

# The military and human security

*Kees Homan*<sup>1</sup>

## **Introduction**

Human security is a people-centred approach which has gained considerable attention in recent years. How human security is defined and applied is still a matter of discussion and growing experience. Despite the different definitions, interpretations and accents, the various understandings of human security share several common characteristics. Human security:

- tends to start from individual citizens and the communities in which they live, rather than from states;
- approaches person-centred security as an integral element of international peace and security;
- recognises that the security of states is essential but not sufficient to guarantee person-centred security and well-being;
- focuses on threats to persons, whether their origin may be military or non-military; and
- considers security a continuum that starts with conflict prevention and extends over intervention to conflict resolution.<sup>2</sup>

This article will focus on the role of the military in the field of human security. As a matter of fact, from a broad perspective, human security might already be said to be playing a direct or indirect part in military doctrine and operations through: the Geneva Conventions; the development of Peace Support Operations doctrines; progress in international law relating to arms control and criminal courts; the growing interest among militaries in engendering goodwill on the part of the local population through 'hearts and minds' strategies, including activities which improve local infrastructure and livelihoods; and Rules of Engagement.

In this article, firstly the potential roles for the military in the field of human security will be surveyed. This will be followed by examining the emerging concept of the 'responsibility to protect'. Next, the concept of a 'Human Security Doctrine' will be discussed, followed by civil-military relations in humanitarian operations. At the end some concluding remarks will be made.

## **Potential roles for the armed forces**

Civilians now constitute the majority of war casualties, an atrocious and alarming trend that persuaded the previous United Nations (UN) Secretary-General to call

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<sup>1</sup> Major General (ret.) Kees Homan is a senior research fellow at the 'Clingendael' Institute in The Hague, The Netherlands.

<sup>2</sup> Paul Heinbecker, 'The Concept of Human Security', in: *RUSI Journal*, December 2000, Vol. 145, No. 6, pp. 27-32

for the creation of a ‘culture of protection’ in dealing with situations of armed conflict.<sup>3</sup> The primacy of human rights is what distinguishes the human security approach from traditional state-based approaches. The debate on sovereignty and the conditions under which human rights concerns should take precedence over sovereignty has been a central preoccupation of both practitioners and analysts of foreign policy in recent years. As a consequence, in human security operations, the protection of civilians, not defeating an enemy, is an end in itself. The main objectives of humanitarian operations are to save lives, to alleviate human suffering; and to offer the prospect of resuming a dignified existence.

From a military perspective, humanitarian operations can be conducted as part of a broader peace support operation or in a non-peace support operations scenario, which has the alleviation of human suffering as its main objective. Both are conducted under circumstances in which the competent authorities are unable, and in some cases unwilling, to assist in providing adequate aid to the population.

In a peace support operation, there are a series of discrete measures to provide protection for targeted populations. One set of protective measures relates to the protection of humanitarian action and includes the defence of aid convoys and the maintenance of humanitarian corridors. It could also include the use of security forces to protect the storage and distribution of aid as well as the controversial use of ‘technicals’ in Somalia. A second set of measures relates to the physical protection of populations in discrete locations. Here it may be useful to distinguish between larger safe zones, where people remain in their homes and communities, and safe havens, where people from the surrounding area seeking protection congregate.

More in detail, Victoria Holt distinguishes the following potential roles for military forces in civilian protection:

1. *‘Protection as an obligation within the conduct of war.* In war, military forces are required to abide by the Geneva Conventions and other international laws to minimise civilian death and injury and the destruction of civilian objects, and to allow for relief provided by impartial humanitarian actors. The occupying power is responsible for the basic security and welfare of the civilian population.
2. *Protection as a military mission to prevent mass killings.* According to the principles outlined by the International Commission on Intervention and State Sovereignty (ICISS), a protection mission is organised and deployed specifically to actively prevent large-scale violence against civilians.<sup>4</sup>
3. *Protection as a task within UN-mandated peace operations.* ‘Civilian protection’ is seen as one of many tasks for peacekeepers, but is unlikely to be the operation’s central, organising aim.

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<sup>3</sup> United Nations, Report of the Secretary-General to the Security Council on the Protection of Civilians in Armed Conflict, UN Document S/2001/331, March 30, 2001

<sup>4</sup> International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, Ottawa, 2001

4. *Protection as providing area security for humanitarian action.* Military forces or peacekeepers establish the wider security of an area, enabling others to provide support to civilians in that area.
5. *Protection through assistance/operational design.* Protection is a function of the design of relief and humanitarian programmes: refugee camps, water supplies and latrines, for example, are placed so as to minimise threats to vulnerable populations. The potential military role is to assist in reducing threats, such as offering physical presence as a deterrent
6. *Protection as the use of traditional force.* Some military thinkers point out that civilians will enjoy better protection after a war-fighting force has been used to stop an enemy's actions'.<sup>5</sup>

### **The responsibility to protect**

The issue of humanitarian interventions is often labelled as the duty, obligation or responsibility to protect innocent people from genocide, crimes against humanity and war crimes. The ICISS advanced the concept of the 'responsibility to protect' in its report in 2001.<sup>6</sup>

The report's central theme is the idea that sovereign states have a responsibility to protect their own citizens from avoidable catastrophe — from mass murder and rape, from starvation — but when they are unwilling or unable to do so, that responsibility must be borne by the broader community of states. In other words, the report promotes a re-characterisation of the concept of state sovereignty from sovereignty to control to sovereignty as responsibility. It recognises that the rights conferred on a sovereign state are also balanced with responsibilities. The report argues that where a civilian population is suffering from serious human rights abuses, and the state in question is unwilling or unable to avert them, the principle of non-intervention must yield to the international responsibility to protect that population.

In extreme and exceptional cases, the responsibility to react may involve the need to resort to military action. Those exceptional cases must be cases of violence which so genuinely 'shock the conscience of mankind' or which present such a clear and present danger to international security, that they require coercive military intervention. The task is to define, with as much precision as possible, what these exceptional circumstances are, so as to maximise the chances of consensus being reached in any given case.

While there is no universally accepted list of criteria, all the relevant decision-making criteria can be summarised under the following six headings: right authority; just cause; right intention; last resort, proportional means; and reasonable prospects.

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<sup>5</sup> Viktoria K. Holt, 'The military and civilian protection: developing roles and capacities', *HPG Research Briefing*, No. 22, March 2006, p. 2.

<sup>6</sup> *Ibid* II.

In the Commission's view, there is a just cause for military intervention for human protection purposes in two broad sets of circumstances, namely in order to halt or avert:

- large-scale loss of life, actual or apprehended, with genocidal intent or not, which is the product either of deliberate state action, or state neglect or inability to act, or a failed state situation; or
- large-scale 'ethnic cleansing', actual or apprehended, whether carried out by killing, forced expulsion, acts of terror or rape.

However, Alex de Waal, criticising the concept of the responsibility to protect, states that there is no such thing as humanitarian military intervention distinct from war or counterinsurgency.<sup>7</sup> In his opinion war is political (and must be very smartly political to succeed); military logic will dictate what happens (including probable escalation and various unpredictable factors); and it will entail bloodshed including the killing of innocent people.

### **The United Nations and the responsibility to protect**

The issue of the responsibility to protect has also been addressed in the September 2005 United Nations Summit Outcome Document.<sup>8</sup> It states that: 'each individual state has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help states to exercise this responsibility and support the United Nations in establishing an early warning capability'.<sup>9</sup>

In addition, it is said that 'the international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means', 'to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity', and that in that context the UN member states 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 manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity'.<sup>10</sup>

Unfortunately, an important paragraph relating to the use of the veto in the Security Council did not make it into the final document. This paragraph asked the

<sup>7</sup> Alex de Waal, 'No Such Thing as Humanitarian Intervention, 'Why We Need to Rethink How to Realize the "Responsibility to Protect" in Wartime', in: *Harvard International Review*, 21 March 2007 (<http://www.harvardir.org/articles/print.php?article=1482>).

<sup>8</sup> Willem van Genugten, Kees Homan, Nico Schrijver, Paul de Waart, *The United Nations of the Future, Globalization with a Human Face*, KIT Publishers, Amsterdam, pp. 166-168.

<sup>9</sup> UN Doc. A/RES/60/1, 24 October 2005, p. 138.

<sup>10</sup> *Ibid.*, par. 139.

five permanent members of the Security Council to refrain from using their veto in cases of genocide, crimes against humanity, ethnic cleansing and war crimes. This proposal had received widespread support from the European Union and Latin America. However, it was reportedly removed as a result of pressure from the United States, Russia and China (who all hold veto power).

Although weakened, the Final Outcome Document of the Summit did include the first ever clear international agreement that outside countries should be willing to act to stop atrocities, using military force as a final means if necessary, in a country whose government is unable or unwilling to do so. Thus, it can be considered as a step forward on the long road towards the better protection — or simply protection — of innocent populations all over the world against leaders who are abusing their powers, who have never heard of something like the separation of powers, or who have simply held on to their comfortable seats for too long.

### **Human Security Doctrine**

Doctrinal thinkers within the military have yet to create a systematic framework for intervention for the protection of civilian populations. Doctrine is typically defined as ‘fundamental principles by which military forces guide their actions in support of objectives’.<sup>11</sup> The North Atlantic Treaty Organisation’s (NATO) military doctrine does not address civilian protection issues in a coherent way.<sup>12</sup> The NATO manual on peace support operations does not mention the phrase ‘civilian protection’ or ‘protection of civilians’, but includes a section entitled ‘The Protection of Humanitarian Operations and Human Rights’ and another entitled ‘The Establishment and Supervision of Protected or Safe Areas’. The NATO doctrine states that: ‘Should the situation be such that humanitarian operations require wide spread protection and human rights abuses are endemic, then a PE [peace enforcement] profile will be more appropriate [than a peacekeeping profile]. The foremost task of the military force may be to restore the peace and create a stable and secure environment in which aid can run freely and human rights abuses are curtailed. Specific protection tasks may include Non-combatant Evacuation Operations ... but will more normally apply to the protection of convoys, depots, equipment and those workers responsible for their operation’.<sup>13</sup>

NATO doctrine also includes various mission tasks that are potentially applicable to civilian protection. These include the imposition of no-fly zones, the forcible separation of belligerent parties, the establishment and supervision of protected or safe areas, and the creation of ‘safe corridors’ for the passage of civilians and for aid.

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<sup>11</sup> Allied Administrative Publication 6.

<sup>12</sup> Victoria K. Holt, ‘The military and civilian protection: developing roles and capacities’, in: Victoria Wheeler and Adele Harmer (eds), *Resetting the rules of engagement, Trends and issues in military-humanitarian relations*, p. 57.

<sup>13</sup> North Atlantic Treaty Organization, AJP-3.4.1 Peace Support Operations, 2nd Study Draft, 1999, quote from 6-8

The European Union has traditionally focused on civilian aspects of crisis management, such as humanitarian assistance. At Javier Solana's request, a research group studied A Human Security Doctrine for Europe.<sup>14</sup> The unofficial doctrine, aimed primarily at freedom from fear, comprises three elements:

- A set of seven principles for operations in situations of severe insecurity: the primacy of human rights, clear political authority, multilateralism, a bottom-up approach, regional focus, the use of legal instruments, and the appropriate use of force.
- A Human Security Response Force composed of 15,000 men and women.
- A new legal framework to govern both the decision to intervene for reasons of human security and operations on the ground.

At an operational level, the primary task of any deployment of the Human Security Response Force is to assist law enforcement. For the military, it should mean a shift from the traditional use of military force such as warfare to that of law enforcement. The military have to be actively involved in assisting the police and civil authorities. They are not only by their mere presence acting to make the population that they work within feel more secure, but are embarking on operations designed to provide information, intelligence and evidence for use in courts: operations that can directly lead to the prosecution and conviction of organised criminals, corrupt officials and those who commit acts of terror. In situations like Bosnia and Kosovo, for example, greater efforts to bring about justice could have made a big difference to the depth and speed of reform and reconstruction.

The aim in human security operations should be to protect people and minimise all casualties. Although minimum force is key in human security operations, this does not suggest that the use of force is to be avoided under all circumstances. Nothing should undermine the inherent right of self-defence. Nevertheless, the use of minimum and precise force, of course, puts one's own troops at more immediate risk than using overwhelming force. This logic should be appreciated by the military, the politicians and the general public.

The proposed Human Security Response Force should be roughly the size of a division, i.e. 15,000 personnel, of which about two thirds would be multinational military, while one third would be multinational police and civilian specialists.<sup>15</sup> This integrated civil-military force is most suitable for carrying out human security missions. The civil-military integration would apply at the planning level as well as at the operational level. The military troops, as an important component of these operational capacities, will have to restructure and re-equip along new lines and they will need to be integrated with civilian capabilities, such as police, tax and customs officers, judges, administrators, providers of aid and human rights specialists. The ultimate aim is to be able to

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<sup>14</sup> A Human Security Doctrine for Europe, The Barcelona Report of the Study Group on Europe's Security Capabilities, Barcelona, 15 September 2004.

<sup>15</sup> Klaus Reinhardt, 'The Human Security Response Force: A Different Way of Peacekeeping', NATO's NATIONS and Partners for Peace, IV/2005, p. 139.

deploy different packages of military-civilian capabilities according to the situation. Although the position of the member states towards the Human Security Doctrine is unknown, Solana has recently tasked a large pool of researchers to design the doctrine in more detail.

### **Civil-military relations**

The proposed Human Security Response Force still only exists on paper, however. For its realisation there are considerable obstacles to overcome. One important one is in the field of civil-military relations.<sup>16</sup> Among civilians, the military are often associated with a mission of violence, which is considered to conflict with and indeed may hamper the purposes of civilian actors, in particular aid providers. In Iraq and Afghanistan, for example, aid agencies including the UN, were reluctant to accept US military protection for fear that it would affect their access to and acceptance among the local population.

For many humanitarian non-governmental organisations (NGOs), the military cannot be humanitarian actors, because of their mission. In a conflict, the 'humanitarian' action of military forces is necessarily subordinate to the political and strategic imperatives of the mission, and humanitarian aid is just one of the various possible strategies for winning 'hearts and minds'. This can lead to outright exploitation, for instance making aid conditional upon the supply of strategic intelligence. The humanitarian work of the military may conflict with the long-term objectives developed by the NGOs that have been in place for some time on the ground, particularly development NGOs. Lastly, the confusion of military and humanitarian roles can create a whole set of problems: it blurs the identity of humanitarian actors; it endangers their personnel, particularly local employees, who are not as well protected as expatriates.

Among the military, there is a tendency to assume that civilians 'get in the way' and are less efficient at carrying out specified tasks or that the military's job is engaging in warfare, not nation building or protecting humanitarian aid workers. For many of the military, NGOs are ambiguous, non-professional actors whose choices are ill-considered.

The military find that there are too many NGOs in crisis areas and they consider them as unpredictable. Moreover, since they do not have a single command, their actions are not monitored, and they pose security problems for military forces. Many NGOs are ideologically hostile to the military. The military find that attitude illogical: they refuse to cooperate with the military forces, they refuse to exchange information, but they are the first to want to be rescued from danger. NGOs exploit military forces for their sole objective: securing the humanitarian space.

It is clear that both sides need to adapt. It is a fact that the relationship between military forces and NGOs, especially humanitarian NGOs, is a delicate one

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<sup>16</sup> Laure Borgomano-Loup, *Improving NATO-NGO Relations in Crisis Response Operations*, NATO Defense College, Research Branch, Rome, March 2007, pp. 35-36.

because of the contrasting priorities involved: on the one hand, the success of the political and military mission and, on the other, assistance to populations in distress without any other agenda. Effective civil-military integration is most feasible in situations where the military act in a law-enforcement role and the civil agencies are part of a combined politically-led operation.

Since the early 1990s, NGOs have been attempting to clarify the principles of the humanitarian/military relationship. Their thinking, usually in concert with the United Nations, has resulted in codes of conduct. These codes are not binding, and there may be a considerable difference between principles and action in the field. They do, however, give a good indication of NGO approaches to interaction with the military. They share the following points:

- the basic principle is the separation of the humanitarian and military spheres;
- however, military forces may be used for humanitarian aid as a last resort, on a case by case basis, if there is no other alternative, either because the situation is dangerous or because civil logistic resources are inadequate;
- the action of the military must consist of support for humanitarian aid and securing the humanitarian space;
- the military's humanitarian work must be of limited duration and have limited objectives; and
- the mission must remain under civilian control.

The different positions of aid agencies with regard to cooperation with the military can be described in the following simple typology:

- *Principled neutralists*: those agencies or actors who want to stay independent, do not want to collaborate with the military and seek to avoid contact as a matter of principle;
- *More or less pragmatists*: those who balance their principles against more functionalist or instrumentalist considerations and decide to cooperate more or less intensively with the military depending on the context; and
- *Supporters*: those who defend the military actions as necessary, see little objection to it on principle, and are prepared to collaborate and provide support.<sup>17</sup>

### Concluding remarks

While a political consensus is emerging concerning an obligation to protect people from serious threats, the full implications of this new thinking — for military operations, doctrine and training, and for humanitarian concepts of protection — are still not fully developed. Military actors have worked with other agencies — humanitarian, human rights, developmental and political — in the field, but they should have a more joint understanding of what civilian protection means, or what it requires. The humanitarian and human rights communities have developed varied concepts and guidelines for their protection work, but these ideas do not

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<sup>17</sup> Georg Frerks, Bart Klem, Stefan van Laar and Marleen van Klingeren, *Principles and Pragmatism, Civil Military Action in Afghanistan and Liberia*, Bart Klem Research-Universiteit Utrecht, May 2006, p. 9.

immediately align with military actors deployed in peace operations or other interventions.

Human security considerations should be made a part of all military activity, not just an add-on. Human security is not about carrying out non-combat operations. The integration of human security principles is needed most urgently at the operational level, through training and a change of military culture, supported by accountability and stringent enforcement. For example, every military operational plan for any unit size could include a civilian protection component. This would be part of the planning procedure, combat operation orders and success evaluation.

In summary, human protection operations are different from both the traditional operational concepts for waging war and for UN peacekeeping operations. Steps should be taken to develop a universal human security doctrine.<sup>18</sup>

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<sup>18</sup> Ibid, III, pp. 66-67.