that they pay for and undertake language training themselves'. See *Submission 19*, p. 6; and *Committee Hansard*, 25 July 2007, p. 37.

NGOs

18.24 The committee did not receive evidence regarding joint language and cultural awareness training between or amongst NGOs. It did note, however, that NGOs' presence in a locality, long before and after other contributors have come and gone, makes them valuable sources of knowledge on local matters, but they are not always consulted or heard. Australians for a Free East Timor (AFFET) and Australian East Timor Association (AETA) NSW observed:

As activists in Darwin we know that Police going to East Timor in August were told not to talk to us or take documents from our stall, and some told us they were never told about 'Militia' or what they had done or could really be like...I also tried in October in Dili to engage discussion on policy on removal of weapons from people...[I] was able to point out that this meant that workers/farmers would lose the means for their livelihood. The alleged policy was hastily restated to anyone 'carrying weapons in an aggressive manner'...Lots of activists in Australia, either East Timorese, or some Australians, could have prepared the Military on such issues. About 15 as I recall, but maybe more, put their names on a list to be available to go in with troops as interpreters and guides, but NONE of them were wanted. We all saw on TV soldiers shouting to East Timorese in English.³³

18.25 The committee notes, however, the evidence that suggests that the ADF and AFP are using NGOs to help them with their language and cultural awareness training. The committee welcomes this development and supports a greater involvement of these organisations in training both pre-deployment and while on operation.

Committee view

18.26 The committee understands the challenges that living and working in a foreign environment can create and believes that language skills and cultural awareness are an important way of connecting with both locals and other contributing nations. It is encouraged by the pre-deployment language and cultural awareness training that DFAT, AusAID, the ADF and AFP provide for their personnel. In particular, it commends the AFP for engaging NGOs and indigenous language speakers to deliver its training. The committee highlights the use of Solomon Islands Police Force (SIPF) in preparing Australian police for RAMSI and supports the AFP's efforts to establish SIPF as a regular contributor to its training.

18.27 Although there are limits to the resources and time that can be devoted to language and cultural awareness training, the evidence before the committee suggests that such training must be a priority for any peacekeeping contingent. It also notes the patchwork of institutions and organisations providing language and cultural awareness training on behalf of the various government agencies. The committee believes that efficiencies could be gained by adopting a whole-of-government approach to this area

33 *Submission 20*, pp. 4–5.

of training for Commonwealth officers. Such an approach would allow the ADF, for example, to continue its language schools but result in a better use of such facilities.

Recommendation 22

18.28 The committee recommends that a whole-of-government working group review the language and cultural awareness training of government agencies with a view to developing a more integrated and standardised system of training for Australian peacekeepers. The Peace Operations Working Group may be the appropriate body to undertake this work.³⁴

Joint training and exchange programs

18.29 The previous chapter highlighted the need for participants in a peacekeeping operation to know how each other operates. The committee found that for effectiveness and personal and collective safety reasons, they should not come together as a force unfamiliar with each other's culture, practices, values and capabilities, particularly in a crisis situation. On the importance of peacekeepers from different countries coming together as an integrated mission, the Brahimi Report concluded:

...in order to function as a coherent force the troop contingents themselves should at least have been trained and equipped according to a common standard, supplemented by joint planning at the contingents' command level. Ideally, they will have had the opportunity to conduct joint training field exercises.³⁵

18.30 The following section looks at pre-deployment activities that encourage and provide opportunities for personnel from the different participating countries to meet, converse, and even train together before deployment in order to develop a strong rapport and prepare the groundwork to become 'a coherent force'.

18.31 One of the reasons DFAT engages with regional organisations is to enhance their capacity to respond to regional security challenges.³⁶ Other agencies too, such as the ADF and the AFP, continue to build relationships with their counterparts in the region, contributing to the region's capacity to prevent and respond to crises.³⁷ In the following chapter, the committee discusses regional associations and broader cooperative programs. At this stage, it is more concerned with programs designed to improve cooperation and coordination between the different national contingents at the operational level. The committee starts by considering the measures taken by the

34 As noted in paragraph 13.14, the working group discusses a range of peacekeeping policy issues including the work of the UN's Special Committee on Peacekeeping and regional capacity-building initiatives.

35 Brahimi Report, 21 August 2000, paragraph 114.

36 *Submission 15*, pp. 9–10.

37 Australian Federal Police, *Submission 28*, p. 14.

ADF that enable an Australian peacekeeping force and their partners to come together, when required, as a cohesive, well-integrated peacekeeping contingent.

18.32 The Defence Cooperation Program (DCP) is one of the major initiatives that provides ADF personnel with opportunities to develop good working relationships with military personnel from other countries in the region. By actively assisting regional countries to develop defence self-reliance, ADF personnel are engaged directly with people they may well serve alongside in a peacekeeping operation.³⁸ Thus programs such as joint training activities in Australia and overseas contribute to 'increased levels of mutual understanding and cooperation'.³⁹ The ADF and the AFP collaborate on delivering the DCP.⁴⁰ The DCP is discussed more fully in the next chapter.

18.33 Defence's Annual Report records a number of activities that, although not specific to peacekeeping, help to build confidence and trust between Australian defence personnel and other military people in the region. They include:

- the DCP with Papua New Guinea, with land and maritime exercises and extensive training in both Australia and Papua New Guinea;
- multilateral exercises in the South Pacific designed to enhance cooperation in the areas of humanitarian assistance and disaster relief;
- the provision of training to Thailand with a focus on English language and civilian personnel policy—the Annual Report noted that the peacekeeping exercise *Pirap Jabiru* was recently expanded to include participation by other regional countries; and
- the provision of training and education for Vietnam, Cambodia and Laos—in 2006–07, there were a number of senior-level visits with 73 people undergoing training.⁴¹

18.34 The annual two-week International Peace Operations Seminar (IPOS), run by the ADF Peacekeeping Centre (ADFPKC), involves 40 to 50 participants from Australia and overseas.⁴² According to Defence, over the last three years (to July 2007), 251 personnel had attended training activities conducted by the ADF Peacekeeping Centre, including overseas participants.⁴³

38 Department of Defence, *Submission 30*, p. 9.

39 Department of Defence, *Submission 30*, p. 9.

40 *Defence Annual Report 2006-07*, Volume 1, p. 105.

41 The committee was informed of the numerous reciprocal visits between Chinese Defence personnel and Australian personnel. Similarly during the committee's inquiry into Australia's public diplomacy, it learnt of programs such as the Pacific Patrol Boat Program.

42 ADF Peacekeeping Centre, International Peace Operations Seminar, www.defence.gov.au/adfpc/peacekeeping (accessed 20 June 2007).

43 Department of Defence, answers to written questions on notice W20 and W21, 24 July 2007.

18.35 Other Australian agencies and institutions in collaboration with Defence also provide practical programs that allow overseas peacekeepers to attend courses and to meet Australian colleagues. These courses not only encourage a shared understanding of particular peacekeeping doctrine or practices but present an ideal opportunity for peacekeepers from different backgrounds to learn more about each other. For example, the Asia Pacific Centre for Military Law, University of Melbourne Law School, runs 'a number of training programs in subject areas such as the law of peace operations, military operations law, military operations for planning and commanders and civil–military cooperation in military operations'.⁴⁴ Course participation includes regional military officers from South-East Asia and the South Pacific.⁴⁵ For example, in February 2007, the centre ran a joint one-week course with the Indian military peacekeeping centre involving 30–40 Indian military officers and another 15 or 20 officers from other South Asian and South-East Asian militaries.⁴⁶

18.36 These are the types of education and training activities—exchange programs, visits and joint training exercises—referred to by General Cosgrove that help establish strong relationships based on mutual good-will, trust and confidence between the different components of an operation.

18.37 The AFP has also implemented a number of initiatives that lay the foundations for future cooperative relationships with likely partners in peacekeeping operations. For example, it has Solomon Islands Police Force members contributing to International Deployment Pre-Deployment Training (IDPT). Assistant Commissioner Jevtovic explained that this approach exposed trainees to Solomon Islands law 'through the eyes of current Solomon Islands Police, which in his view 'has proved invaluable'. He noted:

Being able to build this network before they arrived in the Solomon Islands has proven a strong point for many of the members.⁴⁷

18.38 Ms Wendt, ACFID, observed the positive role the AFP plays in briefing the Pacific regional police forces and the cultural exchange that occurs through training Pacific islands police:

We think quite a bit of camaraderie is built up and quite a bit of indirect cultural emersion goes on just by involving the Tongans and the Samoans et cetera in those briefings. We think it is a very practical and good way to do things.⁴⁸

44 Professor Timothy McCormack, Director, Asia Pacific Centre for Military Law, Melbourne Law School, *Committee Hansard*, 21 August 2007, pp. 60–61.

45 *Committee Hansard*, 21 August 2007, pp. 60–61.

46 *Committee Hansard*, 21 August 2007, pp. 60–61.

47 Assistant Commissioner Paul Jevtovic quoted in Juani O'Reilly, 'Policing the neighbourhood and keeping peace in the Pacific', *Platypus Magazine*, Edition 96, September 2007, p. 12.

48 *Committee Hansard*, 6 September 2007, p. 16.

18.39 In addition, the AFP has in place secondments and exchange programs designed to build relationships with their counterparts in the Pacific region. Although not specifically designed for peacekeeping, they provide opportunities for preparing Australian police and their overseas counterparts to work together in peacekeeping operations. For example:

- since October 2004, the AFP has provided a police commissioner and three senior technical advisors to assist with development of the Nauru Police Force;
- in February 2006, the AFP sent technical advisors to Vanuatu as part of a project to improve the capabilities of the Vanuatu Police Force (VPF)—at 30 June 2007, nine full-time advisors, one AusAID project officer and one locally engaged staff member were working with the Vanuatu Police Force Capacity Building Project, with a further eight part-time technical advisors to be engaged during the life of the project; and
- in 2006–07, the Pre-deployment Training Team completed 17 training programs with 466 participants—of these, 55 were from the Pacific Island nations of Samoa, Tonga, Fiji, the Federated States of Micronesia, Kiribati, Nauru, Niue, Cook Islands, Palau, Papua New Guinea, the Marshall Islands, Tuvalu and Vanuatu.⁴⁹

Committee view

18.40 The importance of training for both operational effectiveness and personal and collective safety and security is one of the strong messages coming out of this report. Peacekeepers need to be trained to perform their particular tasks in an environment that can be harsh. They also need to be able work in a cooperative partnership with personnel from different countries and in many cases be equipped to teach or impart their skills and knowledge to others. The more pre-deployment opportunities that Australian peacekeepers have to meet, train and work with their overseas colleagues the greater the likelihood that, if required to serve together, they will function as 'a coherent force'.

18.41 The committee supports the ADF's and the AFP's active engagement in coordinating joint exercises with regional countries; visitor and exchange programs; and other activities that bring together members of overseas forces with their Australian counterparts. In the short term, they assist developing countries to build their capacity but also lay solid foundations for the successful integration of any future regional peacekeeping operation.

49 AFP, *Annual Report 2006–07*, pp. 57, 61 and 64.

Recommendation 23

18.42 The committee recommends that exchange programs and joint exercises with personnel from countries relevant to peacekeeping operations in the region continue as a high priority. It also suggests that such activities form part of a broader coherent whole-of-government strategy to build a greater peacekeeping capacity in the region.

Women in peacekeeping operations—Resolution 1325

18.43 In Chapter 16, the committee noted the importance of peacekeepers engaging with civil society as a means of improving the overall effectiveness of a peacekeeping operation. It noted the role of local women in advancing the peace process. In the following section, the committee examines the role of women in resolving conflicts and how gender awareness training is conducted for Australian personnel deploying to overseas missions.

Role of women

18.44 During the 1990s, as peacekeeping operations began to expand and become increasingly complex, there was growing recognition of the contribution that women could make to these missions. The landmark Windhoek Declaration of May 2000 stated:

In order to ensure the effectiveness of peace support operations, the principles of gender equality must permeate the entire mission, at all levels, thus ensuring the participation of women and men as equal partners and beneficiaries in all aspects of the peace process—from peacekeeping, reconciliation and peace-building...⁵⁰

18.45 In 2000, the Secretary-General noted that the UN was making special efforts to recruit more women for its peacekeeping and peacemaking missions and to create a greater awareness of gender issues. Even so, he acknowledged that the contribution of women was 'severely under-valued'.⁵¹ In October 2000, the Security Council passed Resolution 1325 which recognised that peacekeeping operations should promote avenues for women to be enablers of peace in host countries. Among other things, it:

- urged member states to ensure increased representation of women at all decision-making levels in national, regional and international institutions;

50 Windhoek Declaration: the Namibia Plan of Action on 'Mainstreaming a Gender Perspective in Multidimensional Peace Support Operations', Namibia, 31 May 2000. This declaration was adopted at a seminar organised by the Lessons Learned Unit of the Department of Peacekeeping Operations and the Office of the Special Adviser on Gender Issues and Advancement of Women and hosted by the Namibian Government.

51 UN Security Council, S/PV/4208, 24 October 2000, p. 3.

- encouraged the Secretary-General to implement his strategic plan of action calling for an increase in the participation of women at decision-making levels in conflict resolution and peace processes;
- urged the Secretary-General to seek to expand the role and contribution of women in UN field-based operations, and especially among observers, civilian police, human rights and humanitarian personnel; and
- called on all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective.⁵²

18.46 On numerous subsequent occasions the UN has voiced its continuing support for, and commitment to, Resolution 1325.⁵³

Implementation of Resolution 1325 in Australia

18.47 The Australian Government and its agencies such as DFAT, ADF and AFP have recognised the critical role women play in peace and security.⁵⁴ For example, AusAID observed that women have played a pivotal peacebuilding role in the region. In its experience, women's organisations are instrumental in raising awareness, reducing violence and building democratic institutions. In Bougainville, women's involvement in security and maintaining peace was seen as a 'critical element in the peace process'.⁵⁵ Despite their potential to assist the peace process, AusAID observed that women's role in peacebuilding is rarely recognised in formal peace negotiations.

52 UN Security Council, Resolution 1325, S/RES/1325 (2000), 31 October 2000.

53 For example, in the 2005 World Summit Outcome world leaders underlined 'the importance of integrating a gender perspective and of women having the opportunity for equal participation and full involvement in all efforts to maintain and promote peace and security'. They also recognised the need to increase the role of women in decision-making at all levels. UN General Assembly, *2005 World Summit Outcome*, A/RES/60/1, 24 October 2005, paragraph 116, p. 27. More recently, the Security Council reaffirmed its commitment to 'the full and effective implementation of resolution 1325'. See for example, UN Security Council, SC/8967, 7 March 2007; and SC/9151, 23 October 2007.

54 For example, Ms Gillian Bird, DFAT, informed the committee that DFAT has 'strongly supported the UN's effort to have greater involvement of women in peacekeeping operations and peace operations more generally'. *Committee Hansard*, 25 July 2007, p. 64. Lt Gen Gillespie noted, 'A positive outcome of the integration of women in the Australian Defence Force is the added influence women peacekeepers have in engaging the most tragically affected group in any post conflict situation, the women and children. Winning the trust of this vulnerable group can also be vital in some cultures, because it is often the women in a society that play the key role in conflict resolution and reconciliation'. 'The ADF and Peacekeeping', speech at the conference 'Force for Good? Sixty Years of Australian Peacekeeping', Australian War Memorial, Canberra, 13 September 2007, MSPA 70913/07, <http://www.defence.gov.au/media/SpeechTpl.cfm?CurrentId=7061> (accessed 14 November 2007). See also AFP, answer to question on notice 10, 25 July 2007.

55 *Submission 26*, p. 7.

It submitted that 'the role of women should be identified as early as possible in peacemaking processes and women's inclusion at all levels be adequately supported'.⁵⁶

18.48 In his statement to the UN Security Council on 26 October 2006, the Ambassador and Permanent Representative of Australia to the UN, Robert Hill, noted Australia's strong support for Resolution 1325 from the beginning and indicated that it was taking 'concrete action' to implement the resolution. The examples he cited, however, were broad and general such as actively engaging military, police and civilian women in peacebuilding efforts such as RAMSI.⁵⁷

18.49 Similarly, DFAT and the ADF did not provide information on the practical training and recruitment measures they are taking to raise awareness of Resolution 1325 or to increase the number of Australian women engaged in peacekeeping operations.⁵⁸ DFAT told the committee that the Australian Government has 'made concerted efforts to ensure that women participate more fully in peacebuilding processes'.⁵⁹ The ADF referred to the added influence that women peacekeepers have in engaging with women and children of the host country as a positive outcome of the integration of women in the ADF. It gave no indication, however, of how the ADF is actively encouraging or facilitating the involvement of women in ADF peacekeeping operations.

18.50 The AFP did not detail such measures either but it did point to its success in training and recruiting women for the IDG. It commented that approximately one fifth (17.5 per cent) of AFP personnel on IDG missions overseas are women, with more than half of them being sworn officers.⁶⁰ Assistant Commissioner Walters noted:

Certainly within the missions we have females performing very much the same duties and roles as male deployees. In the Solomon Islands, for example, we have a number of officers outposted to other police stations throughout the islands. We have a large proportion of females who deploy out into those communities...When we get the applications, we look to make sure that there is a good, diverse range of opportunities for females who are deployed to the missions.⁶¹

18.51 He also informed the committee that the AFP pre-deployment training covers gender and cultural training in line with Resolution 1325 and that the 'gender training is based on the UN's standardised generic training module'.⁶²

56 *Submission 26*, p. 7.

57 *Submission 15*, Appendix 4.

58 *Committee Hansard*, 25 July 2007, p. 64.

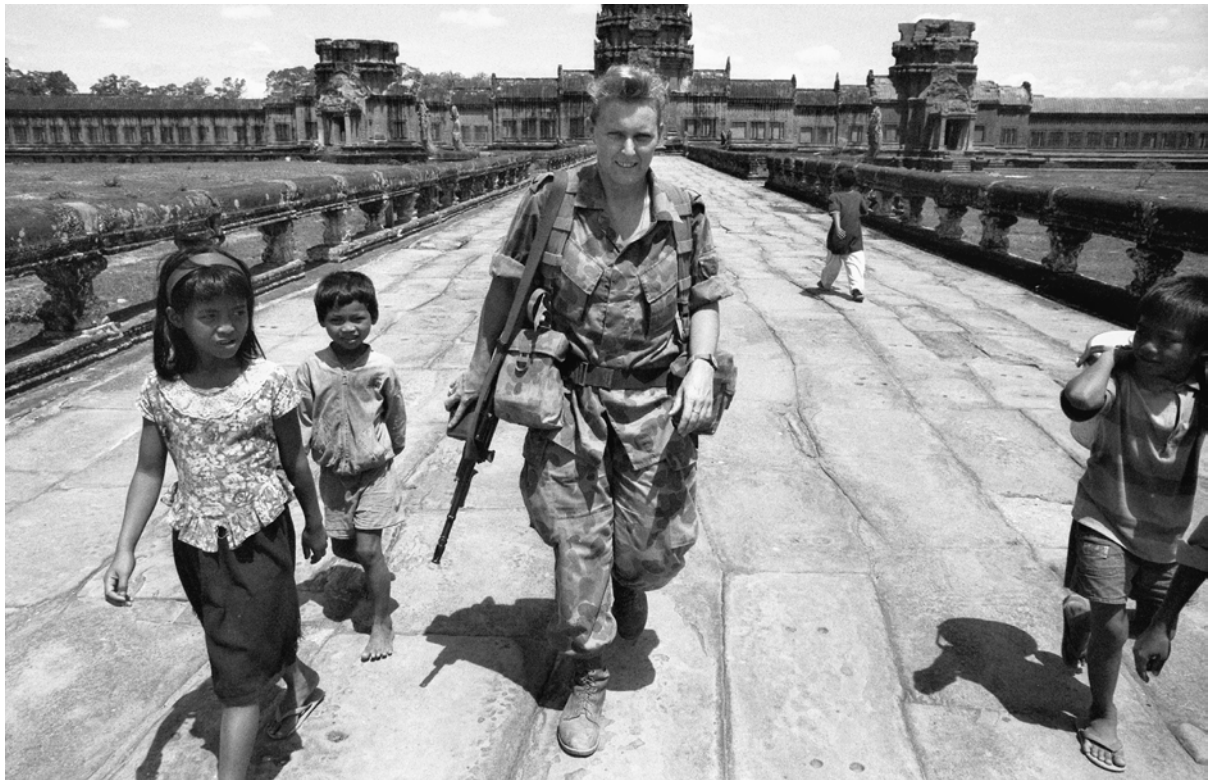
59 *Submission 15*, p. 13.

60 AFP, answer to question on notice 10, 25 July 2007.

61 *Committee Hansard*, 25 July 2007, p. 39.

62 *Committee Hansard*, 25 July 2007, p. 39.

Australian women in peacekeeping operations



A RAAF member serving with UNTAC in Angkor Wat in Cambodia (courtesy Australian War Memorial, negative number P01744.182).



ADF members from 13 Combat Service Support Battalion with Operation Anode in Solomon Islands (courtesy Department of Defence).

18.52 AusAID has implemented the resolution through its policies—Good Humanitarian Donorship, Humanitarian Strategy, the White Paper on Aid, and Peace Conflict Development Policy—and by briefing the ADF and the AFP on gender issues. It has also contributed to various forums in the Pacific region to promote the implementation of the resolution. For example:

We are supporting, again through the Pacific, femLINKpacific's regional Pacific women's publication...Through the International Women's Development Agency, IWDA, we are funding a two-year project called 'Resolution 1325 for policymakers and NGOs'...we are contributing towards a jointly managed UNDP Pacific Centre and UNIFEM activity [that] will review existing research on violence reduction and conflict prevention from a gender perspective.⁶³

Committee view

18.53 The committee believes that the Australian Government has a responsibility to ensure that its commitment to Resolution 1325 is given full effect in the conduct of its operations. This commitment must be reflected not only in the training and preparation of its peacekeepers, but also in the design of peace building strategies and engagement with host countries. The committee sees a role for all government agencies involved in peace operations, as well as non-government agencies, to assess peacebuilding policies and activities from a gender perspective and create avenues for women at all levels to engage with the peacebuilding process. The committee urges government departments and agencies to further advocate the role of women and to lead by example to encourage other peacekeeping partner countries to increase women's participation and leadership in peacekeeping missions.

Recommendation 24

18.54 The committee recommends that greater impetus be given to the implementation of UN Resolution 1325. It recommends that the Peace Operations Working Group be the driving force behind ensuring that all agencies are taking concrete actions to encourage greater involvement of women in peacekeeping operations. The committee recommends further that DFAT provide in its annual report an account of the whole-of-government performance in implementing this resolution. The report should go beyond merely listing activities to provide indicators of the effectiveness of Australia's efforts to implement Resolution 1325.

Conclusion

18.55 This chapter focused on the activities undertaken by government agencies, in particular the ADF and AFP, to prepare their personnel to work efficiently and effectively with people from the host country and participating countries toward realising the objectives of a peacekeeping operation. The following chapter looks

63 *Committee Hansard*, 25 July 2007, pp. 86–87.

more broadly at Australia's engagement with international and regional associations in their endeavours to promote peace and security.

Chapter 19

International coordination

19.1 A crucial aspect of international peacekeeping operations is the interaction that takes place between participating nations. Typically, this interaction is coordinated by global organisations, such as the United Nations (UN), or by regional organisations—such as the North Atlantic Treaty Organization (NATO), the Association of Southeast Asian Nations (ASEAN) or the Pacific Islands Forum (PIF).

19.2 This chapter examines Australia's engagement with global and regional organisations in peacekeeping operations. It first explores Australia's engagement with the UN before examining Australia's contribution to regional organisations. It concludes by identifying initiatives that could strengthen Australia's capacity to contribute to global and regional peacekeeping initiatives.

Australia's engagement with the UN

19.3 As outlined in Chapter 2, Australia recognises the important contribution made by the UN to maintaining international peace and security. Australia also recognises that the UN remains a key international partner in policy development and information sharing in peacekeeping.

19.4 Australia supports the activities of the UN in a number of important ways: it provides personnel for peacekeeping operations, it contributes to the UN's peacekeeping budget, it participates in discussions about policy development and, where possible, it contributes to the UN's ongoing reform of its peacekeeping operations.¹

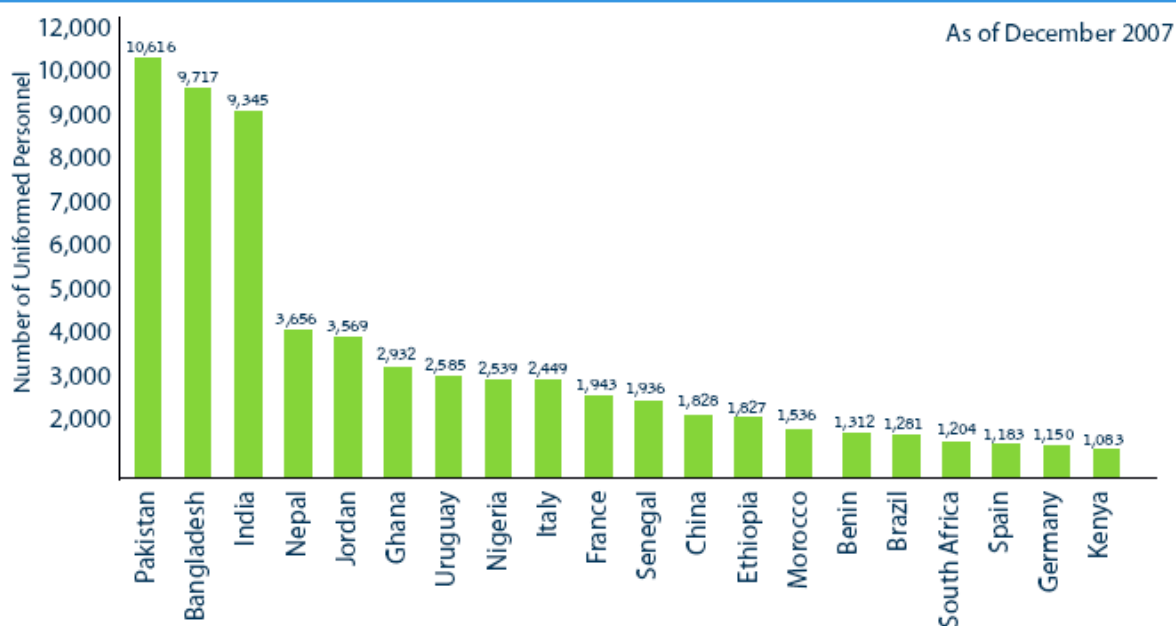
19.5 All member states share the costs of UN peacekeeping operations. Australia's annual share of the UN peacekeeping budget is approximately \$100 million. This equates to a contribution of approximately 1.8 per cent of the approved total cost.² As of January 2008, the top 10 providers of assessed contributions (that is, non-voluntary financial contributions) to UN peacekeeping operations were: the United States, Japan, Germany, the United Kingdom, France, Italy, China, Canada, Spain and the Republic of Korea.

1 DFAT, *Submission 15*, p. 10.

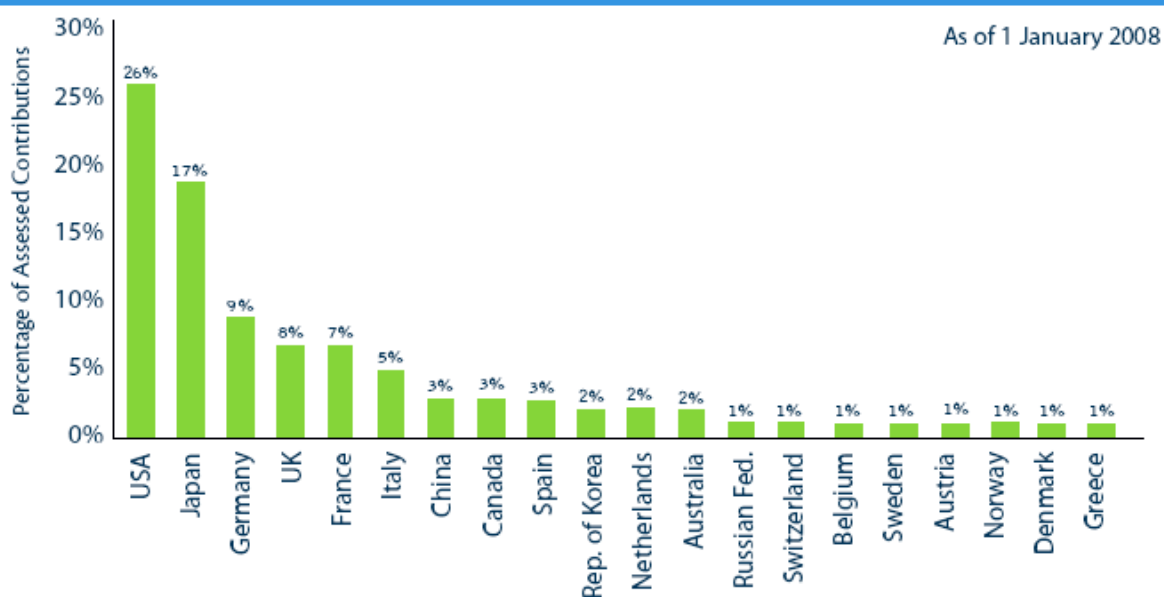
2 DFAT, *Submission 15*, p. 11.

Contributors to UN peacekeeping operations³

Top 20 Contributors of Uniformed Personnel to UN Peacekeeping Operations



Top 20 Providers of Assessed Contributions to UN Peacekeeping Budget



19.6 A nation's assessed contribution is determined by the General Assembly. It takes into account the relative economic wealth of member states with permanent members of the Security Council required to pay a larger share.

3 United Nations Peacekeeping Fact Sheet, <http://www.un.org/Depts/dpko/factsheet.pdf> (accessed 3 April 2008).

19.7 Regarding the contribution of personnel to UN operations, as of 31 March 2008, Australia contributed 107 military and police personnel and was ranked 62nd internationally.⁴ Beyond this commitment, it should also be noted that Australia has over 900 personnel committed to regional peacekeeping operations.

Australia's Permanent Mission to the UN

19.8 Australia's Permanent Mission to the UN in New York is the key instrument for Australia's engagement with the UN. It is headed the Ambassador and Permanent Representative to the UN.

19.9 Staff at the mission are responsible for engaging on a regular basis with UN bodies and member states on various issues, including UN peacekeeping reform and the development of doctrine and policy. These staff are seconded from DFAT, AusAID, Defence and the AFP. DFAT staff monitor and engage in the work of different committees, including those involved with aspects of peacekeeping operations; AusAID staff manage engagement with the Peacebuilding Support Office; and Defence and AFP staff engage with the UN Secretariat on operational matters.⁵

19.10 In addition, the AFP's Police Adviser liaises with the Department of Peacekeeping Operations (DPKO), and facilitates engagement in training and policy. The Police Adviser also represents Australia at the Special Committee on Peacekeeping (C34).⁶

Agency contact with the UN

19.11 Individual government agencies have direct contact with the UN through liaison officers; nonetheless, DFAT tends to be the lead government agency in coordinating Australia's engagement with the UN on peacekeeping issues. For example, the United Nations Integrated Mission in Timor-Leste (UNMIT) required DFAT to work closely with the UN Secretariat, operation partners and the Timor-Leste Government.⁷

19.12 The AFP regularly contributes to the work of the DPKO's best practices unit, and several AFP officers have held key UN positions, including the Deputy Senior Police Adviser in Cyprus (UNFICYP).⁸

4 United Nations, Department of Peacekeeping Operations, http://www.un.org/Depts/dpko/dpko/contributors/2008/mar08_2.pdf (accessed 2 July 2008).

5 DFAT, answer to question on notice 2, 24 July 2007.

6 *Submission 28*, pp. 13–14.

7 For further information see: <http://www.un.org/Depts/dpko/missions/unmit/> or <http://www.unmit.org/> (accessed 2 July 2008).

8 *Committee Hansard*, 25 July 2007, p. 27; *Submission 28*, pp. 13–14.

19.13 AusAID noted its work with the UN Office for the Coordination of Humanitarian Affairs (OCHA), explaining that it had provided funding to OCHA's Civil–Military Coordination Section in a bid to help achieve more effective civil–military coordination.⁹

Placements in the UN DPKO

19.14 The UN departments responsible for peacekeeping are the Department of Peacekeeping Operations and the Department of Field Support (formerly, the Department of Peacekeeping Operations, DPKO).¹⁰

19.15 Prior to this restructure, the DPKO had a policy that each member country could have up to three seconded officers working in the DPKO at any one time. As at July 2007, Australia had two secondees from the Department of Defence: one was a training officer in the Training and Evaluation Service and the other was a planning officer in the Military Planning Service.¹¹ The third seconded officer was from the AFP: Mr Andrew Hughes was appointed in August 2007 to the position of Senior Police Adviser in the DPKO, the most senior police position in the UN.¹² In this position, Mr Hughes is responsible for 'coordinating police involvement in UN peace efforts, including establishing doctrine, procedures and standards'.¹³

19.16 As at July 2007, there were a further 14 Australian nationals (non-government employees) working in the DPKO.¹⁴

Increasing representation in the UN

19.17 Some submitters and witnesses to the inquiry expressed the view that Australia could increase its representation in the UN, particularly senior staff, and that more could be done to harness the skills of secondees upon their return.¹⁵

19.18 Major General Ford claimed that the ADF has a culture that does not value secondments to the UN:

So first of all there has to be an acceptance that going and doing a UN assignment is actually good for your career and is as demanding as being

9 *Submission 26*, pp. 12–13.

10 UN General Assembly, *General Assembly gives support to the Secretary-General's proposals to restructure United Nations peacekeeping, disarmament*, GA/10579, 15 March 2007, <http://www.un.org/News/Press/docs/2007/ga10579.doc.htm> (accessed 5 July 2007).

11 See DFAT, answer to question on notice 1, 24 July 2007.

12 DFAT, answer to question on notice 1, 24 July 2007.

13 The Hon Alexander Downer MP, Minister for Foreign Affairs, 'Australian secures top police job at the UN', Media release, 10 August 2007 (archived) (accessed 10 December 2007).

14 DFAT, answer to question on notice 1, 24 July 2007.

15 *Committee Hansard*, 20 August 2007, p. 18.

the battery commander or being the brigade major in the deployable force headquarters up in Brisbane or Townsville. That is not accepted yet. It is not seen as a good career move to go off and have a posting, in the police or the military.¹⁶

19.19 Major General Smith, Austcare, also commented that the ADF needed to be confident that the personnel selected for UN secondments would return to the ADF, thereby allowing the organisation to benefit from their experiences:

We just recently sent a major general to the Middle East...I am talking about the UNTSO, the United Nations Truce Supervision Organisation—for his terminal posting. I think that is a critical place to have somebody who can come back to Australia and give us the benefit of his experience there.¹⁷

19.20 The ADF and DFAT both stated that they would like to see as many Australians as possible in the UN secretariat, particularly at the more senior levels.¹⁸ Lt Gen Gillespie noted that the ADF considers 'very carefully every bid that we get from the United Nations asking us whether we want to contribute [to] particular operations and appointments'.¹⁹

19.21 The current government has identified its membership of the UN as one of the 'three pillars' of its foreign policy and the Prime Minister has recently announced that Australia will seek election as a non-permanent member of the UN Security Council for 2013–2014. The committee also notes that DFAT's Portfolio Budget Statements 2008–09 states that DFAT 'will seek to secure further senior Australian representation in the United Nations'.²⁰ The committee acknowledges these attempts to further strengthen Australia's engagement with the UN.

Committee view

19.22 The committee considers that it is in Australia's interests for government personnel to be seconded to the UN. It also believes that government departments could be more active in seeking out these opportunities. While the committee considers that this would be of particular value for senior government officers, it sees little value in secondments being used as 'terminal postings'. The committee strongly believes that the knowledge of returning personnel should be harnessed by the home agency to improve the agency's understanding of UN processes, and facilitate Australia's UN engagement. Additionally, such secondments would help develop the

16 *Committee Hansard*, 20 August 2007, p. 21.

17 *Committee Hansard*, 6 September 2007, p. 32. Also see Major General Ford, *Committee Hansard*, 20 August 2007, p. 18.

18 *Committee Hansard*, 25 July 2007, p. 67.

19 *Committee Hansard*, 6 September 2007, p. 47.

20 Foreign Affairs and Trade, Portfolio Budget Statements 2008–09, p. 15.

capacity of Australian officers to work with other international organisations such as the World Bank and the International Monetary Fund.

Recommendation 25

19.23 The committee recommends that Australian government agencies actively pursue opportunities to second senior officers to the United Nations. Furthermore, that such secondments form part of a broader departmental and whole-of-government strategy designed to make better use of the knowledge and experience gained by seconded officers. In other words, appointments should not be terminal postings and should be perceived as important and valuable career opportunities.

Regional engagement

19.24 Although the UN remains the prime organisation for international peace and security, the increasing number and scope of peace operations has led to a greater emphasis on regional peacekeeping coalitions and stronger regional engagement. As noted in Chapter 2, individual countries, regional organisations and coalitions conduct peacekeeping operations within the framework of Chapter VIII of the UN Charter. Defence underlined the importance of Australia's engagement in regional peacekeeping operations:

It is in Australia's interest to actively pursue the enhancement of regional cooperation in peace operations capability and interoperability. This has the added benefit of generating regional confidence and enhancing Australia's international relationships.²¹

19.25 In some cases, where it is vital to Australia's interest to have a peacekeeping operation in the region, Australia will look to other countries for both political and material support. For example, the committee has discussed Australia's successful efforts to marshal international support for INTERFET. At that time, the then Minister for Foreign Affairs recognised that INTERFET needed to be 'a multinational force' and expressed his appreciation to the regional partners for their participation in the force: New Zealand, Thailand, the Philippines, Singapore and Malaysia. The minister also recognised the support given to the mission by Korea, China and Japan and assistance provided by the UK and the US.²²

19.26 DFAT plays a key role in engaging regional organisations and contributes to the capacity of these organisations to respond to regional security challenges.²³ Other

21 *Submission 30*, p. 7.

22 The Hon Alexander Downer MP, Minister for Foreign Affairs, answer to question without notice, *House Hansard*, 20 September 1999, p. 9926.

23 *Submission 15*, pp. 9–10.

agencies too, such as the ADF and the AFP, continue to build relationships with partner organisations in the region to prevent and respond to crises.²⁴

19.27 Unlike security arrangements in some other regions—such as NATO in Europe—the Asia–Pacific does not have a collective security institution to manage conflict. Peacekeeping arrangements tend to be approached on a case-by-case basis. In this section of the report, the committee considers the existing forums contributing to the region's capacity for peacekeeping operations, as well as other regional engagement initiatives undertaken by Australian government agencies.

ASEAN Regional Forum

19.28 The ASEAN Regional Forum (ARF) seeks to promote open dialogue on political and security cooperation in the region. It was established at the ASEAN Ministerial Meeting in Singapore in 1993, and the inaugural meeting of the ARF took place in Bangkok in July 1994. The objectives of the ARF are to:

- foster constructive dialogue and consultation on political and security issues of common interest and concern; and
- make significant contributions to efforts towards confidence-building and preventive diplomacy in the Asia–Pacific region.²⁵

19.29 While the ARF provides a structure for improving mutual understanding and preparedness for peacekeeping operations, it is not a collective security organisation.²⁶ Nevertheless, it has taken some important steps to help coordinate security and peacekeeping-related endeavours among its members. The ARF encourages closer military-to-military and civil–military engagement in areas such as disaster relief and pandemic response. DFAT reported that the general principles being developed have broader applications to peacekeeping operations.²⁷ For example, the first ARF peacekeeping experts group meeting was co-hosted in Malaysia by Australia and Malaysia in early 2007. The meeting was to share information, standardise doctrine and develop a better understanding of each country's approach to peacekeeping and deployment. It was attended by military and foreign affairs representatives from 24 of the 26 ARF member countries.²⁸ DFAT expected that New Zealand and Singapore would host a similar meeting in 2008.²⁹

19.30 Defence commented that they were seeking to promote the ARF's capacity:

24 AFP, *Submission 28*, p. 14.

25 Further information about the ARF can be found at: <http://www.aseanregionalforum.org/AboutUs/tabid/57/Default.aspx> (accessed 7 July 2008).

26 DFAT, *Committee Hansard*, 25 July 2007, p. 68.

27 *Committee Hansard*, 25 July 2007, p. 68.

28 DFAT, *Committee Hansard*, 25 July 2007, p. 68.

29 *Committee Hansard*, 25 July 2007, p. 68.

Our long term goal is the evolution of a regional framework for standardising approaches to peace operations, conducting multilateral exercises and the planning and conduct of operations by a unified regional task force. Australia is promoting within the ASEAN Regional Forum (ARF) the establishment of a network of peacekeeping expertise and the development of ASEAN CIMIC standard operating procedures.³⁰

19.31 DFAT made a similar statement about Australia's work within the ARF.³¹

Committee view

19.32 The committee acknowledges Australia's work with like-minded ASEAN nations to develop a regional peacekeeping capability. It believes that these endeavours could be consolidated at both planning and operational levels and sees particular value in Australia seeking to establish joint training exercises with ASEAN nations.

Pacific Islands Forum

19.33 The Pacific Islands Forum (PIF) is an inter-governmental organisation which seeks to enhance cooperation between the independent countries of the Pacific. Founded in 1971 as the South Pacific Forum, PIF is the region's premier political and economic policy organisation and has 16 member states. Its headquarters are in Suva, Fiji, and the forum meets annually to develop collective responses to regional issues.³²

19.34 The PIF can mandate peacekeeping operations through the Biketawa Declaration. The declaration was adopted at the 31st Summit of PIF Leaders in Kiribati in 2000. It provides 'a mechanism through which [the Forum] can call on members to uphold democratic principles and to take certain actions, including targeted measures, if a member state breaches those principles'. The declaration was the mechanism through which the PIF endorsed RAMSI in 2003.³³

30 *Submission 30*, p. 7.

31 *Submission 15*, p. 10.

32 Members include: Australia, Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Republic of Marshall Islands, Samoa, Solomon Islands, Tonga, Tuvalu, and Vanuatu. Recently, New Caledonia and French Polynesia have become associate members. Further information about the activities of the Pacific Islands Forum can be found at: <http://www.forumsec.org.fj/pages.cfm/about-us/> (accessed 7 July 2008).

33 The Hon Alexander Downer MP, Minister for Foreign Affairs, *House Hansard*, 30 October 2000, p. 21583. For the full text of the Biketawa Declaration see: <http://www.forumsec.org/resources/article/files/Biketawa%20Declaration.pdf> (accessed 4 March 2007).

19.35 RAMSI demonstrates the potential for PIF to take a central role in promoting peace and stability in the southwest Pacific.³⁴ It is a multilateral, regional operation whose legitimacy stems, in large measure, from the strong regional support for the mission. DFAT emphasised this point:

The participation since December 2006 of all sixteen Pacific Island Forum member nations, and successive endorsements of RAMSI by PIF Leaders' Meetings, and by the Forum Eminent Persons Group, demonstrates the level of regional support for RAMSI and adds to the mission's credibility as a regional initiative. The contribution and participation of regional personnel resulted in a level of ownership of what was perceived to be a regional solution to a regional problem.³⁵

19.36 Even though PIF was instrumental in establishing RAMSI, its role in the implementation of the mission has, until recently, been limited. A review undertaken in 2007, which was prompted by the concerns of the Solomon Islands Government, noted:

...RAMSI lacked a regional oversight mechanism to anchor RAMSI's regional character not only in terms of its personnel but also in the way its strategic direction is monitored.³⁶

19.37 The review made three critical recommendations:

- the regional character of RAMSI be strengthened, giving PIF a more prominent and structured role in the mission's oversight and governance;
- a Ministerial Standing Committee be established to provide strategic oversight of RAMSI and to report annually; and
- the PIF Secretary General endorse the position of RAMSI Special Coordinator (now nominated by Australia in consultation with Solomon Islands).³⁷

19.38 The RAMSI experience highlights the important role PIF can provide in regional security. It also points to the importance of having good procedures and mechanisms in place to ensure that regional responses to crises are not only endorsed at a regional level, but continue to be implemented and monitored on a regional basis as they progress.

34 For example, in 2005, the Pacific Islands Forum Eminent Persons Group saw the increased involvement of other Forum Island Countries as a means of countering this impression of Australia's dominance. It had heard complaints that only five civilians from the Forum Island countries were working in the civilian component of RAMSI and that this component was 'very much Australian driven'. Report of the Pacific Islands Forum Eminent Persons Group, *Mission Helpem Fren, A Review of the Regional Mission to Solomon Islands*, May 2005, p. 11.

35 *Submission 15*, p. 12.

36 Pacific Islands Forum, *Review of the Regional Assistance Mission to Solomon Islands (RAMSI), April–June 2007*, p. 4.

37 Pacific Islands Forum, *Review of the Regional Assistance Mission to Solomon Islands (RAMSI), April–June 2007*, pp. 4 and 6.

19.39 It is clearly in Australia's national interest that Pacific island states are politically stable, are supported by good governance programs and that their citizens have the opportunity to enjoy satisfactory standards of living. The PIF is the ideal forum through which Australia can assist the region build an effective peacekeeping, peacebuilding capacity. The committee notes that the Prime Minister, Kevin Rudd, announced in March 2008 that Australia was seeking to host the 2009 Pacific Islands Forum.³⁸

Proposed Australia–Pacific Islands Council

19.40 In several previous reports, the committee has commented on the role of people-to-people, business-to-business and organisation-to-organisation links in sustaining healthy, strong and mutually beneficial relationships with other countries in the region.³⁹ Such connections are essential to creating an environment in which Australia is better able to elicit support from its neighbours for a regional peacekeeping operation and sustain that commitment for the duration of the mission.

19.41 In its 2003 report on Australia's relations with Papua New Guinea and the island states of the south-west Pacific, the committee recommended that the government establish an Australia–Pacific Council. The purpose of the council was to 'advance the interests of Australia and the countries of the Pacific region by initiating and supporting activities designed to enhance awareness, understanding and interaction between the peoples and institutions of the region'.⁴⁰ In its response to the committee's recommendation, the government recognised the value of broadening and promoting Australia's relations with Pacific island countries. It informed the committee that any future consideration of an Australia–Pacific Council 'would need to examine both the feasibility and potential benefits of such a council, including financial and other resource requirements'.⁴¹

19.42 The committee notes that an independent taskforce has recently published a special report on the future directions of Australia's Pacific islands policy. Published through the Australian Strategic Policy Institute (ASPI), the report recommends the establishment of an Australia–Pacific Islands Council.⁴²

38 Prime Minister, the Hon Kevin Rudd MP, 'Australia seeks to host 2009 Pacific Island Forum', Media release, 8 March 2008.

39 For a summary, see Senate Standing Committee on Foreign Affairs, Defence and Trade, *Australia's public diplomacy: building our image*, August 2007, pp. 79–81.

40 Senate Foreign Affairs, Defence and Trade References Committee, *A Pacific Engaged*, August 2003, p. xxx. See also Chapter 8.

41 *Government response to the Senate Foreign Affairs Defence and Trade References Committee Report—A Pacific Engaged—Australia's relations with Papua New Guinea and the island states of the south-west Pacific*, 7 April 2005, p. 19.

42 Australian Strategic Policy Institute, *Engaging our neighbours: Towards a new relationship between Australia and the Pacific Islands*, Special Report, Issue 13, March 2008, p. 7.

19.43 The committee's 2007 report on Australia's public diplomacy noted that Australia currently has nine bilateral foundations, councils and institutes (FCIs) that work with a particular country or region of the world. Although they have their own mission statements, in general, their overarching objective is to develop and strengthen people-to-people links and to foster greater mutual understanding.⁴³ The committee acknowledges that such a council would help to develop people-to-people contacts and important institutional and cultural linkages within the region.

19.44 The committee cannot see any significant obstacles to the establishment of an Australia–Pacific Islands Council. Moreover, the benefits that would flow from a council made up of Australians keen to promote people-to-people and institutional links with these island nations are obvious. The committee considers the proposal worthy of government consideration. It suggests that the Australian Government consider establishing an Australia–Pacific Islands Council to build and strengthen people-to-people and institutional links between Australia and the island states of the Pacific.

Limits to regional capacity

19.45 While there are great benefits attached to having small regional countries contribute to regional peacekeeping operations, Australia has to be mindful that nations with small police forces and limited civil services do not overcommit.

19.46 Associate Professor Wainwright argued that Australia must be very careful that small countries do not have their domestic capabilities undermined or 'gutted' to service regional operations:

...while I think it is important to build up regional resources and to have regional dynamics and cooperation working well, we should be under no illusion as to how much then we can seek to draw from our regional partners. I do not think it is in their interests that we always take their best and brightest for these regional endeavours. That said, sometimes it makes good sense for some of the few police perhaps from some of the countries in the region to be involved in these regional operations because then, like in the labour mobility instance, they bring you skills and they develop new skills which they can take home and use in their home. So that is a benefit as well.⁴⁴

19.47 In recognition of the smaller capacity of Australia's near neighbours in the Pacific, a sensible regional approach to peacekeeping would include working to enhance the local capacity that exists within potential contributing countries. Associate Professor Wainwright suggested that Australia could start by 'developing public servant capability', including an institution of public management. She further

43 Senate Standing Committee on Foreign Affairs, Defence and Trade, *Australia's public diplomacy: building our image*, August 2007, p. 189. See also pp. 31–32 and Appendix 5.

44 *Committee Hansard*, 20 August 2007, p. 11.

considered that this could be done through PIF, through the education and perhaps exchange of regional public servants to Australia.⁴⁵

19.48 Major General Ford commented that sometimes regional capacity may be limited in which case UN support may be required:

A regional operation will often have to react fairly quickly to a situation and then seek authority to continue that operation from the United Nations under chapter VIII—and then possibly even be supported or replaced by a United Nations organisation if they do not have the capacity to continue to solve the problem.⁴⁶

19.49 Major General Ford's comment illustrates the importance of maintaining strong links between the UN and regional associations.

Committee view

19.50 In Chapter 16, the committee discussed how peacekeeping missions can best establish legitimacy and credibility in host countries. It noted that Australia's involvement in the missions in East Timor and Solomon Islands was at the invitation of the governments of those countries. Even so, evidence suggested that Australia's prominence in the region may, in the minds of some, create a perception of Australian dominance in a peacekeeping operation and undermine the credibility of the mission.

19.51 Thus the active engagement of other countries in the southwest Pacific in regional peacekeeping activities would help to counter this perception. The committee believes that it is important for the Australian Government to encourage greater representation of PIF member states in regional peacekeeping operations. It recognises, however, that these states have limited capacity. Even so, there is scope for Australia to help build a regional peacekeeping capacity by assisting individual states to increase their own capacity. The committee has referred to a number of bilateral education and training programs that are effectively helping to build this capacity.

19.52 The committee also believes that PIF could become a more effective regional mechanism for initiating and overseeing peacekeeping operations. Australia should continue to encourage the forum to take on greater regional responsibility in this area. As noted earlier, Australia is seeking to host the 2009 Pacific Islands Forum.

19.53 The committee is of the view that this level of engagement and support is an important first step toward recognising and promoting the important role that the forum has in regional affairs. The committee believes that, with continued strong

45 *Committee Hansard*, 20 August 2007, p. 11. This notion was further endorsed by Australian Strategic Policy Institute, *Engaging our neighbours: Towards a new relationship between Australia and the Pacific Islands*, Special Report, Issue 13, March 2008, pp. 7–8.

46 Major General Ford, *Committee Hansard*, 20 August 2007, p. 30.

support from Australia, PIF could become an effective regional mechanism for overseeing peacekeeping operations.

International engagement programs and future regional capacity

Australian initiatives in the region

19.54 The Department of Defence contributes to regional capacity building through its Defence Cooperation Program (DCP). The DCP aims to contribute to regional security by encouraging and assisting with the development of the defence self-reliance of regional countries. It also aims to promote more effective and efficient security services consistent with the principles of good governance.⁴⁷ Defence advised:

Defence Cooperation Program activities encompass assistance to regional security forces in the areas of strategic planning, education and training, command and control, infrastructure, counter-terrorism, communications and logistic support. The program also supports the conduct of combined exercises to improve the ability of regional countries to contribute to regional security. Training programs involve service personnel training together in Australia and overseas, thereby contributing to increased levels of mutual understanding and cooperation.⁴⁸

19.55 The ADF and the AFP collaborate on delivering the DCP. They establish distinct roles for security sector agencies, with an emphasis on the use of police capability for internal security.⁴⁹

19.56 The DCP's capacity-building activities have included combined exercises with a number of Australia's regional partners. For example, the ADF and the Papua New Guinea Defence Force (PNGDF) have been involved in a host of activities including: professional military education for PNGDF personnel, joint infrastructure projects and the preparation of PNGDF personnel for deployment to RAMSI.⁵⁰

19.57 While the Department of Defence *Annual Report 2005–2006* devotes numerous pages to the DCP, citing its activities in the South Pacific and South-East

47 *Submission 30*, p. 9.

48 Department of Defence, *Submission 30*, p. 9.

49 Department of Defence, *Submission 30*, p. 9. In 2006–2007, Defence expenditure on the DCP was \$75.8 million. Department of Defence, *Annual Report 2006–07*, Volume 1, Commonwealth of Australia, p. 105.

50 For a fuller description of these cooperation and training programs, see: <http://www.png.embassy.gov.au/pmsb/defence.html> (accessed 7 July 2008). For an example of training and capability development with the East Timor Defence Force see: Department of Defence *Annual Report 2005–2006*, p. 150. For an example of defence cooperation training with the Vietnamese armed forces, see: <http://www.vietnam.embassy.gov.au/hnoi/DF2007En.html> (accessed 7 July 2008).

Asia, the *Annual Report 2006–2007* offers no such examples for this \$80 million (approx.) program.⁵¹

19.58 As noted in the previous chapter, another Defence initiative is the training programs provided through the Asia Pacific Centre for Military Law (APCML), University of Melbourne. Established in 2001, the centre runs a number of training programs in subject areas such as peace operations and international law, military operations law, military operations for commanders and civil–military cooperation in military operations.⁵² Course participation in Australia is normally split evenly between ADF members and regional military officers from South-East Asia and the South Pacific. Defence anticipates expanding the number and type of courses available. The centre promotes respect for the rule of law in peacekeeping and in military affairs generally in both the ADF and the Asia–Pacific region.⁵³

19.59 APCML also runs courses within the region. For example, it has conducted a military ethics program for the Thai military which focused on legal issues in military decision making. Members of other regional military organisations also attended.⁵⁴

19.60 In addition, APCML offers courses that appeal to non-military audiences and engage presenters from non-military backgrounds. The centre's CIMIC courses engage representatives from the NGOs, humanitarian sector and international organisations.⁵⁵

19.61 The committee notes that recently Australia has also sought to enhance regional capacity in peacekeeping and peacebuilding through bilateral training initiatives. In March 2007, then Prime Minister John Howard and Prime Minister Shinzo Abe signed a Joint Declaration on Security Cooperation which will see Japanese police train in Australia for peacekeeping operations.⁵⁶

UN programs in the region

19.62 The committee received evidence suggesting that Australia could do more to support UN training objectives in the region.⁵⁷ Major General Ford outlined that the UN offers a number of training modules for senior mission leaders. He also noted that no Australian had participated in any of those courses and argued that potential future leaders should be required to attend. He considered that there would be great value in

51 Department of Defence, *Annual Report 2005–2006*, pp. 147–154.

52 *Committee Hansard*, 21 August 2007, pp. 60–61.

53 *Committee Hansard*, 21 August 2007, pp. 60–61.

54 *Committee Hansard*, 21 August 2007, pp. 60–61.

55 *Committee Hansard*, 21 August 2007, p. 64.

56 See http://www.dfat.gov.au/dept/annual_reports/06_07/performance/1/1.1.1.html (accessed: 23 April 2008).

57 Major General Ford, *Committee Hansard*, 20 August 2007, p. 18.

encouraging the UN to host one of the Senior Mission Leadership courses in the Asia-Pacific region, facilitated by Australia:

It does not necessarily have to be here but perhaps we could assist another country in hosting the course, much the same as we did with the doctrine seminar that was run in Singapore earlier this year. I believe that we need to get involved in helping the UN run these and other activities in the region. That gives us a way of getting into those things. As a relatively rich country I think we have a responsibility to do that.⁵⁸

19.63 DFAT reported that three UN Senior Mission Leadership courses are planned for 2008 in India, Australia and Brazil.⁵⁹ Defence reported that it had not been approached to host a UN Senior Mission Leadership course, but would discuss the feasibility of doing so through its UN post in New York. Defence also commented that 'Given the multi-agency nature of the course, the proposal would have to be examined in a whole-of-government context'.⁶⁰

19.64 The committee supports endeavours to host the course in Australia, or elsewhere in the region, but suggests that DFAT ensure all relevant stakeholders, including Defence, are aware of such plans. The committee also encourages relevant agencies to pursue opportunities to place senior staff on the course.

Global Peace Operations Initiative

19.65 Australian agencies participate in the United States Government Global Peace Operations Initiative (GPOI), a program designed to address major gaps in international support for peace operations.⁶¹ The GPOI program, scheduled to conclude in 2010, aims to build and maintain capability, capacity, and effectiveness of peacekeeping operations. It aims to achieve this through enhancing the ability of countries and regional and sub-regional organisations to train, prepare for, plan, manage, conduct, and learn from peace operations.⁶² DFAT commented:

Programmes such as the US's GPOI provide an opportunity for enhancing our efforts to build the capacity of regional countries to respond to conflict, disaster and instability through training and education. The capacity of regional nations to undertake or contribute to peacekeeping is a critical component of security in the Asia-Pacific region, and globally. In this context Australia is promoting within the ASEAN Regional Forum (ARF) the establishment of the peace operations network of expertise and the

58 *Committee Hansard*, 20 August 2007, p. 20.

59 DFAT, answer to question on notice 3, 13 September 2007.

60 Defence, answer to written question on notice W19, 24 July 2007.

61 <http://www.state.gov/t/pm/ppa/gpoi/> (accessed 7 July 2008).

62 <http://www.state.gov/t/pm/ppa/gpoi/c20337.htm> (accessed 7 July 2008).

development of ARF Civil Military Cooperation (CIMIC) Standard Operating Procedures.⁶³

19.66 DFAT continued:

To ensure that efforts by the UN and regional organisations are complementary, coordination between these bodies needs to be improved and this can be promoted through GPOI-supported exercise and engagement activities. Australia actively supports the objective of increasing the global capacity for peace operations and the Department of Defence has committed an officer to work in the US State Department to help enhance the effectiveness of GPOI in our region.⁶⁴

Committee view

19.67 The committee notes that the current Australian Government has sought to strengthen Australia's engagement with the UN and has identified its membership of the UN as one of the 'three pillars' of its foreign policy. It also recognises the efforts that Australian government agencies have made to engage with existing international initiatives to improve regional peacekeeping capacity. The committee expects that agencies will continue their efforts in developing regional cooperation for peacekeeping operations through bilateral cooperation and regional fora such as the ARF. The committee believes that Australian efforts to engage with global and regional organisations would be facilitated by the establishment of a national peacekeeping institute.

19.68 As the most populous and largest economy in the southwest Pacific, Australia shoulders a significant responsibility for peacekeeping operations in the region. Given Australia's experience and resources, the committee believes that Australia must move beyond existing bilateral initiatives to develop the region's multilateral peacekeeping capacity. While the idea of a national peacekeeping institute has been discussed in the context of training Australians for peacekeeping, the committee also sees an important role for this proposed institute in helping to build regional capacity. It could do so by opening up courses or exercises to overseas participants. This matter is further discussed in Chapter 25.

63 *Submission 15*, p. 10.

64 *Submission 15*, p. 7.

Part V

Safety and welfare of Australian personnel

In this part of the report, the committee looks at the consideration given to the health and safety of Australian personnel deployed on a peacekeeping operation, including the care and services available to injured personnel. The committee's intention is to determine whether there are lessons to be learnt from current practices and, if so, how they could be improved. There are four chapters in this part of the report covering:

- measures taken during service to promote the health and safety of Australian peacekeepers;
- post-deployment integration and health programs, including a major section on mental health;
- the legislative framework governing the rehabilitation of, and compensation for, those injured or disabled while serving in a peacekeeping operation; and
- recognition for service.

Chapter 20

Safety and welfare on deployment

20.1 The very nature of a peacekeeping operation brings with it increased risks to the health and safety of personnel.¹ In this chapter, the committee focuses on the practical measures taken to promote the health and safety of Australians when deployed on a mission. It is primarily concerned with ADF and AFP personnel and is particularly interested in:

- command structures;
- local knowledge; and
- available health care services—provisions for medical emergencies and for rest and recreational leave.

Operational environment

20.2 On many occasions, the UN has expressed concern about the number of peacekeeping personnel who are injured or killed while serving on a peacekeeping mission. For example, in January 2005, the Special Committee on Peacekeeping Operations noted the challenge that acts of violence posed to UN field operations and called for the utmost priority to be given to enhancing the safety and security of UN personnel in the field.²

20.3 As of 31 May 2008, there had been 2,474 fatalities in UN peacekeeping operations since 1948. Thirteen Australian peacekeepers have died on peacekeeping missions while many others have experienced long-term adverse effects attributable to their service (see Appendix 6 for the names of Australians who have died on peacekeeping operations). Hostile actions, however, are not the main cause of death or injury to peacekeepers. Accidents, trauma and disease account for a significant

1 UN Department of Peacekeeping Operations, <http://www.un.org/Depts/dpko/fatalities/> (accessed 2 October 2007). See for example, *Challenges of Peace operations into the 21st Century*, Concluding Report 1997–2002, p. 202.

2 UN General Assembly, *Report of the Special Committee on Peacekeeping Operations and its Working Group*, A/59/19/Rev.1, 31 January–25 February 2005 and 4–8 April 2005, paragraph 57. See also UN General Assembly and Security Council, Report of the Secretary-General, *An Agenda for Peace: Preventive diplomacy, peacemaking and peace-keeping*, A/47/277–S/24111, 17 June 1992; UN Information Service, GA/PK/187, 28 February 2006; UN, *Year in Review 2005, Introduction*. Most recently, in February 2007, the Secretary-General noted the expanded activity of UN peace operations and the 'often volatile and insecure' environment in which peacekeepers operate where at times 'the presence of United Nations peacekeepers may be resisted by factions and armed groups that remain outside a peace process'. UN General Assembly, Report of the Secretary-General, *Implementation of the recommendations of the Special Committee on Peacekeeping Operations*, A/61/668, 13 February 2007, paragraph 9.

number of the serious health problems of peacekeepers.³ Statistics provided by the Department of Veterans' Affairs (DVA) indicate some of the causes of the longer-term health problems that have resulted from service in peacekeeping operations. They include injury and poisoning, mental disorders, infectious and parasitic diseases and diseases of the musculoskeletal system.⁴

20.4 In Chapters 9 and 10, the committee noted the pre-deployment health and safety training of ADF and AFP personnel preparing to participate in a peacekeeping operation. Overall, the committee formed the view that such preparation is adequate though it did raise concerns particularly with regard to compliance with safety rules and regulations.⁵ The committee now turns to the measures taken to minimise the risks to the physical and mental wellbeing of Australian peacekeepers on deployment.

Command of Australian forces

20.5 The control and command structure of a peacekeeping operation has implications for the safety and wellbeing of peacekeepers. Mr Michael Potts, DFAT, noted that many countries place a high priority on maintaining sovereignty over their forces. He said 'most but not all countries do not want their troops deployed without some ability to say, "Not to this country or to that country"'.⁶ Lt General Gillespie also noted that the current norm for Western nations is 'never to give away their sovereignty'.⁷ Consistent with this view, Defence made clear that the ADF always retains national control over their personnel:

It is Australian practice to deploy a national command element to effect national command responsibilities over ADF personnel assigned to a UN operation or multinational force thereby allowing ADF personnel to remain under Australian command.⁸

20.6 Lt Gen Gillespie argued that Australia cannot divest itself of sovereignty interest for a number of valid reasons. He explained that if the ADF surrendered full command of its military forces, it could not control where and under what conditions they were employed, the length of the engagement, or whether, for example, they were fed properly. He explained that the ADF retains sovereignty over Australian

3 As an indication and based on statistics to 31 May 2008, of the 2,474 fatalities, 951 were due to accident, 664 to illness and 701 to malicious act. UN Department of Peacekeeping Operations, <http://www.un.org/Depts/dpko/fatalities/> (accessed 2 October 2007). See for example, *Challenges of Peace operations into the 21st Century*, Concluding Report 1997–2002, p. 202.

4 *Committee Hansard*, 24 July 2007, p. 30.

5 See paragraphs 9.53–9.64; and 10.51–10.71.

6 *Committee Hansard*, 13 September 2007, p. 9.

7 *Committee Hansard*, 24 July 2007, p. 15.

8 Defence, answer to written question on notice W10, 24 July 2007.

troops and allocates them under various instruments such as the rules of engagement or the memoranda of understanding.⁹ Further:

There are some guidelines which state that I can say no or we would take the issue to our government and say, 'A unique set of circumstances have come up. They want us to do this. What do you think?' Unless you are prepared to do that or you hive off a part of the coalition area, specifically call it 'Australia land' and do it from Australia, you have to be prepared to release your troops. What we do not ever do is give full command to those people.¹⁰

20.7 Retaining control means that Australia can set and insist on its own safety standards with regard to matters such as personal safety. For example, Lt Gen Gillespie noted:

The ADF has a very strict rule, which our soldiers, sailors and airmen and airwomen really do not mind—that is, when you deploy with weapons and ammunition, there is no alcohol.¹¹

20.8 Squadron Leader Ruth Elsley, who had national command of a contingent of Australian troops engaged in the UN mission in the Sudan under a force commander, informed the committee of a particular incident. In this case, because of health and safety reasons, she intervened to ensure that the welfare of a member under her command was not jeopardised:

...at one time I stopped the deployment of a member to a particular area in Sudan because the medical support was not there. The force commander accepted that and, when that medical support was there, they went in. Other than that, the force commander—as long as it went along with our rules of engagement et cetera and what we were sent in there to do—had full command over where they went and what they did. They still reported to me throughout the mission, but they came under a force commander.¹²

20.9 The only significant evidence received by the committee suggesting that the chain of command arrangements were not satisfactory related to the Australian Training Support Team East Timor (ATST-EM). Captain Wayne McInnes informed the committee that his team 'had no idea of who was the ultimate commander of ATSTEM' and further that there were no clear reporting lines.¹³

20.10 Another submitter, also posted to ATST-EM, similarly described the baffling command arrangements. He stated that the chain of command was 'convoluted', with

9 *Committee Hansard*, 24 July 2007, p. 15.

10 *Committee Hansard*, 24 July 2007, p. 15.

11 *Committee Hansard*, 24 July 2007, p. 6.

12 *Committee Hansard*, 24 July 2007, p. 14.

13 *Submission 5*, p. 1.

members of his team unaware of who was their overall commander. He stated that 'to say the chain of command was confusing at times [was] an understatement'.¹⁴

20.11 Defence explained that, although the practice was to have ADF personnel assigned to a UN deployment under Australian command, the arrangements for the training support team were separate to that of a peacekeeping operation.¹⁵ It stated that the lack of a designated commanding officer for ATST-EM was 'identified early in the deployment, which may have caused some initial confusion, but was rectified'. According to Defence, 'A comprehensive command structure was put in place for the team, reinforced in a directive from the CDF and the Secretary to the team's commanding officer'.¹⁶

20.12 The difficulties experienced by ATST-EM members appear to have been at the heart of their concerns about the inadequacy of force protection. As noted in Chapter 7, two members of this team suggested that they had no force protection which, in their view, placed them at extremely high risk. More generally, Mr Paul Copeland, Australian Peacekeeper and Peacemaker Veterans' Association (APPVA), drew attention to smaller contingents not directly under the command of Australian commanders:

Force protection has been there; however, the force protection goes around protecting itself, and sometimes when specialist troops are deployed in the field they are left to defend themselves. So there is a bit of a communication gap in working hand in hand with foreign forces within the United Nations.¹⁷

20.13 Clearly, the ADF needs to maintain command over its personnel to ensure that it can intervene if it believes that its members are being asked to perform or operate under circumstances that are incompatible with the mission's mandate, the rules of engagement or the principles of international law.

Committee view

20.14 The committee agrees with the ADF's insistence on retaining ultimate command over its members as a means of affording them greater protection. It notes, however, the problems experienced by members of ATST-EM where the absence of a clear and effective chain of command placed them in a difficult situation. This experience underlines the importance of ensuring that Australian peacekeepers operating outside a recognised Australian chain of command have an Australian commanding officer who is directly responsible for them and to whom they should

14 *Submission 7*, p. 2.

15 Defence, answer to written question on notice W10, 24 July 2007.

16 Defence, answer to written question on notice W10, 24 July 2007.

17 *Committee Hansard*, 21 August 2007, p. 42.

report. It should be noted that, according to Defence, the problem with ATST-EM was identified and rectified.

Information gathering

20.15 A critical factor underpinning the safety of peacekeeping personnel is good, sound and reliable local intelligence. Here the committee turns to explore some of the evidence received suggesting deficiencies in Australia's intelligence-gathering capacity.

20.16 The AusAID submission implied that Australia needed to improve local information gathering. It indicated that recent tensions in Fiji, East Timor, Tonga and Vanuatu 'point to the need for more effective analysis of the triggers of conflict in the region, and the grievances that underpin them'.¹⁸ When asked directly by the committee about the adequacy of local information gathering, Mr David Ritchie, disagreed with AusAID's observations. Rather than answer the question, he described what he believed was 'a pretty strong diplomatic network in the Pacific':

...we look to our diplomats on the ground to understand what is happening in the countries where they are accredited and to give us constant reporting on what the security situation is going to be, for this sort of purpose but also for consular purposes...we maintain the expertise that we have here in Canberra both in DFAT and in the intelligence agencies, which are able to analyse situations on the ground in the Pacific and make the calls that we need to make almost daily in terms of the issues that we face with a huge operation like RAMSI. I think in large part it boils down to maintaining the expertise on the ground and at home, to be able to analyse the situations on the ground.¹⁹

20.17 The committee agrees that the quality of intelligence available to peacekeepers depends on the expertise on the ground and at home to assess local developments. The committee, however, was seeking to establish whether that expertise was there. Indeed, a number of other witnesses supported AusAID's concerns. Associate Professor Wainwright suggested that Australia needs to become better at recognising the warning signs when flare-ups occur.²⁰ Professor Andrew Goldsmith, Australian Research Council Linkage Project with the AFP, was of the view that Australia probably suffers 'from deficiencies in local area knowledge which undermine our efforts'.²¹ He noted that the political deterioration leading up to the violence in Honiara in April 2006 seemed to take everyone by surprise:

No-one, from our perspective, seemed to have any prior warning. And as we have had a lot of people on the ground there since 2003, you have to ask

18 *Submission 26*, p. 14.

19 *Committee Hansard*, 25 July 2007, pp. 59–60.

20 *Committee Hansard*, 20 August 2007, p. 11.

21 *Committee Hansard*, 20 August 2007, p. 48.

if we have good enough intelligence and what can be done to improve the situation.²²

20.18 With regard to this incident, the AFP explained that 'Information processes were in place, and were robust. However, no credible intelligence emerged either before or after the event that there was any identifiable threat to public safety on 18 April 2006'.²³

20.19 The AFP informed the committee that intelligence support to the mission was reviewed following the April 2006 riots. The review 'identified the need to establish a centralised analytical capability within the mission to improve both coordination and RAMSI's force protection needs'. According to the AFP, it is funding the Coordinator's position within the new organisation structure to better manage the information process and to enhance the analytical capability. Furthermore, it indicated that recruitment of identified staffing expertise required by the organisation is being addressed along with other agencies. Additionally, there is 'an enhanced focus towards improving the Solomon Islands Police Force's intelligence capability'.²⁴

Committee view

20.20 The committee notes the suggestions raised by a number of witnesses about the need to improve the gathering and analysis of local information. It therefore urges agencies engaged in missions to examine closely the ways that local knowledge and information can be gathered during the conduct of missions. It considers the possession of this knowledge to be of vital concern to the success of any peacekeeping operation. The committee also notes the measures taken by the AFP, following the Honiara riots, to improve local intelligence gathering in Solomon Islands and its analysis. This response indicates the AFP's readiness to learn lessons from particular incidents. Even so, the outbreak of violence in both Timor-Leste and Solomon Islands in mid-2006 caught Australian forces unaware. Lapses of this kind are of great concern to the committee since they may threaten both the safety of Australian personnel and perhaps, ultimately, the success of the operations.

20.21 In the following section, the committee considers the medical care and assistance available to ADF and AFP personnel on deployment.

Medical care of Australian peacekeeping personnel

ADF

20.22 As noted earlier, the ADF has a deployment culture and has long been accustomed to providing the full range of medical services to its forces on overseas

22 AFP, answer to written question on notice 5, 25 July 2007.

23 AFP, answer to written question on notice 5, 25 July 2007.

24 AFP, answer to written question on notice 5, 25 July 2007.

service. Access to mental health support is provided during deployment through 'embedded assets, fly-in capabilities or coalition forces'.²⁵ Medical and psychological personnel, chaplaincy and command provide immediate and ongoing support in garrison together with the Defence Community Organisation and the Veterans and Veterans Families Counselling Service.²⁶

20.23 The only significant criticism of the provision of medical services to ADF peacekeepers came from the APPVA. Mr Paul Copeland was of the view that medical evacuation procedures for Australian troops have at times been very poor. Although noting that medical evacuation plans (MEDEVAC) must be firmly in place prior to deployment, the APPVA maintained:

Past experiences has seen seriously injured ADF members been repatriated by civilian aircraft, without the company of a medic or nurse. This places serious risk to the ADF member. Another experience was the ADF arguing over the repatriation of a soldier in a serious condition, risking the loss of his right leg, as to who was going to pay for the C-130 Hercules MEDEVAC mission—the UN or the ADF. The result was that the MEDEVAC Crew arrived five days after the request. The latency of the MEDEVAC response could have jeopardised the soldier's life.²⁷

20.24 Apart from APPVA's suggestion that the ADF's medical evacuation procedures have on occasion fallen short of acceptable standards, the committee received no evidence to suggest that there were any systemic problems with the provision of medical services on peacekeeping deployments. ATST-EM, however, once again raised concerns about the conditions under which its members were deployed.

20.25 Captain Wayne McInnes argued that the health of ADF personnel serving with ATST-EM was put at risk because of inadequate medical services. Referring to his experiences while serving with the mission, he stated:

We should have had guaranteed medical support. We are all trained in basic first aid and we did some triage training before we left Metinaro, to the degree where we practised how to cannulate and so on. But you need a trained medic in that particular incident, because we were four hours from Dili in an isolated location in the mountains, in atrocious conditions...once we arrived at Los Palos we found that something like 150 of the soldiers had fairly severe symptoms of malaria. We had a huge outbreak of diarrhoea.²⁸

25 Defence, answer to written question on notice 25, 24 July 2007.

26 Defence, answer to written question on notice 25, 24 July 2007.

27 *Submission 16*, paragraph 8.5.

28 *Committee Hansard*, 21 August 2007, p. 56.

20.26 The committee has already noted the circumstances of ATST-EM and has suggested that the ADF use the experiences of this small unit as a case study for future reference.

AFP

20.27 The AFP has in some instances relied on the ADF to supply medical services. For example, in Timor-Leste in 2006, where the environment was at times dangerous, the ADF provided the medical capability in case of severe or serious injury to AFP officers.²⁹

20.28 Assistant Commissioner Walters explained that the AFP prefers to engage contractors, such as Patrick Defence Logistics (PDL), to provide that support so that the AFP does not have to build that level of capability within the IDG.³⁰ He said:

The medical services in the Solomon Islands are provided through a contractor, so probably the best medical facilities there are provided within GBR [the RAMSI headquarters]. If there is any doubt about a member's health, we repatriate them back to Australia for further tests and medical services, depending on what the situation is. We think that we provide a fairly robust support network for our members offshore and for their families back here as well.³¹

20.29 It was similar in Timor-Leste, where PDL was contracted to 'find sufficient accommodation for 200 police officers and provide the food, security, transport and medical support that was necessary'.³² The committee received no evidence indicating shortcomings in the medical and health care arrangements for AFP officers deployed on peacekeeping operations.

Rest and recreation

Leave and redeployment

20.30 The Regular Defence Force Welfare Association noted that 'both the ADF and the AFP have policies that specify a minimum of twelve months in Australia before being deployed again but in both organizations these policies can be reviewed for exceptional circumstances'.³³ It stated:

29 *Committee Hansard*, 25 July 2007, p. 16.

30 *Committee Hansard*, 25 July 2007, pp. 16 and 17.

31 *Committee Hansard*, 25 July 2007, p. 15.

32 *Committee Hansard*, 25 July 2007, p. 17.

33 *Submission 8*, Annex C, p. 6.

Due to shortages of ADF personnel, entitled leave may not be able to be taken on return from peacekeeping deployments, which impacts on the health and wellbeing of service personnel and their families.³⁴

20.31 The committee did not receive evidence suggesting that the rest and recreation period between deployments has caused problems for ADF or AFP personnel. It is nonetheless an important consideration for the health and wellbeing of Australians serving on peacekeeping operations. The policies in place to ensure that personnel have adequate breaks in overseas deployments should be observed. This comment is made in light of the difficulties facing the ADF and the AFP in recruiting and retaining skilled personnel and the recent increase in demand for peacekeeping operations in the region.

Conclusion

20.32 The committee briefly looked at the measures taken to minimise the risks to the health and safety of Australian ADF and AFP personnel while on deployment. The evidence did not indicate any systematic problems with the health services and medical practices provided to Australian peacekeepers on deployment. ATST-EM, however, shows that there are always exceptions that underline the importance of learning and capturing lessons from any lapses or failings in the system. The committee has made a recommendation with regard to a review of ATST-EM (see Recommendation 4).

20.33 The following chapter continues the committee's consideration of these measures by looking at post-deployment health practices and procedures.

34 *Submission 8*, p. 2. The Australian Veterans and Defence Services Council Incorporated (AVADSC) recommended that 'Member not to be re-deployed until leave granted is taken in full and he has another three months before being re-deployed at home'. *Submission 10*, p. 4.

Chapter 21

Post-deployment welfare

21.1 The committee has noted the potential for Australian personnel involved in overseas deployments to be exposed to a range of operational, environmental and occupational hazards. In this chapter, the committee considers the post-deployment care of, and support available to, Australian peacekeepers, and related matters including:

- debriefing and reintegration procedures;
- care and services available to those suffering adversely from service as a peacekeeper;
- post-traumatic stress disorder;
- medical records; and
- health studies.

Debriefing and medical clearance

21.2 The following section considers the steps taken to ensure that the reintegration of Australian peacekeepers back into Australian working and family life is as smooth as possible and that those requiring special post-deployment support or care receive it.

ADF

21.3 Defence informed the committee that personnel have both a Return to Australia (RTA) medical screen and Return to Australia psychological screen (RtAPs). They are usually conducted in the area of operations in the week prior to returning to Australia. For personnel returning urgently, or for smaller operations, the screening is done in Australia as soon as possible after return. These checks are compulsory.

21.4 RTA medical screening involves a standardised health questionnaire and physical examination, documentation of hospital admissions and of exposure to hazards during deployment. Health countermeasure medications (such as malaria eradication treatment) are also prescribed as appropriate for the operation. The RtAPs covers a series of standard psychological screening instruments:

- Deployment Experience Questionnaire, Kessler 10 Questionnaire;
- Traumatic Stress Exposure Scale—Revised;
- Post-Traumatic Stress Disorder Check list—Civilian;
- Major Stressors Inventory, and Alcohol Use Disorder Identification Test for those deployments where alcohol consumption is permitted; and

- a structured interview by a psychologist or a psychological examiner.¹

21.5 According to Defence, these health screens are followed up with a post-deployment medical check and a post-operational psychological screen. The post-deployment medical check covers an annual health assessment, post-deployment screening for HIV and Hepatitis C and, if indicated, tuberculosis. The post-deployment medical check and psychological screen are usually conducted three months after return to Australia. These checks are also compulsory.²

Reservists

21.6 The Regular Defence Force Welfare Association (RDFWA) stated that reservists deployed on operations are often discharged immediately after their return and are then no longer covered by ADF medical services. It stated:

This group may not seek medical advice for a condition that to them may appear benign but may be related to service in a particular area. Our recommendation is that any member returning from a peacekeeping operation in which environmental health problems have been identified should have access to comprehensive medical care for a period of six months. We understand that the US Veterans Administration has such a scheme for their reservists. A similar scheme could be administered by either the ADF or DVA.³

21.7 In light of the often delayed onset of signs and symptoms from conditions such as PTSD or health complications due to exposure to environmental hazards including certain chemicals, the committee notes the importance of continuing access to ADF medical services. It agrees with the RDFWA that reservists should not be disadvantaged because they may leave the ADF soon after returning from deployment. It draws the concerns expressed by the RDFWA to the attention of the ADF.

AFP

21.8 The AFP's Reintegration Coordination Team (RCT) is responsible for supporting deployed officers throughout their deployment, from the moment an officer applies to serve offshore. It considers the destination and duration of deployment and its impacts on the officer's career. The RCT has 'a full-time career development officer who will help people offshore to continue their own development'. This approach is taken because the AFP wants 'people to realise that serving offshore may actually enhance, rather than be a detriment, to his or her career'

1 Defence, answer to question on notice W18, 24 July 2007.

2 Defence, answer to question on notice W18, 24 July 2007.

3 *Submission 8*, p. 3.

Indeed, Assistant Commissioner Jevtovic said in an interview that the RCT is 'an integral part of the way we support our people into the future'.⁴

21.9 RCT provides a post-deployment program for officers who have been on an overseas deployment for 40 weeks or longer. The program consists of six components:

- member recognition function (voluntary);
- operational/mission debrief and member feedback process (mandatory);
- career planning and development service (voluntary);
- member re-induction course—organisational information (e.g. legislation and policy changes) (mandatory);
- psychological clearance and welfare briefing (mandatory); and
- medical clearance and briefing (mandatory).

21.10 Members deployed between 16 and 40 weeks and state and territory police in IDG missions participate in the same program except for the career coaching and re-induction which 'are not seen as necessary reintegration components' for this group.⁵

Committee view

21.11 The committee notes the package of post-deployment re-integration and health screening programs conducted by the ADF and the AFP. These programs indicate that both the ADF and the AFP are aware of the importance of the post-deployment care of their personnel. Evidence before the committee suggested that in general, the level of care and attention provided to Australian personnel was appropriate. There were, however, a number of significant matters that warrant closer examination. They relate to post-traumatic stress disorder, medical record keeping, the availability of statistics on the health and welfare of veterans and health studies of veterans. The concerns were raised in relation to the ADF.

Post-Traumatic Stress Disorder

ADF

21.12 A number of submitters referred to the incidence of Post-Traumatic Stress Disorder (PTSD) in ADF personnel who have served in some very difficult peacekeeping operations.⁶

21.13 When asked about the number of claims due to PTSD, the Department of Veterans' Affairs (DVA) was not able to provide concrete statistics. Instead, Mr Mark

4 Assistant Commissioner Paul Jevtovic quoted in Juani O'Reilly, 'Policing the neighbourhood and keeping peace in the Pacific', *Platypus Magazine*, Edition 96, September 2007, p. 14.

5 Australian Federal Police, answer to written question on notice 11, 25 July 2007.

6 See for example, APPVA, *Submission 16*, paragraphs 3.5–3.6, p. 2.

Johnson, National Manager, Compensation Policy, referred to the number of people who had had a mental condition accepted under the *Safety Rehabilitation and Compensation Act (SRCA)*.⁷ For example, 183 claims had been accepted for mental disorders relating to service in East Timor.⁸ In answer to a question on notice taken during a 2007 estimates hearing, DVA provided the following statistics on the claims for disability pensions relating to mental health issues that it had received as at June 2007.⁹

Veterans' Entitlements Act (VEA)	Iraq	Afghanistan	East Timor	Solomon Islands
Number of mental health disabilities claims	105	163	1,469	128
Number of mental health disabilities claims accepted	71	120	1,101	89

21.14 It should be noted that medical experts in mental health tend to agree that mental health problems associated with PTSD may become apparent sometime after the initial trauma.¹⁰

21.15 In contrast to the lack of accurate statistics on PTSD in ADF personnel, the AFP produced clear figures for the committee.

AFP

21.16 The AFP informed the committee that 16 claims had been lodged with COMCARE that relate to PTSD. Of these, 13 claims were accepted and 3 claims were rejected. The table below shows number of claims and costs associated with East Timor and Solomon Islands.¹¹

7 *Committee Hansard*, 24 July 2007, p. 34.

8 *Committee Hansard*, 24 July 2007, p. 30.

9 DVA, answer to question on notice 33 (iii), Budget Estimates 2007–2008, 31 May 2007, pp. 12–13.

10 See comments by Wing Commander Alexander C McFarlane, 'Military mental health in the 21st century', *ADF Health*, vol. 4, April 2003, pp. 1–2; Alexander C McFarlane and Mark Creamer, 'Current knowledge about psychological trauma: a response to Milton', *ADF Health*, vol 7, October 2006.

11 AFP, answer to written question on notice 22, 25 July 2007.

Cost Centre Name	Claims lodged	Claims Accepted	Claims Rejected	Costs to Date	Likely Future Cost	Estimated Cost*
East Timor	12	9	3	\$1,355,936.36	\$1,244,995.00	\$2,600,931.3
Solomon Islands	4	4	0	\$269,820.10	\$335,147.00	\$604,967.10

*Includes 'Costs to Date' and 'Likely Future Cost'

Committee view

21.17 The committee finds the inability of the ADF or DVA to provide the committee with full and complete details on the incidence of PTSD in ADF peacekeepers highly unsatisfactory. The committee continues its consideration of statistics later in the chapter but first considers the approach taken with regard to promoting the mental health of ADF peacekeepers.

ADF preventative measures

21.18 The committee previously touched on mental health in the context of prevention through the mission's mandate which, the committee argued, should match the 'conditions on the ground' and not unnecessarily jeopardise the wellbeing of Australian peacekeepers. It especially noted instances where an inadequate mandate placed peacekeepers in a situation where they were unable to intervene to protect innocent civilians from attack.

21.19 It is clear that while a peacekeeping operation may expose peacekeepers to circumstances that pose a risk to their mental health, there are measures that can be taken to reduce risk, especially during pre-deployment training.

21.20 The committee notes that a number of studies have observed that the mental preparation for a combat mission differs from that of a peacekeeping operation. Such studies identify the requirement to exercise restraint in the face of provocation as a major stressor for peacekeepers.¹² For example, writing in *ADF Health* in 2003, Major Karl Haas noted that peacekeeping missions that 'bring soldiers into warzones as non-combatants present 'a wide variety of stresses that have short- and long-term effects on mental health':

12 Rouja Nikolova et al, 'Psychophysiological Assessment of Stress and Screening of Health Risk in Peacekeeping Operations', *Military Medicine*, vol. 172, issue 1, Bethesda, January 2007; and Marie-France Guimond et al, 'Health concerns of peacekeeping: a survey of the current situation', McGill University, 2001, p. 8, <http://www.jha.ac/articles/a067.htm> (accessed 13 June 2007). They recognise that: 'the peacekeepers' role as a buffer between warring parties while restricting the demonstration of any forms of aggression can indeed have a very severe impact on peacekeepers'.

Soldiers are trained to win the day by the application of tactics and up to date weaponry, yet peacekeeping and humanitarian missions generally restrict tactical freedom and the use of force, exposing soldiers to stresses for which they are not prepared or trained.¹³

21.21 Professor Mark Creamer, Australian Centre for Post-Traumatic Mental Health, stated in October 2006 that peacekeeping 'generally requires a whole different and complex set of skills, often...for which people are not necessarily terribly well trained'.¹⁴ Indeed, the UN recognises that 'stress management training has become an increasingly important factor in the adequate preparation and training of United Nations peace-keepers'.¹⁵ Earlier in this report, the committee supported the comments by Lt Gen Gillespie that training for peacekeeping operations is to take a 'more prominent place' in ADF training. In so doing, the committee advises that mental health training and support must be given priority.

21.22 The importance of elevating mental health education and training in ADF pre-deployment preparation is evident when considering mental health literacy. During an estimates hearing, Dr Graeme Killer, Principal Medical Officer, DVA, highlighted concerns about health education. He stated:

...when we looked at the younger peacekeepers and peacemakers in this study, which was called Pathways to Care, we found that they had very low levels of health literacy. They did not really understand what the trauma had done to them in the way they were feeling and they were dealing with their families. So many of them, because the consultation and medication had not worked, would often then self-medicate with alcohol.¹⁶

21.23 In response to this statement, Defence informed the committee that mental health literacy was recognised in the *ADF Mental Health Strategy* that was launched in 2002. Defence also asserted that all problems relating to mental health are 'thoroughly assessed and managed'. In addition, it noted that eighteen fact sheets had been developed on various topics, including depression, alcohol, drug use and PTSD. Defence said:

A major focus of the strategy is aimed at breaking down barriers to care, including the concept that mental ill health is a sign of weakness. Defence

13 Major Karl L Haas, 'Stress and mental health support to Australian Defence Health service personnel on deployment: a pilot study', *ADF Health*, vol 4(1), 2003, p. 19. See also, Wing Commander Alexander C McFarlane, 'Military mental health in the 21st century', *ADF Health*, vol. 4, no. 1, April 2003. He wrote, 'Unlike combat, where the soldier is well trained to act, peacekeeping requires soldiers to demonstrate restraint by example. Training for these roles as a conflict modulator and provider of humanitarian aid is more ambiguous and difficult'.

14 ABC Radio National, 'Background Briefing', Interview, 29 October 2006.

15 UN Department of Peacekeeping Operations, *UN Stress Management Booklet*, 1995.

16 *Estimates Hansard*, 31 May 2007, p. 137.

members are encouraged to maintain a sense of personal well-being and to develop a healthy and physically fit lifestyle.¹⁷

21.24 Even so, Mr Paul Copeland, National President of APPVA, was more circumspect about the adequacy of the strategy. He observed that from the association's experience, mental health was 'significant in policy; marginal in reality'.¹⁸

21.25 This view emphasises the importance of the ADF ensuring that its policy on mental health translates into changes in organisational culture, attitude and practice which should start in the training establishments. All personnel about to be deployed to a peacekeeping operation should, as part of their preparation, participate in a comprehensive education program on PTSD and other mental health issues. The effectiveness of this program should be subject to continuing evaluation and review.

21.26 The committee now looks at the assistance and support network provided for ADF personnel with regard to mental health.

Services available for PTSD in the ADF

21.27 Training alone will not prevent the occurrence of mental health problems. The committee accepts that the risks to mental health cannot be entirely eliminated and that some Australian peacekeepers in the course of their duties in an overseas mission will experience circumstances that may cause psychological harm. Mr Copeland stated:

You can go through all the preparation in the world but, when you go over there and come up against these situations, different people act differently. Unfortunately, there has been a large number of cases of post-traumatic stress disorder, depression, anxiety and generalised anxiety disorder: probably 25 per cent of the force that went to Rwanda; a large number that went to Somalia in the first push with the battalion group and the UNOSOM Australian contingent thereafter; and also a large number who went to Cambodia. It is interesting to note the large number of people reporting from East Timor as well. We know that you can be trained up as much as you can but, when it comes to these situations, nothing will prepare you. It is about your reaction and your resilience. You will find that the adrenaline will kick in for soldiers and their training will come into being. Once that has finished and the adrenaline has calmed down, then you will find the effect of that actual incident may be severe. Therefore, peer support or counselling may be needed or critical incident stress management would be needed as well.¹⁹

17 Defence, answer to written question on notice W25, 24 July 2007.

18 *Committee Hansard*, 21 August 2007, p. 51.

19 *Committee Hansard*, 21 August 2007, p. 50.

21.28 According to the ADF, it has a comprehensive program to assist with the diagnosis and treatment of mental health problems, including PTSD. The then Minister for Veterans' Affairs informed Parliament in March 2006 that the ADF had 'one of the largest workplace mental health support systems in Australia that provides a wide range of mental health and counselling services'. He explained:

The ADF provides mental health support across the deployment cycle inclusive of pre-deployment screening and psychological briefings, the provision of embedded (Australian or coalition) and/or 'fly-in' mental health support and the conduct of post operational psychological screening and programs to assist re-integration after returning from the operational environment. Additionally, veterans of deployments are also able to access the services of the Vietnam Veterans' Counselling Service.²⁰

21.29 The services include:

- a wide range of mental health services through public and private hospitals, psychiatrists, psychologists, general practitioners; and
- the development of strong working relationships with experts in the field of mental health notably the Australian Centre for Posttraumatic Mental Health.

21.30 With the support of DVA and relevant government ministers, this centre has for many years been conducting research, providing policy and service development advice on the mental health issues in veteran and military populations.²¹

21.31 The ADF has also:

- produced the policy document 'Towards Better Mental Health for the Veteran Community';
- undertaken the Pathways to Care study; and
- established the National Veterans Mental Health and Wellbeing Forum.²²

21.32 Despite assurances provided by the ADF and DVA about the adequacy of the services they provide in the area of mental health, evidence suggests that there are shortcomings.

21.33 In its pre-election policy document, the current government made a commitment to 'ensuring the very best mental health support' would be available for ADF personnel and the ex-service community. It announced that it would 'implement an ADF Mental Health Lifecycle Package of mental health research and innovative interventions, in partnership with the Australian Centre for Posttraumatic Mental

20 Senator Ian Campbell, answer to question on notice 1164, *Senate Hansard*, 29 March 2006, pp. 193–194.

21 Australian Centre for Posttraumatic Mental Health, *Annual Report 2006–2007*, pp. 4 and 7.

22 Senator Ian Campbell, answer to question on notice 1164, *Senate Hansard*, 29 March 2006, pp. 192–193.

Health'.²³ As noted earlier, this centre has been working on the mental health of veterans and military personnel for some time. This commitment is now reflected in the government's May 2008 Budget. It has allocated \$3.8 million over four years to introduce a package of nine strategic mental health initiatives to improve access to mental health services for current and former ADF members and active reserve personnel. According to the budget statement:

This initiative will be integrated across the four stages of an Australian Defence Force member's career lifecycle: recruitment, service, transition or discharge, and rehabilitation and resettlement into civilian life. The package aims to enhance psychological resilience among serving members, ensure successful transition into civilian life and provide effective rehabilitation and support.²⁴

21.34 The committee supports the government's initiative but notes that PTSD and other mental health conditions have been a source of concern for many decades.

Care for personnel with PTSD or related illness

21.35 Concerns with the detection, diagnosis and treatment of mental health problems in ADF personnel are not new and have been the subject of much parliamentary and media discussion.²⁵ Mr Paul Copeland referred to the ADF Mental Health Strategy launched in 2004 and explained that the rehabilitation program provides 'the soldier with the maximum time and ability to rehabilitate'. He then noted:

Unfortunately, we are still having people reporting that, once they have been diagnosed with post-traumatic stress disorder, for example, they are being given a notice of termination and they are out the door medically. It is a heartbreaking moment; I can say that from my own personal situation. You feel that you have done 120 per cent for the Australian Defence Force and the country and, when you come back you become ill and all the ADF seem to be doing to you is wanting to get rid of you. So it is quite a significant impact on that veteran and his family.²⁶

21.36 Two members from ATST-EM were also critical of the post-deployment care provided for mental health problems. Captain Wayne McInnes stated:

23 Australian Labor Party, *Labor's Plan for Defence*, Election 2007, Policy Document, November 2007, pp. 13–14.

24 Budget Paper No. 2, Budget Measures 2008–9, p. 294. The Government is also providing '\$1.5 million over four years to provide training and workshops for community mental health workers who treat veterans. This proposal will help improve practitioners' ability to identify and treat service-related mental health problems. This will result in earlier and more effective treatment of such problems'.

25 See for example, ABC Radio National, 'Background Briefing', 29 October 2006; Standing Committee on Foreign Affairs, Defence and Trade, *Estimates Hansard*, 14 February 2007, pp. 146–148.

26 *Committee Hansard*, 21 August 2007, pp. 50–51.

Lip service was paid to the needs of ATSTEM personnel rotating out of country many failed to be correctly screened for Psych procedures and still carry the scars of their deployment today.²⁷

21.37 While submission 7 stated:

Three months after I returned to Australia I was post deployment debriefed, I expressed concerns about some difficulties I was having adjusting and was told it will settle down you will be fine if you have any further issues call this number, four years later I am still waiting for it to 'settle down'.²⁸

21.38 Mr Mark Johnson, DVA, explained that people can get treatment for PTSD even if DVA has not accepted the condition as related to service. He stated:

That is treatment that we will pay for. There is a range of treatments available, from both hospital-type care to non-residential-type care. So people can come to the department and ask us to pay for treatment as long as they have a diagnosed condition...If they consider it is due to their service and we accept the condition then we will pay for all care. It is the same with any condition. If the Commonwealth has accepted liability for the condition due to service then all treatment is paid for...There is no time cut-off. In fact, under SRCA most of our claims are some years after the date of injury.²⁹

21.39 The committee notes the importance of ensuring that all ADF peacekeepers are appropriately screened for mental health concerns and receive the appropriate care when needed. It is firmly of the view, however, that compensation in the form of payment for treatment does not adequately address the problem. The committee believes that the ADF has a duty of care to ensure that mental illness is managed properly. In this regard, it notes Mr Paul Copeland's observation that 'all the ADF seem to be doing...is wanting to get rid of you'.³⁰ The committee would like to see indications that the ADF is committed to the long-term care and rehabilitation of members even where, because of their mental health, they are no longer serving members.

Stigma of PTSD

21.40 There is no doubt that the ADF has programs in place designed for the early diagnosis and treatment of mental problems but one of the most significant impediments to promoting mental health, particularly in the ADF, is the reluctance to seek help. This hesitancy to report or seek help for a mental health problem is a well-recognised problem. In 2003, Major Karl Haas wrote in *ADF Health*:

27 *Submission 5*, p. 3.

28 *Submission 7*, p. 4.

29 *Committee Hansard*, 24 July 2007, p. 34.

30 See paragraph 21.34.

More of the 2002 group were aware of the availability of counselling services than the 1999 group, but no survey participants actually used counselling services. Most of the 1999 group and half of the 2002 group indicated that they would not use counselling services to cope with stress, even if they were available. This is of concern, as the survey respondents were health personnel who should have had an understanding of the value of mental health interventions.³¹

21.41 He concluded:

The reluctance to use mental health services may be attributable to a perception that using such services is an admission of inability to cope and meet the obligations of a soldier.³²

21.42 More recently, Professor Alexander McFarlane and Professor Mark Creamer observed in *ADF Health* that one of the most critical problems with mental health is 'the failure to diagnose these conditions early and ensure early treatment'. In their opinion:

The natural hardiness of individuals and a willingness to deny suffering means that many struggle with their symptoms over a long period. This leads to secondary disabilities and adverse social consequences. Marital relationships are likely to suffer, as is work performance.³³

21.43 They highlighted 'the importance of ongoing research into human adaptations to traumatic stress'.³⁴

21.44 The committee received similar evidence during this inquiry. For example, Mr Paul Copeland was of the view that:

The stigmatisation issue is still there within the Defence Force. I think, until that stigmatisation evaporates within commanders and local commanders on the ground, at the coalface, you will find people who will be reluctant to report such illnesses, and they will try to hold the chain as long as they can until they are at breaking point. There is a debriefing system in place. RTAPS is one; there is Return to Australia Psychological Screening in country and the psychological screening when they are at home some three months afterwards. Some people have slipped through the gaps. I am not

31 Haas, K, 'Stress and mental health support to Australian Defence Health Service personnel on deployment: a pilot study', *ADF Health*, 2003, vol 4, no 1, p. 21.

32 Haas, K, 'Stress and mental health support to Australian Defence Health Service personnel on deployment: a pilot study', *ADF Health*, 2003, vol 4, no 1, p. 21.

33 Professor Alexander McFarlane and Professor Mark Creamer, 'Current knowledge about psychological trauma: a response to Milton', *ADF Health*, 2006, vol 7, no 2, p. 81. See also, Wing Commander Alexander C McFarlane, 'Military mental health in the 21st century', *ADF Health*, vol 4, no 1, 2003, p. 1.

34 Professor Alexander McFarlane and Professor Mark Creamer, 'Current knowledge about psychological trauma: a response to Milton', *ADF Health*, 2006, vol 7, no 2, p. 79.

saying that it is a perfect model, but there are some gaps in there that people are slipping through.³⁵

21.45 In its 2005 report on Australia's military justice system, the committee recognised that one of the major health challenges facing the ADF was to counter the attitude that seeking help is an admission of weakness.³⁶ It urged the ADF to acknowledge that the military culture makes it difficult for members to ask for help, and to put in place services that take account of, and compensate for, this failing. Today, the committee again notes that one of the most difficult challenges for the ADF is to remove many of the existing prejudices associated with psychological disorders.

Committee view

21.46 The committee understands that service in a peacekeeping operation brings with it psychological challenges. It recognises the measures implemented by the ADF regarding the prevention, detection and remediation of mental illness. The committee notes, however, that the stigma attached to mental health remains a critical barrier both to reporting mental health problems and to receiving treatment for mental health conditions.

Statistics

21.47 There is no doubt that the mental health of Australian peacekeepers remains an area that needs close attention. Australia is not the only country grappling with how to prevent and manage the problem. A clear and precise understanding of the extent and nature of mental health concerns among returning peacekeepers is required to both design an effective preventative education program and to make available the most appropriate services for those who need care. The data available on the incidence of PTSD in Australian peacekeepers, however, does not present a clear picture. The committee now looks more generally at the statistics available on the health concerns of ADF peacekeepers.

21.48 One of the primary indicators of the health and safety problems encountered by ADF personnel comes from the claims they have submitted. Australian peacekeepers may claim assistance for medical services or compensation for disability under three main pieces of legislation—*Veterans' Entitlements Act 1986* (VEA), the *Safety, Rehabilitation and Compensation Act 1988* (SRCA) and the *Military Rehabilitation and Compensation Act 2004* (MRCA). This legislation is discussed in greater detail in the following chapter.

21.49 DVA informed the committee that under the VEA approximately 1,600 veterans with eligible peacekeeping service have submitted claims for disabilities.

35 *Committee Hansard*, 21 August 2007, p. 51.

36 Senate Foreign Affairs, Defence and Trade References Committee, *The effectiveness of Australia's military justice system*, June 2005, paragraphs 15.6–15.9.

Mr Johnson, DVA, stated that this figure represented those captured on the department's system since the early 1980s, which would 'be pretty much for all our peacekeeping operations'.³⁷ Under the SRCA, 1,300 claims for service in East Timor have been lodged. Mr Johnson pointed out, however, that some of those would be people who had dual entitlements and may have claimed under both the VEA and the SRCA.

21.50 DVA could not provide a breakdown of the causes for the claims under the VEA but could do so for those under the SRCA. Mr Johnson stated:

...for East Timor out of approximately 1,300 claims 1,047 have been accepted and, of those, 440 are for what is classified as injury and poisoning, 183 for mental disorders, 122 for infectious and parasitic diseases—these are accepted—100 for diseases of the musculoskeletal system and then the others come into other categories.³⁸

21.51 For RAMSI, DVA had received 45 claims, and 94 claims for Bougainville. Mr Johnson explained that he did not have figures for others because they had been difficult to retrieve from the system.³⁹

21.52 Information provided to the committee in response to a question on notice taken during Estimates in May 2007 produced a different set of statistics.

21.53 As at June 2007, DVA had received the following claims for disability⁴⁰:

Veterans' Entitlements Act (VEA)	Iraq	Afghanistan	East Timor	Solomon Islands
Number of claims received	1,585	2,345	13,846	1,119

21.54 It should be noted that the number of claims approximately equals the number of conditions, but not number of persons.⁴¹ Thus, these figures may well align with those provided by Mr Johnson to the committee.

37 *Committee Hansard*, 24 July 2007, p. 29.

38 *Committee Hansard*, 24 July 2007, p. 30.

39 *Committee Hansard*, 24 July 2007, p. 29.

40 Department of Veterans' Affairs, Answer to question on notice 33, Budget Estimates 2007–2008, May 2007.

41 The most commonly claimed conditions under the VEA include: tinnitus, osteoarthritis, acute sprain or strain, sensorineural hearing loss, lumbar spondylosis, chondromalacia patella, intervertebral disc prolapse, fracture, Post-Traumatic Stress Disorder and internal derangement of the knee.

21.55 The committee is concerned that DVA could not produce comprehensive and detailed statistics on the number of peacekeepers who have made a claim for disability due to peacekeeping service, the nature of the disability and the relevant operation.

21.56 DVA also provided information on compensation claims, other than those for the disability pension, that had been made under the MRCA and SRCA, Income Support and 'treatment only' health care benefits. The number of those claims, determined under the different Acts for the four conflicts to June 2007 were:

VEA	MRCA	SRCA
931	885	1,579

21.57 The most common claims under the VEA were for invalidity, qualifying service, malignant neoplasm, PTSD and depressive disorders. Under the MRCA and SRCA, the most common claims were for injury and poisoning, mental disorders, diseases of the musculoskeletal and nervous systems, and parasitic and other infections.⁴²

Committee view

21.58 The committee is concerned about the vagueness of the statistics produced by DVA, particularly its inability to provide precise information on the number of claimants and nature of claims as they relate to specific deployments.

21.59 Despite the absence of full and complete figures, the committee is in no doubt that many of those who deploy to a peacekeeping operation encounter an environment or situations that heighten the risk to their physical or mental health. The committee is interested in the health studies that have been undertaken that would provide an insight into the problems encountered by peacekeepers.

Health studies

21.60 DVA informed the committee that it had not conducted a study of the effects of service in peacekeeping operations on the personnel who have taken part in peacekeeping operations. Mr Johnson stated:

...Defence are doing various studies with pre- and post-deployment in some of their more recent deployments. We have done lots of health studies, but not one on peacekeeping that I can recall.⁴³

42 Department of Veterans' Affairs, Answers to questions on notice, Budget Estimates 2007–2008, May 2007. It should be noted that the Department of Veterans' Affairs provided the following statistics to ABC Radio National, 29 October 2006, about claims by veterans of the East Timor peacekeeping operation. Although produced a year earlier than the ones provided above, they indicated that 12,895 claims had been made by 2,782 veterans of which 8,767 claims had been accepted. Of the 2,782 veterans to have made claims, 316 had no claims accepted.

43 *Committee Hansard*, 24 July 2007, p. 29.

21.61 He explained that one of the major challenges in conducting health studies is establishing a roll of ADF persons who participated in a particular operation and establishing a comparison group. He stated:

If you are going to do a health study, you need to have a reasonable number in the health study to get scientific power in the study to reach some reasonable conclusions from any results that come out of the study. Some deployments that are very small are difficult because of that. Different deployments may have different factors—for example, environmental factors...I would have thought that lumping them together would also be difficult. You would have such a jumbled group and to come to any conclusions about the health impacts, or otherwise, of the aggregate group would be very difficult.⁴⁴

In the past when the department has done studies, one of the first things that it has tried to do has been to establish some sort of nominal roll of people that participated in, for instance, the conflict in Vietnam or in the British nuclear tests. That is very time consuming. It is difficult to get current names and addresses and to seek the permission of those people to participate.⁴⁵

21.62 Defence agreed that issues concerning the health of veterans of past deployments have been difficult to resolve because insufficient data was collected at the time of those deployments. The absence today of reliable data on the health of peacekeeping veterans, as noted earlier by the committee, highlights the pressing need for the ADF to have a comprehensive database on ADF members, their service and related health problems.

21.63 It should be noted, however, in 1999 the then Minister for Veterans' Affairs announced a new health strategy for overseas deployments that *inter alia* would include the compilation of the nominal rolls for all significant overseas deployments over the past decade and health reviews for all future overseas deployment.⁴⁶ As foreshadowed in this announcement, Defence, assisted by DVA, have established a program of post-deployment health surveillance. This program, the Deployment Health Surveillance Program (DHSP), is conducting retrospective studies on East Timor, Bougainville and Solomon Islands veterans. The Centre for Military and Veterans' Health, established in April 2004, is undertaking this longitudinal health surveillance on ADF deployed personnel, including peacekeepers. The health effects of specific deployments currently being investigated include Solomon Islands, Bougainville and East Timor.⁴⁷

44 *Committee Hansard*, 24 July 2007, p. 31.

45 *Committee Hansard*, 24 July 2007, p. 30.

46 The Hon Bruce Scott MP, Minister for Veterans' Affairs, Minister Assisting the Minister for Defence, Media release, Min 191/99, 5 July 1999.

47 DVA, answer to question on notice 2, 24 July 2007.

21.64 The program is a joint venture involving Defence, DVA and a consortium consisting of the University of Queensland, University of Adelaide and Charles Darwin University. According to Defence, the studies are similar to those being conducted by allies such as the US and the UK. It anticipates that the studies 'will inform a continuing, comprehensive health surveillance program for the ADF, concentrating on the health effects of operational deployments'.⁴⁸ The short-term benefits identified during a presentation on the program include:

- improved documentation and measurement of occupational and environmental exposure;
- contribution to improving Defence health record systems;
- early identification of deployment health issues; and
- systematic review of literature about specific deployments.

21.65 The anticipated longer term benefits are:

- better quality information to guide interventions to prevent chronic disability; and
- scientific evidence on health effects of deployment.⁴⁹

21.66 In addition, through its applied research program, DVA is funding smaller studies of other peacekeeper deployments.⁵⁰

21.67 In March 2008, the Minister for Defence Science and Personnel called on current or former ADF personnel to take part in the Timor-Leste and Bougainville Health Study by the Centre for Military and Veterans' Health. In May 2008, he announced a review of mental health care in the ADF and the transition to non-military life. This review will examine existing mental health programs and support across the ADF and DVA and 'advise on their effectiveness, gaps in services, and challenges in delivery. It will also examine and advise on the transition process between the ADF and DVA'.⁵¹

Committee view

21.68 The committee is unaware of any reliable data that has been collected or analysed on the clinical profiles of Australian peacekeepers. The lack of clear detail regarding the health and welfare of peacekeeping veterans leaves a significant void in Australia's understanding of the effects that a peacekeeping operation may have on

48 Defence, answer to written question on notice W26, 24 July 2007.

49 Deployment Health Surveillance Program (DHSP) Stakeholder Day, Presentation at the DHSP Stakeholder Meeting in Canberra, 29 March 2007.

50 DVA, answer to question on notice 2, 24 July 2007.

51 The Hon Warren Snowdon MP, Minister for Defence Science and Personnel and the Hon Alan Griffin MP, Minister for Veterans' Affairs, 'Review of Mental Health Care in the ADF and Beyond', Media release, 060/2008, 26 May 2008.

those who serve in such operations. This gap means that those responsible for preparing peacekeepers for service are at a disadvantage in devising programs and training that might address and help prevent potential health and safety issues. The committee sees a definite need for more effective means of gathering, collating and analysing information on all aspects of the health and welfare of those who have participated in a peacekeeping operation.

21.69 The committee also recognises the need to improve public discussion and understanding of the health aspects of peacekeeping. Health studies should be an integral and continuing part of a preventive policy to minimise dangerous exposure to disease, unsafe work practices or environments. Although only in its early phase, the ADF Deployed Health Surveillance Program appears to address many of the committee's concerns about the absence of data. Even so, to underline the importance of conducting comprehensive studies and continuing surveillance of the health problems and needs of those who serve in peacekeeping operations, the committee asserts that a more effective military medical surveillance system is required. It makes the following recommendations.

Recommendation 26

21.70 The committee recommends that the ADF develop a comprehensive and reliable database on Australian peacekeepers that would provide accurate statistics on where and when ADF members were deployed. The database would also enable correlations to be made between particular deployments and associated health problems.

21.71 The committee notes the importance of ensuring that all ADF peacekeepers are appropriately screened for mental health concerns and receive the appropriate care when needed. It is firmly of the view, however, that compensation in the form of payment for treatment does not adequately address the problem. The committee believes that the ADF has a duty of care to ensure that mental illness is managed properly. In this regard, it notes a witness's observation that 'all the ADF seem to be doing...is wanting to get rid of you'.⁵² The committee would like to see indications that the ADF is committed to the long-term care and rehabilitation of members, even where, because of their mental health, they are no longer serving members.

Recommendation 27

21.72 The committee recommends that the ADF broaden the scope of the research and studies being done on veterans' mental health by the Australian Centre for Posttraumatic Mental Health and the Centre for Military and Veterans' Health to include the rehabilitation of veterans with mental health problems; the retraining opportunities or career transition services provided to them; the quality of, and access to, appropriate and continuing care; and the stigma attached to mental health problems in the ADF.

52 See paragraph 21.34.

21.73 The committee notes that while some government and university sector research has been undertaken into the health of Australian peacekeepers, as yet, it has not been brought together to inform Australian peacekeeping practice. The national peacekeeping institute, outlined in Chapter 25, would provide a mechanism for drawing together the existing research capacity, whilst also providing a critical link between government and non-government sectors.

Chapter 22

Compensation and rehabilitation

22.1 The committee notes that the compensation and rehabilitation of Australian peacekeepers was not specifically mentioned in the terms of reference. In light of the concerns raised in submissions and during oral evidence, the committee has decided to draw attention to them.

22.2 While sound training and effective health and safety programs help to minimise the risks of harm to peacekeepers, they nonetheless may encounter situations that have serious adverse effects on their wellbeing. It is inevitable that some Australian peacekeepers will require care and support on their return to Australia. In this chapter, the committee examines the legislation governing the compensation and rehabilitation of peacekeeping veterans. It provides some background to this legislation and the proposed scheme for the AFP. The committee then considers the administration of the various schemes to determine whether they are fair and effective.

Legislation

22.3 Currently, three major pieces of legislation govern the entitlements of personnel who have served on an Australian peacekeeping operation. There is some overlap in the application of the legislation.

Veterans' Entitlements Act 1986

22.4 A peacekeeper who suffers a disability or disadvantage because of service on a mission, or the family of a peacekeeper, may be entitled to compensation.

22.5 *The Veterans' Entitlements Act 1986* (VEA) provides for the payment and other benefits to, and medical and other treatment for, veterans and certain other persons. This Act also provides for members of a peacekeeping force.¹ Members of the AFP who served in a peacekeeping force were also covered under the VEA as 'peacekeepers', entitling them to the same disability benefits as ADF personnel.²

22.6 With the commencement of the *Military Rehabilitation and Compensation Act 2004* (MRCA) after 1 July 2004, the VEA ceased to apply to deployments for Defence Force personnel who are now covered under the MRCA. Similarly, police as

1 It defines a member of a peacekeeping force as a person who is serving, or has served, with a Peacekeeping Force outside Australia as an Australian member, or as a member of the Australian contingent. A Peacekeeping Force is a force raised or organised for the purpose of: peacekeeping in an area outside Australia; or observing or monitoring any activities of persons in an area outside Australia that may lead to an outbreak of hostilities; being a force that is designated by the Minister, by notice published in the Gazette, as a Peacekeeping Force for the purposes of this Part.

2 *Submission 14*, pp. 14–15.

peacekeepers have been excluded from the Act and are now covered under the *Safety Rehabilitation and Compensation Act 1988* (SRCA).

22.7 Although the VEA continues to apply, access to it is strictly limited and is based on declarations by the Minister for Veterans' Affairs on a mission-by-mission basis.³ People who have had that coverage will continue to have it under the VEA.⁴

Military Rehabilitation and Compensation Act 2004

22.8 The MRCA established a new military rehabilitation and compensation scheme to provide rehabilitation, compensation and other entitlements for ADF members and their dependants. It is a single, stand-alone legislative scheme governing compensation for injuries or conditions arising from service in the ADF. With effect from 1 July 2004, rehabilitation and compensation of ADF members who serve as peacekeepers came under the MRCA. The provisions of the MRCA apply to service injuries, service diseases and service deaths occurring after the commencement of this Act. It does not apply to injuries, diseases or deaths occurring before this date even where the entitlement is not established until after the commencement of the MRCA. This arrangement means that the provisions of the VEA and the SRCA continue to affect the determination of compensation entitlements of veterans and will do so for years to come.⁵

22.9 The new scheme is a military scheme and AFP members are not covered under it. The compensation and rehabilitation of AFP peacekeepers continue to be covered under the SRCA.

Safety, Rehabilitation and Compensation Act 1988

22.10 The SRCA introduced a scheme of compensation and rehabilitation for persons injured in the course of their employment by the Commonwealth. For example, AusAID employees deployed to RAMSI are entitled to claim compensation for work-related injury and death under the Act. Comcare administers the SRCA and specific entitlements and benefits are listed on Comcare's website.⁶

Proposed legislation for the AFP

22.11 As noted above, AFP peacekeepers are not covered under the MRCA but come under the SRCA.

22.12 On 27 February 2006, the then Minister for Justice and Customs, Senator Chris Ellison, announced that AFP officers serving overseas would soon benefit from

3 AFP, answer to question on notice 24, 25 July 2007.

4 *Committee Hansard*, 24 July 2007, p. 32.

5 Explanatory Memorandum, Military Rehabilitation and Compensation Bill 2003, p. 5.

6 AusAID, answer to question on notice 2c, 25 July 2007.

the support of a police-specific compensation and rehabilitation scheme relating to dangerous foreign missions.⁷ In October 2006, the minister advised that the legislation would be available shortly.

22.13 The AFP informed the committee that the package of enhanced benefits was being developed by the Department of Employment and Workplace Relations (DEWR) in consultation with the AFP and DVA. DEWR had held discussions with the Office of Parliamentary Counsel on a preliminary draft bill which involves 'complex drafting issues and requires extensive consultation with a number of stakeholders'.⁸

22.14 The AFP stated that the new provisions would 'ensure AFP members receive benefits comparable to those provided to ADF members on like overseas missions'. Furthermore, it was of the view that any delay in the enactment of the bill would 'not prejudice any AFP beneficiaries, as the scheme will be backdated to 1 July 2004'.⁹

22.15 Both the Police Federation of Australia (PFA) and the United Nations Police Association of Australia (UNPAA) expressed strong reservations about the proposed legislation, especially the suggestion that the legislation simply be an amendment to the Safety, Rehabilitation and Compensation Act.¹⁰ They argued that any legislation to cover police should be a stand-alone act owned and controlled by the Justice Minister in an identical fashion to the Military Rehabilitation and Compensation Act being owned and controlled by the Minister for Defence. They also suggested that the Department of Veterans' Affairs have responsibility for administering it.

22.16 The AFP informed the committee that the government had noted the views of the PFA and the UNPAA on the machinery of government issues, and would consider them in reaching its final decision.¹¹ It also indicated that the 2006–07 Budget Papers provide for the administration of the amended SRCA to come under DVA. According to the AFP, \$6.1 million over four years (including \$0.4 million in capital) would be provided to DVA for this initiative, with this funding to be 'offset by reductions in the current administrative costs of COMCARE (\$5.8 million over four years)'. In the AFP's view, 'This is an appropriate arrangement'.¹²

7 Senator the Hon Chris Ellison, Minister for Justice and Customs, 'Government supports AFP on dangerous missions', Media Release, 27 February 2006.

8 AFP, answer to written question on notice 24, 25 July 2007. DEWR is now the Department of Education, Employment and Workplace Relations, (DEEWR).

9 AFP, answer to written question on notice 24, 25 July 2007.

10 *Committee Hansard*, 6 September 2007, pp. 2–4 and 8. See also *Committee Hansard*, 6 September 2007, pp. 6 and 8 (Mr Burgess and Mr Webber); and *Submission* 14, pp. 15–16.

11 AFP, answer to written question on notice 26, 25 July 2007.

12 AFP, answer to written question on notice 28, 25 July 2007.

New South Wales Police

22.17 The PFA and UNPAA asserted that the NSW Police had declined to agree to the secondment of their police while the matter of a police-specific workers compensation and rehabilitation scheme remained unresolved.¹³ The AFP responded that this issue 'has not adversely affected IDG's ability to recruit staff for deployments. It is a barrier only to the participation of NSW Police in AFP peacekeeping deployments'.¹⁴

Committee view

22.18 The committee recognises the importance of having specific legislation that would establish a rehabilitation and compensation scheme for AFP officers who serve in overseas deployments. It notes the concerns of both the PFA and the UNPAA. The committee urges the government to resolve the issue as a matter of priority.

Recommendation 28

22.19 The committee recommends that the Australian Government release a policy paper outlining the options and its views on a rehabilitation and compensation scheme for the AFP, invite public comment and thereafter release a draft bill for inquiry and report by a parliamentary committee.

Processing claims

22.20 The APPVA raised concerns about the way in which claims are processed. It was of the view that DVA case officers, who investigate claims for peacekeeping veterans, have 'a distinct lack of understanding of the environment' in which ADF members have served.¹⁵ DVA informed the committee that it has not undertaken any agency-wide survey of its staff's experience with, or knowledge of, the operations of the ADF.¹⁶ Mr Johnson advised the committee:

A number of our staff are former Defence Force personnel or serving reservists. We do organise sessions with Defence to try to get an appreciation. We also have a fairly regular visiting program to bases to talk to people who have claims or may be thinking about putting in claims under the various pieces of legislation that we administer. And we do have regular contact with ex-service organisations, both in our state locations and at the national office, which bring various points of view to us on how we process claims and how we can improve processes.¹⁷

13 *Committee Hansard*, 6 September 2007, p. 9.

14 AFP, answer to written question on notice 25, 25 July 2007.

15 *Submission 16*, paragraph 8.8, p. 9.

16 DVA, answer to question on notice 1, 24 July 2007.

17 *Committee Hansard*, 24 July 2007, p. 29.

22.21 The APPVA recommended that 'DVA Staff investigating claims of Peacekeeping veterans undergo an education program in order to be provided [with] information of the environmental conditions experienced by Peacekeepers'.¹⁸ Mr Johnson indicated that the department would have no concerns about the suggestion to have some sort of education program for staff to provide them with background in the sorts of conditions experienced by peacekeepers. He said:

We actually have done that. We have invited various people who have had various experiences in the Defence Force to speak to officers in the department and, as I said, we have very regular contact with the Australian Defence Force on what is happening, deployments, OH&S issues and those sorts of things.¹⁹

22.22 Mr Paul Copeland noted and approved of an initiative to help DVA staff gain a better appreciation of the conditions under which ADF members serve.²⁰

Committee view

22.23 The committee notes the criticism that DVA case officers do not adequately appreciate the environment in which Australian peacekeepers work. It notes the measures taken by DVA to make their staff familiar with the environment in which ADF peacekeepers may operate and encourages DVA to continue with these initiatives. The committee also draws DVA's attention to APPVA's recommendation that 'DVA Staff investigating claims of Peacekeeping veterans undergo an education program in order to be provided [with] information of the environmental conditions experienced by Peacekeepers'.²¹

Onus of proof

22.24 The APPVA also expressed concerns about the method of assessment and the onus of proof:

...the Reasonable Hypothesis is used for Peacekeeping Operations in claims under the [Veterans'] Entitlement Act 1986 (VEA), Safety Rehabilitation and Compensation Act 1988 (SRCA), and the Military Rehabilitation & Compensation Act 2004 (MRCA), there has been a continuing demand by Case Officers to provide medical evidence on the

18 *Submission 16*, paragraph 9.1.8, p. 10.

19 *Committee Hansard*, 24 July 2007, p. 29.

20 *Committee Hansard*, 21 August 2007, p. 52. He informed the committee, 'A couple of weeks ago they took some of the delegates or decision makers to Bandiana. They put them through a bit of an inoculation of how troops live in the field and what workloads they carry in their packs. I think a few of them got a bit of a shock at just how heavy a pack is to carry with full weighted ammunition, a weapon and things like that. I think inoculation—exposure and education—may alleviate some of the difficulties that our veterans are going through with these claims'.

21 *Submission 16*, paragraph 9.1.8, p. 10.

Balance of Probability, hence placing the onus of proof on the Peacekeeper claimant.²²

22.25 DVA explained the approach taken by officers in assessing claims. It stated:

Under the Veterans' Entitlements Act and the new act, the Military Rehabilitation and Compensation Act, there is no onus of proof on the member, either serving or former. The investigation is all with the department; the responsibility for investigation is with the department. It is somewhat different under the Safety Rehabilitation and Compensation Act, but under the VEA and the MRCA the responsibility is with the department.²³

22.26 The APPVA recommended an amendment to the SRCA to reflect the nature of service of peacekeeping veterans, 'by providing a "beneficial approach" and placing the onus of proof under the reasonable hypothesis'.²⁴

Committee view

22.27 The committee notes the APPVA's recommendation for the government's consideration regarding the SRCA and placing the onus of proof under the reasonable hypothesis.

Medical records

22.28 The APPVA suggested that 'the lack of understanding of DVA Claims Assessors and Supervisors is due to the fact that for most peacekeeping operations foreign countries provide the Medical treatment'. It stated that this situation has made it difficult to obtain medical evidence and documentation to support the peacekeeping veterans' claim which, it argues, 'exacerbates the veterans' anxiety as they fight long battles for their Entitlements under the respective acts'.²⁵ Mr Copeland said:

The hardest thing about the documentation is that we do not have Australians over there providing the medical or hospitalised support. It is actually done, in some cases, by Third World countries. They do not have such a rigid recording system as we have for our Australian Defence Force. Realistically, it is a case of chalk and cheese. For example, if you have a head injury, you will probably be seeing an Indian doctor and dispatched back and there will be nothing on your record, but you have sustained a head injury. That was the case for one soldier. He was sent to Thailand and they could not find him for six weeks. He was actually in a Thai military hospital.

22 *Submission 16*, paragraph 8.8.1, p. 9.

23 *Committee Hansard*, 24 July 2007, p. 33.

24 *Submission 16*, paragraph 8.8.4, p. 9.

25 *Submission 16*, paragraph 8.8.2, p. 9.

These are the sorts of things that happen. It is not the cut and dried recording system that one would expect.²⁶

22.29 The Regular Defence Force Welfare Association also raised the problem of the availability of medical treatment records when health care is provided by a non-ADF health service:

Such services could be provided by a UN military health service or a UN contractor. We understand that some veterans have had problems establishing their entitlement to a DVA entitlement in that medical records could not be obtained or those that were available were deemed inadequate. In any such case the burden of proof should not rest with the individual.²⁷

22.30 The Australian Veterans and Defence Services Council (AVADSC) agreed with the view that medical records had been inadequate and was an area of concern. It recommended: 'More care and handling of all medical documents and member check the records before leaving the location'.²⁸ Noting the difficulty obtaining appropriate medical documentation for given illnesses or injury on peacekeeping operations, which is nominally provided by another country as part of the multi-national force, the APPVA suggested:

...it would be beneficial to the Australian veteran to have his/her claim considered for acceptance by the Repatriation Commission under the VEA; or the Military Rehabilitation Compensation Commission (MRCC), under the MRCA. This has been a difficult process to provide such evidence to DVA in order to have claims accepted.²⁹

22.31 Mr Johnson, DVA, said that the evidence presented to the committee about incomplete medical records of Australian peacekeepers was the first time he had heard of this complaint. He indicated that 'from time to time there are issues around accessing a particular medical record that relates to a claim, but that is a more general issue than relates just to peacekeeping'.³⁰ He said:

When we receive a claim, we seek service records and relevant medical records from the Department of Defence. I am not saying that sometimes there are not difficulties in sourcing relevant medical records from defence

26 *Committee Hansard*, 21 August 2007, p. 52

27 *Submission 8*, p. 3.

28 *Submission 10*, p. 3.

29 *Submission 16*, paragraph 4.5, p. 3. See also comments by Rear Admiral Crawford who referred to the inadequacy of medical records and the importance of ensuring that 'the integrity of those medical records is established immediately after return to Australia or even earlier'. He noted, 'the more we get into this international environment of peacemaking and peacekeeping, the more dependent we will be on other agencies for medical services'. *Committee Hansard*, 20 August 2007, p. 60.

30 *Committee Hansard*, 24 July 2007, p. 33.

on claims that have been put forward, but I am not aware that particular issues have arisen from peacekeeping forces.³¹

22.32 He expected that medical records of treatment provided by medical staff from another country 'would still go back with the Australian peacekeeping member and be part of their ongoing medical record that is held with defence'.³² DVA provided more detail in its answer to a written question on notice:

...some deployed health facilities provided by a number of countries (eg. US Aid Post in Camp Victory Iraq) do not hold a record of any treatment given to members of other nations' forces. Any documentation generated is given to the individual and it is then the individual's responsibility to ensure that it is put into his or her medical record.³³

22.33 It explained further:

Until recently, ADF members did not deploy on operations with their Unit Medical Record (UMR), so there was a reasonable likelihood that some record of treatment would not be reflected in their UMR. This would especially be the case if the treatment was provided early in the deployment, with the record often being retained by members on their person for considerable periods of time.

Whether to deploy with the UMR is now decided on a case by case basis (eg. ADF members now deploy with the UMR to the Middle East Area of Operations). Special Operations Command is currently developing an *Operational Health Record* in the form of a small booklet in a plastic wallet which could be issued to the individual. Key information would be transposed from the UMR, with details of all treatment provided in the Area of Operations being recorded in the booklet. The booklet would then be placed on the UMR on return from the operation and would form part of the permanent record.³⁴

22.34 With regard to police deployed on a peacekeeping operation, the AFP informed the committee:

Copies of medical records created by other supporting health service agencies during peacekeeping operations (such as United Nations Medical Units, or contracted services such as Aspen Medical), are sent to AFP Medical Services for inclusion in the AFP medical record relating to the member; these records are likewise accessible upon request to the AFP PMO.³⁵

31 *Committee Hansard*, 24 July 2007, p. 33.

32 *Committee Hansard*, 24 July 2008, p. 33.

33 DVA, answer to question on notice 4, 24 July 2007.

34 DVA, answer to question on notice 4, 24 July 2007.

35 AFP, answer to written question on notice 23, 25 July 2007.

22.35 It should be noted that in 2004, the committee inquired into the health preparation arrangements for the deployment of ADF personnel overseas. It found the state of service and medical records had declined in recent years to 'such a state that claimants can have little confidence as to their accuracy or completeness'.³⁶ It went further to state that the maintenance of health records for serving personnel had become 'chaotic due to incomplete information and shared responsibility'.³⁷

Committee view

22.36 The committee believes that agencies involved in peacekeeping operations must develop better procedures for the management of health records. It also believes that the evidence presented by the various veterans' associations about incomplete medical records of ADF personnel serving in peacekeeping missions requires further investigation by both Defence and DVA. Evidence suggests that there are shortcomings in relation to the records of personnel who have received medical treatment in the field. When considered in light of the committee's previous findings in 2004 about the deficiencies in health records, this evidence indicates that the ADF needs to identify the causes of the shortcomings and rectify them.

Recommendation 29

22.37 The committee recommends that the ADF commission an independent audit of its medical records to determine the accuracy and completeness of the records, and to identify any deficiencies with a view to implementing changes to ensure that all medical records are up-to-date and complete. The audit report should be provided, through the Minister for Defence, to the committee.

Recommendation 30

22.38 The committee recommends that the Australian Government requests ANAO to audit the hardware and software used by the ADF and DVA in their health records management system to identify measures needed to ensure that into the future the system is able to provide the type of detailed information of the like required by the committee but apparently not accessible.

Recommendation 31

22.39 The committee also recommends that Defence commission the Centre for Military and Veterans' Health to assess the hardware and software used by Defence and DVA for managing the health records of ADF personnel and, in

36 Senate Foreign Affairs, Defence and Trade References Committee, *Taking stock: Current health preparation arrangements for the deployment of Australian Defence Forces overseas*, August 2004, p. x.

37 Senate Foreign Affairs, Defence and Trade References Committee, *Taking stock: Current health preparation arrangements for the deployment of Australian Defence Forces overseas*, August 2004, p. xiv.

light of the committee's concerns, make recommendations on how the system could be improved.

22.40 Although no concerns were raised about AFP medical recordkeeping, it may be timely for the AFP to conduct an audit of the health records of its members deployed overseas to determine whether there are any short-comings.

22.41 Another matter that was not covered in the terms of reference but which drew significant comment from submitters was the recognition given to Australian peacekeepers. The following and final chapter in this part of the report looks at Australian peacekeepers and how their service is recognised.

Chapter 23

Recognition of service

23.1 Australian peacekeepers are widely recognised for their commitment, dedication and high standards. Recently, His Excellency Major General Michael Jeffery, Governor-General of Australia, added to the praise often bestowed on these men and women. He said:

All three services of the Australian Defence Force, as well as Federal, State and Territory police officers and experts from other government agencies have served with compassion and professionalism and at times with high personal bravery. They have earned the respect and admiration of governments, aid agencies and civil populations throughout the world. We have a proud history of Peacekeeping service.¹

23.2 Recognition is important to peacekeepers and takes many forms. In this chapter, the committee considers the recognition given to Australian peacekeepers.

Importance of recognition

23.3 Rear Admiral Ian Crawford, National President, AVADSC, was just one of the many witnesses who acknowledged the valuable contribution that Australian peacekeepers make to national objectives. He argued that 'Peacekeeping operations and the people who are deployed need to be recognised for their contribution to national objectives'. He noted that recognition 'affects the morale and wellbeing of the people when they are deployed and their peace of mind when they have finished their defence service'.²

Conditions of service

23.4 Australian peacekeepers receive certain allowances and benefits as a way of recognising the difficult environments in which they work. The conditions of service for Commonwealth public servants are provided for in a public service determination under Section 24 of the *Public Service Act 1999*. AusAID informed the committee:

Employees are remunerated through the payment of a package of overseas allowances in addition to salary. These allowances are paid to compensate for the higher costs of goods and services in the overseas locality, the hardship associated with life in that locality and as an incentive to serve overseas.³

1 Governor-General of the Commonwealth Australia, His Excellency Major General Michael Jeffery AC CVO MC, Speech, Reception for Australian Peacekeeping Memorial Project Committee, Admiralty House, Sydney, 25 October 2007.

2 *Committee Hansard*, 20 August 2007, p. 59. See also *Submission 10*, p. 2.

3 AusAID, answer to written question on notice 2c, 25 July 2007.

23.5 The service conditions for members of the ADF and the AFP also take account of the particular circumstances of a peacekeeping operation and make allowances for the different demands of the deployment. A number of witnesses, however, expressed concerns about various aspects of the conditions of service for Australian peacekeepers, including how they are determined, the differences that exist between certain groups and the classification of some operations.

Differences between ADF and AFP

23.6 In its submission, the Regular Defence Welfare Association (RDWA) drew attention to the difference in the rates of pay and allowances for personnel from different agencies involved in the same peacekeeping operation. He noted that this 'can cause friction'.⁴ The AVADSC argued that all personnel, ADF or AFP, should be housed in the same conditions as each other, be it tentage, huts or motel accommodation, eat the same meals and should be paid the same allowance if an allowance is paid for living conditions.⁵

23.7 Assistant Commissioner Walters did not share this view:

I think the terms and conditions between the respective organisations are designed to meet the duties of the officers. Importantly, there is a marked difference between policing and the military in that police officers who deploy into missions do so voluntarily. They are not directed to deploy offshore and into these missions. That itself is a stark difference between military and policing...there is sufficient difference between the sort of work that defence do and the sort of work that the police do that would require there to be some differences in the terms and conditions. I do not think we would get to a point where they would be exactly complementary, but I think they are sufficiently complementary as to not be of particular concern.⁶

23.8 Lt Gen Gillespie took a similar approach with regard to differences in living and working conditions which he believed 'probably disturbs observers more than it does the participants'. He added:

There are different cultures in the Defence Force to those of the police forces of our nation. There is no debate about that, and there is nothing strange or untoward about it.⁷

23.9 Lt Gen Gillespie accepted that there is delineation between the forces: for example, in Solomon Islands, AFP operations and military operations 'are poles apart'. He explained that 'the ADF works, operates and is paid seven days a week, 24 hours a day whereas police work in shifts and attract penalty rates and those sorts of things...!'

4 *Submission 8*, paragraph 2b.

5 *Submission 10*, pp. 2–3.

6 *Committee Hansard*, 25 July 2007, p. 29.

7 *Committee Hansard*, 24 July 2007, p. 6.

In his view, it was not appropriate to try to match the service conditions because 'they come from different organisations, operate differently culturally and operate differently in theatre'.⁸

Committee view

23.10 The committee notes that conditions of service for ADF and AFP members may vary. It believes that the differences in service conditions should not be of primary concern to the government and relevant agencies. The most important consideration is that Australian peacekeepers, whatever their role, are appropriately protected from harm, can work together effectively, are adequately rewarded and receive appropriate recognition for their service.

Classification of service

23.11 One of the most contentious issues with regard to recognition is the classification of service. AVADSC pointed out the classification of warlike service or non-warlike service affects the morale and working of peacekeeping personnel because it determines access to allowances and entitlements.⁹

23.12 A number of veterans' organisations registered their concerns about what they believed were inappropriate classification of service. As noted in Chapter 7, the APPVA and two members from ATST-EM were concerned that although ATST-EM personnel operated under high-risk situations and were under warlike conditions, their service was classified as non-warlike.¹⁰

23.13 The committee has noted that ATST-EM members have had their service reclassified to warlike service in recognition of their 'special service' in East Timor between March 2001 and July 2005. This reclassification means that around 200 ATST-EM members are entitled to the benefits attached to serving in a warlike service. Defence explained that the decision to reclassify means that they would be granted:

...the same conditions of service that applied to other deployed ADF personnel. Training team members will also now be eligible for the Active Australian Service Medal and an approach will be made to the UN for the award of the appropriate UN medal.¹¹

23.14 Other peacekeeping contingents have had questions raised about their classification. The APPVA identified Operation Astute, which commenced in May 2006, as a mission that should be re-classified. In its view, Australian troops deployed

8 *Committee Hansard*, 6 September 2007, p. 44.

9 *Submission 10*, p. 2.

10 *Submission 5*, p. 3 and *Committee Hansard*, 21 August 2007, p. 47.

11 Defence, answer to written question on notice W15, 24 July 2007.

to Timor-Leste as part of Joint Task Force 631 for Operation Astute were on warlike service from the very first day commencing 25 May 2006.¹² It noted:

Current serving members who have served in both INTERFET, and/or [UNTAET] have commented that OP [operation] ASTUTE, has been more dangerous than that of service during INTERFET and UNTAET. Both INTERFET and UNTAET were classified as [warlike service]. OP ASTUTE was classified as [non-warlike service]...This had considerable effect toward the morale of the Soldiers and continues as a matter of concern for those who have served on JTF 631.¹³

23.15 The APPVA also drew attention to the circumstances experienced by Australian peacekeepers in Rwanda reporting with mental illness.¹⁴ After sustained lobbying and a 'long battle', the APPVA succeeded in having the service of Rwanda reclassified to warlike service. According to the APPVA, as a result of this reclassification, the veterans are now entitled to VEA entitlements—eligibility for War Service Pension, Gold Card, Active Service Medal and Returned from Active Service Badge.¹⁵

23.16 Mr Johnson explained that DVA does not make determinations on service classification: they are made by the Minister for Defence and the classifications are longstanding; they were in the VEA and are now in the MRCA.¹⁶ With regard to the classification of service, Defence informed the committee that ADF personnel can request a review of the classification of specific elements of their service history:

- through their chain of command; or
- by writing to the Minister for Defence directly seeking a review of their classification of service.

23.17 Defence also noted that a nature of service review team had been established 'to review outstanding anomalies in service classifications, with individuals and groups able to provide submissions'.¹⁷

12 *Committee Hansard*, 21 August 2007, p. 48.

13 *Submission 16*, paragraph 4.10, p. 4. See also *Committee Hansard*, 21 August 2007, pp. 47–48.

14 *Submission 16*, paragraph 4.2, p. 4. It explained 'These veterans were unable to seek additional Income Support (IS), under the provisions of NWLS, whilst been Totally & Permanently Incapacitated (TPI), under the *Veterans' Entitlements Act 1986* (VEA). This situation placed inordinate stress on these veterans, particularly in order to maintain a quality of life on the TPI pension alone'.

15 *Submission 16*, paragraphs 4.1 and 4.3, p. 4.

16 *Committee Hansard*, 24 July 2007, p. 31.

17 Defence, answer to written question on notice W28, 24 July 2007.

Committee view

23.18 The committee understands the problems created by imposing a specific classification on an overseas deployment. Inevitably, different interpretations will be placed on a particular mission, some may regard the service as warlike, while others as non-warlike. The committee believes that it is important for members of a peacekeeping operation to have an appropriate mechanism whereby they can express their concerns about a classification and be assured that their views will be heard and considered.

Recordkeeping of personnel movements

23.19 The APPVA also identified a situation, which it considered as not isolated, where a specialist performing a specific task in an area classified as warlike service was not eligible for relevant benefits.¹⁸ It cited the case of Captain McAuley, who has been denied an ADF entitlement of a subsidised housing loan under the ADF Home Loan Scheme.¹⁹ He was an active reservist who conducted a risk assessment of a water supply for INTERFET troops and provided geological advice about a section of damaged road. The classification of his trip is central to the dispute between him and Defence. Defence understands that he was classified as a visitor and not 'force assigned, which means that he is not deemed eligible to access benefits to those recognised as providing operational service in East Timor'.²⁰

23.20 Although the committee did not pursue this particular case, it does note a relevant observation by the Auditor-General. In 2002, an Auditor-General's report found that 'from the start of deployments to East Timor, there was no reliable system for keeping accurate records of the personnel going into and out of East Timor'. It stated that in 2000, 8,800 personnel were on the Defence list of personnel who had served in East Timor but that Defence found errors in detail of more than half of those listed personnel.²¹

Committee view

23.21 While the committee is not in a position to judge the merits of APPVA's claim in relation to Captain McAuley, it accepts that confusion and disappointment may arise where accurate advice on service status is not made available to personnel being deployed. A clear understanding of the conditions under which personnel are to be deployed, especially those who are performing special tasks, and proper and sound record keeping would go some way to prevent these types of disputes.

18 *Submission 16*, paragraphs 4.8 and 4.9, p. 4.

19 *Submission 16*, paragraph 4.9, p. 4.

20 Captain Bill McAuley, confidential correspondence to committee, 24 August 2007.

21 Auditor-General, *Management of Australian Defence Force Deployments to East Timor*, Audit Report No. 38, 2001–02, Performance Audit, paragraph 5.12, pp. 92–93.

Medals

23.22 The awarding of medals is a well-established and widely accepted means of recognising service but it also gives rise to disagreements about the type of medals to be awarded. For example, the APPVA would like special recognition given to ADF peacekeepers in addition to the Australian Service Medal (ASM) to recognise the actual special service that has been rendered by that veteran.²² AVADSC recommended that 'All personnel, both ADF and AFP be granted the one medal with the bar of the area served': the ASM or the Australian Active Service Medal (AASM), 'whichever is applicable'.²³

23.23 According to the PFA and the UNPAA, 'The issue of [Police Overseas Service Medal] POSM has caused great disquiet amongst police for some time'. They stated that there is confusion about the eligibility for the POSM and that under the current regulations members may not be eligible if they served in Iraq, Jordan, Papua New Guinea, Nauru or Vanuatu.²⁴ The AFP explained that missions in Jordan, Papua New Guinea, Nauru, East Timor (Timor-Leste Police Development Program) and Vanuatu are classified as capacity building missions that provide training and general support to those nations' police forces. The AFP did identify an anomaly with the deployment of the AFP to RAMSI and Operation Serene. It stated:

...it was identified that the current POSM regulations do not make provision for bilateral peacekeeping missions that are undertaken in response to a request from a foreign government. To rectify this, a draft Regulation has been developed with PM&C to make the necessary amendments and to rewrite the Regulations in a plain English style. The amendments have been agreed by PM&C, AFP and Government House and will be prepared for submission to Her Majesty for approval.²⁵

23.24 The committee notes the various views on the awarding of medals for peacekeeping service.

War Memorial Roll of Honour

23.25 The APPVA recommended that Australian peacekeeper deaths be listed in the Australian War Memorial (AWM) Roll of Honour.²⁶

23.26 The AFP noted that the AWM has established the eligibility criteria for inclusion of names onto its Roll of Honour in post-1945 conflicts. It accepts these criteria and does not consider it necessary to seek amendment. It noted further that there is a National Police Memorial, commemorated in 2006, which will honour all

22 *Committee Hansard*, 21 August 2007, p. 49.

23 *Submission 10*, p. 4.

24 *Submission 14*, p. 13.

25 AFP, answer to written question on notice 30, 25 July 2007.

26 *Submission 16*, pp. 6 and 10.

police members who die while on police service; such service includes peacekeeping operations. In its view, should an AFP member be a sworn Special Member at the time of death, this recognition as well as other police jurisdictions' memorials are considered appropriate recognition.

National Peacekeeping Memorial

23.27 According to Major General Ford, Australian peacekeeping veterans have felt for many years that an Australian Peacekeeping Memorial should be built in Canberra to honour those who have served and will continue to serve on peacekeeping operations. The first meeting of the Australian Peacekeeping Memorial Project in May 2006 marked a significant step toward achieving such a memorial.²⁷ A site on Anzac Parade, Canberra, has been allocated for the memorial by the National Capital Authority, and the Canberra National Memorials Committee has given the project its approval. The National Capital Authority launched an international design competition for the memorial. The memorial is scheduled to be unveiled on 14 September 2009. The estimated cost of the memorial is \$3 million. The Australian Government has provided \$200,000 towards its construction.²⁸

23.28 The proposed memorial is to commemorate and celebrate Australian peacekeeping and 'the courage, sacrifice, service and valour of Australian Peacekeepers given in the same spirit as in other conflicts honoured by cenotaphs and memorials across Australia and on Anzac Parade'.²⁹ It is to be a living memorial that 'will identify past and future peacekeeping operations and ongoing national and individual commitment and sacrifice'.³⁰

23.29 The APPVA recommended greater assistance in funding for the National Peacekeeping Memorial.³¹ Major General Ford also expressed the hope that the government would provide some additional funding to help construct the memorial.³²

Recommendation 32

23.30 The committee recommends that the Australian Government consider additional funding for the proposed Peacekeeping Memorial.

27 The Australian Peacekeeping Memorial Committee, chaired by Major General Tim Ford AO, has representatives from former and present members of the ADF and AFP officers who have served in peacekeeping operations.

28 AFP, answer to written question on notice 33, 25 July 2007.

29 http://peacekeeping.nationalcapital.gov.au/commemorative_purpose.asp (accessed 28 November 2007).

30 http://peacekeeping.nationalcapital.gov.au/commemorative_purpose.asp (accessed 28 November 2007).

31 *Submission 16*, paragraph 9.1.9.3, p. 10.

32 *Committee Hansard*, 20 August 2007, p. 17.

Knowledge of Australia's contribution to peacekeeping

23.31 Major General Ford was of the view that Australians do not have 'a strong understanding of the work that Australia has done over 60 years in peacekeeping and the sacrifices that have been made by peacekeepers—who have been injured, wounded or killed—and their families, who have often been affected by the work they have done...'.³³ Although he believed that Australians have had a better understanding since Australia's involvement in East Timor in 1999, he argued:

I think that we need to make sure, first of all, that Australians recognise with pride what has been done in the past and what we are doing now. Australia is stepping forward and accepting its responsibility as a member of the international community in contributing not only to things that directly affect our interests but also a little bit outside that and helping the international environment. I think we should be promoting that more.³⁴

23.32 The committee notes that the War Memorial has a special exhibition on Australian peacekeepers. It is also aware that the Australian Government has authorised the Australian War Memorial to produce a four-volume *Official History of Australian Peacekeeping, Humanitarian and Post-Cold War Operations*. Professor Horner told the committee that the project allows the historians to 'tell the story of Australian peacekeeping that goes back to 1947 and to deal with a whole range of operations that the ADF has been involved in since the end of the Cold War'. They are authorised to research and write on all peacekeeping missions except for Iraq from 2003, recent operations in Afghanistan and East Timor. Speaking of these limitations on the research, Professor Horner said that the INTERFET and subsequent operations in East Timor make up the largest mission that Australia has been involved in:

It certainly leaves a huge gap in what we hope is a very comprehensive history of Australian peacekeeping, and is one which I would have thought that the public would have an expectation of reading about. Writing official histories takes a fair bit of time, and, if we were given permission to work on East Timor now, it would be perhaps five years before anything would appear. So that would be something in the order of 12 or 13 years from the time of INTERFET, and that certainly is a fairly reasonable period of time to have passed.³⁵

23.33 The committee believes that this project is not only a means of recognising the contribution that Australia has made to peacekeeping but also of informing Australians about this important aspect of the country's history. It notes Professor Horner's advice that as presently authorised the official history will not include Australia's peacekeeping activities in East Timor and agrees with his view that this omission leaves an obvious gap in the history of Australia's peacekeeping.

33 *Committee Hansard*, 20 August 2007, p. 31.

34 *Committee Hansard*, 20 August 2007, pp. 31–32.

35 *Committee Hansard*, 5 September 2007, pp. 43–44.

Recommendation 33

23.34 The committee recommends that the Australian Government include Australia's involvement in peacekeeping operations in East Timor in the terms of reference for the Official History of Australian Peacekeeping, Humanitarian and Post-Cold War Operations.

Part VI

Improving Australia's effectiveness

The final part of this report focuses on how the Australian Government and its agencies evaluate their performance in peacekeeping operations and use lessons learnt to better prepare for future missions. It also reviews international peacekeeping research and training institutes and considers the case for the development of such an institution in Australia.

Chapter 24

Evaluation and accountability

24.1 This chapter is based on the premise that evaluation improves performance. The committee starts by looking at the importance of evaluating a peacekeeping operation. It then describes the approaches taken by the ADF and the AFP to assessing their performance in peacekeeping activities. The committee considers the performance indicators needed by government to assess adequately the success or otherwise of an operation and the challenges of ensuring that lessons learnt from an operation are captured for future operations. Finally, the committee looks at the evaluation of a peacekeeping operation as an important accountability tool.

Evaluating peacekeeping operations

24.2 Evaluation is used to improve performance in a number of important ways. It provides feedback to decision makers so that they are better able to assess the objectives of a mission and, if required, change the mission's mandate and make informed and necessary adjustments to the conduct of the operation. Such assessments may also identify deficiencies in training and resources and can be used to make immediate improvements to the peacekeepers' preparation or equipment. In the longer term, evaluations add to the body of knowledge and understanding of peacekeeping operations and are central to developing best practice doctrine and procedures. Finally, evaluations are an important accountability tool whereby those responsible for an operation are answerable for the conduct of the mission.

Agencies' current evaluation practices

24.3 The committee believes that although peacekeeping is a whole-of-government undertaking, government agencies have a responsibility to assess their own performance.¹ In the committee's view, self assessment enables an agency to identify the strengths and weaknesses in its performance and provides the necessary impetus for change and improvement. It follows that agencies should have 'mechanisms in place to measure [their] effectiveness'.² Both the ADF and the AFP are aware of the importance of evaluating their performance in peacekeeping operations.

1 See for example, Mr John Meert, ANAO, who told the committee during its inquiry into public diplomacy that the normal accountability rests with the agency, adding that it is very important that it does so because 'that is how you are going to drive improvements'. Senate Standing Committee on Foreign Affairs, Defence and Trade, *Australia's public diplomacy: building our image*, Committee Hansard, 15 May 2007, p. 7.

2 Senate Standing Committee on Foreign Affairs, Defence and Trade, *Australia's public diplomacy: building our image*, Committee Hansard, 15 May 2007, p. 7.

ADF

24.4 According to the ADF, it develops its training objectives through incorporating lessons learnt, both from its own experience and that of other countries.³ It uses a 'Defence-wide evaluation system' to capture and disseminate those lessons. The ADF Activity Analysis Database System covers 'all ADF operations and major exercises and has been in operation for the last decade'.⁴

24.5 The ADF informed the committee that it has operational analysis teams of two to three personnel, from the Defence Science and Technology Organisation (DSTO) and the ADF. They 'deploy regularly to identify and record lessons'.⁵ The teams consider lessons from ADF operations, from a Defence perspective, but also in cooperation with other government agencies. The reporting is passed up the chain of command as appropriate.⁶ The ADF explained further:

...the ADF Warfare Centre and the Centre for Army Lessons act as repositories for ADF lessons learned. Previous peacekeeping operations are analysed, and lessons applied to doctrine. These are also incorporated into standard operating procedures and result in changes to tactics, techniques and procedures. In addition, these lessons inform consequent mission rehearsal exercises for elements preparing to deploy or replacing elements already deployed.⁷

24.6 The post-deployment debriefing process also provides an opportunity for the ADF to obtain feedback from their peacekeepers in order to improve procedures and operations.

24.7 It should be noted, however, that the committee received evidence suggesting there were shortcomings in the ADF's debriefing process. Captain Wayne McInnes, who served with ATST-EM, claimed that the team received no debriefing in East Timor. In his words, they basically prepared their 'kit for inspection by AQIS and 48 hours later were out of the country'. On return to Australia, there was no debrief either. He explained, 'There were no observations, lessons learnt, how can we do things better or what went wrong'.⁸

24.8 The committee discusses more fully the ADF's approach to lessons learnt later in this chapter.

3 *Submission 30*, p. 3.

4 Defence, answer to written question on notice W6, 24 July 2007.

5 *Submission 30*, p. 8.

6 Defence, answer to written question on notice W24, 24 July 2007.

7 *Submission 30*, p. 8.

8 *Committee Hansard*, 21 August 2007, p. 57.

AFP

24.9 As noted in Chapter 21, the AFP mission debrief is mandatory. It is conducted through an anonymous questionnaire covering three stages of deployment.⁹ The committee has also referred to the joint project funded by the AFP and the Australian Research Council, 'Policing the Neighbourhood'. One of the key objectives is to develop 'an analytical framework by which Australian police assistance missions can be better understood, assessed' and modified to 'contribute effectively, equitably and sensitively to the improvement of law and order in host countries'. The AFP is also collaborating with the University of Queensland in 'the development of performance measures to assist in evaluating AFP contributions to peace and stability operations, and capacity development missions'.¹⁰

24.10 These projects indicate the willingness of the AFP to address seriously the matter of evaluation. This approach is particularly important in light of the literature that points to deficiencies in the way peacekeeping operations are evaluated. The committee now looks at the difficulties organisations have in determining their effectiveness in a peacekeeping operation.

Performance indicators

24.11 In its report on public diplomacy, the committee discussed the difficulties measuring the effectiveness of government programs. For example, Mr Meert, ANAO, noted that because it is easy to measure, 'a lot of the agencies are stuck at the activity measure' and hence 'struggling with how to determine effectiveness'.¹¹ He suggested that a range of indicators are needed to ascertain whether the activities being undertaken are 'having the desired effect'. He noted that there are methods available to measure changes in attitudes or perceptions. He suggested, however, that 'One indicator on its own may not give you the result but a range of indicators may give you that indication'.¹² Based on the advice from ANAO, the committee noted that if ANAO were to undertake a performance audit, it would likely concentrate on the performance indicators a department uses to evaluate the effectiveness of its programs and how it sets targets.¹³ ANAO would be looking to see whether a department has the mechanisms in place to evaluate its own programs.

24.12 This observation on having performance indicators is particularly pertinent for peacekeeping operations. The United States General Accounting Office noted in 2003 that the UN DPKO acknowledges that it 'needs better indicators by which to measure

9 AFP, answer to written question on notice 11, 25 July 2007.

10 *Submission 28*, p. 11.

11 *Committee Hansard*, 15 May 2007, pp. 2–3.

12 *Committee Hansard*, 15 May 2007, p. 2.

13 *Committee Hansard*, 15 May 2007, p. 5.

the progress peacekeeping operations are making in attaining sustainable peace. It stated:

Although some measures for the peacekeeping operations are quantifiable [include minimising and containing cease-fire violations and opening roads and removing roadblocks], the United Nations faces challenges in developing results-oriented measures about conditions in the country that the peace operations are supposed to improve.¹⁴

24.13 It stated further:

Although U.N. missions are using measures of progress for their operations, most measures are tasks and outputs rather than measures of underlying conditions in the country that the peace operation is to improve.¹⁵

24.14 For example, in East Timor a key objective was to increase the capacity of the national police force to provide internal security. The US General Accounting Office noted, however, that the number of police 'does not measure the quality of their training and whether they are improving security in the country'.¹⁶ It warned against relying on measures that are process oriented and do 'not measure changes in country conditions that the peacekeeping operations were working to improve'.¹⁷

24.15 When considering exit strategies in Chapter 8, the committee made similar findings about having performance indicators that are credible and useful. It noted that an exit strategy should relate back to the objectives set out in the mandate which must be clearly defined, realistic and attainable and based on a sound understanding of all facets of the problem. The committee found further that the strategy should contain milestones against which the outcomes of peacekeeping and peace enforcing measures can be assessed. These benchmarks, however, should be more than indicators of 'technical' achievements and while identifying key attainments such as an election, should also take cognizance of, and mark progress toward, the ultimate goal of sustainable peace.¹⁸

14 United States General Accounting Office, *U.N. Peacekeeping, Transition Strategies for Post-Conflict Countries Lack Results-Oriented Measures of Progress*, September 2003, p. 18, <http://www.gao.gov/new.items/d031071.pdf> (accessed 8 July 2008).

15 United States General Accounting Office, *U.N. Peacekeeping, Transition Strategies for Post-Conflict Countries Lack Results-Oriented Measures of Progress*, September 2003, p. 30, <http://www.gao.gov/new.items/d031071.pdf> (accessed 8 July 2008).

16 United States General Accounting Office, *U.N. Peacekeeping, Transition Strategies for Post-Conflict Countries Lack Results-Oriented Measures of Progress*, September 2003, p. 31, <http://www.gao.gov/new.items/d031071.pdf> (accessed 8 July 2008).

17 United States General Accounting Office, *U.N. Peacekeeping, Transition Strategies for Post-Conflict Countries Lack Results-Oriented Measures of Progress*, September 2003, p. 32, <http://www.gao.gov/new.items/d031071.pdf> (accessed 8 July 2008).

18 See Chapter 8, paragraphs 8.25–8.31.

24.16 Sergio Vieira De Mello, Special Representative of the Secretary-General and Transitional Administrator for East Timor, also used East Timor as an example to highlight the need for substance in determining milestones. He noted that success would be judged not just on the number of schools rebuilt or roofs replaced. The yardstick would be the extent to which the mission assists the people of East Timor to fully realise 'their independence as masters of their own future' and their own 'independent State'. Using what are called 'technical achievements' may give a false reading of the situation.¹⁹

24.17 In its consideration of exit strategies, the committee also noted the danger of relying on indicators that do not provide a complete assessment of the operation. The committee acknowledged that most observers agree that the ADF pacification in Solomon Islands was a success with over 6,000 militiamen arrested, over 9,000 charges laid and more than 3,000 guns confiscated. It went on to cite the findings of a recent report that concluded that, while civil stability had brought security, these gains would 'prove temporary if the underlying economic stagnation that led to civil unrest is not addressed'. Thus, while measures such as the number of local police trained, schools rebuilt or weapons confiscated are quantifiable, they may mask the fact that deep-seated conflicts remain with the potential to flare up and return violence and instability to the country.²⁰

24.18 The committee notes that Assistant Commissioner Paul Jevtovic in an interview stated that one of the indicators the AFP uses to measure its performance is 'how we develop our counterparts in that country [Solomon Islands], so our success is ultimately measured on the development of good future leaders'.²¹ This benchmark is an improvement on just quantifying the number of police trained and is looking to measure change that indicates real achievements have been made. The question remains, however, what indicators the AFP would use to determine 'the development of good leaders'. Having credible and useful performance indicators is critical to effective evaluation but they are also difficult to measure.

Committee view

24.19 The committee believes that to be effective, performance indicators must anticipate the difficulties of achieving sustainable peace. They should not be tasks or outputs but rather objective result-oriented measures that effectively plot progress

19 See for example, UN Information Service, 'East Timorese leader commends UNTAET's "Timorization" policy in day-long Security Council debate on territory', Press release, UNIS/SC/1307, 29 January 2001, <http://www.unis.unvienna.org/unis/pressrels/2001/sc1307.html> (accessed 4 June 2008).

20 See Chapter 8, paragraph 8.31. Gaurav Sodhi, 'Five out of Ten: A Performance Report on the Regional Assistance Mission to the Solomon Islands (RAMSI)', The Centre for Independent Studies, *Issue Analysis*, no. 92, 31 January 2008, pp. 1 and 18.

21 'Policing the neighbourhood and keeping the peace in the Pacific', *Platypus Magazine*, Edition 39, September 2007, p. 15.

toward achieving the objectives of the mission. In this way, they provide the necessary feedback to determine whether there is a need to change the objectives and conduct of the mission and what these changes may be. The committee accepts, however, that formulating performance indicators that measure shifts in attitude or fundamental changes in a society is not easy. Nevertheless, the committee believes that it could and should be done.

24.20 Another important reason for evaluating performance is to build up a body of knowledge and understanding that can be applied to future operations.

Capturing lessons learnt

24.21 The UN has for sometime been concerned that it did not have a process 'for converting lessons into policies and procedures that could guide subsequent operations'. In a report to the General Assembly in 2007, the Secretary-General stated:

To be 'learned', lessons identified need to be validated and endorsed by the Organization in the form of standardized guidance materials, and guidance needs to be disseminated and its implementation monitored. The identification of lessons and good practices does not itself lead to performance improvement. It must be accompanied by a process that seeks to implement improvements in the way operations are managed and conducted, which must also be monitored and re-evaluated on an ongoing basis.

...Learning lessons may be a natural process, but sharing and implementing lessons across different missions is not. Although most staff members say that they regularly engage in learning lessons, unless systematic efforts are made to document and share those lessons, their impact remains limited to local teams.²²

24.22 As noted earlier, the ADF asserted that it incorporates lessons learnt from missions to develop its training objectives. It has operational analysis teams that deploy regularly to identify and record lessons, and the Warfare Centre and the Centre for Army Lessons act as repositories for ADF lessons learnt. In this way, previous peacekeeping operations are analysed, and lessons applied to doctrine.

24.23 Professor Raymond Apthorpe and Mr Jacob Townsend, however, doubted the efficacy of the ADF's learning lessons process. In general, they noted that many organisations 'tend to misunderstand the phrase "lessons learnt"':

At the end of a peacekeeping operation, identifying problems and summarising these under the title 'lessons learnt' obscures the otherwise obvious point that the lesson has yet to be learnt—or the problem would not have occurred. Easy access to in-house evaluations of Australian Defence Force (ADF) peacekeeping operations eluded us, so we will restrict

22 UN General Assembly, Report of the Secretary-General, *Peacekeeping Best Practices*, A/62/593, Agenda item 140, 18 December 2007, paragraphs 5 and 7.

ourselves to the general point that **identifying problems is easy; the hard part is making real and lasting change.**²³

24.24 Professor Apthorpe and Mr Townsend therefore suggested that the committee investigate 'the degree to which [organisations] have learned any lessons from their "lessons learnt"'. They continued:

A warning sign would be the same issues re-appearing in many lessons learnt sections of evaluations. In our experience, it is not uncommon that an organisation seems to be cutting and pasting 'lessons learnt' from one evaluation to the next, which indicates dysfunction in its learning processes.²⁴

24.25 Furthermore, in their view, 'lessons are often not presented in a learnable form' and 'expressed in a way that cannot inform future policy or strategy'. They argued:

Like proverbs, **two equally sensible suggestions can be in direct contradiction**...Like proverbs, these 'lessons' are *post facto* comments that cannot prepare us for the future unless we place them in context. If organisations are to learn from their experiences, then **the 'lessons learnt' process needs to identify contributing contextual factors that can be recognised in new scenarios**, so that something learnt in one context might be transferable to another.²⁵

24.26 The committee believes that it would be of value to have an audit of the ADF's operational analysis teams, the Warfare Centre and the Centre for Army Lessons to determine the effectiveness of their work in capturing the lessons learnt from current and recent peacekeeping operations.

Request to Auditor-General

The committee requests that the Auditor-General consider conducting a performance audit on the mechanisms that the ADF has in place for capturing lessons from current and recent peacekeeping operations including:

- **the adequacy of its performance indicators;**
- **whether lessons to be learnt from its evaluation processes are documented and inform the development or refinement of ADF's doctrine and practices; and**
- **how these lessons are shared with other relevant agencies engaged in peacekeeping operations and incorporated into the whole-of-government decision-making process.**

23 *Submission 32*, p. 1.

24 *Submission 32*, p. 1.

25 *Submission 32*, pp. 1 and 2.

24.27 The committee has confined this request to the ADF because, as noted earlier, the AFP has commissioned the University of Queensland to develop performance indicators. An ANAO audit should provide guidance for the AFP, and indeed for all relevant government agencies, in further developing their performance indicators. The audit should also provide an insight into how effectively government agencies are sharing information from lessons learnt and contributing to improving Australia's whole-of-government performance in peacekeeping activities.

Recommendation 34

24.28 The committee recommends that the relevant government agencies jointly develop standard measurable performance indicators that, where applicable, would be used across all agencies when evaluating the effectiveness of their peacekeeping activities (also see Recommendation 36).

Whole-of-government evaluation

24.29 The government also confronts the challenge of devising effective performance indicators when assessing its whole-of-government performance in a peacekeeping operation. The task of measuring the effectiveness of the whole-of-government contribution means examining issues such as interoperability and CIMIC. Such matters raise questions about who should assess this overall performance and how an agency's assessment of its performance feeds into a whole-of-government appraisal. Having credible and useful performance indicators is also important. Ensuring that information is shared and lessons learnt across government agencies poses problems for the government. Also, the government must decide who is to monitor and ensure that the lessons learnt are implemented.

24.30 In this regard, the committee believes that the proposed peacekeeping institute would have a vital role in the evaluation and continuous improvement of Australia's peacekeeping performance. It believes that the institute is the ideal mechanism for ensuring that Australia has:

- appropriate performance indicators to measure the success or otherwise of its whole-of-government performance in peacekeeping activities;
- a repository for lessons learned; and
- a central body responsible for ensuring that doctrine and practices are developed and refined in light of past experiences.

24.31 The establishment of the institute would not in any way counter or make redundant the work on peacekeeping of the ANAO, should it undertake the audit, or of projects such as that underway by the University of Queensland. The institute would complement and indeed add value to the findings of such organisations. The committee believes that it could play a vital role in building a culture of learning and continuous improvement.

Independent assessment

24.32 The committee also notes the importance of obtaining independent outside evaluation as a means of gauging the performance of Australian peacekeepers and the success of a peacekeeping operation.²⁶ Such information comes from the government and people of the host country as well as Australia's partners in an operation. The proposed institute could also take responsibility for gathering this type of information.

Accountability

24.33 Accountability lies at the heart of efforts to improve the government's management of its peacekeeping activities. Not only does it provide a means for parliamentary and public scrutiny of government expenditure in this area but it also allows people outside the executive government to make an informed assessment of the government's performance. In this way, Australians may not only feed into the overall evaluation of Australia's performance in peacekeeping operations but they are better placed to hold the government answerable for its performance.

Annual reports

24.34 The starting point for examining Australia's involvement in peacekeeping is to understand the nature of the contribution that the government makes through each of its departments and agencies. It is difficult to find comprehensive information about Australia's whole-of-government commitment to peacekeeping operations. Defence provides clear information in its annual report and on its website about current international deployments, including each operation's aims, the number of personnel and other capabilities deployed.²⁷ However, Defence does not distinguish peacekeeping operations from other deployments. Its annual report lists operations under the headings 'Operations contributing to the security of the immediate neighbourhood', 'Operations supporting wider interests' and 'Peacetime national tasks'.

24.35 Referring to the Defence Cooperation Program (DCP), outlined in Chapter 20, the committee is concerned that Defence's *Annual Report 2006-2007* offered no examples of the expenditure in the Defence Cooperation Program's \$80 million (approx.) capacity-building activities.

24.36 Similarly, the AFP provides information about its international missions on its website and in its annual report.²⁸ The latest AFP Annual Report has been enhanced by the inclusion of a snapshot providing a summary of the number of personnel

26 See this discussion in regard to Australia's public diplomacy, *Committee Hansard*, 11 April 2007, p. 7.

27 Department of Defence, *Annual Report 2006-07*, pp. 56-58; <http://www.defence.gov.au/index.htm> (accessed 1 May 2008).

28 Australian Federal Police, *Annual Report 2006-07*, pp. 54-61; <http://www.afp.gov.au/international/IDG.html> (accessed 1 May 2008).

deployed to each operation as at the end of the financial year.²⁹ The AFP also does not identify deployments as 'peacekeeping operations': its snapshot distinguishes missions as 'United Nations missions', 'AFP Capacity Building missions' and 'Regional Assistance missions'.

24.37 Several other government departments refer to their involvement in peacekeeping operations in their annual reports. There is, however, no centralised source providing comprehensive information about the whole-of-government contribution. DFAT's annual report provides an overview of its activity with relevant countries or regions in support of its Outcome 1: 'Australia's national interests protected and advanced through contributions to international security, national economic and trade performance and global cooperation'.³⁰ In this context DFAT reports, for example, that it 'continued to coordinate Australia's whole of government contribution to the Regional Assistance Mission to Solomon Islands (RAMSI)'.³¹

24.38 In response to the conclusions of an ANAO report, DFAT's 2006–07 annual report also lists the government agencies contributing to RAMSI. This is an improvement, but falls short of the ANAO's suggestion, which was to include at a minimum each agency name, its contribution in financial and human resource terms and a brief description of its role.³²

24.39 In this inquiry, the committee considered Australia's involvement in a number of current peacekeeping operations, not only RAMSI. In response to a question as to whether the ANAO's recommendation would be applied to other operations with multi-agency input, DFAT responded that this 'will depend on the nature of the individual operation'.³³

24.40 Despite the inadequacy of easily accessible information, it is clear from the nature of the missions and their mandates that Australia's contribution to peacekeeping operations has extended well beyond military and police involvement. In an answer to a question on notice, DFAT informed the committee that the following departments and agencies have contributed staff to peace operations in Bougainville, East Timor or Solomon Islands: Defence, AFP, DFAT, Attorney-General's Department, AusAID,

29 Australian Federal Police, *Annual Report 2006-07*, p. 56. In a response to ANAO, Audit Report No. 47, 2006–07, *Coordination of Australian Government Assistance to Solomon Islands*, the AFP foreshadowed that its 2006–07 report would take into account ANAO comments about providing information on the number of staff deployed and amount of funding involved in RAMSI.

30 DFAT, *Annual Report 2006–07*, p. 26.

31 DFAT, *Annual Report 2006–07*, p. 84.

32 ANAO, Audit Report No. 47, 2006–07, *Coordination of Australian Government Assistance to Solomon Islands*, p. 82.

33 DFAT, answer to question on notice 8b, 25 June 2007.

Australian Electoral Commission, Customs, Finance, Office of Financial Management, National Archives, Treasury and Department of Veterans' Affairs.³⁴

Committee view

24.41 Australia's contribution to peacekeeping operations now extends well beyond the military. It is important that this whole-of-government contribution is accompanied by whole-of-government reporting, so that the Parliament and the Australian public can identify the size and nature of the resources allocated by government to peace operations.

Recommendation 35

24.42 The committee recommends that the Australian Government designate an appropriate agency to take responsibility for the whole-of-government reporting on Australia's contribution to peacekeeping. This means that the agency's annual report would include a description of all peacekeeping operations, a list of the contributing government agencies, and, for each relevant agency:

- **a description of its role in the operation;**
- **the agency's financial contribution to the operation during that reporting year;**
- **the peak number of personnel deployed by the agency during the reporting year and the date at which the peak occurred; and**
- **the number of personnel deployed as at the end of the reporting year.**

Recommendation 36

24.43 In light of the committee's discussion on the adequacy of performance indicators, the committee also recommends that the agencies reporting on peacekeeping activities provide in their annual reports measurable performance indicators on the effectiveness of these activities.

24.44 Following on from this consideration of how the government reports its whole-of-government contribution to peacekeeping, the committee notes that there appears to be a similar lack of coherence in explaining the government's policy on peacekeeping.

White paper on peacekeeping

24.45 The committee is of the view that the changing nature and expanding scope of Australia's involvement in peacekeeping operations have profound implications for Australia as a member of the UN and a long-time contributor to peacekeeping missions. Further, peacekeeping operations are no longer the domain of the military,

34 DFAT, answer to written question on notice 1, 25 July 2007.

with a range of government agencies and NGOs now needing to work together as an integrated team to achieve the mission's objectives. Peacekeeping operations can also be costly and dangerous undertakings, with failure a real prospect. Moreover, international doctrine and practice on issues such as the responsibility to protect, the significance of exit strategies, interoperability, CIMIC and women and peacekeeping, to name just a few, continues to develop and poses challenges for policy makers.

24.46 These developments have a direct bearing on the formulation of Australia's policy on peacekeeping and on its decisions about the composition and structure of its deployment, the training and preparation of its personnel and how it coordinates its effort. Yet to date, there is not a single coherent policy document that covers the joint efforts of all government agencies contributing to peacekeeping. The committee believes that it is time for the government to produce a white paper on peacekeeping that would explain the whole-of-government policy on peacekeeping operations, including the factors that shape the government's decision on Australia's involvement in such operations. The committee envisages that the paper would discuss the whole range of complex matters involved in peacekeeping, including matters raised in this report. It would also provide detail on the recently-announced Asia–Pacific Centre for Civil–Military Cooperation and how this initiative fits into the broader policy on peacekeeping.

24.47 The committee does not favour the proposed white paper forming a subset of the new Defence White Paper. Although peacekeeping may figure prominently in this document, the committee believes that because of the involvement of many key government agencies in today's peacekeeping operations, the government should produce a separate white paper on peacekeeping. The production of a white paper would provide the government and the relevant agencies with the opportunity to review their policies and practices and to better understand how their activities contribute to the whole-of-government effort. It would also require the government to articulate its policy across the full spectrum of Australian peacekeeping activities, thereby allowing more informed public scrutiny of this important area of government engagement.

Recommendation 37

24.48 The committee recommends that the Australian Government produce a white paper on Australia's engagement in peacekeeping activities.

Conclusion

24.49 The committee has underlined the importance of evaluation as a means of improving performance both in the short and long term. It has also referred to the role that the committee's proposed peacekeeping institute could have in evaluating operations and capturing the lessons learnt. In the following chapter, the committee discusses in detail the proposed institute.

Chapter 25

National Peacekeeping Institution

25.1 Throughout this report, the committee has made frequent mention of the need for a whole-of-government and whole-of-nation approach to peacekeeping operations at strategic and operational levels. Given the increased number and scope of these operations, some submitters and witnesses recommended that a peacekeeping institute be established in Australia.

25.2 In this chapter, the committee assesses the advantages of establishing a peacekeeping institute in Australia. It draws together the evidence of previous chapters and considers some of the major peacekeeping centres in the world. Finally, the committee concludes by making some recommendations on how a future Australian peacekeeping institute may be constituted.

Current situation in Australia

25.3 Australia has yet to establish a comprehensive or centralised peacekeeping operations centre. As discussed in previous chapters, training, doctrine formulation and evaluation are predominantly done through existing departments and organisations. These include the ADF's Peacekeeping Centre (as discussed in Chapter 9), the AFP's International Deployment Group (Chapter 10) and AusAID's Fragile States Unit (Chapter 13). The committee also noted the coordinating and training activities undertaken by the NGO and university sectors.

25.4 The ADF Peacekeeping Centre (ADFPKC) was established in 1993 as part of the ADF Warfare Centre (ADFWC) at the RAAF Base in Williamstown.¹ As noted in Chapter 9, it currently operates with a staff of two to four, and conducts the annual International Peacekeeping Operations Seminar (IPOS). The centre also monitors international peacekeeping issues and contributes to the development of peacekeeping doctrine.² However, citing its limited capacity, Major General Smith suggested to the committee that Defence were wrong to identify it as a peacekeeping centre because it was more like an internal ADF unit 'of about three people'.³ Indeed, the committee has already drawn attention to the centre's limited capacity and lack of resources to fulfil its stated objectives.⁴

1 <http://www.defence.gov.au/adfwc/peacekeeping/> (accessed 20 August 2007); and Defence, answer to question on notice 1, 24 July 2007.

2 ADFPKC, About the Centre, <http://www.defence.gov.au/adfwc/peacekeeping/about.htm> (accessed 20 August 2007).

3 *Committee Hansard*, 6 September 2007, p. 29.

4 See Chapter 9, paragraphs 9.25–9.33.

25.5 Nevertheless, it should also be noted that Defence advised the committee that the Warfare Centre's operations, including those of the Peacekeeping Centre, may be contracted out. It is intended that the Peacekeeping Centre would retain its core responsibilities and that the existing staff would be supplemented by a contractor pool and reservists.⁵

25.6 The AFP's IDG is the central coordination point for the AFP's international deployments and is involved in training and preparedness. As noted in Chapter 10, evidence to this inquiry suggested that the AFP has been innovative in developing its peacekeeping capacity.

25.7 AusAID's Fragile States Unit (now Fragile States and Peacebuilding) analyses international experiences in relation to fragile states, particularly those in Australia's region. It has developed the government's understanding of conflict prevention and peacebuilding and helped to coordinate the various agencies involved in peacekeeping.⁶

25.8 The committee is also aware of a number of institutions, and projects being conducted, in Australia that are concerned with aspects of Australia's engagement in peacekeeping. The following list provides an indication of the work currently being undertaken in Australia:

- The AFP is collaborating with the University of Queensland in the *Framework for Performance Indicators in Australian Federal Police (AFP) Peace Operations* project to develop performance measures to assist in evaluating AFP contributions to peace and stability operations, and capacity development missions.⁷
- The AFP is also collaborating with the Flinders University and the Australian National University in an AFP and Australian Research Council (ARC) project *Policing the Neighbourhood* in which they aim to describe and analyse Australia's recent involvement in police assistance missions in Timor-Leste, Solomon Islands and Papua New Guinea.⁸
- A team of researchers at the ANU, led by Professor John Braithwaite, has received ARC funding for a 20-year comparative peacebuilding project which will produce case studies of peacebuilding activities across the world.⁹
- The Centre for International Governance & Justice (CIGJ), ANU, has received funding for a project titled *Building Democracy and Justice after*

5 Defence, answer to written question on notice W20, 24 July 2007.

6 *Submission 26*, p. 8.

7 AFP, attachment to answer to question on notice 2, 25 July 2007.

8 Professor Goldsmith, *Committee Hansard*, 20 August 2008, pp. 47–48.

9 Braithwaite et al., Peacebuilding and Responsive Governance Project, Discussion Draft, http://peacebuilding.anu.edu.au/documents/Discussion_Draft.pdf (accessed 6 May 2008).

Conflict. The project, led by Professor Hilary Charlesworth, aims to advance thinking about building the structures for democracy and justice after conflict.¹⁰

- A consortium of universities, led by Professor Helen Ware, has received funding from the Carrick Institute for a one-year project titled *Professionalization of Peace Education through Wiki Networking & Innovative Teaching Methods*. It aims to develop a network of peace studies educators. The project involves personnel from the ADF, AFP, AusAID and CARITAS.¹¹
- An official history of Australia's peacekeeping has been commissioned. As outlined in Chapter 23, this project is led by Professor David Horner and funded by the Australian War Memorial.¹²
- As noted in previous chapters, the Asia Pacific Centre for Military Law, University of Melbourne, trains Defence personnel in military law and promotes academic research into key issues, including international humanitarian law and law of peace operations.¹³
- The ADF Deployment Health Surveillance Program and the research being done on veterans' mental health by the Australian Centre for Posttraumatic Mental Health.
- The numerous institutions mentioned in Chapter 18 that provide language and cultural awareness training to government agencies.
- The various training programs run by NGOs, in particular the Australian Red Cross basic training courses for volunteers, and the work of RedR.

25.9 While these initiatives represent the efforts of individual agencies and organisations to respond to the changing nature of peacekeeping, the committee notes that no centralised capacity exists for doctrine development, research, evaluation and lessons learnt. The committee now turns to consider international examples where a centralised capacity has been established.

10 Dr Jeremy Farrall, *Committee Hansard*, 13 September 2007, p. 14.

11 Carrick Institute, Professionalization of Peace Education through Wiki Networking and Innovative Teaching Methods, http://www.carrickinstitute.edu.au/carrick/webdav/users/siteadmin/public/dbi_investigations_peacestudies_projectsummary.pdf (accessed 6 May 2008).

12 See for example, <http://www.awm.gov.au/histories/peacekeeping/index.asp> (accessed 6 May 2008).

13 Asia Pacific Centre for Military Law, <http://www.apcml.org/overview.php> (accessed 6 May 2008).

International models

25.10 In its 1994 review of peacekeeping operations, the UN General Assembly encouraged the establishment of peacekeeping training centres for military and civilian personnel on a national or regional basis:

The General Assembly...encourages Member States that have peace-keeping training programmes to share information and experience and, if requested, to enable personnel from other Member States to participate in the work of national staff colleges to help in the development of training programmes and to receive personnel from other Member States interested in such programmes.¹⁴

25.11 Following this review, a series of training centres were established in Canada (1995), Malaysia (1996), Bangladesh (1999), India (2000), Germany (2002) and Ghana (2004).¹⁵ Austcare noted some of the commonalities between these centres:

I am very impressed with what is happening in European countries—even at places like the Centre for Excellence in Hawaii in the United States, the Pearson Peacekeeping Centre [in Canada], the new German centre that has started and the new Swedish centre. These are all centres that are under civilian control. They are centres that are independent of government. They are centres that have long-term funding and they are able to bring these various elements together to look at how to be more effective on the ground.¹⁶

25.12 In this section, the committee looks in detail into some of these centres.

Canada

25.13 Canada's Pearson Peacekeeping Centre (PPC) is one of the leading peacekeeping centres in the world. It was established shortly after the 1994 UN General Assembly's review of peacekeeping operations, which encouraged the establishment of peacekeeping training centres. The PPC is an incorporated not-for-profit organisation, with a focus on making 'peace operations more effective through research, training, education and capacity building'.

25.14 The centre trains civilians, military personnel and police officers from different professional, cultural and national backgrounds. Training is carried out by a 200-strong international network of subject matter experts, industry leaders and key organisations, including practicing and retired academics, senior police officers, diplomats and high-ranking military personnel.

14 UN General Assembly, *Comprehensive review of the whole question of peacekeeping operations in all their aspects*, A/RES/49/37, 9 December 1994, paragraph 51. For full text, see <http://www.un.org/documents/ga/res/49/a49r037.htm> (accessed 9 July 2008).

15 Bangladesh, <http://www.bipsot.net/> (accessed 5 May 2008); Malaysia, <http://maf.mod.gov.my/HOMEPAGE/atm/NewUNTRG/mptc.htm> (accessed 5 May 2008).

16 *Committee Hansard*, 6 September 2007, p. 29.

25.15 Apart from training, the PPC conducts research on emerging trends and best practices and incorporates the findings into its training. It has its own generalist researchers and collaborates with other academic institutions, policy-makers, international organisations and development groups. It organises seminars, field work and conferences incorporating interdisciplinary perspectives.¹⁷

25.16 The centre has received a funding of CAD\$5 million annually from the government, including '\$1.5 million from the Department of National Defence's Military Training Assistance Program to deliver peace support training to foreign military officers'. National Defence provides six personnel to the centre.¹⁸

United States

25.17 The Center for Excellence in Disaster Management and Humanitarian Assistance (DMHA) is a small US Department of Defence organisation located in Hawaii. It was established in 1994 to address the changing nature of peacekeeping. The centre promotes 'effective civil–military management in international humanitarian assistance, disaster response and peacekeeping through education, training, research and information programs'. The centre offers courses to both US and other countries' military forces and organises the Asia Pacific Peace Operations Capacity Building Program, 'a series of conferences, seminars, workshops and games' held in various parts of the Asia–Pacific region.¹⁹

Germany

25.18 The German centre, *Zentrum für Internationale Friedenseinsätze* (Centre for International Peace Operations—ZIF), was established in 2002 by the German Government to enhance the country's civilian crisis prevention capacities.²⁰ The centre recruits, trains and supports German civilian personnel for peacekeeping operations and election observation missions.²¹

25.19 ZIF is organised into three units:

17 Pearson Peacekeeping Centre, 'Who we are' and 'What we do', <http://www.peaceoperations.org> (accessed 9 April 2008). In addition to PPC, Canada has a Peace Support Operations Training centre that prepares Canadian soldiers for peacekeeping operations, http://armyapp.dnd.ca/pstc-cfsp/default_e.asp (accessed 16 April 2008).

18 The Hon Bill Graham, Minister of Foreign Affairs, 'Government of Canada underscores its commitment to Pearson Peacekeeping Centre in Cornwallis, Nova Scotia', No 192, 11 December 2003, http://w01.international.gc.ca/minpub/PublicationContentOnly.asp?publication_id=380589&Language=E&MODE=CONTENTONLY&Local=False (accessed 15 April 2008).

19 Centre for Excellence DMHA, <http://www.coe-dmha.org/index.htm> (accessed 18 April 2008).

20 ZIF, <http://www.zif-berlin.org/en/index.html> (accessed 18 April 2008).

21 ZIF, <http://www.zif-berlin.org/en/index.html> (accessed 18 April 2008).

- The Recruitment Unit maintains a pool of pre-trained and pre-selected German civilian professionals who can be deployed to peace operations and election observation missions.²²
- The Training Unit prepares civilian personnel for peace operations. Courses cover issues such as international humanitarian law, intercultural communication and election observation. Field exercises simulate complex crisis situations. ZIF cooperates with international organisations and European training centres.
- The Analysis and Lessons Learned Unit analyses and monitors current international crisis management issues with special relevance for ZIF's mandate. The unit organises seminars and provides advice to the German Government and Parliament.²³

25.20 ZIF provides support for its personnel both during and after deployment. Each member has a liaison person at ZIF. The centre's staff make regular field visits and provide debriefing sessions for members upon their return.²⁴

25.21 The centre is a non-profit state company, governed by a supervisory board which includes members from foreign, defence, interior and economic cooperation and development ministries, as well as four members of the Federal Parliament. It also has an advisory board with fifteen prominent members.²⁵

Nordic military training cooperation

25.22 Nordic countries (Denmark, Finland, Iceland, Norway, Sweden) have taken a regional, cooperative approach to training peacekeepers since the 1960s.²⁶ For example, each country provides training in a specific subject area: military observer courses take place in Finland, military police officer courses in Denmark, and so on. Courses are designed for military officers of all ranks; some also include police and civilian personnel. While primarily a Nordic training initiative, a number of positions are available to students from non-Nordic countries.²⁷

22 German citizenship is a prerequisite for admission to the ZIF database, http://www.zif-berlin.org/en/Recruitment_and_Support.html (accessed 15 April 2008).

23 ZIF, <http://www.zif-berlin.org/en/index.html>, and About ZIF, http://www.zif-berlin.org/en/About_ZIF.html (accessed 15 April 2008). Currently, about 180 German professionals are serving in UN, EU, and Organization for Security and Co-operation in Europe (OSCE) field missions. ZIF has, since its founding, deployed globally more than 1300 German election observers.

24 About ZIF, http://www.zif-berlin.org/en/About_ZIF.html (accessed 15 April 2008).

25 http://www.zif-berlin.org/en/About_ZIF/Governance.html (accessed 15 April 2008).

26 NORDCAPS, History, <http://www.nordcaps.org/?id=81> (accessed 15 April 2008).

27 NORDCAPS, Courses, <http://www.nordcaps.org/?id=82> (accessed 15 April 2008).

25.23 Nordic countries also provide training in country to officers from the Western Balkans to become instructors, mentors and course directors at their respective national training centres.²⁸

Sweden

25.24 Folke Bernadotte Academy is a Swedish government agency dedicated to improving the quality and effectiveness of international conflict and crisis management, with a particular focus on peace operations.

25.25 The academy functions as a focal point for cooperation between Swedish agencies and organisations. It aims for broad international participation in its activities and cooperates closely with partner institutions throughout the world. Its main areas of responsibility are:

- national cooperation and coordination;
- joint multifunctional education and training;
- research, studies and evaluation;
- recruitment of Swedish civilian personnel to international peace operations;
- method and doctrine development; and
- funding of civil society peace projects.²⁹

25.26 The academy has an advisory council to which the government appoints members from various government departments and agencies.³⁰ It also has a reference and advisory group.³¹

India

25.27 In 2000, a UN peacekeeping centre was established in India.³² It was set up as a joint endeavour of the Indian Ministry of External Affairs, Ministry of Defence and the Armed Forces. Its establishment was considered necessary due to India being one

28 NORDCAPS, Training support, <http://www.nordcaps.org/?id=107> (accessed 15 April 2008).

29 http://www.folkebernadotteacademy.se/roach/The_Academy.do?pageId=75 (accessed 15 April 2008).

30 Advisory council, http://www.folkebernadotteacademy.se/roach/Advisory_Council.do?pageId=287 (accessed 15 April 2008).

31 Reference and advisory group, http://www.folkebernadotteacademy.se/roach/Reference_Group.do?pageId=288 (accessed 15 April 2008).

32 Permanent Mission of India to the United Nations New York, 'India and the United Nations: UN Peacekeeping', http://www.un.int/india/india_and_the_un_pkeeping.html (accessed 16 April 2008).

of 'the longest serving and the largest troop contributors to UN peacekeeping activities'.³³ The United Service Institution of India—Centre for United Nations Peacekeeping (USI-CUNPK) is guided by a board of management under the chairmanship of Vice Chief of the Army Staff. Its functions are to:

- provide integrated training to junior officers, military observers and staff and logistics officers;
- promote research in all facets of PKO and organise international seminars;
- enhance and update the doctrinal aspects of training; and
- act as a repository of Indian experience in UN peacekeeping operations.³⁴

25.28 The centre conducts command post exercises with other countries. The aim is to 'foster regional and multilateral cooperation amongst the peacekeeping partners while improving their interoperability and operational readiness in the area of planning and execution of peacekeeping operations at an operational level'.³⁵

25.29 The centre also prepares weekly situation reports and a monthly report on the missions where Indian peacekeepers are participating.³⁶ It participates in instructor exchange programs with other peacekeeping training centres such as the ADF Peacekeeping Centre in Australia and the Canadian Peace Support Training Centre (PSTC).³⁷

Ghana

25.30 The Kofi Annan International Peacekeeping Training Centre in Ghana was officially opened in 2004. It was envisaged that the centre would assist Ghana meet its need for a complex and multidimensional peacekeeping force. Yet, just as importantly, it was developed in order to provide for the West African sub-region and the continent as a whole. The centre conducts research into peacebuilding and conflict prevention, provides courses of study and delivers pre-deployment training to Ghanaian peacekeepers to increase interoperability and coordination between

33 Indian Foreign Secretary, Keynote address, National Seminar on 'Complex Peace Operations: Traditional Premises and New Realities', 21–22 August 2003, paragraph 4, <http://mea.gov.in/speech/2003/08/21spc01.htm> (accessed 18 April 2008).

34 About CUNPK, http://www.usiofindia.org/CUNP_Our%20Role.HTM (accessed 16 April 2008).

35 About CUNPK, http://www.usiofindia.org/CUNP_Our%20Role.HTM (accessed 16 April 2008).

36 About CUNPK, http://www.usiofindia.org/CUNP_Our%20Role.HTM (accessed 16 April 2008).

37 International linkages, http://www.usiofindia.org/CUNP_International%20Linkage.HTM (accessed 16 April 2008).

agencies.³⁸ The centre's activities have a regional focus on conflicts and conflict prevention in West Africa.³⁹

25.31 For the establishment of the centre, the German Government provided 1.8 million Euros towards the first phase of the building cost, with further contributions from several countries.⁴⁰

Attitudes towards a peacekeeping institute

Previous inquiry

25.32 In its 1994 report on Australia's participation in peacekeeping, the Joint Standing Committee on Foreign Affairs, Defence and Trade recommended the establishment of an Australian peacekeeping institute within the Australian Defence Studies Centre (ADSC).⁴¹ It recommended further that a feasibility study be undertaken to determine whether the ADSC was the most appropriate location for the institute. In its response to the report in October 1995, the then Labor Government did not see a need for such an institute arguing that:

- the government already takes an integrated approach to training and preparation of all civilian and military personnel for deployment in peace keeping operations;
- the academic study of peacekeeping was already well covered by Australian academic institutions—the Departments of Foreign Affairs and Trade, and Defence already provided funds for such research;
- the ADF Peacekeeping Centre already provided training and doctrine for peacekeeping operations; and
- although there may be scope to develop the multi-dimensional and interdisciplinary approaches of the centre, there was no real need to establish a new institution or move the ADFPKC from its location within the ADSC at that time.⁴²

38 About KAIPTC, History of the KAIPTC, <http://www.kaiptc.org/aboutus/default.asp?nav=1>; Introduction to the Training Department, <http://www.kaiptc.org/training/default.asp?nav=1> (accessed 16 April 2008).

39 Conflict prevention, management and resolution, http://www.kaiptc.org/conflict_prevention/default.asp (accessed 16 April 2008).

40 About KAIPTC, History of the KAIPTC, <http://www.kaiptc.org/aboutus/default.asp?nav=1> (accessed 16 April 2008).

41 Report of the Joint Standing Committee on Foreign Affairs, Defence and Trade, *Australia's Participation in Peacekeeping*, December 1994, Recommendation 50, p. 140.

42 Government response to the report of the Joint Standing Committee on Foreign Affairs, Defence and Trade, *Australia's Participation in Peacekeeping*, October 1995, pp. 26–27.

Committee view

25.33 The committee notes the government's response to the Joint committee's report in 1995 and considers that circumstances have changed significantly since then. As this report demonstrates, Australia's commitment to peacekeeping, particularly in the region, has increased dramatically since that time.

Evidence to current inquiry

25.34 Some submitters were in favour of enhancing Australia's existing peacekeeping capacity. The United Nations Association of Australia (UNAA) supported the expansion of the ADFPKC and proposed that a 'similar facility should be established for the training of police and civilians from government and non-government organisations to ensure an adequate focus on peacemaking'.⁴³ As noted in Chapter 13, Associate Professor Wainwright supported a centralised institutional capacity focussed on aspects of peacebuilding that are not directly security related, such as democracy, finance and economics. She considered that one possible avenue would be to expand the Fragile States Unit within AusAID.⁴⁴

25.35 A number of other submitters favoured the establishment of a national peacekeeping institute. Major General Ford argued that Australia should develop a national peacekeeping facility to integrate all civil, military and police peacekeeping training:

For our contributions to international peace and security to be most effective and beneficial to our own interests, we need to develop a coherent 'whole of government' approach...It would be most beneficial if all Australian peacekeeping training and research was conducted in a coherent environment that was jointly manned by civil, military and police experts.⁴⁵

25.36 He suggested that the centre should be funded by government but operate at arms length from it, and perhaps could be located within DFAT.⁴⁶

25.37 Major General Smith, Austcare, supported the establishment of an institute but added that it should be civilian controlled.⁴⁷ The centre should be focussed on training, with a research component 'directed to the applicability on the ground'.⁴⁸ He envisaged the centre to have a regional focus and representation.⁴⁹ Austcare

43 *Submission 3*, p. 8.

44 *Committee Hansard*, 20 August 2007, p. 9.

45 *Submission 4*, p. 2.

46 *Committee Hansard*, 20 August 2007, p. 24.

47 *Committee Hansard*, 6 September 2007, pp. 3 and 31.

48 *Committee Hansard*, 6 September 2007, p. 33.

49 *Submission 11*, p. 3.

recommended that 'a study be commissioned to confirm the structure, location and costs of such a centre based on world's best practice'.⁵⁰

25.38 Dr Jeremy Farrall, ANU, proposed that a centre of excellence for civilian peacekeeping be established. In addition, he suggested that there be an audit of Australia's human resources in civilian peacekeeping, with 'a roster of Australian experts' to undertake civilian peacekeeping activities. He saw the centre of excellence maintaining the roster or database.⁵¹

25.39 Government agencies were divided in their views on the establishment of a national institute. DFAT argued that existing structures and mechanisms were adequate for ensuring that relevant agencies and individuals were sufficiently prepared for peacekeeping operations.⁵²

25.40 The AFP's Assistant Commissioner Walters was supportive of a strategic 'think tank' capability that is 'forecasting and looking a lot further out than we do in an operational context'. He expressed a view that such a facility could be placed within government, but 'not to the exclusion of having non-government organisations engaged and involved in it'. Assistant Commissioner Walters noted that the AFP had had some discussions with the ADF on the matter.⁵³

25.41 Defence was initially cautious in its attitude towards an institute. When he appeared before the committee in July 2007, Lt Gen Gillespie acknowledged the need for coordination but left the means for doing that open:

I think there are a lot of suggestions out there like that at the present time about bringing together not only the whole of government elements but also those soft elements of power necessary to bring about success in challenged countries, to create a common understanding and trust between each other. As to whether or not it should be via an institute or whether we can do it through different media, I think the jury is out on that but certainly the need for better coordination is acknowledged by all groups.⁵⁴

25.42 A couple of months later, in a presentation at the Australian War Memorial in September 2007, Lt Gen Gillespie was more definite:

Some integration and perhaps the establishment of a united, Whole of Government peace operations training establishment, or at least a research institute, would seem to be logical, and both cost and operationally

50 *Committee Hansard*, 6 September 2007, p. 24.

51 *Committee Hansard*, 13 September 2007, pp. 15–16 and 19.

52 *Committee Hansard*, 25 July 2007, p. 62.

53 *Committee Hansard*, 25 July 2007, pp. 35–36.

54 *Committee Hansard*, 24 July 2007, p. 20. The RSL supported the ADF's approach. See *Committee Hansard*, 20 August 2007, p. 2.

effective. Such a development, in my opinion, should be looked at sooner rather than later.⁵⁵

Committee's findings

25.43 In this report, the committee identified a number of reasons for establishing a peacekeeping institute in Australia. In Chapter 11, the committee noted that 'the foundations for effective interoperability are set long before deployment' and that mutual understanding and trust start with secondments, education and training in the pre-deployment phase.⁵⁶

25.44 In Chapter 12, the committee recognised the need for adequate training for all Australian peacekeepers before deployment. It noted that some departments do not necessarily have adequate resources or expertise to train their staff. The committee also noted that the current training programs for Australian public servants 'could be better structured' and that more could be done to coordinate them.⁵⁷

25.45 In Chapter 13, the committee noted that a central agency may be 'required to promote a whole-of-government strategy to peacekeeping involving not only training but a whole range of activities including the development of doctrine and the evaluation of programs'.⁵⁸ It concluded that an effective whole-of-government training framework requires integrating 'the various separate training programs and *ad hoc* courses into a coherent whole'. Further that 'this whole-of-government approach would avoid duplication, identify and rectify gaps in training and promote better cooperation and coordination among all participants in the field'.⁵⁹

25.46 In Chapter 14, the committee observed the important role of NGOs in peacekeeping operations and noted that they do not provide standardised training to their workers. It further noted that a joint education and training facility should encompass NGOs and provide training to their members preparing to go on a peacekeeping operation.⁶⁰

25.47 In Chapter 15, the committee examined the civil–military relationship and noted that there are misunderstandings about the roles and mandates on both sides, and that regular consultation, joint planning and training would help them to resolve

55 Lieutenant General Kenneth Gillespie, 'The ADF and Peacekeeping', speech at the conference 'Force for Good? Sixty Years of Australian Peacekeeping', Australian War Memorial, Canberra, 13 September 2007, MSPA 70913/07, <http://www.defence.gov.au/media/SpeechTpl.cfm?CurrentId=7061> (accessed 14 November 2007).

56 Chapter 11, paragraph 11.24.

57 Chapter 12, paragraphs 12.26 and 12.27.

58 Chapter 13, paragraph 13.53.

59 Chapter 13, paragraph 13.56.

60 Chapter 14, paragraphs 14.17–14.19.

any tensions.⁶¹ In the same chapter, the committee built upon its previous findings and concluded that through training programs, seminars and workshops, the peacekeeping institute:

...could draw together teachers, students, researchers and former, current and future peacekeepers from government and non-government sectors. The facility would enhance CIMIC and develop future forms of civil–military–police coordination. It would also provide a site for empirical, evidence-based research and the evaluation of past and current practice. It would operate at the policy and operational levels, ensuring that Australia keeps abreast of new ideas and approaches to peacekeeping. It would also be involved at the practical level by assisting individual agencies prepare their personnel for deployment and foster a whole-of-nation approach to peacekeeping.⁶²

25.48 In Chapter 18, the committee noted that 'efficiencies could be gained by adopting a whole-of-government approach' to language and cultural awareness training for Commonwealth officers. The proposed peacekeeping institute could facilitate this type of training.⁶³

25.49 In Chapter 19, the committee noted Australia's and individual agencies' cooperation with regional nations and organisations and proposed that 'these endeavours could be consolidated at both planning and operational levels'. It saw 'particular value in Australia seeking to establish joint training exercises with ASEAN nations'.⁶⁴ It also believed that a peacekeeping institute could facilitate these engagements.⁶⁵

25.50 In the previous chapter, the committee suggested that the proposed peacekeeping institute could have a vital role in the evaluation and continuous improvement of Australia's peacekeeping performance. It was of the view that the institute would be the ideal mechanism for ensuring that Australia has:

- appropriate performance indicators to measure the success or otherwise of its whole-of-government performance in peacekeeping activities;
- a repository for lessons learnt; and
- a central body responsible for ensuring that doctrine and practices are developed and refined in light of past experiences.⁶⁶

61 Chapter 15, paragraphs 15.61 and 15.91.

62 Chapter 15, paragraph 15.98.

63 Chapter 18, paragraph 18.27.

64 Chapter 19, paragraph 19.32.

65 Chapter 19, paragraph 19.68.

66 Chapter 24, paragraph 24.30.

25.51 The committee noted, however, that the institute would not in any way counter or make redundant the work on peacekeeping being conducted by other groups or organisations. The committee believed that the institute 'would complement and indeed add value to the work of such organisations'.⁶⁷

Asia–Pacific Centre for Civil–Military Cooperation

25.52 Prior to the 2007 election, the current government proposed the establishment of an Asia–Pacific Centre for Civil–Military Cooperation (APC-CIMIC) to 'streamline coordination between security, economic, emergency management, institution-building and non-government organisations' to address instability in the region and help avoid a 'revolving door' of military deployments.

25.53 The centre is expected to focus on issues such as:

- better coordinating existing resources and training between different agencies, including NGOs;
- conducting governance training for public officials from states in the Asia–Pacific region to bolster governance before conflict situations emerge and strengthen peace building operations post-conflict;
- liaising with international partner institutions such as the UN Peace Building Commission, Japanese Terakoya, United States Office of the Coordinator for Reconstruction and Stabilization and UK Post Conflict Reconstruction Unit, to enhance cooperation and mutual reinforcement;
- liaising with other relevant emergency management bodies, both national and international, on disaster management and co-ordination; and
- developing doctrine, interagency exchange and training on disaster and crisis management, coordination and preparation and contributing to the development of international doctrine and policy on stabilisation and peace building missions.

25.54 The centre is to be located in Queanbeyan, NSW, close to other key government agencies in peacekeeping operations and the Joint Operations Command Centre in Bungendore. The government has allocated \$5.1 million in 2007–08 towards the centre.⁶⁸ It should be noted that no additional funding will be provided to Defence for this measure, with the cost being met from within Defence's existing resources.

Committee view

25.55 The committee is of the view that a peacekeeping research and training institute is required and welcomes the government's initiative. It notes that the institute

67 Chapter 24, paragraph 24.31.

68 ALP, 'Asia Pacific Centre for Civil–Military Cooperation', Media statement, 13 November 2007.

is also to cover emergency management which the committee regards as appropriate. The committee believes that the institute should have a broad representation of the organisations engaged in peacekeeping operations, including police, military, government agencies, NGOs, universities and other research institutions in Australia and in the region. The centre should be involved in training; research; evaluation; developing doctrine and policy; and building capacity in the region. It should also cooperate and collaborate with similar international peacekeeping institutes.

25.56 Based on the evidence and the committee's findings, the committee can see advantages in expanding the scope of the institution's mandate. For example, rather than focus on CIMIC, the committee suggests that it may be time, especially with the increasing involvement of police in peacekeeping, for the government to consider the broader civil–military–police doctrine. The committee also suggests that the government consider re-wording the institute's mission statement to reflect the importance of the institute as:

- the hub of a national network of institutions currently working in various areas of peacekeeping—the institutions or projects to maintain their independence but become linked through the coordinating efforts of the institute;
- a national repository of information on peacekeeping and Australian peacekeepers—for example, the institution could take an active role in ensuring that lessons learnt by agencies become part of a central body of knowledge; it could be involved in the evaluation of missions and the development of peacekeeping doctrine; and establish and maintain databases on all Australian projects on peacekeeping and individuals who are experts in the field of peacekeeping in Australia;
- a regional centre of excellence—the committee noted the need for regional capacity building and would like to see this aspect of the institute, not just governance training, given greater prominence in its mission statement; and
- a vital part of the international web of similar institutes throughout the world.

25.57 The committee is also concerned that important decisions are being made about the role, functions and structure of the institute without the benefit of a scoping study. The Australian Government could learn much from the experiences of established and highly-regarded overseas institutions. With this in mind, the committee suggests that the government commission a small fact-finding team of people knowledgeable and experienced in the various fields of peacekeeping to visit the relevant institutes around the world, and to report on their findings. This report to recommend to government ways in which the peacekeeping institute can be further developed or refined to improve its ability to be a national and regional centre of peacekeeping excellence. This team will also consider and make recommendations on issues such as funding and the future management and administration of the institution.

Recommendation 38

25.58 The committee recommends that the Australian Government establish a task force to conduct a scoping study for the Asia–Pacific Centre for Civil–Military Cooperation, focusing on best practice. The task force would:

- include representatives of the ADF, the AFP, DFAT, AusAID and NGOs;
- visit the major international peacekeeping centres and hold discussions with overseas authorities—visits could include the Pearson Peacekeeping Centre in Canada, Centre for International Peace Operations (ZIF) in Germany and centres in Malaysia and/or India.
- examine the structure, reporting responsibilities, administration, funding and staffing of these institutions—the task force would seek specific information on matters such as the civil–military–police coordination, administration of a civilian database and domestic/regional focus;
- assess the strengths and weaknesses of the various institutions with a view to identifying what would best suit Australia and the region; and
- based on this assessment, produce a final report for government containing recommendations on the Asia–Pacific Centre for Civil–Military Cooperation.

The government should make the report available to the committee.

Chapter 26

Conclusion

26.1 Since 1947, Australian peacekeepers have been involved in international peacekeeping operations. They are widely recognised for their commitment, dedication and high standards. As noted earlier in the report, His Excellency Major General Michael Jeffery, Governor-General of Australia, recently added to the praise often bestowed on Australian peacekeepers:

All three services of the Australian Defence Force, as well as Federal, State and Territory police officers and experts from other government agencies have served with compassion and professionalism and at times with high personal bravery. They have earned the respect and admiration of governments, aid agencies and civil populations throughout the world. We have a proud history of Peacekeeping service.¹

26.2 Today's peacekeepers face new challenges. During the past 60 years, the profile of peacekeeping missions has changed substantially. In the early years, Australia was involved exclusively in UN-led operations that were focused primarily on preserving the peace. The Australians engaged in these traditional operations served in small contingents primarily as military observers monitoring truce lines or state borders with the consent of the host countries.

26.3 In recent times, however, Australia has been required to contribute to a number of peacekeeping missions that are both complex and multidimensional in scope. Often the disputes involve protagonists in intrastate conflicts and occur in volatile circumstances with greater risks and costs than experienced in traditional peacekeeping operations. Many of these missions encompass long-term objectives that seek to address the deepest causes of conflict. Beyond the security component, the objectives include economic development and sustainable governance, humanitarian support, fiscal management, democracy building and election monitoring. These missions rely on a greater range of skills and personnel, including military, police, civilian and NGO participants. To be effective, the different components of an operation must work together as an integrated whole to achieve the objectives of the mission.

26.4 Australian peacekeepers have experienced first hand the difficulties coordinating the various elements of a peacekeeping operation and in making the transition from one phase of a mission to the next. They have served in UN peacekeeping operations that have come under severe criticism such as the troubled missions to Somalia and Rwanda. In these cases, Australian peacekeepers witnessed

1 Governor-General of the Commonwealth Australia, His Excellency Major General Michael Jeffery AC CVO MC, Speech, Reception for Australian Peacekeeping Memorial Project Committee, Admiralty House, Sydney, 25 October 2007.

the horrors created by intra-state conflict. Australia has also taken on leadership roles in peacekeeping missions to Cambodia, East Timor and Solomon Islands. Regional engagement is a major focus of Australia's current involvement in peacekeeping.

26.5 These changes have profound implications for Australia as a member state of the UN and a long-time contributor to peacekeeping missions. The committee has made a number of recommendations concerned with ensuring that Australian peacekeepers are well prepared to meet the challenges of today's missions. In particular, the committee emphasised the importance of interoperability at all levels of an operation—between relevant government agencies; government agencies and NGOs; Australian peacekeepers and the host country; and between Australian peacekeepers and their partners in the operation. It suggested that better communication, training and joint exercises, and collaboration in developing shared doctrine would help to improve coordination between all participants in a peacekeeping operation.

26.6 The committee was also interested in developing a more effective whole-of-government, whole-of-nation approach to Australian participation in peacekeeping from the earliest decision-making and planning stage to the evaluation and final reporting stage. The committee's two key recommendations dealt with developing a whole-of-government policy that would be articulated in a white paper on peacekeeping and with building on the government's announced establishment of the Asia–Pacific Centre for Civil–Military Cooperation.

26.7 Other committee recommendations dealt with more specific aspects of Australia's engagement in peacekeeping operations, including: the adequacy of a mission's mandate; emerging doctrines such as the responsibility to protect; the legal basis of a non-UN mandated operation; exit strategy; and women in peacekeeping. Protecting Australian peacekeepers from unnecessary harm, including to their mental health, was also addressed in the committee's recommendations.

26.8 The executive summary brings together the committee's main findings and all its recommendations.

SENATOR MARK BISHOP
CHAIR

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Appendix 1

Public submissions

- 1 Dr Robert Atkinson
- 2 Australian Peacekeeping Memorial Project Committee
- 3 United Nations Association of Australia Incorporated
- 4 Major General (Retired) Tim Ford, AO
- 5 Captain Wayne McInnes
- 6 Professor David Horner, Official Historian of Australian Peacekeeping and Post-Cold War Operations, The Australian National University
- 7 Name withheld
- 8 Regular Defence Force Welfare Association Inc
- 9 The Returned & Services League of Australia Limited
- 10 Australian Veterans and Defence Services Council Incorporated
- 11 Austcare
- 12 Dr Elsin Wainwright
- 13 Attorney-General's Department
- 14 Police Federation of Australia and the United Nations Police Association of Australia
- 15 Department of Foreign Affairs and Trade
- 16 Australian Peacekeeper & Peacemaker Veterans' Association
- 17 Australian Council for International Development
- 18 Confidential
- 19 World Vision Australia
- 20 Australians for a Free East Timor (AFFET) and Australian East Timor Association NSW (AETA)
- 21 Australian Electoral Commission
- 22 Australian Red Cross
- 23 Australian Institute of International Affairs
- 24 Oxfam Australia
- 25 Australian East Timor Friendship Association (SA) Inc
- 26 AusAID
- 27 Department of Veterans' Affairs
- 28 Australian Federal Police
- 29 Centre for International Governance and Justice, The Australian National University
- 30 Department of Defence
- 31 Christian World Service
- 32 Professor Raymond Apthorpe and Mr Jacob Townsend

Public submissions (cont.)

- 33 Embassy of Portugal
- 34 Embassy of France in Australia
- 35 Cyprus High Commission
- 36 Ambassador of the United States of America
- 37 Government of Canada
- 38 Professor Helen Ware
- 39 Professor Edward P. Wolfers

Appendix 2

Public hearings and witnesses

Tuesday, 24 July 2007—Canberra

ELSLEY, Squadron Leader Ruth, Detachment Commander, 44 Wing Detachment, RAAF Base Williamtown

GILLESPIE, Lieutenant General Ken, Vice Chief of the Defence Force

GRZESKOWIAK, Mr Steve, Director-General, Personnel Policy and Employment Conditions, Department of Defence

JOHNSON, Mr Mark David, National Manager, Compensation Policy, Department of Veterans' Affairs

NAGY, Mr William Stephen, Director, United Nations Commitments and Support, Department of Defence

PAGE, Mr Martin Leslie, Assistant Director, VEA Compensation Policy, Department of Veterans' Affairs

PARR, Mrs Sue, Acting Head, Personnel Executive, Department of Defence

PEARCE, Mr Mal, Director-General, Occupational Health, Safety and Compensation Branch, Department of Defence

SCOTT, Captain David Christian, Director, United Nations, Middle East and Africa, Department of Defence

SIMS, Brigadier Andrew, Director-General, Support, Headquarters Joint Operations Command, Department of Defence

Wednesday, 25 July 2007—Canberra

BIRD, Ms Gillian, Deputy Secretary, Department of Foreign Affairs and Trade

BLISS, Mr Michael Edward, Director, International Law Section, Department of Foreign Affairs and Trade

CHAN, Ms Michelle, Assistant Secretary, South-East Asia (South) and Regional Issues Branch, Department of Foreign Affairs and Trade

CHARTRES, Ms Alison, Director, Fragile States, Australian Agency for International Development

DARVILL, Mr Steve, Humanitarian/Peace-Conflict Adviser, Australian Agency for International Development

EDWARDS, Mr Bruce Kevin Jeffrey, Executive Officer, Solomon Islands Section, Department of Foreign Affairs and Trade

HUTCHESSON, Mr Bryce David, Assistant Secretary, Strategic Affairs Branch, Department of Foreign Affairs and Trade

LANCASTER, Commander Steve, Manager Operations Response Group, International Deployment Group, Australian Federal Police

MARCH, Mr Alan, Humanitarian Coordinator and Assistant Director General, Public Affairs, Australian Agency for International Development

MURNEY, Dr Anthony, Manager, Planning and Development, International Deployment Group, Australian Federal Police

POTTS, Mr Michael John, First Assistant Secretary, International Organisations and Legal Division, Department of Foreign Affairs and Trade

RITCHIE, Mr David Alexander, First Assistant Secretary, Pacific Division, Department of Foreign Affairs and Trade

STOKES, Ms Deborah, First Assistant Secretary, South and West Asia, Middle East and Africa Division, Department of Foreign Affairs and Trade

WALTERS, Assistant Commissioner Mark Adrian, National Manager, International Deployment Group, Australian Federal Police

Monday, 20 August 2007—Sydney

CRAWFORD, Rear Admiral Ian McLean, National President, Australian Veterans and Defence Services Council

FORD, Major General Timothy Roger (Retired), Private capacity

GEE, Mr Alistair Patrick, Executive Director, Christian World Service

GOLDSMITH, Professor Andrew, School of Law, Flinders University

ROY, Ms Julia, Responsibility to Protect Policy and Advocacy Officer, Christian World Service

THOMSON, Mr James D., Director, Policy and Advocacy, Christian World Service

WAINWRIGHT, Associate Professor Elsin Margaret, Private capacity

Tuesday, 21 August 2007—Melbourne

BROWN, Mr David James, Asia Manager, Australian Red Cross

COPELAND, Mr Paul Arthur, National President, Australian Peacekeeper and Peacemaker Veterans' Association Inc.

DODD, Miss Rebecca, National Manager, International Humanitarian Law, Australian Red Cross

ENSOR, Mr James, Director of Public Policy, Oxfam Australia

GOW, Ms Melanie, Head, Advocacy, Program Effectiveness and Learning, World Vision Australia

McCORMACK, Professor Timothy Lloyd Hearnden, Director, Asia Pacific Centre for Military Law, Melbourne Law School

McINNES, Mr Wayne Andrew, Private capacity

PARRIS, Dr Brett, Senior Economic Adviser, World Vision Australia

ROSS, Mr Brendan, Humanitarian Advocacy Coordinator, Oxfam Australia

SHEPHERD, Mr Geoffrey James, Head of Humanitarian and Emergency Affairs, World Vision Australia

TICKNER, Mr Robert, Secretary General/Chief Executive Officer, Australian Red Cross

Wednesday, 5 September 2007—Canberra

APTHORPE, Professor Raymond James, Private capacity

BREEN, Dr Bob, Research Fellow, Research School of Pacific and Asian Studies, Australian National University

CLUNIES-ROSS, Major General Adrian, Chairman, National Defence Committee, Returned and Services League of Australia

CONNOR, Dr John Stephen, Volume Author, *Official History of Australian Peacekeeping and Post-Cold War Operations*

DOOLAN, Rear Admiral Kenneth Allan (Retired), Member, National Defence Committee, Returned and Services League of Australia

HORNER, Professor David Murray, Professor of Australian Defence History, Australian National University; and Official Historian, *Official History of Australian Peacekeeping and Post-Cold War Operations*

LONDEY, Dr Peter David, Military History Section, Australian War Memorial; and Author, *Official History of Australian Peacekeeping and Post-Cold War Operations*

MALEY, Mr Michael Charles, Director, International Services, Australian Electoral Commission

PICKERING, Mr Tim, First Assistant Commissioner, Electoral Operations, Australian Electoral Commission

PURNELL, Mr David Lyle, National Administrator, United Nations Association of Australia

RAFALOWICZ, Mr Alex, National Vice President (Policy), United Nations Youth Association of Australia

Thursday, 6 September 2008—Canberra

BURGESS, Mr Mark Anthony, Chief Executive Officer, Police Federation of Australia

CROSSLEY, Mr David, Executive Director, Australian National Audit Office

GILLESPIE, Lieutenant General Ken, Vice Chief of the Defence Force, Department of Defence

McKASKILL, Brigadier David, former Commandant, Australian Defence Force Warfare Centre, Department of Defence

McLAUGHLIN, Commander Rob, Legal Adviser, Military Strategic Commitments, Department of Defence.

MEERT, Mr John, Group Executive Director, Australian National Audit Office

NAGY, Mr William, Director, United Nations Commitments and Support, Department of Defence

O'BRIEN, Mr Timothy, Senior Director, Australian National Audit Office

O'CALLAGHAN, Mr Paul, Executive Director, Australian Council for International Development

ROWLANDS, Mr David, Acting Executive Director, Australian National Audit Office

SCOTT, Captain David, Director, United Nations, Middle East and Africa, Department of Defence

SMITH, Major General Michael G (Retired), Chief Executive Officer, Austcare

WEBBER, Mr Norman Alan, National Research, United Nations Police Association of Australia.

WENDT, Ms Neva, Senior Policy Adviser, Australian Council for International Development

Thursday, 13 September 2007—Canberra

BLISS, Mr Michael Edward, Director, International Law Section, Department of Foreign Affairs and Trade

BRAITHWAITE, Professor John, Centre for International Governance and Justice, Regulatory Institutions Network, Australian National University

CHAN, Ms Michelle, Assistant Secretary, South-East Asia (South) and Regional Issues Branch, Department of Foreign Affairs and Trade

CHARLESWORTH, Professor Hilary, Director, Centre for International Governance and Justice, Regulatory Institutions Network, Australian National University

EDWARDS, Mr Bruce Kevin Jeffrey, Executive Officer, Solomon Islands Section, Pacific Islands Branch, Pacific Division, Department of Foreign Affairs and Trade

FARRALL, Dr Jeremy Matam, Research Fellow, Centre for International Governance and Justice, Regulatory Institutions Network, Australian National University

FEAKES, Mr Richard, Director, Solomon Islands Section, Pacific Islands Branch, Pacific Division, Department of Foreign Affairs and Trade

FOLEY, Mr Paul, Assistant Secretary, Middle East and Africa Branch, Department of Foreign Affairs and Trade

LOCHRIN, Mr Adrian Robert, Acting Assistant Secretary, Strategic Affairs Branch, Department of Foreign Affairs and Trade

POTTS, Mr Michael John, First Assistant Secretary, International Organisations and Legal Division, Department of Foreign Affairs and Trade

Appendix 3

Additional information, tabled documents and answers to questions on notice

Additional information

Andrew Goldsmith and Sinclair Dinnen, 'Transnational Police Building: critical lessons from Timor-Leste and Solomon Islands', *Third World Quarterly* Vol. 28, No. 6, 2007, pp. 1091–1109.

Sinclair Dinnen, Abby McLeod and Gordon Peake, 'Police-Building in Weak States: Australian Approaches in Papua New Guinea and Solomon Islands', *Civil Wars*, Vol. 8, No.2 (June 2006), pp. 87–108.

Captain Wayne McInnes, Appendices to submission number 5—Submission for the Recognition of Conditions of Service for the Australian Training Support Team East Timor (ATST-EM) and members of the Defence Cooperation Program East Timor (DCP-EM), with two attachments.

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World Vision Australia: Appendices to email of *September 2007*.

1. Draft Emergency and Accountability Framework, Humanitarian Reference Group, Australian Council for International Development
2. Red R Australia web publication: training course overview
3. Red R Australia web publication: Current training calendar and course fee structure
4. Red R Australia web publication: Overview of training partners
5. Red R Australia web publication: Overview of courses (several documents)

Answers to questions and written questions on notice***Department of Defence—24 July 2007****Answers to questions on notice*

1. Australian Defence Force (ADF) Peacekeeping Centre
2. ADF language capability
3. ADF language training

Answers to written questions on notice

1. Assessing support for peacekeeping operations
2. Additional army battalions
3. INTERFET leadership
4. Coordination with the UN
5. Coordination with the AFP
6. Division of roles with the AFP
7. Coordination with AusAID
- 8.–12. & 15. Australian Training Support Team East Timor
- 13.–14. Medical care
16. Pre–deployment training
17. Health awareness
18. Post-deployment briefing
19. UN Senior Mission Leadership courses
- 20.–21. ADF Peacekeeping Centre
22. Civil–Military Coordination
23. ADF investigations
24. Lessons learnt
25. & 27. Health
26. Classification of service
27. Australian Peacekeeping Medal
28. Australian War Memorial Roll of Honour

Department of Veterans' Affairs—24 July 2007*Answers to questions on notice*

1. DVA personnel's understanding of peace operations
2. Health study on peacekeepers
3. Peacekeeping display at the Australian War Memorial
4. Medical records
5. ANZAC Parade memorial
6. Recognition of peacekeepers

Australian Federal Police—25 July 2007

Answers to questions on notice

1. Resources used by the International Deployment Group
2. Publication of Performance measures for AFP peace operations
–Attachment 1: Framework for Performance Indicators in Australian Federal Police (AFP) Peace Operations by University of Queensland Social Research Centre (October 2006)
3. Recruits to the AFP and IDG
4. Sworn positions (refer to question 6)
5. Rehabilitation, compensation and complementarity between the ADF and AFP (refer to written questions on notice 24-28)
6. Sworn AFP personnel and eligibility/capability of AFP staff for deployment
7. Update on United Nations mission in Cyprus
8. Language, cultural and human rights training
9. World Vision allegations regarding use of force in RAMSI
10. United Nations Security Council resolution 1325

Answers to written questions on notice

1. Resource capacity
2. Proportion of Australian police in East Timor, Solomon Islands and Bougainville
3. Precautions to protect unarmed officers
4. Weapons competency
5. Intelligence regarding Honiara in April 2006
- 6.–7. Transition and legal vacuum
8. Local institution building
9. Pre-deployment training for RAMSI
10. Peacekeeping 'think tank'
11. Post-deployment debriefing
12. Training in Conflict resolution and negotiation
13. Health education
14. Civil–military–police coordination doctrine
15. Pacific Islands personnel deployed to RAMSI
16. Standing police capacity
17. UN rapid deployment
18. Immunity for deployed police officers
- 19.–20. Accountability for conduct
21. Distinguishing police from military
22. Post Traumatic Stress Syndrome in AFP personnel
23. Access to medical records
- 24.–29. Workers' compensation and rehabilitation scheme
- 30.–33. Honours and awards

Department of Foreign Affairs and Trade (DFAT)*Answers to questions on notice—25 July 2007*

1. Australian staff in the UN Department of Peacekeeping Operations (DPKO)
2. Australian staff's responsibilities in the DPKO and Australia's Permanent Mission to the UN
3. Quarterly report to United Nations on Australia's capacity
–Attachment 2: United Nations Stand-by Arrangements System (UNSAS) Quarterly Status Report July to September 2007

Answers to written questions on notice—25 July 2007

1. Agency representation in peace operations
2. Involvement of civilian experts in peace operations
3. Cultural awareness in peace operations
4. Public awareness of peacekeeping activities
5. Establishment of a peacekeeping 'think tank'
- 6.–8. ANAO audit—lessons learnt, reporting
9. Pacific representation in RAMSI

Answers to questions on notice—13 August 2007

1. Number of women in decision-making positions
2. Australia–Japan security declaration
3. Participation in UN senior leadership courses

Australian Agency for International Development—25 July 2007*Answers to questions on notice*

1. AusAID and ADF International Peace Operations Seminar
–Attachment 1: International Peace Operations Seminar
2. AusAID input into AFP International Deployment training
3. AusAID advice to the Regional Assistance Mission in Solomon Islands (RAMSI) in relation to resolution 1325

Answers to written questions on notice

1. Considerations in the decision to participate
- 2.–3. Civilians
- 4.–8. Training
9. Post-deployment
10. Regional training arrangements
11. Government projects in Solomon Islands
12. Civil–military coordination
13. Civil–military–police coordination
14. Communication and information sharing between security agencies and NGOs
15. Integration of peace operations and other peacemaking activities
16. AusAID-supported projects
17. Role of women

18. Underlying causes of conflict and RAMSI's success
- 19.–21. Evaluation and reporting
- 22.–24. Financial commitments
25. Code of conduct

Australian War Memorial

Answers to questions on notice

1. Peacekeeping displays at the Australian War Memorial
2. Clarification regarding the Anzac Parade memorial
3. Peacekeepers and the Roll of Honour

Clarifications

Department of Defence

Lieutenant General Ken Gillespie, Vice Chief of the Defence Force, correspondence to committee correcting errors given in evidence on 24 July 2007, dated 15 August 2007.

Squadron Leader Ruth Elsley, correspondence to committee correcting evidence provided on 24 July 2007, dated 13 August 2007.

AusAID

Mr Alan March, Australian Agency for International Development, correspondence to committee correcting evidence provided on 25 July 2007, dated 7 August 2007.

ACFID

Mr Paul O'Callaghan, Australian Council for International Development, correspondence to committee clarifying evidence given on 6 September 2007, dated 9 September 2007.

Appendix 4

Findings of previous parliamentary inquiries

Previous parliamentary inquiries into Australia's involvement in peacekeeping have noted themes and issues evident again in this inquiry. These include, for example, the range of factors which need to be taken into account in the decision to commit Australia to a peace operation, the importance of coordinating input from a range of government agencies, the need for cooperation across government and non-government sectors and the advantages of regional cooperation. This appendix provides a brief summary of the findings of the previous inquiries.

In 1991 the Senate Standing Committee noted the importance of 'assessing peacekeeping activities as part and parcel of wider Australian security concerns and foreign policy interests'. It made 17 recommendations covering a wide range of areas including: improving the United Nations (UN) machinery for peacekeeping; formalising Australia's strategic interests in peacekeeping; better assessing the pre-conditions for Australia's involvement; improving recognition of peacekeepers and reviewing conditions of service; enhancing training; improving civil–military coordination; and enhancing regional cooperation. The committee provided a list of factors that it considered should be taken into account in the decision to participate in peacekeeping operations.¹

The 1994 report of the Joint Standing Committee made 50 recommendations, some overlapping the themes of the earlier inquiry. Among these recommendations, the committee emphasised reforming and improving the UN's capacity for peacekeeping and the importance of early planning, as well as enhancing Australia's capacity for peacekeeping. The committee's report reflected the evolving international environment and wider range of activities being undertaken in peacekeeping operations. It called for a permanent secretariat staffed from a number of government departments and other organisations to 'coordinate peacekeeping policy and decision making' and also recommended that an 'integrated policy on peacekeeping, taking into account the diversity of peacekeeping activities and objectives in the evolving international order' be developed. The report highlighted the role of non-military agencies in peacekeeping, making recommendations specific to the Australian Federal Police and Australian Electoral Commission. It also made several recommendations aimed at improving Australian Defence Force coordination with non-government organisations. Finally, the committee considered and recommended the establishment of an Australian Peacekeeping Institute.²

1 Senate Standing Committee on Foreign Affairs, Defence and Trade, May 1991, *United Nations Peacekeeping and Australia*.

2 Joint Standing Committee on Foreign Affairs, Defence and Trade, December 1994, *Australia's Participation in Peacekeeping*.

The 2001 report made recommendations about the circumstances in which Australia should commit to peace operations, focusing specifically on the legitimate basis for the operation and a specified exit strategy. It recommended increased personnel and financial support to the UN's Department of Peacekeeping Operations. The report also recommended regional collaboration, in that the Australian Defence Force was asked to consider conducting joint military training exercises with regional countries, although given the context of the report, the recommendation related to exercises 'specifically focused on UN peace operations'.³

3 Joint Standing Committee on Foreign Affairs, Defence and Trade, 2001, *Australia's role in United Nations Reform*, pp. xxv–xxvi.

Appendix 5

International Commission on Intervention and State Sovereignty (ICISS)—criteria for military intervention

Criteria for military intervention

As discussed in Chapter 5, the ICISS developed six criteria to be satisfied before a military intervention takes place:

- Just cause – in order to halt or avert serious and irreparable harm of the following kind:
 - large scale loss of life, with or without genocidal intent; or
 - large scale ethnic cleansing;
- Right intention – the primary purpose must be to prevent or stop human suffering;
- Last resort – only when all non-military options have been explored, with reasonable grounds for believing lesser measures would not have succeeded;
- Proportional means – the scale, duration and intensity should be the minimum necessary to secure the defined human protection objective;
- Reasonable prospects – there must be a reasonable chance of success, with the consequences of action not likely to be worse than the consequences of inaction; and
- Right authority – The ICISS considered that there is no better or more appropriate body than the UN Security Council to authorise military intervention for human protection purposes and make the hard decisions about overriding state sovereignty. In its view, the task is not to find alternatives to the Security Council as a source of authority, but to make it work better than it has. If the Security Council fails to act, two alternative options are suggested:
 - to seek support for military action from the UN General Assembly meeting in an emergency session under the established "Uniting for Peace" procedure; or
 - the UN Security Council to authorise regional organisations under Chapter VIII of the UN Charter.¹

1 International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, December 2001, pp. XII-XIII and 32–55.

Operational principles

Where a decision is made to carry out a military intervention based on the responsibility to protect, the ICISS identified the following broad operational principles for a successful intervention:

- Clear objectives; clear and unambiguous mandate; allocation of sufficient resources;
- Common military approach; unity of command; clear and unequivocal communications and chain of command;
- Acceptance of limitations, incremental and gradual application of force, the objective being protection of a population, not defeat of a state;
- Rules of engagement which fit the operational concept; are precise; reflect the principle of proportionality; and involve total adherence to international humanitarian law;
- Acceptance that force protection cannot become the principal objective; and
- Maximum possible coordination with humanitarian organisations.²

2 International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, December 2001, pp. XIII and 57–67.

Appendix 6

Table: Australians who have died on peacekeeping operations

Date	Name (*Police)	Location	Cause of Death
January 1966	Lt Gen Robert Nimmo	Kashmir	Died of natural causes
July 1969	Sergeant Lew Thomas*	Cyprus	Killed in vehicle accident
August 1971	Inspector Paul Hackett*	Cyprus	Killed in vehicle accident
November 1974	Sergeant Ian Ward*	Cyprus	Killed by landmine
January 1988	Captain Peter McCarthy	Lebanon	Killed by landmine
April 1993	Lance Corporal Shannon McAliney	Somalia	Died after accidental discharge of weapon
June 1993	Major Susan Felsche	Western Sahara	Killed in plane crash
January 2000	Lance Corporal Russell Eisenhuth	East Timor	Died of illness
May 2000	Lance Corporal Shane Lewis	Bougainville	Died in diving accident
August 2000	Corporal Stuart Jones	East Timor	Died after accidental discharge of weapon
March 2004	Private Jamie Clark	Solomon Islands	Died in accidental fall
December 2004	Protective Service Officer Adam Dunning*	Solomon Islands	Shot
November 2007	Private Ashley Baker	Timor-Leste	Died from discharge of weapon