ESTABLISHING AND SUSTAINING REFUGEE CAMPS:

Planning for Renewed Life

A Monograph
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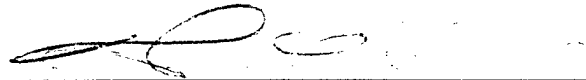
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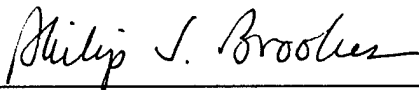
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ABSTRACT

Establishing and Sustaining Refugee Camps: Planning for Renewed Life. by Major Robin J. Stauffer. USA, 51 pages.

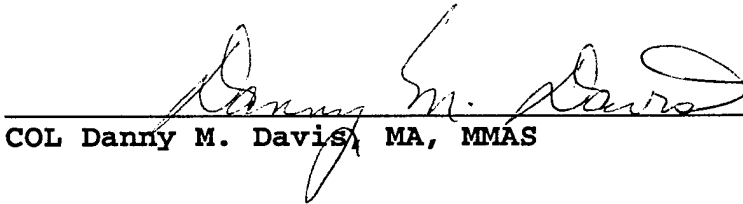The process of providing humanitarian assistance to refugee situations is complex and fluid. It includes determining the legal status of the refugees, providing basic life sustaining needs, establishing safe-havens and camps, and seeking durable solutions. The integration of the military into the assistance process offers unique challenges to operational planners. The military offers capabilities which facilitate and may even speed refugee relief operations. A major challenge to planners is to integrate the military capabilities into the international response and assist in the attainment of permanent solutions for the refugees without building a refugee dependency on the assistance provided. In facing this challenge a requirement exists to write plans which establish self-governing refugee camps from which refugees can successfully transition to the strategically defined durable solution.

This monograph focuses on a very small, but vital, portion of the refugee process and the military's involvement in it. Establishing and administering refugee camps is a mission that the military is frequently called on to perform. It is a mission that the military will continue to be called to perform. Historically the focus of this mission has been the physical construction of camps and providing administration and logistic support. However, a vital part of the mission which has an impact on the entire refugee process is the internal camp government with which all the actors interact. The goal is to establish a self-governing camp for the duration of the camp's life. The military planner must have an understanding of the refugee environment, how the refugees came to be such and what their desired end states are, and the basic civil-military interaction when planning to establish a self-governing camp.

The author conducts a comparative analysis of three recent refugee operations and shows a linkage between the refugee camp government and the desired durable solution. The author then provides planning models which can be used by operational level planners as a datum when developing plans which tie the tactical objectives to the strategic end state.

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I. Introduction

Throughout history, nations have been faced with the requirement to provide relief to refugee suffering. The support provided ranges from monetary assistance to accepting refugees within national borders and establishing and sustaining safe-havens. History shows that strong nations will be called upon, either by internal or external voices, to provide aid and support in order to end refugee suffering and provide direction for their future. As national and international political objectives are defined, strategic and operational planners will be called upon to define military objectives which support political objectives to end refugee suffering.

The use of the military as a tool to obtain political objectives is a common practice in nation states. Alleviating refugee situations is no exception to this practice. Though the international community is often the first to respond, with private volunteer organizations (PVO) and non-governmental organizations (NGO), and it provides the lion's share of technical and administrative assistance, in many cases it is the military which is called upon to provide immediate response to mitigate refugee emergency situations. The military's role in these humanitarian assistance situations is a small, but in some cases a vital piece in the international response.

The process of providing humanitarian assistance to refugee situations is complex and fluid. It includes determining the legal status of the refugees, providing basic life sustaining needs, establishing safe-havens and camps, and seeking durable solutions. The integration of the military into the assistance process offers unique challenges to

operational planners. The military offers capabilities which facilitate and may even speed refugee relief operations. In general the capabilities are tailored to mitigate the emergency phase of refugee movements to include materiel support, medical assistance, and administrative control. A major challenge to planners is to integrate the military capabilities into the international response and assist in the attainment of permanent solutions for the refugees without building a refugee dependency on the assistance provided. In facing this challenge a requirement exists to write plans which establish self-governing refugee camps from which refugees can successfully transition to the strategically defined durable solution.

In order for the military to be successful at this task, operational planners must have an understanding of the international humanitarian assistance process in response to refugee situations and where the military fits into it. Planners need to understand the broad nature of refugee situations. Policies and definitions are crucial legal parameters which planners must work within. There are many actors which have a tremendous effect on the outcome of refugee situations. Planners need to understand these actors and their impact on the military's role.

This monograph focuses on a very small, but vital, portion of the refugee process and the military's involvement in it. Establishing and administering refugee camps is a mission that the military is frequently called on to perform. It is a mission that the military will continue to be called to perform. Historically the focus of this mission has been the physical construction of camps and providing administration and logistic support. However, a vital part of the mission which has an impact on the entire refugee

process is the internal camp government with which all the actors interact. The goal is to establish a self-governing camp for the duration of the camp's life. The military planner must have an understanding of the refugee environment, how the refugees came to be such and what their desired end states are, and the basic civil-military interaction when planning to establish a self-governing camp.

In order to be successful in developing plans for refugee support, military planners must meet two criteria. First, they must be familiar with the myriad of doctrinal and political terminology and national and international policies which determine the political objectives of dealing with refugees. Without a clear understanding of terms and policies, planners will be unable to clearly determine military end states and objectives which support the political objectives aiding the refugee dilemma. Second, planners must have a clear understanding of the political climate as they develop plans for self-governing camps. Planners need to understand that the desired end state and political climate drives the requirement and design of the refugee camp government.

Initial research indicates that military doctrine provides only a cursory approach to dealing with refugees. For example, the joint doctrinal definition of a refugee is only a small portion of the numerous types of refugees military planners may face. If recent and past operations are an indication of the types of missions the military planner will face, then our doctrine should provide a sound foundation for planners.

Military operations other than war (MOOTW) doctrine addresses practical support to refugees. The focus is on accomplishing concrete short-term tasks such as logistics support, providing command and control to various command structures and

agencies, and protecting refugee populations. The doctrine does not fully address the harder issues of how the military supports the international community's attainment of long-term durable solutions. The doctrine sidesteps the issues inherent in developing the internal government of refugee camps and how those governments transition to the desired permanent durable solution. It is these long-term strategic solutions that operational planners must keep in sight when developing the operational plans which CINCs must execute to the desired objective.

This monograph will serve as a datum for developing future MOOTW doctrine and provide military planners an interim reference in planning for and sustaining refugee camps. To serve as a platform for operational level planning the monograph is structured around six questions which support the primary research question: what requirements does an operational planner need to be aware of in developing a plan to establish a self-governing refugee camp in support of strategic objectives? The six supporting questions are: 1) which agencies and organizations do planners need to coordinate with in order to establish camp governments?; 2) how do the goals and objectives of the refugees impact on the establishment of the camps and the attainment of the operational and strategic objectives?; 3) what impact does the cultural composition of the refugees have on establishing and sustaining the camp government?; 4) what impact does the refugee home nation have on the establishment of the camp government?; 5) what is the proper interaction of external sources in the administration of the camp's internal organization?; and 6) how are ideology conflicts between the camp's society and the host or supporting nation resolved and should they be resolved? In answering these questions the

monograph will provide planners with a framework from which to build future plans in support of refugee relief operations.

The monograph is divided into five sections. This section has introduced the reader to the purpose of the monograph, the problem of establishing self-governing refugee camps, the research questions, and the methodology used in the analysis. The second section, Theory and Doctrine: The Military's Role in the World Refugee Picture, provides a theoretical and doctrinal foundation for the reader. The section looks at the historical plight of refugees, where refugees originate, and what is meant by the label "refugee." It defines the three internationally recognized durable solutions and sets the geo-political stage from which the refugees and all actors interact in obtaining one of the three durable solutions. Finally, it explains the process of implementing humanitarian assistance and where the military fits into the process.

Section three, Review of Past Refugee Operations, reviews the lessons of refugee support missions. The section will include both military and political insights to past and on-going missions. The intent is to provide the reader with the complex of issues which must be addressed, resolved, or mitigated when planning for and providing support to refugees. The section will review the Vietnamese, Cuban, Haitian, and Kurdish refugee operations. It will close with a comparative analysis of the missions and set the stage for section four, Models for the Future and Durable Solutions. The purpose of section four is to provide an operational level planner with a framework from which to begin planning for the establishment and sustainment of refugee camps. The framework will consider doctrinal and political terminology, legal issues, and political and military end states and

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objectives. It will introduce three broad-based models from which planners can chose

options to apply to appropriate situations. The final section, conclusions and

recommendations, will provide conclusions to the monograph based on the answers to

the research questions. The recommendations will be aimed at assisting operational

planners and doctrine writers as they tackle future refugee situations.

II. Theory and Doctrine: The Military's Role in the World Refugee Picture

Contemporary Theory

Refugee suffering has been a tragic and constant phenomenon which has plagued civilizations throughout the history of the human race. Historical references to refugee plights have focused on the suffering of the refugee as an individual or small group of individuals fleeing from the onslaught of religious and political persecution. Exiled political and religious leaders and outcast military figures are the dominant picture presented in historical references. The plight and consequence of these individuals and groups has changed as societies have evolved. The numbers of refugees has increased over time as populations and societies have grown. However, the reasons for the fleeing have remained relatively constant; religious, political, and military persecution and economic suffering are the common denominators in refugee situations.[1]

The plight of refugees in the early ages was normally a function of violence. As a result masses of peoples would migrate from one place to another and establish their society at their new location.

> Machiavelli, writing in his Discourses in the 1500s, noted that migrations have throughout time been both a consequence and a cause of war and invasion. When migrating groups were small, Machiavelli observed, they resorted to alliance and artifice to survive. But when large numbers of people were uprooted by invading armies, they, in turn, descended on neighbors in desperate flight, becoming invaders in their own right.[2]

The evolution of civilization and the organization of societies into nation states has made it much more difficult for masses of migrating peoples to "descend on their neighbors" and take up a new home.

Conversely, throughout history, while the individual refugee and groups of refugees have been fleeing and suffering there have also been individuals and groups who have attempted to mitigate the suffering and provided aid to the refugees. For the most

part the type of aid rendered was to offer safe asylum and limited necessities of life. The focus of the individuals providing aid was on aiding the individual refugee or small group of refugees without degrading their own situation. As the numbers of refugees have increased over time, the dominant view of refugees as an individual or small group of people has also given way to view refugees as large masses of peoples.

Contemporary history has redefined the early ages' view of the individual as the refugee and focused more on large groups of peoples as refugees. Not that the suffering of the individual or small group is any less severe than the large group, but the resource requirements and impact on nation states of large refugee movements has captured their plight in contemporary history. Robert Gorman, in his book *Mitigating Misery; An Inquiry Into the Political and Humanitarian Aspects of US and Global Refugee Policy*, has defined three modern images of a refugee.

First, the starving helpless refugee which "leaves the impression that we must do everything for the refugee: shelter, clothe, feed, and nurse them back to health. The image of the refugee as victim inclines us to view ourselves as their saviors and guardians. There is danger here, because the worst thing that can happen to refugees is to make them permanent wards of international charity and to deny them the opportunity to rely on their own resourcefulness."[3]

Professor Gorman then presents "a more accurate, though less popularly held picture" of the refugee "as a gritty survivor, a resourceful entrepreneur, an enterprising farmer, herder or businessman, willing to take risks in order to better his life. ... The future of the refugee in this view, lies not primarily in the hands of the aid-giver, but in the hands of the refugees themselves. The aid-giver's duty is only to facilitate the gradual attainment of self-reliance an the part of the refugee."[4] The final image is that of "the refugee as warrior or even as terrorist."[5]

As refugee situations have become more complex and demand a larger resource pool, the view of what constitute a refugee has changed. Contemporary international law has expanded to distinguish between the individual and vast migrations of peoples. The 1951 United Nations (UN) Convention on the Status of Refugees and the Protocol of 1967 focus on the individual and define a refugee as

> any person who, owing to a well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country, or who, not having a nationality and being outside the country of his former habitual residence, is unable or, owing to such fear, unwilling to return to it.[6]

The Organization of African Unity (OAU) in 1969 extended the refugee status to include "not only the well-known political exile, but also to the humble masses who get caught up in the civil wars, turmoil, and insecurity of modern nation building."[7] The OAU definition states that a refugee is

> every person who, owing to external aggression, occupation, foreign domination, or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality.[8]

The OAU definition "suggests that it is a host country's duty to extend asylum to all such people. They are not to be prevented from seeking asylum at the border, and they must be given at least safe haven, temporary asylum, and assistance."[9] This definition coupled with the 1951 UN definition and the 1969 Protocol has become the internationally accepted definition of refugees.

As a result of these definitions and the implied duty of host countries to extend asylum to all such people the Executive Committee of the United Nations High Commissioner on Refugees (UNHCR) in 1981 adopted the set of principles known as the Protection of Asylum Seekers in Situations of Large-Scale Influx. These principles

include "the duty of the states to refrain from rejecting asylum seekers at the border.

Once asylum seekers have been admitted, receiving states are called upon to observe several minimum standards of humanitarian decency, including:

respect for the fundamental human rights of asylum seekers,

provision of necessary assistance, shelter, health and sanitation facilities, non-discrimination on grounds of race, religion, political opinion,

nationality, country of origin, or physical incapacity, the right of asylum seekers to be considered persons before the law and

granted access to courts,

the right of asylum seekers to live in a secure environment, away from

borders, and protected from subversive activities,

the right to seek family reunification,

access to income and assets,

the right to find a durable, lasting solution to their predicament."[10]

Though each of these principles is important, it is the last principle listed which is the basis for the UNHCR's approach to refugee solutions.

The UNHCR has categorized three *durable solutions* in solving refugee problems. These are repatriation, settlement in country of first asylum, and resettlement to a third country. "In order of preference these include voluntary repatriation (returning to country of origin), local settlement in country of first asylum, and third country settlement."[11] The United States government has subscribed to the same policies, definitions, solutions and preferences when approaching refugee situations.[12]

The relief of refugee suffering has evolved over time from the early ages when individuals or small groups sought asylum or masses of peoples invaded neighbors to avoid persecution to the contemporary large masses of populations migrating to sovereign neighbors with the expectation of receiving asylum and support. The

international community has co-evolved by developing policies and organizing agencies which are aimed at mitigating the suffering of the vast masses of refugees. The international arena is a quagmire of international and national laws, policies, and perceptions which US policy makers and US military planners must wade through in defining strategic and operational end states and objectives when dealing with humanitarian operations. The next section introduces the various players involved in humanitarian assistance (HA) operations.

The Players

The arena which the refugees find themselves pushed into is full of participants waiting to provide assistance. The United Nations, intergovernmental organizations, nation governments, volunteer agencies, and nongovernmental organizations are all poised to help relieve refugee suffering and assist them in finding a permanent solution to their predicament. Military planners need to have a general understanding of how this network of organizations and activities play different yet complimentary roles within the humanitarian assistance arena and what role the military plays. The ultimate objective which all the players are striving is to apply one of the three durable solutions in order to end to refugee suffering.[13]

At center stage in this drama is the United Nations High Commissioner for Refugees (UNHCR).[14] The UNHCR is both an individual and an organization. The Commissioner "is both the conscience and the agent of the world community. As the conscience, he must remind nations of the basic commitment that they made to receive refugees and treat them according to agreed-upon standards. As the agent, he must disperse large sums of assistance funds and manage a sizable organization efficiently and effectively." The UNHCR organization is supported by a 41-member executive

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committee.[15] The UNHCR is a planning and management activity which leads relief efforts in solving refugee situations within the established international policy. It relies on various other organizations and agencies to conduct the actual relief operations.

The major intergovernmental organizations which provide operational support to the UNHCR include the Intergovernmental Committee for Migration (ICM), the World Food Program (WFP), the International Committee of the Red Cross (ICRC), the United Nations Volunteers (UNV), and the United Nations Development Programme (UNDP).[16] The ICM plays the central role in arranging travel for refugees. The ICM's new constitution has expanded "the organization's mandate for assisting in the growing domain of international migration" and it now plays "a more considerable role" in support of UNHCR operations.[17]

The WFP is the next major player, and "the single most important," in the refugee relief arena.[18] For the past decade the WFP has provided the majority of assistance in emergency relief operations. The WFP has the ability to rapidly draw food from its stocks and respond to refugee needs.[19] The ICRC is also a dominant participant in humanitarian operations. The ICRC "is a private non-political independent institution. It acts as a neutral intermediary in humanitarian matters during international conflicts, civil wars and internal disturbances. It provides protection and assistance to both military and civilian victims."[20] The UNV and UNDP are United Nations special agencies which complement the UNHCR and the other intergovernmental organizations in the conduct of refugee relief operations.[21]

National governments also play a key role in mitigating refugee suffering. According to W.R. Smyser there are two primary roles of governments. The first role is that of a donor government in which the government only provides material and monetary aid. The second role, asylum governments, is where the governments allow refugees to seek asylum while solutions are defined.[22] Though each must abide to the

international law, it is the different interpretations of the law and the internal politics of each nation which make each governmental player unique in their support role. It is the national governments which will employ their military in support of relief operations. The military's subordinate yet highly crucial role is conducted by the various national governments. The United States (US) government is a major league player on this stage.

Within the US government the Department of State (DOS) takes the lead when the US supports humanitarian operations, regardless of unilateral or multinational operations.[23] After the US Ambassador issues a formal disaster declaration he is responsible for coordinating all US assistance which arrives in a particular country. Within the DOS the United States Agency for International Development's (USAID) Office of Foreign Disaster Assistance (OFDA) "has the responsibility of directing and providing humanitarian assistance."[24] The OFDA will assemble a disaster assistance response team (DART) from representatives of various US government agencies. The DART will "address day-to-day issues locally" and pass the issues through the American Embassy to the affected government agencies.[25]

The Department of Defense is a supporting agency to the DOS for HA operations. DOD's Humanitarian Assistance Office, under International Security Affairs (ISA), "has direct administrative responsibility for all DOD disaster relief assistance rendered."[26] While the Commander in Chief (CINC) may provide immediate life saving assistance within his area of responsibility (AOR), the CINC must await "the requisite approval from ASD/ISA before providing additional assistance. This allows time for the DOD and State Department time to sort out policy ... issues, *and recognizes the primacy of the State Department in humanitarian relief operations* (emphasis added)."[27]

Volunteer agencies and nongovernmental organizations are the last main actors which military planners must be aware. Like the intergovernmental organizations, the volunteer agencies (VOLAG) and nongovernmental organizations (NGO) provide the

"arms and legs" to the UNHCR.[28] VOLAGs and NGOs "provide many of the people who

actually conduct an operation, run a hospital, direct a school, organize a camp, arrange

the digging of a well or the building of a road, or simply help out in an emergency

situation. Some agencies are staffed by expatriates, some by nationals of the asylum

country, some by refugees themselves, and most by a mixture of all these groups. In

some instances, an official government agency will conduct or coordinate a general

operation, with voluntary organizations cooperating with that agency."[29] The VOLAGs

and the NGOs provide the personnel who interface with the refugees and other support

agencies and governments. As Smyser points out VOLAGs and NGOs are very

numerous.

> There are hundreds in the United States alone and thousands all over the
> world . . . Some operate across the globe - Care, Church World Service,
> Oxfam, Me'decins Sans Frontie'res, the International Rescue Committee,
> or World Vision, for example. Others, such as Africare, concentrate on
> one continent or area. Some, like Lutheran World Relief or Catholic
> Relief Services, are denominational. Others, like Save the Children Fund,
> are not.[30]

The sole purpose of these agencies and organizations is to provide immediate response

and relief to refugees.

Though the previous discussion was only a cursory look at the various players

assisting in humanitarian operations, each, along with many minor players, are

considerations which the military planner must meld into his planning process. Though

the UNHCR strives for one of the three durable solutions, each of the major players may

take a route which may seem in conflict of the ultimate aim. "These governments,

international organizations, private agencies, and others collaborate in a global structure

designed to take care of refugee needs in emergencies and beyond. They are expected to

move quickly to help receive refugees virtually anywhere in the world."[31] However, they

do not always move in concert with each other. The planner needs to have an

understanding of where the military plays in the international humanitarian assistance arena and where it can assist and where it will be a hindrance. A review of military doctrine is necessary prior to mapping out the process of implementing HA operations.

Military Doctrine

The military operates within a continuum of conflict. The range of military operations stretches from war to military operations other than war (MOOTW).[32] MOOTW consist of missions in which combat operations are unlikely to be used in the accomplishment of the stated mission and political sensitivities may be much more astute. Humanitarian assistance (HA) operations are one set of missions which the military may be called on to perform within MOOTW. Though most frequently thought of as peacetime operations MOOTW can and do happen during combat operations. "Noncombatant MOOTW may be conducted simultaneously with combat MOOTW, such as HA in conjunction with PEO [peace enforcement operations]. . . . In such situations, geographic combatant commanders should pay particular attention to integrating, coordinating, and synchronizing the effects and activities of their operations with US ambassadors, DOS, and other agencies."[33] HA operations, specifically refugee relief, may occur in conjunction with, as a result of, or in isolation of combat operations.

Along with the reduced reliance on combat to achieve ends and the higher political sensitivities, MOOTW are achieved using principles which differ from war doctrine principles. The current joint doctrine delineates six principles of MOOTW: objective, unity of effort, security, restraint, perseverance, and legitimacy.[34] Just as in other operations, planners must understand and use, at least as a reference, the defined principles when planning for HA operations.

The principle of *objective* is met when military operations are directed toward "a clearly defined, decisive, and attainable objective."[35] *Unity of effort* "emphasizes the need for ensuring all means are directed to a common purpose" and must be sought in every operation.[36] The attainment of the common objective must not be hindered in any way. It is the principle of *security* which "enhances freedom of movement" by never permitting "hostile factions to acquire a military, political, or informational advantage."[37] Freedom of movement to attain stated unifying objectives must be weighed against resources, capabilities, and policy limitations. The principles of restraint, perseverance, and legitimacy weave these limitation considerations into the MOOTW planning process.

Restraint refers to the ability to "apply appropriate military capability prudently" so as not to upset the delicate political, economic, societal balance of MOOTW.[38] Not only is the application of the appropriate capability important, but "preparing for the measured, protracted application of military capabilities in support of strategic aims" must also be integrated into the equation. This time factor is captured in the principle of *perseverance*.[39] Finally, applying the appropriate, measured capability needs to be supported by the perception of *legitimacy*. This last principle of MOOTW is a "condition based on the perception by a specific audience of the legality, morality, or rightness of a set of actions" and in order for MOOTW to be successful "committed forces must sustain the legitimacy of the operation and of the host government."[40]

The preceding principles provide planners a framework from which to develop HA operations plans. Another aspect of the HA environment is the civil-military interface and coordination which must take place.

A subordinate but supporting doctrine to MOOTW, and one which planners must fully be aware, deals with civil affairs (CA) operations. HA operations, and specifically refugee relief operations, are at the very foundation of CA operations. The civil-military interface can be paradoxical during refugee relief operations. The joint doctrine states

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that "CA encompasses the activities of military commanders that establish and maintain relations between their forces and civil authorities and general population in friendly, neutral, occupied or recovered areas where military forces are stationed or employed."[41] During the conduct of relief operations the military is subordinated to the civil authorities, but at the same time may assume a role which subordinates the general population, the refugees, to its own command and control.

Military forces are in daily direct contact with civil authorities and the general population during refugee relief operations. It is at this interface where strategic policies and objectives must be clearly defined in order for all players to understand their respective roles in achieving the desired end states. In some cases it may require the military to overstep its traditional boundaries and perform civil activities. "CA may also include military forces carrying out certain activities or functions normally the responsibility of local or indigenous governments."[42] CA doctrine establishes that military units in general, CA units specifically, may be required to establish and run governments in lieu of an existing civil government.[43]

MOOTW doctrine continues to evolve today. In recent history the military has found itself performing roles for which there was no doctrine. HA operations have proven to be a key niche within which the military has proven capable to operate successfully. The military's perceived doctrinal role of establishing a stable and secure environment by providing immediate emergency relief to refugee situations, primarily through logistical support, may continue to expand to include more civil government duties. It is this potential to expand into more non-traditional roles which drives the requirement to clearly define and understand the doctrine and the legal constraints in which the military will operate.

The Process of Implementing HA and Refugee Support

The challenge to military planners is integrating the capabilities of the military into relief operations within the political and legal constraints and the various players' agendas, and at the same time working in support of defined durable solutions. As mentioned earlier, the military is a subordinate player in the international HA process. Most often the military finds itself thrust into situations immediately after the world community has mobilized its efforts or as a result of the world community being overwhelmed by a HA situation. Though the following discussion focuses on the US government's process, planners need to be aware that UNHCR, intergovernmental organizations, other nations' governments, and VOLAGs and NGOs will influence the US process.

US response to HA operations begins with the DOS. When a disaster occurs in a particular country the US Ambassador is the first to act on behalf of the US government.[44] After a formal declaration of disaster, the OFDA assumes responsibility of directing and providing HA.[45] Based on initial assessments the OFDA will develop US government agency requirements in support the disaster.

The DOD process begins when requests for assistance are officially transmitted from USAID/OFDA. Colonel Meek's provides the following summary of the DOD process.

> Once received at DOD, the USAID/OFDA request is reviewed ... by the DOD Humanitarian Assistance Director ..., forwarded to the OSD/General Council (GC) and Assistant Secretary of Defense (ASD) Acquisition and Logistics for review and concurrence, and then to ASD/ISA for approval.
> After ASD/ISD approves the request [it] is forwarded to the Logistics Readiness Center (LRC) within the Joint Chiefs of Staff (JCS)/J4 (logistics). . . . The LRC and OFDA together ... develop a plan ... with the LRC implementing the plan by tasking the Unified Commands for support as required.[46]

Included with the tasking will be DOS policy guidance. According to the current joint doctrine the guidance may include: "matters having an impact on US relations with other countries; the extent to which the commander will intervene in the government of a particular country; and plans or procedures for the return of civil government functions to civilian control."

Simultaneously, and in coordination with the approval process, the respective CINC will begin his planning process and provide necessary immediate lifesaving assistance. Planners "must recognize the complexity and impact of many psychological and environmental factors affecting human beings and social groups" when developing plans for refugee operations.[47] Once integrated into the HA process planners need to consider operational planning factors and constraints such as: "the military mission and US policy objectives; the availability of indigenous leaders and civil servants; the plans concerning political and territorial subdivision; . . . differing legal institutions and concepts of fundamental rights (that they are different does not mean they are inferior); religious practices that may be contrary to usual US notions of justice and individual liberty; [and] humanitarian motives prompting US personnel to furnish relief or assistance but that may run counter to local law, religion, or cultural standards."[48]

The humanitarian assistance process is a political and social labyrinth from which permanent durable solutions for refugees are to be found. Political agendas, international laws, social struggles, and cultural differences have a significant impact on the process and the ultimate attainment of solutions. The military has but a small, and relatively short-term, role in this process. This role can have a negative long-term impact if it is not properly integrated into the process. It is the military's responsibility to ensure that its role is integrated to support the politically agreed upon durable solution. Military planners must have the tools and understanding to ensure that this responsibility is met. The remainder of this monograph looks at historical HA cases which the military

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supported. From these cases are developed three possible planning models to assist future operational planners in supporting refugee relief operations.

III. Review of past refugee support

This section of the monograph provides an overview of the military's involvement in three previous refugee operations and provides a comparative analysis from which planning models will be developed. The three operations discussed and analyzed will be the 1975 Vietnamese refugees, the 1991 Kurdish refugees, and the 1991 Haitian refugees. Each of these operations have political and operational similarities and differences from which generic models may be developed to assist in developing plans for similar operations which may arise in the future. The analysis focuses on the military integration to the refugee situation and the military's conduct in establishing and sustaining the various camp operations.

Vietnamese Refugees.

The collapse of the South Vietnamese government in the spring of 1975 resulted in a mass exodus of Vietnamese refugees. During the spring and summer of 1975 more than 150,000 refugees fled feared reprisals from the new government in the hope of receiving assistance from outside sources.[49] The international community responded by aiding the refugees in their search for resettlement to new countries and new lives. The US DOS and DOD responded with Operations NEW LIFE and NEW ARRIVALS[50] by providing refugee reception centers and camps to mitigate immediate suffering and provide a transition to the refugees' defined durable solutions.[51]

Camp Orote was one of twelve separate camps established to support Operation NEW LIFE[52] which was a "humanitarian effort on Guam to receive and process refugees from RVN as they make the transition from war zone to safehavens."[53] Camp Orote operations supported the implementation of all three durable solutions. Over a period of

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twenty days Camp Orote reached its peak population of more than 39,000.[54] Due to policy ambiguities the military staff was unable to ascertain the rate of flow of refugees, the total end strength of the camp, and the duration of camp operations.[55] In order to maintain stability and security of the camp and operation the military established a camp government from the refugee population.

The military staff decided to meet administration, security, and construction requirements by obtaining the active support of the refugees themselves. A primary mission for the military was "organizing a 'refugee government' that would respond to the needs of the refugee population and the camp staff"[56] The establishment of a refugee hierarchy was carried out by the military using the democratic process of conducting elections. The candidates were selected by the military staff with the assistance of "informal refugee leaders" and the hierarchy included a mayor, a camp council, camp leaders, and block leaders.[57] After the elections it was decided that the "camp government was permitted to exercise only a small degree of authority over the refugees. Its principle roles were to provide the camp commander and his staff feedback on the effect of camp policy, to recruit volunteer labor, and to assist civilian agencies in the administration of their programs in camp."[58]

The camp government provided the military staff and the intergovernmental organizations and VOLAGs/NGOs with the required coordination point and conduit in dealing with the refugee population. One of the primary goals of the camp government was to establish a sense of stability over the population as their final solutions were being obtained. However, "the major difficulty encountered with the camp government was keeping personnel in key positions long enough for them to gain some influence over the camp population, because, during this phase, most of the refugees outprocessed within five days of arrival at Camp Orote."[59]

A similar operation was conducted in Operation NEW ARRIVALS in the continental United States (CONUS) at Fort Indiantown Gap, PA (FIG).[60] While NEW LIFE dealt with all three durable solutions NEW ARRIVALS was focused on settlement in the first country of asylum solution. Like Camp Orote the military established a camp government from the existing refugee population at FIG. "We created the necessary organization to administer each camp by mobilizing the refugee population itself to provide a volunteer community organization. We divided each camp into sectors, each sector normally containing four to six thousand refugees. We placed civil affairs officers in each sector to organize a refugee staff and to work full time with the people of that sector. We found that refugees who were experienced leaders and administrators were eager to volunteer, ..."[61] The following describes the FIG refugee camp government establishment and operation.

> Senior camp directors at all refugee sites realized the necessity to directly involve the refugees in the management of camp operations. ... Although varying in complexity and effectiveness, the camp refugee infrastructures provided the 'grass roots' leadership needed to reduce the cultural and linguistic barriers and insure the rapid completion of the mission.
>
> Each camp was divided into administrative areas and civil affairs and/or State Department area coordinators were assigned. With the concurrence of the area coordinator, the refugees selected barracks leaders to represent them at area council meetings. This low level structure was of tremendous assistance... Barracks chiefs were responsible to disseminate information, draw cleaning items from supply, maintain a census, respond to directives and supervise the preparation of the barracks before back-filling operations. They also served as advisors to the refugees assigned to their barracks and forwarded personal problems to the area coordinator for appropriate action.
>
> Area coordinators encountered span of control problems ... To remedy the problem, a higher level council was formed by designating a block leader. Block leaders represented 5 to 6 barracks leaders. The 7 or 8 block leaders of an area could easily be gathered on short notice ...
>
> A secondary purpose of this council was to demonstrate democracy in action by allowing the refugees to vote for their representatives.

The situation at Fort Indiantown Gap did not require the appointment of refugees to the Task Force level staff or council. Threats, distrust and accusations of favoritism experienced at the other camps were reduced ... by not creating the appearance of power in the hands of a few appointed refugees.[62]

The Vietnamese refugee support involved all the major players and sought all three durable solutions. The military operating the various refugee camps saw one of their "primary missions" as establishing camp governments to facilitate the political end states sought. The establishment of the camp government hierarchies used both an appointment and electoral methodology in these successful missions.

Kurdish Refugees.

Following the Gulf War in March 1991 the Kurdish Democratic Party (KDP) and the patriotic union of Kurdistan (PUK) failed in their attempt to gain autonomy from Iraqi rule. This failure, followed by the fear of indiscriminate slaughter of civilians by the Iraqi military, forced over a half million people to flee north into the mountains along the Turkish-Iraqi border. This exodus gave way to one of the largest multinational HA operations in recent history. "It brought together the forces of 13 nations and the material contributions of over 30 nations in a single coordinated humanitarian effort."[63]

At the heart of this operation was the goal of repatriating the refugees to their home land. The Combined Task Force (CTF) indented three objectives for the operation. The ultimate objective was the repatriation of the refugees. However, the two immediate objectives were first to "stop the dying and suffering and stabilize the population" and second to "re-settle the population in temporary sites (transit camps, way stations, etc.)." The CTF indented eight specified tasks required to achieve the objectives.[64] Inherent in

these eight tasks was the implied task of organizing the refugees into camps with coherent governments with which the military and civilian agencies could coordinate.

In establishing the transit centers and camps the military turned to an already existing refugee government. The mass exodus, for the most part, involved entire villages. Therefore, the camps were established along traditional and cultural lines. CA personnel "researched and applied the cultural and traditional factors that the Kurds used in constructing their communities."[65] The cultural realities were reflected and the Kurdish leadership participated in the decisionmaking process.[66] In addition the camps were to be temporary to support the long-term objective of repatriation and "self-sustaining [in order to be] turned over to the international relief agencies."[67]

That the Kurds brought their own government did not negate the fact that the military still had to stabilize the population by lending legitimacy to the camp governments by including them in the decisionmaking process and fixing responsibility on the leaders. Accomplishment of the specified tasks, and ultimately the attainment of the strategic objective, required the military to establish, or in this case to re-establish, a legitimate camp government which facilitated coordination with CTF and the various agencies.

Haitian Refugees.

In September 1991 the Haitian military seized control from President Jean-Bertrand Aristide. Along with this takeover came a reported "killing field" for Aristide supporters.[68] "Soldiers and police shot people on the streets seemingly at random . . . Troops hunted Aristide supporters and murdered them in their homes."[69] To escape such reprisals thousands of Haitians risked their lives by fleeing to the Caribbean Ocean in

search of a renewed life. Once again, the US government responded with the world community by providing relief to the suffering masses.

Operation GTMO evolved from the initial humanitarian assistance response from the US Marine Corps' (USMC) Operation Safe Harbor which began in early November 1991. As the flood of Haitian refugees hit the US Naval Base at Guantanamo Bay (GTMO) the US government and international responded with assistance. While all three durable solutions were being sought[70] a volatile political discourse between the US and Haitian governments had direct impacts on the flow of refugees to GTMO.[71] This political discourse had a direct impact on the establishment and conduct of the refugee camps at GTMO.

The initial estimate of the operation as a "stopgap" to house and feed a handful of refugees very rapidly exploded into a very large and complex humanitarian assistance operation. McCalla Airfield at GTMO became the site of six refugee camps.[72] In order to maintain stability and control of the refugee camps, the military turned to the refugees themselves for assistance. The military sought camp governments to assist in the daily operations, aid in maintaining a stable and secure environment, and to keep the population informed.[73]

The basic organization of each camp revolved around military camp leaders or camp mayors augmented by refugee camp and tent leaders. Due to the varying demographics of the refugee population the six McCalla camps were established around differing population groups. There were "family" camps, "single male" camps, "single female" camps, and a detention camp.[74] Each camp established its own internal government. The military allowed the camp governments to disseminate information and maintain law and order within their respective camps. When situations warranted, the military would assist the camp leaders.

The most serious situations arose as a result of lack of information which drove wrong perceptions. An incident at McCalla Camp Two, which resulted from the policy of forced repatriation, placed the military commander in an ideological dilemma. The task force commander was forced to override a new camp government, the original being replaced by a hostile camp government, which threatened a Vodun animal sacrifice.

> The most serious disturbance took place on 15 December at Camp McCalla Two, in protest of the migrants' forced repatriation to Haiti. . . . The migrants within McCalla Two held a Vodun religious ritual in celebration of the takeover. The JTF commander learned the ceremony typically culminated in an animal sacrifice. Fearing the migrants may choose to use a child or helpless adult as the object of the sacrifice, Brigadier General Walls reinforced his security personnel to retake the camp as quickly as possible.[75]

The strategic political oscillations which occurred throughout the operation caused the JTF commander to establish military dominant camp government structures. This allowed the military to override the locally established camp governments in order to maintain a stable and secure environment to ensure mission accomplishment.

Comparative Analysis.
In order to assist future planners by developing generic refugee camp government models it is first necessary to delineate the similarities and differences in each of the previously discussed missions. The differences include the political conditions under which the camp governments were developed; the cohesiveness of the social order and structure of the refugee population; the geographic environment under which the movement occurred; and the location of the camps relative to the refugees' home land. Conversely, the similarities include the identified need for a refugee camp government; the legitimacy of the camp government is tied to the populations acceptance of the leaders; the use of cultural tradition and family units as the basis from which to establish

camp governments, and the subordinate role which the camp government played to the military command structure. The intent of identifying the differences and similarities is to develop a framework from which future refugee camp governments may be planned.

The first of the four differences is the political conditions which the camp governments operated under. Each of the three operations had different durable solutions as the defined end state. Although repatriation was the most desired for the Kurdish and Haitian operations only the Kurdish operation obtained that end state in total. The primary and ultimate objective of the Kurdish refugee operation was repatriation to their original home land. Though this objective required establishing temporary camps as interim safehavens it was never lost from site. From the beginning of the operation the original village governments were used in order to retain identity and legitimacy so as to facilitate the repatriation process. The Haitian operation also had repatriation as the primary desired end state. However, due to US interpretation of international law regarding forced repatriation, settlement and resettlement solutions were also pursued.[76] Repatriation was the least desired solution for the Vietnamese refugees. Most of the fleeing population had no desire to return to their home land with its new government. Therefore, settlement in first country of asylum and resettlement to a third country were the desired end states. While the desired end state has only an indirect impact on the actual camp government the conditions of the refugee movement and the demographics of the refugee population has a more direct impact when developing the camp government.

Of the three refugee movements the Kurdish movement was the most organized in terms of population and social structure. Entire Kurdish villages along with their leadership moved away from the fear of Iraqi reprisals. This condition allowed the military to focus its efforts on the established governments. The military had a ready made conduit with which to coordinate and had an easier task of reorganizing village

governments as opposed to developing new governments. The Vietnamese and Haitian movements were more anarchical. Though entire villages and families may have started the movement together, the physical move and geographic distances traveled dissolved any social structure. This dissipating social condition and the need to organize the anarchy caused the military to establish camp governments based on western democratic norms for both the Haitian and Vietnamese refugee movements.

As noted above the distances traveled, the terrain traveled over, and the mode of travel had a direct impact on how a camp government was established. The Kurdish refugees could maintain some sense of social organization due to the fact that they were traveling relatively short distances over the ground and eventually all by foot. These three conditions allowed for local governments to be relatively cohesive throughout the move. The Haitian and Vietnamese movements did not have the same conditions. Both the Haitians and the Vietnamese refugees traveled great distances over open oceans and by any means available from the point of embarkation. These conditions caused any organized social structure to be placed at the mercy of the elements of the open sea. Disasters on the sea, rescue ships of varying nations, and numerous points of debarkation caused any established governments to disintegrate. These conditions required greater involvement by the military when organizing camp governments.

The final difference between the three operations is the stability of the camp leaders. Of the three operations the Kurds had the most stable leadership. Again, this is a function of the political and geographic factors. The repatriation of the Kurds required the military to ensure the camp leaders were accepted for more than just the temporary camp governments. In most cases the leaders of the temporary camps were the same leaders which would be repatriated with the village. The Vietnamese and Haitian camps required a continual turnover of leaders. The political end states of settlement in first country and resettlement in a third country did not support moving large governmental

groups. In both cases as individuals and family units were moved to their final destination camp leaders were lost and new leaders had to be established.[77] The permanence of the camp government was a function of the political end state sought and the conditions which carried the refugees to the camps.

Along with the differences discussed the three operations also offer similarities. The first and most obvious is that all three operations relied on some form of a refugee government. The camp governments served three purposes. In each case they offered assistance to the military and international agencies by providing central coordination points for determining refugee requirements and acted as information conduits. In addition the camp governments provided both a sense of stability and security to the refugee population.

Another similarity was that the legitimacy of the camp government was a function of the populations' acceptance of the camp leaders. The Kurdish refugees readily accepted their traditional leaders and when the original leaders were not available the cultural tradition of elders established the needed leadership. In both the Vietnamese and Haitian refugee camps there were instances where the population did not accept the appointed or elected leaders. In those cases the leaders were replaced by the population in order to maintain a legitimate camp government and sustain the stability of the camp. The social interactions of the populations were self-correcting and ensured that legitimate leaders were selected.

The use of cultural traditions and family lines to establish camp governments is another similarity in all the cases studied. The Kurds had their ready made governments along with them and the military took full advantage of the fact. The military used the recognized the established Kurdish village governments and gave them new focus based on the political realities. The Vietnamese and Haitians did not arrive at Camp Orote, FIG, or GTMO with established governments. The military was forced to organize the

camps and their respective governments along family lines where they supported the desired durable solution. In both operations the family unit was the building block and additional "singles" camps were developed around the family camps.[78]

The final similarity is that in all three cases studied the camp government remained subordinate to the military. At no time, in any of the cases, did the recognized camp government challenge or seek to subordinate the military command structure. The camp governments neither had the time, the ability, nor the desire to organize and develop a dominant role over the military command structure. The relationship between the military and the camp governments was more symbiotic than domineering.

The previous analysis offers the following initial conclusions: in all cases a camp government was a necessity to draw order out of chaos and maintain stability at the local level in a volatile strategic situation; the social disintegration caused as a result of any long distance move coupled with a durable solution other than repatriation will require the need to establish camp governments which may differ from the refugee population's social norms; conversely, short movements where social structure can be maintained coupled with the goal of repatriation will require less involvement in establishing a new government but will require the maintenance of the legitimate government; short movements where repatriation is not a viable solution, but where settlement and resettlement are the desired solutions, may require separating established governments; where possible and within the politically defined constraints and end states, cultural tradition and family units should be used as the basis for establishing governments; and finally the social interaction of the camps' population is self-correcting and will correct any deficiencies in the established government if it is given the freedom to do so. The next section of the monograph will build on these conclusions and develop generic molds from which planners can develop camp governments for future refugee situations.

Though the military's mission was essentially to conduct humanitarian assistance in support of each of the three operations there was a fundamental requirement in each case to establish a camp government. In each case one or more of the three internationally recognized durable solutions was sought as the political end state. And in each case the defined political solutions, along with geographic and social factors, had a direct impact on how the camp governments were established. Fundamentally each of the three missions were the same. However, the various camp governments were established along different lines within different political conditions.

IV. Conclusion -- Models for the Future.

The preceding analytical case studies provide the foundation for developing planning tools for future refugee camp operations. The analysis highlighted the importance of understanding the linkage between the camp duration and organization to the desired durable solutions. The analysis also showed that though one durable solution may be the preferable or dominant solution, the military and the camp government will need to support a combination of all three durable solutions. With these points in mind this section develops a generic planning model for planners. The intent is to develop a foundation from which planners can build their plans based on their specific situation. Planners need to consider the purpose of the camp government, the linkage of the camp government to the desired durable solution, and how the operational plan ties the tactical realm of the camp government to the strategic aims.

One of the first steps planners need to determine is the purpose of the camp government. What functions will the government serve? In determining the possible answers a more fundamental question needs to asked; what is a government? Essentially a government guides the direction of a group of individuals. The policy which provides the direction is a function the individuals' environment, to include traditional, cultural, geographical, and social factors. Robert E. Burke provides the following explanation of a government.

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A political organization comprising the individuals and institutions authorized to formulate public policies and conduct affairs of state. Governments are empowered to establish and regulate the interrelationships of the people within their territorial confines, the relations of the people with the community as a whole, and the dealings of the community with other political entities. . . . In the theory of political science, the function of government is to secure the common welfare of the members of the social aggregate over which it exercises control.[79]

Some more rudimentary definitions include "the political direction and control exercised over the actions of the members, citizens, or inhabitants of communities, societies, and states"[80] or "the continuous exercise of authority over and the performance of functions for a political unit . . . the body of persons that constitutes the governing authority of a political unit or organization"[81] Each of these definitions provides the fundamental purpose of governmental organizations. Planners need to integrate military activities into the camp governments to assist in providing the direction for the camps.

A simultaneous planning consideration, and an aspect which is not addresses in the definitions, is the element of time. Planners will always attempt to tie their plans to a definable end state. In determining the requirements for establishing refugee camp governments the element of time is directly tied to the desired durable solution. Determining whether the camp government will take on a permanent role or is only a temporary measure is a function of the desired or dominant durable solution.

Figure 1 is a linear representation of the relationship of the camp government organization to the durable solutions. The relationship is developed from a synthesis of the refugee aid theory in section II and the conclusions developed from the case studies in section III. As stated in the theory section, the internationally recognized and most desired durable solution for refugees is repatriation. The least desirable is resettlement to a third country. The case studies identified the linkage between the durable solutions and the organization of the camp government. Where repatriation was the dominant solution,
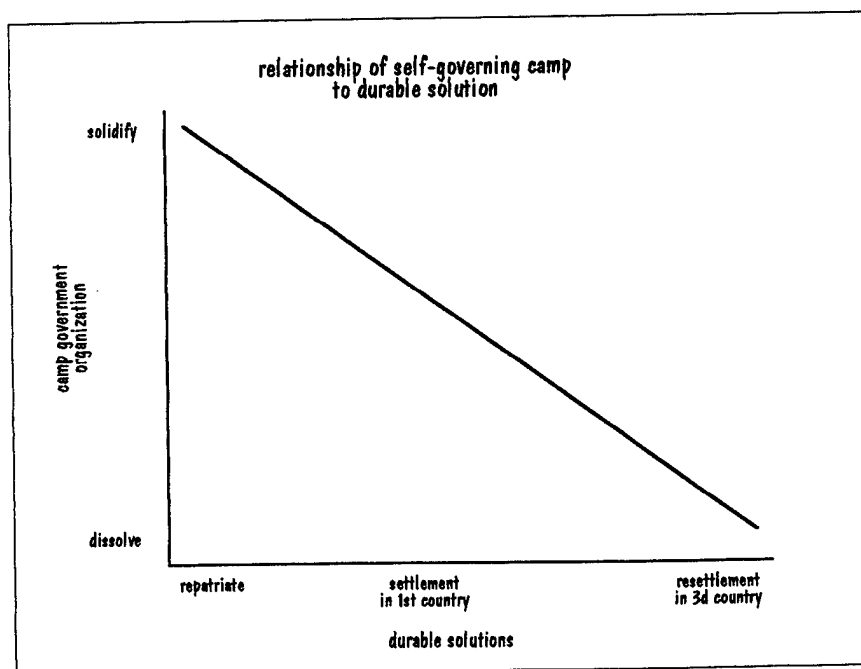
Figure 1

such as the Kurds, the camp governments were designed to reflect a sense of
permanence. Where repatriation was not dominant but settlement in the first country of
asylum or resettlement to a third country were more pronounced, the camp governments
were more temporary. In the Vietnamese and Haitian situations the turn-over of camp
leaders was more accepted and self-governing was less obvious. Though simplistic,
Figure 1 provides planners with a graphical representation of the relationship between
desired end states and the degree of self-government required in refugee camps.

Fragmentation of the camp population during settlement and resettlement
operations will disrupt self-governing camp operations. As the durable solution slides
from one end of the scale to the other, the unity of the population and established camp
government is weakened. Individuals and families which may have been prominent in

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the camp government may be separated during settlement and resettlement operations which in turn causes the camp government to dissolve as opposed to solidifying into a permanent community government.

Another consideration for planners, which this study has identified, is to ensure that the operational plan ties the camp government operations to the strategic aims. The current MOOTW doctrine does not offer planners with a model from which to begin such planning for refugee operations. However, by using the Domestic Support Operations planning model with its three stages a similar model can be developed for refugee operations.[82] Figure 2 is a recommended model for planners to refer for consideration during refugee camp planning. The model identifies three phases in which the military has decreasing involvement over time and the camp government increases its involvement and ultimately, depending on the desired solution, its end state. The model is only an attempt to conceptualize the phases of refugee operations in order to provide planners with a tool to visualize where the military is the catalyst for the refugees' future in the larger political environment.
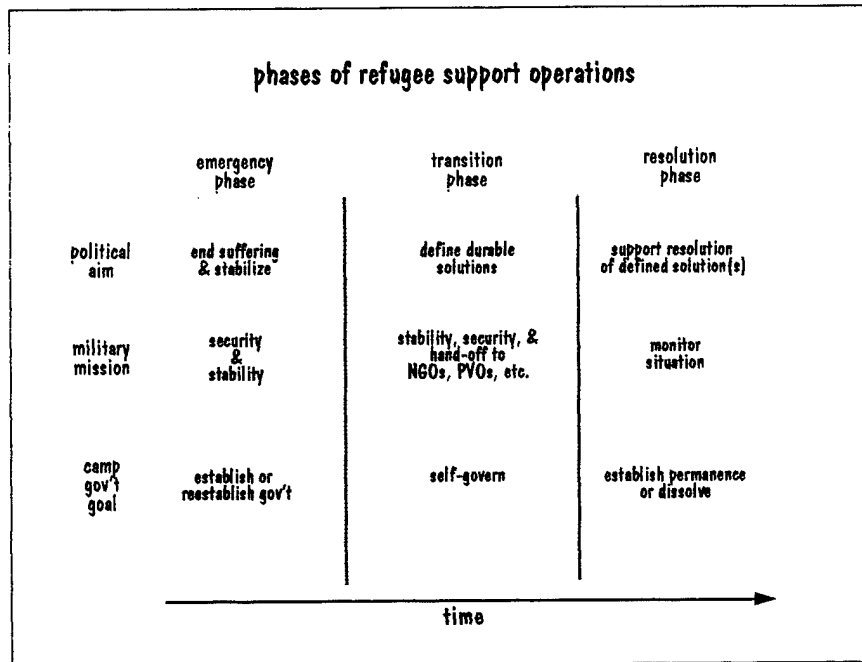
phases of refugee support operations

	emergency phase	transition phase	resolution phase
political aim	end suffering & stabilize	define durable solutions	support resolution of defined solution(s)
military mission	security & stability	stability, security, & hand-off to NGOs, PVOs, etc.	monitor situation
camp gov't goal	establish or reestablish gov't	self-govern	establish permanence or dissolve

time →

Figure 2

In the emergency phase the military's involvement will be significant with a goal of stabilizing and securing the refugee population and the camp structure. During this phase either an initial camp government will be established or an existing government will be reestablished and stabilized. In either case the governments' roles will be determined by the dominant durable solution and will either be established with a sense of permanence or as a temporary measure. The immediate goal for the military is to establish a government which is self-governing and not reliant on the military. The transition phase will see the military's involvement decreasing as the civilian organizations accept more responsibility. The camp government must be stable enough to endure the transition as civilian activities continue to provide support. In the final phase, resolution, the military will find itself in an advisory role. The camp governments

will either be evolving into mature communities or will be dissolving as the camp populations are moved to their final destinations.

A final consideration for planners is perspective. The ultimate aim for planners in any refugee operation is not to lose sight of refugees' perspective. The military is not the center of activity in the refugees' mind. Military planners must keep in mind the refugees' perspective as depicted in Figure 3.
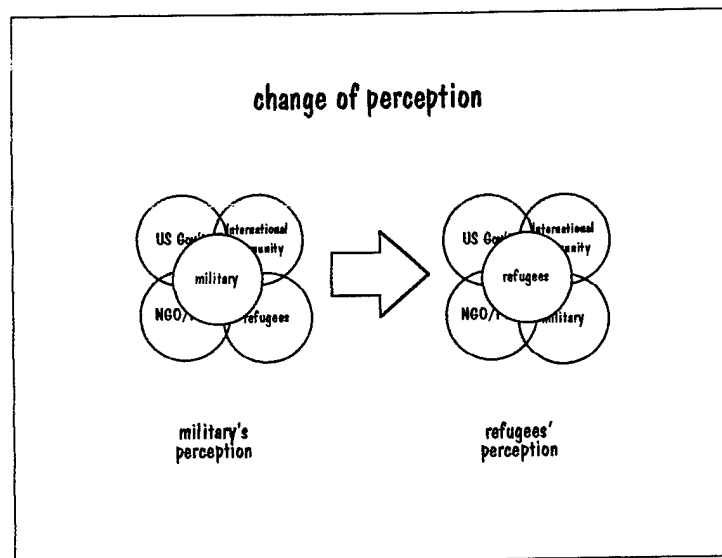
change of perception

military's perception

refugees' perception

Figure 3

Finally, operational planners must understand the political climate, the desired solutions, and perceptions of all the actors in order to develop plans which will link the refugee camp operations to the desired durable solutions. The nature of the camp government will be a function of many factors. The danger of the linear relationship presented in this section is the loss of visibility to the complexity of the situation. Planners can not lose sight of the numerous factors such as population demographics, geographic distances from homeland, and the political climate when developing refugee

operation plans. A self-governing camp government must be tied to the political end state. The models presented are only a baseline for planning consideration.

The process of providing humanitarian assistance to refugee situations is complex and fluid. The integration of the military into the assistance process offers unique challenges to operational planners. The military offers capabilities which facilitate and may even speed refugee relief operations. A major challenge to planners is to integrate the military capabilities into the international response and assist in the attainment of desired durable solutions for the refugees without building a refugee dependency on the assistance provided. In facing this challenge a requirement exists to write plans which establish self-governing refugee camps from which refugees can successfully transition to the strategically defined durable solution.

End Notes

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[1] Gorman, Robert F., <u>Mitigating Misery; An Inquiry Into the Political and Humanitarian Aspects of US and Global Refugee Policy</u>, Lanham, MD: University Press of America, 1993, p 14-15. Mr. Gorman postulates that even though societies have advanced. the fundamental causes of refugees has not changed. "When we look around us, the world that we see, though far more scientifically advanced and technologically sophisticated than the world of Plato and Aristotle. is really not dissimilar to theirs in terms of our human and political experience. War, factionism, and violence are with us still, and so is the concomitant problem of refugees."

[2] Ibid., p 12.

[3] Ibid., p 22.

[4] Ibid., p 23.

[5] Ibid.

[6] Ibid., p 16. "This definition, which is recognized explicitly by one hundred and five countries that have signed either or both the 1951 Convention and the 1967 Protocol, applies to the individual and contains two key elements in determining who is a refugee. First, there must be a well founded fear of persecution. Second, a refugee must have crossed an international boundary. If individuals do not satisfy these two criteria, then they are not considered refugees."

[7] Ibid., p 17.

[8] Ibid. This definition was a result of the 1969 OAU Convention Governing Specific Aspects of refugee Problems in Africa.

[9] Ibid.

[10] Ibid., p 18.

[11] Ibid., p 20. W.R. Smyser in his book <u>Refugees: Extended Exile</u> expands these durable solutions. "Repatriation ... is the classic solution because it returns refugees to their homeland, to familiar surroundings, to their friends and family - able to resume normal lives."(p 32) "Settlement in the country of first asylum has been an appropriate durable solution . . . when the countries of asylum are contiguous to the countries of origin, or when cultures are similar or complementary"(p 34-35) "Resettlement . . . has often been decried [because] it involves taking refugees far from their original homes and cultures into different climates, different modes of life, and different value systems."(p36) Smyser, W.R. <u>The Washington Papers: Refugees, Extended Exile</u>. Praeger Publishers: New York, NY, 1987

[12] Ibid., p 25.

[13] Though some contend that HA is nothing more than a lucrative business that is less interested in solutions and more interested in receiving funding for HA operations. "Aid is a business. It is a business in which people make careers, earn a good living, get to see interesting places and have great stories to tell when they get stateside. Its a business that has to earn money to pay its executives, pay for retreats and for officials to attend conferences in Rome, buy 4-wheel drive vehicles, pay for airfare, and buy advertising time on television." Maren, Michael, "How the Culture of Aid Gave Us the Tragedy of Somalia," <u>The Village Voice</u>, January 19, 1993. Downloaded from the Village Voice Home Page on the Internet World Wide Web site, 26 February 1996.

[14] Smyser, W.R. The Washington Papers: Refugees, Extended Exile. Praeger Publishers: New York, NY, 1987, p 43. The UNHCR evolved from the post-W.W.II refugee flows. As a result of the enormous flow of refugees sweeping across Europe after W.W.II the Allies, in 1943, established the United Nations Relief and Rehabilitation Administration (UNRRA). However, refugee legal status was not clarified. "... the European countries still had to admit the refugees and grant them permission to stay until some determination on their future could be made. Their status and rights remained tenuous. They were often described as temporary displaced persons rather than refugees. ... In the process of the discussions ... the West further realized that these millions of persons were not temporarily displaced but needed permanent refuge." Further "on July 1, 1947 the General Assembly established the International Refugee Organization (IRO), the first agency created by the new United Nations." And then in 1950, the UN established the Untied Nations High Commissioner for Refugees (UNHCR) and "authorized the High Commissioner to provide 'international protection' for refugees and to seek 'permanent solutions.'" Smyser, p 8-10.

[15] Ibid., p 43. The UNHCR Executive Committee is a 41-member committee dominated by 15 European members and rounded out by 11 African and other third world countries.

[16] Ibid., p 45-46.

[17] Ibid., p 44-45. "The ICM has a central role in the travel of individual refugees who may need to be moved very quickly out of a country of first asylum as part of their protection arrangements. ... In such operations, as in many others, the ICM complements the UNHCR." "In the spring of 1987, the ICM constitution was revised to expand the organization's mandate for assisting in the growing demand of international migration." After approval of the new constitution the ICM will be called the International Organization for Migration (IOM).

[18] Ibid., p 45.

[19] Ibid., p 45. The WFP, in 1985, provided two-thirds of all refugee food supplies. WFP officials often travel with UNHCR officers to assess refugee needs in asylum countries.

[20] Downloaded from the International Federation of Red Cross Home Page on the Internet World Wide Web site http://www.ifrc.org/, 1 March 1996. "ICRC's role during armed conflict is defined by the four Geneva Conventions of 1949 and their Additional Protocols of 1977. At all times ICRC promotes the development and worldwide dissemination of these treaties. ICRC has its headquarters in Geneva where it employs more than 690 staff supporting assistance operations around the world." In addition, according to Smyser, p 46, "The UNDP helps administer refugee programs in countries in which the UNHCR is not itself represented. ... The UNDP also has a principle commitment to nationals rather than refugee populations."

[21] Downloaded from the United Nations Volunteers Home Page on the Internet World Wide Web site gopher://suna.unv.ch:70/00/About/whatis, 1 March 1996. "The United Nations Volunteers programme (UNV) was created by the General Assembly of the United Nations in 1970, to serve as an operational partner in development co-operation at the request of UN member states. It is unique within the UN family and as a international volunteer undertaking. It reports to the Governing Council of the United Nations Development Programme (UNDP) and works through UNDP's field offices around the world."

[22] Smyser, p 49.

[23] Meek, Philip A., Operation Provide Comfort: A Case Study in Humanitarian Relief and Foreign Assistance, The Air Force Law Review, 1994, p 226. Colonel Meek cites the Foreign Assistance Act of 1961, as amended, 22 United States Code, section 2151(b) (1990). Colonel Meek continues by citing that "Executive Order number 12, 163, 44 Federal Regulation 56.673 (1979) delegates to the Director, US International Development Corporation Agency, the authority under 22 USC section 2292 to furnish

assistance to any foreign country, or international or private voluntary organization for natural or man-made disaster relief."

[24] Ibid., p 227.

[25] Ibid., p 227.

[26] Ibid., p 227.

[27] Ibid., p 227.

[28] Smyser, p 47.

[29] Ibid., p 47.

[30] Ibid., p 47.

[31] Ibid., p 50.

[32] Joint Publication 3-0, Doctrine for Joint Operations, Washington, D.C. 1 February 1995, p vii. The doctrine further defines the two ends of the continuum. "War. When other instruments of national power (diplomatic, economic, and informational) are unable or inappropriate to achieve national objectives or protect national interests, the US national leadership may employ the military instrument of national power to conduct large-scale, sustained combat operations. In such cases, the goal is to win as quickly and with as few casualties as possible, achieving national objectives and concluding hostilities on terms favorable to the United States and its multinational partners.
      Military Operations Other Than War (MOOTW). Operations other than war are an aspect of military operations that focus on deterring war and promoting peace. Military Operations Other Than War Involving the Use or Threat of Force. When other instruments of national power are unable to influence a deteriorating or potentially hostile situation, military force may be required to demonstrate US resolve and capability, support the other instruments of national power, or terminate the situation on favorable terms. The general goals of US military operations during such periods are to support national objectives, deter war, and return to a state of peace. Such operations involve a greater risk that US forces could become involved in combat than operations conducted to promote peace.
      Military Operations Other Than War Not Involving the Use or Threat of Force. Use of military forces in peacetime helps keep the day-to-day tensions between nations below the threshold of armed conflict and maintains US influence in foreign lands. These operations, by definition, do not involve combat, but military forces always need to be prepared to protect themselves and respond to a changing situation."
      The term MOOTW is primarily a joint level doctrinal term. Each of the respective services has supporting service specific MOOTW doctrine. Capstone doctrinal references are: Army Field Manual 100-5, Operations, Air Force Manual 1-1, Basic Aerospace Doctrine, United States Marine Corps Fleet Marine Field Manual 1, Warfighting, Department of the Navy OPNAV 60 P-1-89, Maritime Strategy. Additionally, other nations' militaries also work within their own established framework for operations other than war.

[33] Joint Publication 3.07, Joint Doctrine for Military Operations Other Than War, Washington, D.C., 16 June 1995, p I-6.

[34] Ibid., p II-1. For an expanded view and application of these principles see LtCol John W. Cowan, Operation Provide Comfort: Operational Analysis for Operations Other Than War, Naval War College, Newport , R.I., 16 June 1995.

[35] Ibid., p II-2.

[36] Ibid., p II-3.

[37] Ibid., p II-3.

[38] Ibid., p II-4.

[39] Ibid., p II-4.

[40] Ibid., p II-5.

[41] Joint Publication 3-57, <u>Doctrine for Joint Civil Affairs</u>, Washington, D.C., October 1991, p I-1.

[42] Ibid., p I-1.

[43] Ibid., p I-3. The doctrine refers specifically to the actions of occupying forces. CA operations "include activities and functions that range from advice and assistance to civilian authorities and population in their relationship with military forces to those that promote the welfare, stability, and security of friendly governments and their population. CA operations may extend to assumption of governmental functions required in an occupied territory." The joint doctrine refers to international law and the authority of "occupying forces" establishing "civil administrations and control or conducting governmental matters." However, as the "New World Order" evolves and the military finds itself in more "non-traditional" roles, planners must be ready for different interpretations of the international law. The criteria to employ military forces in lieu of civil authorities in order to establish "stability and security" may well be expanded to situations outside of occupation force duties, such as maintaining stability and security through the establishment and maintenance of refugee camp governments in the absence of a functioning civil government.

[44] Meek, p 226.

[45] Ibid., p 227 and footnote 20.

[46] Ibid.

[47] JP 3-57, p V-1.

[48] Ibid., p V-1 through V-4.

[49] <u>Department of the Army After Action Report: Operations New Life/New Arrivals, U.S. Army Support to the Indochinese Refugee Program, 1 April 1975-1 June 1976</u>. Operations and Readiness Directorate, Office, Deputy Chief of Staff for Operations and Plans, 25 January 1977, p I-A-1 through I-A-7. (Hereafter referred to as DA AAR NL/NA.) The introduction provides a very concise discussion of President Ford's decision to support the refugees and the eventual involvement of DOS and DOD.

[50] Ibid., p I-B-10.

[51] Gonsalves, JR., George, <u>Operation New Life: Camp Orote -- A Study In Refugee Control and Administration, Doctrine and Practice</u>, US Army Command and General Staff College thesis, Fort Leavenworth, KS, 1976, p 1. The majority of the refugees were seeking settlement into the first country of asylum, the US. However, approximately 1000 were repatriated by the UNHCR and the Intergovernmental Committee for European Migration (ICEM) reported that "some 1,000 refugees have been registered for emigration to France, Canada, Australia. Smaller groups are going to Belgium, Switzerland, Britain, New Zealand . . . Between 4,000 and 5,000 eventually will leave Guam for countries other than the United States.'" Gonsalves, p 60.

[52] Civil Affairs Participation in Operation New Arrivals (1975 Indo-China Refugee Resettlement), 96th Civil Affairs Battalion, John F, Kennedy Center for Military Assistance, Fort Bragg, North Carolina, 6 July 1976, p 1. Operation NEW LIFE was conducted in the pacific southwest with refugee camps being established on Guam (Camp Orote), Wake Island, and the Philippines.

[53] Gonsalves, p 108. Reproduced message 260359Z APR 75, Commander, US Army Command Support Group, Fort Shafter, HI.

[54] Ibid., p 9.

[55] Ibid., p 10.

[56] Ibid., p 32.

[57] Ibid., p 32. The proposal was presented to many refugee leaders which included "lawyers, physicians, and former senators, high-ranking civilian public officials in the executive branch of the government of South Vietnam, general officers, and province chiefs. All of the refugees present were volunteers who were recruited by a general appeal to the total camp population. Informal leaders who emerge during the first few days of the operation were used to bring those who were interested in assisting the camp staff to [a] meeting. At the meeting a slate of candidates was decided upon and everyone was told to return that evening for the election. Refugee leaders thus established their organization for a camp government by holding an election to select a mayor, a council of five, and four camp area leaders. Each area leader appoint a block leader for every block of tents in his area."

[58] Ibid., p 34.

[59] Ibid., p 34.

[60] Civil Affairs Participation in Operation New Arrivals (1975 Indo-China Refugee Resettlement), 96th Civil Affairs Battalion, John F, Kennedy Center for Military Assistance, Fort Bragg, North Carolina, 6 July 1976, p 1. Operation NEW ARRIVALS was conducted in CONUS with camps located at Camp Pendleton, CA, Eglin AFB, FL, Fort Chaffee, AR, and Fort Indiantown Gap, PA. The overall responsibility for the resettlement program was delegated to the President's Special Interagency Task Force.

[61] Ibid., p vi.

[62] Ibid., p 26.

[63] Operation Provide Comfort, After Action Report, Headquarters United States European Command, ECJ3, 29 Jan 1992, p 2. "... over 500,000 traumatized refugees were found clinging to the snow covered mountains . . . Seven to ten thousand of these people ... would die."

[64] Ibid., p 4. "To achieve these objectives, eight tasks were specified by the CTF for its forces: Provide immediate relief and stabilize the population in place; Build a distribution system/infrastructure for continuous logistics support; Establish a Security Zone in Northern Iraq; Construct temporary facilities i.e. Transit centers, way-stations, support centers, etc.; Transfer the refugee population to the temporary sites; Transition the humanitarian operation to international relief organizations; Provide continuous security for all aspects of the operation; Enable the ultimate return of the refugees to their homes."

[65] Ibid., p 13. Even the names for neighborhoods (Zozans) and villages (Gunds) and communities (Bajeers) were used to encourage the refugees to come to these camps.

[66] Operations Other Than War Volume I, Humanitarian Assistance, Center for Army Lessons Learned Newsletter, December 1992, Center for Army Lessons Learned, U.S. Army Combined Arms Command, Fort Leavenworth, KS, December 1992, p 4.

[67] Ibid., p 4.

[68] Mathews, William, "Services Struggle to aid Haitian Refugees," Air Force Times, Issue 52, number 18, December 9, 1991, p 24

[69] Ibid.

[70] Helena, Marshall, JTF-GTMO Lessons Learned, Memorandum, Joint Task Force Guantanamo Bay, Cuba, 27 April 1992. Colonel Helena's memorandum is a compilation of Joint Uniform Lessons Learned (JULL) which he developed as the Chief of Staff for JTF-GTMO. Colonel Helena lists the five mission objectives of JTF-GTMO. Objectives two, three, and four cover all three durable solutions: "2. Assist The Immigration and Naturalization Service . . . to facilitate expeditious movement of screened-in [political asylum to the US approved] Haitians to CONUS. 3. Coordinate with the United Nations High Commissioner on Refugees and the U.S. Coast Guard for voluntary repatriation of screened-out Haitians and migration to third countries. 4. Conduct repatriation operations of screened-out migrants to Haiti."

[71] Usovicz, Michael R. Executive Summary OPERATION GTMO, reproduced from the Joint Electronic Library, Vol. 3, No. 1, May 1995. "On 18 November, the Coast Guard resumed the Alien Migrant Interdiction Operations (AMIOs) . . . The patrols were reestablished after only a one month suspension in an effort to discourage a large number of economic migrants who were now taking advantage of the political discourse between the United States and Haiti. Procedures employed by the AMIO patrols called for an INS official aboard the vessel to interview the asylum-seeker and determine the validity of his or her claim. If the prospective asylum-seeker was found to not have a viable case, they would be immediately returned to Port-au-Prince, Haiti. Those found acceptable would return to Guantanamo Bay for processing to the United States. Though the use of this onboard screening process helped to limit the number of migrants which were held by the Coast Guard, the number of migrants continued to grow."
"Before the Coast Guard was able to initiate the AMIO patrols in earnest, parties acting on behalf of the migrants had received a temporary restraining order from the federal courts restricting the repatriation of migrants from Haiti. The migrants' legal representatives questioned the method of screening utilized under the interdiction treaty, particularly the onboard review process in effect aboard the Coast Guard vessels. The imposition of the temporary restraining order was the first indication that the presence of Haitian migrants would be much less temporary than originally envisioned. The restraining order also acted as a signal to the people of Haiti. They would now be subjected to a more extensive review process within United States territory. This change caused the number of migrants to grow at an unbelievable rate."
"Following the initiation of the federal restraining order, the character of the migrant population changed. ... After the issuance of the restraining order, the migrant population began to represent a much greater cross section of Haitian society. The migrants told of entire villages in Haiti departing en masse to be part of the great migration."

[72] Ibid., p 8. "McCalla Camps Two through Five were tent cities erected on the runway of the airfield. Camps Two, Three and Four all had a capacity of 2,500 migrants, while Camp Five was a smaller 1,500-person facility. A additional camp, referred to McCalla Camp Seven was set up as a low capacity restriction center."

[73] Belcher, Eric, Operation GTMO and Military Police Support in Operations Other Then War, briefing given during Command and General Staff College Course Number A493, Logistics in Operations Other Then War, April 1995. Major Belcher was an MP company commander during Operation GTMO and had daily interaction with the refugee camp leadership.

[74] Helena, JULLS Number 32048-29092.

[75] Usovicz, p 11.

[76] The Bush administration originally allowed forced repatriation as the desired primary end state for the refugees and kept the refugee population at GTMO low. However, after the issuance of the federal restraining order first country asylum and resettlement solutions were integrated as desired end states.

[77] Civil Affairs Participation in Operation New Arrivals (1975 Indo-China Refugee Resettlement), 96th Civil Affairs Battalion, John F, Kennedy Center for Military Assistance, Fort Bragg, North Carolina, 6 July 1976, p 27. In the case of the Vietnamese at FIG the military offered incentive to some leaders to stay and continue to run the camp government.

[78] Ibid., p 21-25. "Refugees were placed into 'extended family' groups for ... barracks assignments . . . the camp refugee infrastructure provided the 'grass roots' leadership needed to reduce cultural and linguistic barriers" and Usovicz, p 8. The McCalla camps were designated as either family camps or singles' camps.
[79] Microsoft (R) Encarta. Copyright (c) 1994 Microsoft Corporation. Copyright (c) 1994 Funk & Wagnall's Corporation. s.v. "Government."

[80] The Random House College Dictionary, 1973 ed., s.v. "government."

[81] Webster's New Collegiate Dictionary, 1977 ed., s.v. "government."

[82] Field Manual 100-19 and Fleet Marine Field Manual 7-10, Domestic Support Operations, Headquarters, Department of the Army, US Marine Corps, Washington , D.C. 1 July 1993, p5-5. The FM defines three stages for military planners and the level of effort required by the military during each stage.

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