HANDBOOK

No. 12-21

Sep 12

Commander's Guide to Supporting Refugees and Internally Displaced Persons

Observations, Insights, and Lessons

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Commander's Guide to Supporting Refugees and Internally Displaced Persons

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Commander's Guide to Supporting Refugees and Internally Displaced Persons

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Introduction

The complex and ambiguous nature of today's contemporary operational environment requires leaders of extraordinary skill and ability. Regardless of where the U.S. military conducts operations, the operational environment will often include large groups of displaced populations. Some will be victims of forced migration due to conflict, whereas others may be victims of voluntary migration as a result of difficult humanitarian hardships. Human history, remarkably consistent over time, suggests that U.S. military forces will face difficult challenges in future conflicts, especially in the areas of law, logistics, and security; these difficulties are often exacerbated when dealing with population groups that are displaced and suffering. History has also shown these population groups are especially vulnerable and desperately need the assistance and protection that often eludes them.

In recent years, much work has been done in the international arena to address the concerns that displaced populations present, namely under the auspices of the United Nations High Commissioner for Refugees. Although there is significant legal precedent in how refugees and displaced persons are to be treated, the challenges associated with large numbers of displaced persons have been largely ignored by the U.S. military, and scant doctrine or procedures have been written and shared throughout the profession.

To this end, the U.S. Army Command and General Staff College has developed an elective course to facilitate increased awareness and understanding of this daunting challenge. The articles that follow are the consolidated efforts of the intermediate level education students who participated in the study. Their essays help define the problems that military commanders and units will face when in operational environments, where displaced persons are a constant, and will help to clarify the nature of the humanitarian crisis that most likely will accompany the displacement phenomena.

Understanding the context of the issue is essential for all leaders. This handbook provides keen insight into the military's role in dealing with refugees and displaced persons.

Chapter 1

Understanding Refugees: Key Terms, Standards, and Legal Rights

MAJ Robert Insani, U.S. Army

The Beginning

Shortly after the defeat of the Third Reich, General Dwight Eisenhower's attention abruptly shifted from combat operations to the myriad issues associated with the Allied occupation of Germany. On 29 September 1945, President Harry Truman wrote to General Eisenhower to ensure that one of those issues — the plight of dislocated civilians in the U.S. Zone — would receive his personal attention.[1] President Truman's correspondence clearly communicated his dissatisfaction with the manner in which dislocated civilians were currently being treated, along with his view that the manner in which the United States treated dislocated civilians reflected the United States' values more truly than its stated policies.[2] President Truman expected his commander, General Eisenhower, to take action to improve conditions for dislocated civilians and to advise him of the action taken at the earliest possible opportunity.[3]

Figure 1-1. American military police admit a father and daughter, both displaced persons, to the refugee shelter at Fort Ontario, Oswego, N.Y., after August 4, 1944. (National Archives and Records Administration, College Park, Md. Source: http://www.ushmm.org/wlc/en/media_ph.php?ModuleId=10007094&MediaId=5315)

Dislocated civilians are particularly vulnerable populations and, as a result, issues related to dislocated civilians in military operations are likely to receive attention at the highest levels of government in the future, just as they did following World War II. Such issues are also likely to capture the attention of the media and the international community. Given that modern conflicts continue to produce tremendous numbers of dislocated civilians, around 43.7 million people as of 2010,[4] the phenomenon of dislocated civilians in military operations should be anticipated and included in the planning process.

Types of Displacement

Multiple types of dislocated civilian populations may be encountered in an operational environment, including refugees, internally displaced persons (IDPs), migrants, and stateless persons. Although these populations may share similar characteristics, they are not the same. For example, refugees and IDPs may both suffer from fear, violence, lack of resources, and hardship, but they are legally different populations with different legal rights and protections. As such, each dislocated civilian population within the operational environment must be identified with as much precision as possible. Once each population is properly identified, commanders can better understand those populations and the legal rights to which they are entitled.

This article will address one dislocated civilian population: refugees. With numbers totaling 15.4 million worldwide, refugees comprise a significant portion of the world's dislocated population.[5] However, the term "refugee" has been consistently misused, leading to a lack of precision and a tendency to treat all dislocated civilians as a single population. Given that each population of dislocated civilians may be entitled to rights that are determined by a precise understanding of their status, this lack of precision is unacceptable. In order to assist commanders and staffs as they plan for operations involving refugees, this article will identify the key terms, legal standards, and basic rights that are essential to understanding refugee populations.[6]

Key Terms

"Dislocated civilian" is an overarching term used within the Department of Defense (DOD) to refer to people who have left their homes for various reasons, and includes refugees, IDPs, migrants, evacuees, and stateless persons.[7] Dislocated civilians may also be referred to as "displaced persons," especially by civilian agencies and nongovernmental organizations. Although these overarching terms are somewhat useful for general conversation, they are not sufficiently precise for planning. These overarching terms do not help commanders understand the nature of dislocated populations in the operational environment, nor do they help

identify the legal rights and protections to which a particular population, such as refugees, may be entitled. Accordingly, the following key terms and their definitions should be used in planning operations involving dislocated civilians:

> **Refugees** – those individuals who (1) have left the country of their nationality and crossed an international border; (2) due to a well founded fear of being persecuted; and (3) that persecution is based on race, religion, nationality, membership in a particular social group or political opinion.[8]
>
> **Asylum-seekers** – individuals who claim to be refugees and are awaiting verification of their claim.[9]
>
> **Internally displaced persons** – those individuals who (1) have fled their homes or places of habitual residence; (2) because of armed conflict, generalized violence, human rights violations, or natural or human-made disasters; and (3) have not crossed an international border.[10]
>
> **Migrants** – those individuals who (1) "belong to a normally migratory culture who may cross national boundaries"; or (2) have left their native country "for economic reasons rather than fear of political or ethnic persecution."[11]
>
> **Evacuees** – those individuals who (1) are civilians; (2) who have been removed from their place of residence by military authority; (3) for their own personal security or because of "requirements of the military situation."[12]
>
> **Stateless persons** – those individuals who "are not considered as a national by any state under the operation of its law."[13]

In addition to terms that define the different populations of dislocated civilians, the following related terms are also essential to planning operations involving refugees:

> ***Refoulement*** – forced return of a refugee to a country where: (1) their life or freedom is threatened; (2) because of their race, religion, nationality, membership in a particular social group, or political opinion.[14] *Refoulement* is prohibited by international law.[15]
>
> **Repatriation** – the voluntary return of a refugee to their home country.[16] Forced or coerced repatriation constitutes *refoulement* and is prohibited by international law.[17]

Asylum – a status granted to refugees by a host nation that allows them to remain within the nation's borders or seas indefinitely based on a well-founded fear of persecution based on race, religion, nationality, membership in a particular social group, or political opinion.[18]

Temporary protection – status granted to refugees by a host nation in order to allow them to be quickly admitted into the country without being granted asylum. A grant of temporary protection does not guarantee asylum.[19]

The nation from which an individual or group has requested refugee status determines whether that individual or group meets the "refugee" definition. These determinations are made according to international law as implemented by the host nation's law.[20] In making these determinations, nations will often receive assistance from the United Nations High Commissioner for Refugees (UNHCR). It is important to note that just because an individual or group is determined to meet the definition of refugee does not mean that they will necessarily be allowed to remain in the country. The host nation may elect to allow refugees to remain within its borders under refugee or asylum status or make alternative arrangements for protection. However, as discussed in the definition of *refoulement* above, refugees cannot be forced to return to a country where their life or freedom would be threatened because of their race, religion, nationality, membership in a particular social group, or political opinion.[21]

The Legal Standards

The international law applicable to refugees is derived from formal treaties, conventions, and protocols ("treaty law"), and from practices that nations consistently follow as a matter of a recognized legal duty ("customary international law"). Although there are multiple legal standards applicable to refugees,[22] the following are the primary legal standards:

1951 Convention Relating to the Status of Refugees – The 1951 Refugee Convention is an international treaty defining who qualifies as a refugee, the rights of refugees, and the rights of those awaiting a determination of their status. The 1951 Refugee Convention was enacted to address the refugee situation following World War II. As a result, the 1951 Refugee Convention only applied to individuals whose claim of refugee status was based on "events occurring before 1 January 1951."[23]

1967 Protocol Relating to the Status of Refugees – The 1967 Refugee Protocol is an international treaty that expanded the definition of refugee and extended the rights of the 1951 Convention

to individuals who claimed to be refugees based on events that occurred after 1 January 1951.[24]

1980 Refugee Act – The 1980 Refugee Act defines the rights of refugees within the United States.[25] The Act implemented the requirements of the 1967 Refugee Protocol into law in the United States.[26]

1949 Fourth Geneva Convention Relative to the Protection of Civilian Persons in time of War – The Fourth Geneva Convention is an international treaty that protects civilians during armed conflicts. Refugees and IDP civilian populations receive the same protections that are extended to other civilian populations in similar circumstances. Refugees are specifically addressed in Articles 44 and 70.[27]

Many if not most of the legal issues related to refugees will require reference, not only to the legal standards identified above, but also to the national laws of the host nation where the refugee is physically located. Cases involving asylum requests to a third country will require reference to yet another set of laws, potentially adding another layer of legal complexity to any particular case. As a result, some legal issues involving refugees may be difficult to resolve, in part due to the multiple legal standards that may be applicable in any particular situation. However, the majority of the issues should be resolved through reference to the identified legal standards and, where necessary, host nation law.

Legal Rights of Refugees

International law, primarily in the 1951 Refugee Convention,[28] establishes the basic rights of refugees, which are then implemented by the national laws of the signatory nations. The 1951 Refugee Convention's framework is intended to provide rights and protections to refugees that expand "[a]s the refugee's relationship to the [host nation] is solidified [ ]" over time.[29] As such, refugees who have been granted asylum ordinarily enjoy greater rights than those enjoyed by newly arrived individuals (asylum-seekers) who have not yet been determined to be refugees.[30]

As identified above, the framework for determining the rights to which a refugee is entitled is based upon the relationship between the refugee and the host nation.[31] The refugee–host nation relationship may be characterized, in increasing significance, as "subject to state jurisdiction," physically present, lawfully present, lawfully staying, or durable residence.[32] The following definitions further explain the nature of these refugee–host nation relationships.

Subject to state jurisdiction – The refugee is under the "control and authority" of a nation, but is not physically present within the nation's territorial boundaries. This relationship may occur if refugees are present when one nation invades and takes "authority over the territory of another country."[33] Guantanamo Bay may be another example of a situation where a refugee may be under the "control and authority" of a nation, in this case the United States, without being physically present within the nation's territorial boundaries.[34]

Physically present – The refugee is physically within the territorial boundaries of the host nation, irrespective of whether they are there legally or illegally.[35]

Lawfully present – The host nation has officially authorized the refugee to be present in its territory for a "fixed period of time."[36]

Lawfully staying – The host nation has officially authorized the refugee to be present and remain in its territory on an ongoing basis.[37]

Durable resident – The host nation has authorized the refugee to be present and remain in its territory on an ongoing basis, and the refugee has, over time, become "habitually resident" in the host nation.[38]

Some rights, such as freedom of religion and equal access without discrimination based on race, religion, or country of origin, apply to all refugees.[39] Protections from *refoulement* and expulsion from the host nation (except in certain defined circumstances) are also extended to all refugees, irrespective of their relationship with the host nation.[40] Any additional rights are afforded to refugees based on the refugee's relationship with the host nation and in accordance with the "standard of treatment"[41] required by the 1951 Refugee Convention. The standard of treatment determines whether the refugee rights under host nation law will be: (1) the same as those afforded to nationals (citizens) of the host nation; (2) the same as those afforded to "most favored" foreign nationals in the host nation; or (3) at least as favorable as those afforded to aliens by the host nation.[42] Table 1-1 indicates the rights to which a refugee is entitled based on the relationship with the host nation and also reflects the standard of treatment the refugee will receive with respect to those rights.

Although the refugee–host nation relationship test is useful for determining the rights of particular refugees, it may be of less use in determining the rights of large refugee populations comprised of individuals whose relationships will likely range from physically present to durable residence. However, by ensuring that refugees are at least provided with the rights associated with physical presence and by working with the host nation to develop systems to identify and assist refugees entitled to greater rights,

Right Afforded	State Jurisdiction	Physically Present	Lawfully Present	Lawfully Staying	Durable Residence
Property acquisition (Art. 13)	A	A	A	A	A
Intellectual property protection (Art. 14)	N	N	N	N	N
Participation in trade unions and other nonpolitical, nonprofit-making associations (Art. 15)				FN	FN
Access to courts (Art. 16)	A	A	A	A	N
Employment (Art. 17)				FN	N
Self-employment (Art. 18)			A	A	A
Professional practice (i.e. physicians) (Art. 19)				A	A
Housing (Art. 21)				A	A
Elementary education (Art. 22)	N	N	N	N	N
Other than elementary education (Art. 22)	A	A	A	A	A
Public assistance (Art. 23)				N	N
Protection of labor laws and social security (Art. 24)				N	N
Choice of place of residence and freedom of movement within territory (Art. 26)			A	A	A
Identity documents (Art. 27)	X	X	X	X	X
Travel documents (Art. 28)				X	X
Tax equity (no refugee duties, charges, and taxes) (Art. 29)	N	N	N	N	N
No penalty for illegal entry into the country under specified circumstances (Art. 31)		X	X	X	X

N = same as host nation nationals.

FN = same as host nation affords to foreign nationals.

A = at least the same as host nation affords to aliens.

X = right unique to refugees.

Table 1-1

commanders can help ensure that the basic obligations of the 1951 Refugee Convention are being observed.

Conclusion

Refugees are a vulnerable population that generates attention and concern at both the national and international levels. Given the large numbers of refugees throughout the world, commanders must anticipate and plan

for refugee presence in the operational environment. Although refugee-related issues are often complex, they are manageable with awareness and understanding of the criteria for refugee status, the legal standards applicable to refugees, and the various legal rights afforded to refugees under international law. These tools will improve the commander's overall understanding of the operational environment by allowing precise identification of refugee populations and the legal rights of those populations. As a result, commanders will be better able to anticipate and address the needs of these vulnerable populations within the operational environment as an important and highly visible part of their overall mission.

Figure 1-2. Hundreds of tents stretch out on the plains near Fier, Albania, as the United States builds the tent city of Camp Hope on May 23, 1999, as part of Operation Sustain Hope. Sustain Hope is the U.S. effort to bring in food, water, medicine, and relief supplies, and to establish camps for the refugees fleeing from the Former Republic of Yugoslavia. The DOD is constructing Camp Hope to house up to 20,000 refugees. (DOD photo by Staff Sgt. Chris Steffen, U.S. Air Force. Source: http://www.defense.gov/photos/newsphoto.aspx?newsphotoid=2209.)

Figure 1-3. U.S. Marine Corps Capt. Robert A. Riggle plays tic-tac-toe with a group of Albanian boys in Camp Hope near Fier, Albania, on May 4, 1999. (DOD photo by Staff Sgt. Angela Stafford, U.S. Air Force. Source: http://www.defense.gov/photos/newsphoto.aspx?newsphotoid=2105.)

Endnotes

1. Letter from President Truman to General Eisenhower regarding the treatment of displaced Jews, http://www.jewishvirtuallibrary.org/jsource/Holocaust/truman_on_harrison.html (accessed April 14, 2012).

2. Ibid.

3. Ibid.

4. UNHCR, "Global Trends 2010," http://www.unhcr.org/4dfa11499.html (accessed April 14, 2012). If the world's displaced population constituted a nation of their own, they would be the 30th largest nation in the world, just behind Ukraine and just ahead of Tanzania. For perspective, the population of such a nation would exceed the populations of nations such as Argentina, Poland, Canada, Iraq, and Saudi Arabia and be more than double the populations of nations such as Taiwan, Syria, and Australia. See Central Intelligence Agency, *The World Factbook*, https://www.cia.gov/library/publications/the-worldfactbook/rankorder/2119 rank.html (accessed April 14, 2012). Of course, the displaced population is not contained within a single national border but is instead dispersed throughout the world, ordinarily in places in close proximity to ongoing conflict. See "Global Trends 2010," 14.

5. "Global Trends 2010."

6. This article does not address the issues or process for obtaining refugee or asylum status within the United States under the Immigration and Nationality Act. The terms in this article are used and defined as they are generally understood in international law. The same terms may have different meanings within the context of the Immigration and Nationality Act.

7. DOD, Joint Publication (JP) 3-29, *Foreign Humanitarian Assistance* (Washington: Government Printing Office, March 17, 2009), I-6. JP 3-29 states that "[a] 'dislocated civilian' is a broad term primarily used by DOD that includes a displaced person, an evacuee, an internally displaced person (IDP), a migrant, a refugee, or a stateless person. These persons may be victims of conflict, natural, or man-made disaster."

8. Convention Relating to the Status of Refugees, July 28, 1951 [hereinafter 1951 Refugee Convention]. Pursuant to the 1951 Refugee Convention, the term "refugee" applies to: any person who, as a result of events occurring before 1 January 1951 and 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 to 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 as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

The words "religion," "nationality," "social group," and "political opinion" used in the definition of refugee require further definition and explanation that is beyond the scope of this introductory article. These terms are further defined in the *Handbook on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees* published by the UNHCR. The handbook is useful in interpreting the 1951 Refugee Convention and the 1967 Protocol and is available at http://www.unhcr.org/refworld/docid/4f33c8d92.html (accessed April 26, 2012). The UNHCR also publishes *Guidelines on International Protection*, which provides legal interpretative guidance on refugee status matters. These guidelines are published periodically and are not available at a single web address, but can be located by searching the UNHCR website at http://www.refworld.org.

9. UNHCR, "Statistical Online Population Database: Sources, Methods and Data Considerations," http://www.unhcr.org/45c06c662.html (accessed April 17, 2012).

10. United Nations Office for the Coordination of Humanitarian Affairs, "United Nations Guiding Principles on Internal Displacement," September 2004, http://www.brookings.edu/projects/idp/gp_page.aspx (accessed April 28, 2012). The guiding principles are not an international treaty, and the document itself is not legally binding international law. However, the guiding principles do "reflect and are consistent with international human rights law and international humanitarian law." Ibid. As such, the "United Nations Guiding Principles on Internal Displacement" has a definition of IDP and guidance on IDP rights, which is a useful starting point for determining rights and other issues related to IDPs.

11. JP 3-29, GL-9.

12. Ibid.

13. Ibid.

14. 1951 Refugee Convention, Art. 33.

15. Ibid.

16. See United Nations General Assembly Resolution 428 (v) December 1950, Statute of the Office of the United Nations High Commissioner for Refugees;

UNHCR, *Handbook Voluntary Repatriation: International Protection*, January 1996, http://www.unhcr.org/refworld/docid/3ae6b3510. html (accessed April 20, 2012).

17. 1951 Refugee Convention, Art. 33.

18. See generally "Aliens and Nationality: Immigration and Nationality." Title 8 U.S. Code, Sec. 1158. 2012 ed.

19. Joan Fitzpatrick, "Temporary Protection of Refugees: Elements of a Formalized Regime," *The American Journal of International Law,* Vol. 94, No. 2 (2000): 270-306.

20. UNHCR, "The 1951 Convention Relating to the Status of Refugees and its 1967 Protocol," September 2011, http://www.unhcr.org/4ec262df9.html (accessed April 20, 2012).

21. 1951 Refugee Convention, Art. 33.

22. As indicated, this list is not all-inclusive. Refugees and IDPs are also addressed in Additional Protocol I, Additional Protocol II, the 1954 Convention relating to the Status of Stateless Persons, the 1961 Convention on the Reduction of Statelessness, the 1967 United Nations Declaration on Territorial Asylum, and the Universal Declaration of Human Rights. Only those agreements that have been signed by the United States and ratified by the Senate are binding on the United States, unless the agreement reflects customary international law as recognized by the United States. Unit legal advisers can provide additional information on the impact of these legal authorities on operations involving refugees and IDPs.

23. 1951 Refugee Convention.

24. Protocol Relating to the Status of Refugees, Oct. 4, 1967 [hereinafter 1967 Refugee Protocol].

25. "Aliens and Nationality: Immigration and Nationality." Title 8 U.S. Code, Sec. 1101 et seq. 2012 ed.

26. INS v. Cardoza-Fonseca, 480 U.S. 421,436-37 (1987) (citing H.R. Rep. No. 96-608 at 9 [1979]).

27. Geneva Convention Relative to the Protection of Civilian Persons in Time of War arts. 44, 70, Aug. 12. 1949.

28. The national laws of host nations are also important because they ensure that the minimum rights afforded to refugees by international law are incorporated into the legal systems of those nations. National laws may also grant refugees additional rights beyond those required by international law.

29. James C. Hathaway, *The Rights of Refugees Under International Law,* (Cambridge: Cambridge University Press, 2005), 156.

30. Ibid.

31. Ibid.

32. Ibid.

33. Ibid., 160-161.

34. See Rasul v. Bush, 542 U.S. 466 (2004).

35. Hathaway, *The Rights of Refugees Under International Law,* 171.

36. Ibid., 174.

37. Ibid., 189.

38. Ibid., 190.

39. 1951 Refugee Convention.

40. 1951 Refugee Convention.

41. Hathaway, *The Rights of Refugees Under International Law,* 193-194, 233.

42. Ibid. The difference between “foreign national” and “alien” is subtle. For a complete discussion of the foreign national standard of treatment, see Ibid., 230-234.

Chapter 2

Commander's Legal Guidance for Refugee and Internally Displaced Persons Camps

LTC Tanya Blackwell, U.S. Army

The intent of this article is to provide the commander with a general overview of legal issues that military forces may encounter when in contact with refugees or internally displaced persons (IDPs).[1] Commanders should always seek the advice and counsel of a judge advocate (JA), who can provide detailed guidance, insight, and alternatives based on the specific mission, circumstances, and applicable regulations, laws, agreements, and customs.

Mission

When conducting operations as part of stability[2] or foreign humanitarian assistance (FHA),[3] military interaction with refugees and IDPs can be vital to mission success.[4] Positive interactions between the military and the refugee or IDP population impact levels of trust and confidence in the military, not only within the camp population but also the local community and host nation.[5] Generally, in accordance with Field Manual (FM) 3-19.4, *Military Police Leaders' Handbook*, civil affairs units are "trained to plan, coordinate resources for, and monitor the handling of DCs [displaced civilians]. . . Whenever possible, resources and control should be arranged with the HN [host nation], other governmental agencies, and nongovernmental and private organizations."[6] The military should hand off operations as soon as possible without detriment to the population and the forces, to the host nation, and/or local and international aid organizations. However, as is the nature of military operations, military units are often the initial responders to such situations and are faced with the responsibility of handling and supporting civilians on the battlefield and in the area of operations (AO).[7]

Prior to First Encounter

As stated above, military forces are often the first to encounter refugees and IDPs on the battlefield and/or the AO. The military has a duty to "minimize civilian interference with military operations, relieve suffering, and protect civilians from combat operations or other threats. When the host nation cannot or is unwilling to control" them, the military must "collect, evacuate, and resettle them."[8] Consultation with the JA early on in operations will assist in preparation for such encounters.

Figure 2-1. MAJ Jon B. Tipton, provost marshal, Joint Task Force Haiti, speaks with residents of Ancien Airport Militaire IDPs camp about their safety concerns. One issue is lighting at night around the camp. Tipton wants to ensure lights are installed in the hope that crimes such as sexual assault begin to decline. (U.S. Army photo/Sgt. 1st Class Debra Thompson. Debra Thompson, "11th Public Affairs Detachment," Defense Video and Imagery Distribution System, http://www.dvidshub.net/image/263019/ancien-airport-militaire-idp-camp#.T74QKe3v_iA. Accessed May 24, 2012.)

In preparation, the JA should be consulted and included in discussions on such matters as the location of camps should the military need to establish shelter;[9] the existence of any status of forces agreements (SOFAs),[10] executive orders,[11] U.S. domestic laws that may apply;[12] and international and host nation laws.[13]

Rules of Engagement

As military forces enter the host nation, it is essential that all members understand the rules of engagement (ROE). ROE establish the procedures "for the applicability and use of deadly force to protect" military forces and maintain order and security in the camps.[14] Generally, "internal security ROE are based on civil disturbance and peacetime guard force limitations on the use of force;"[15] however, the ROE will be established as dictated by the operation and circumstances. Protection of the force is always a high priority, and it is U.S. policy to not infringe on a commander's inherent authority and obligation to use all necessary means available and to take all appropriate action in self-defense of the unit or other U.S. forces.[16] If multinational forces fall under U.S. authority, the commander must ensure they understand and interpret the ROE in the same way.[17]

Commander's Authority over Misconduct in the Camp

"Inherent authority of commanders can be used to maintain law and order to safeguard the health and welfare of the camp."[18] Commanders may remove those who commit minor offenses as an administrative and not a punitive measure.[19] Depending on the alleged perpetrator and location of the camp, major offenses could be handled as follows: If someone within a country, not covered by a SOFA, commits a crime, they are in "violation of the domestic law of the host nation."[20] U.S. Joint Forces Command's *Tactics, Techniques, and Procedures (TTP) for Migrant Camp Operations* specifically states that the "[i]nvestigation of such offense would probably be conducted by the accompanying Service investigative activity tasked to support the JTF [joint task force]/camps, but referral and prosecution would have to be by host nation authorities."[21]

Establishing Camp Rules

Maintaining good order and discipline in the camps can be supported by the posting of "literal" rules.[22] The rules posted must be "general in nature," clearly indicating that any violation of the rules will result in punishment. The following is a suggested list of rules for use at a camp:[23]

1. Obey the directives of the U.S. military authorities.

2. Do not interfere with the duties of U.S. forces.

3. No one may leave the camp boundaries without the approval of U.S. forces.

4. Threaten no one.

5. Males are not allowed in the female sleeping area; females are not allowed in the male sleeping area.

6. Harm no one.

7. No drugs, other than those authorized by a doctor, are permitted in the camp.

8. No alcohol is permitted in the camp.

9. No weapons of any kind are permitted in the camp.

10. Take nothing that does not belong to you.

11. Do not damage property of any kind.

Relations with Interagency/Relief Agencies

Private organization and interagency relationships play a vital role in providing for refugees and IDPs.[24] However, because of legal

considerations, commanders must be aware of the type of relationships fostered, type of and amount of aid rendered, and appearances.[25] Military personnel may "not officially support, endorse, or participate in fundraising and/or solicitation efforts for the benefit" of refugees and/or IDPs.[26] Military personnel may provide guidance to groups and/or organizations as to what type of donation would best meet the needs of the camps.

Nongovernmental organizations and their personnel and staff fall under the legal protection of the nation from which they originate. Commanders should be familiar with the organizations operating in their AO, not only in terms of agenda, nationality, and resources, but also the nature of their relationship with the military and their desire to cooperate with the forces.

Fiscal Constraints

Commanders must consider fiscal law constraints in planning for refugee/IDP camp operations. Congress significantly limits Department of Defense (DOD) authority and funding to conduct such humanitarian and civic assistance operations. The State Department and the U.S. Agency for International Development (USAID) are primarily responsible for these activities. Failure to consider fiscal constraints and potential resolutions during planning may lead to mission pause or failure.

The Constitution grants Congress the "power of the purse"[27] through appropriation and authorization acts. Appropriation acts, which may be annual or supplemental in nature, give the Executive Department funds for a particular purpose, for obligation within a certain time frame, and in a particular amount.[28] Authorization acts, whether annual (e.g., National Defense Authorization Act)[29] or found in permanent law (e.g., the U.S. Code),[30] provide the Executive Branch authority to expend funds consistent with the language of the authorization and appropriation. Simply put, the authorization and appropriation must be read together to determine when an Executive Branch expenditure of funds is proper. Through these mechanisms, Congress exercises control over Executive Branch activities.

Under the statutory framework established by Congress, the Department of State is primarily responsible for foreign assistance, to include security assistance, development assistance, and humanitarian assistance.[31] Through its deployment DOD personnel will have authority to provide security and protect refugees/IDPs consistent with the mission. Absent a specific statutory authorization or appropriation, however, DOD personnel will not be able to take the next critical step — the provision of much needed humanitarian assistance, whether medical, food, or basic sanitation and facilities improvement.[32] If DOD is to provide foreign assistance, to include humanitarian assistance to refugees and IDPs, commanders must have funds expressly authorized and appropriated for that purpose.

Fiscal Authorizations

Congress has given DOD some limited, permanent authorities and an appropriation to provide humanitarian assistance. Foremost among these is the Overseas, Humanitarian, Disaster, and Civic Aid (OHDACA) appropriation.[33] OHDACA funds generally may be used to provide limited humanitarian assistance, to include medical care, transportation costs, food, and rudimentary construction.[34] These funds are administered by the Defense Security Cooperation Agency (DSCA) through the combatant commands.[35] Further, while limited to an appropriated amount of approximately $100 to $110 million annually,[36] procedures exist to significantly expand the amount of funds available in response to a crisis. Beyond these limited OHDACA funds, various other authorities may be available under the Foreign Assistance Act.[37]

If the above permanent authorities and appropriation are inadequate to the humanitarian task of providing for IDPs and refugees, the commander has two remaining options. First, and ideally a prerequisite part of the planning process, the commander can coordinate with the State Department and USAID to determine their funds available to meet the humanitarian need. As the lead U.S. agencies for foreign assistance, State and USAID possess a wide variety of appropriations and authorizations to meet the humanitarian needs of refugees and IDPs.[38]

A second option is to request a mission-specific appropriation or authority through the combatant command, the DOD, the president, to the Congress. Under the right circumstances, such as the Commander's Emergency Response Fund (CERP), Congress may specifically authorize DOD to utilize operations and maintenance funds or appropriate separate funds to provide humanitarian assistance.[39] In either event, advanced planning and some degree of lead time are required.

When conducting foreign assistance of any type, to include refugee or IDP camp humanitarian assistance, fiscal law plays a major role. Given the general rule that the DOD may only provide foreign assistance pursuant to a specific authorization or appropriation, planning becomes paramount. Commanders and staffs must determine in coordination with the combatant command and the DSCA whether OHDACA or excess defense articles are available. If not, funds for humanitarian assistance activities must be obtained from the State Department or via a congressional authorization or appropriation specific to the operation. Ultimately, if none of the above options prove viable, fiscal law, as a constitutional expression of congressional intent, may significantly limit the scope of humanitarian assistance available to refugees and IDPs.

Conclusion

Legal coordination and counsel are indispensable in stability and FHA operations. In handling civilians, commanders need to be cognizant of the distinct categories of civilians on the battlefield and/or AO and especially cautious during phases of transitions from combat operations to stability operations. Due to the scarcity of specific guidance for the military in the realm of refugee or IDP camp operations, commanders can be innovative in their approaches with the aim to build relationships with the population, host nation, and aid organizations. A commander's approach can ultimately further the mission in the face of many challenges or hinder the mission by opening security breaches and encouraging insurgent or other criminal activity.

Figure 2-2. U.S. troops assisting at an IDP camp.

Endnotes

1. This article will not go into detail as to the legal definitions of civilians on the battlefield or AO. See infra., note 3. Generally, refugees and IDPs are also known as dislocated civilians (DCs) in Army doctrine. DCs "are persons that have been removed from their home to protect them from combat or to relocate them to safety." U.S. Department of Army, FM 3-19.4, *Military Police Leaders' Handbook* (2 August 2002). See also U.S. Department of Army, FM 3-05.40, *Civil Affairs Operations* (29 September 2006), and "The United Nations Convention Relating to the Status of Refugees," July 28, 1951, United Nations Treaty Series 1 (1951), and FM 3-19.4 for additional categories and definitions of persons that the military may encounter; they may be refugees, evacuees, stateless persons, or war victims. DCs are provided sustenance, safety, and humanitarian assistance. They are kept separate from enemy prisoners of war (EPWs) and civilian internees (CIs). DCs are controlled to prevent interference with military operations. Determining the precise category to which

an individual belongs is important in determining the rights he or she is entitled to internationally and in accordance with U.S. custom and law. The JA is essential in assisting the command in considering legal and political concerns and categorizing and determining the proper treatment and rights afforded to civilians on the battlefield or AO.

2. U.S. Department of Army, FM 3-07, *Stability Operations* (6 October 2008).

3. Joint Chiefs of Staff, Joint Publication (JP) 3-07.6, *Joint Tactics, Techniques, and Procedures for Foreign Humanitarian Assistance* (15 August 2001). (Discusses the various types of missions that the military may take on under FHA, to include relief missions, DC support missions, and security missions. JP 3-07.6 includes in its categorization of DCs, refugees, evacuees, migrants, stateless persons, and IDPs. Clarification as to the "person" is key in operations legally and politically and should be addressed with the JA.) Ibid., 1-4 to 1-5. It is important to keep in mind that all FHA operations are led by the USAID with the assistance of DOD as necessary. Ibid., viii, I-1.

4. As stated in Department of Defense Directive (DODD) 3000.5, *Military Support for Stability, Security, Transition, and Reconstruction (SSTR) Operations* (28 November 2005), stability operations are a "core military mission on par with combat operations." See also, FM 3-19.4, F-1, which explains that the military interaction with the population, in particular with refugees and IDPs, can have a direct impact on mission success as "[i]nsurgent organizations often emerge in unstable regions" with the goal of recruiting them "often through threat and intimidation." Military operations should be "designed to deny support and assistance to insurgents by controlling the movement of people and goods and restricting access to key facilities."

5. FM 3-07, 3-10.

6. FM 3-19.4, F-1.

7. The goal of foreign humanitarian missions to seek and to establish long-term durable solutions. According to the *Handbook: Emergencies, The United Nations High Commissioner on Refugees, 1999,* "Clear and consistent policies from the beginning will have an important long-term effect. Similarly, the immediate response of the international community to a major influx of refugees must take into account the ultimate aim of promoting a durable solution to the problem. This requires that the response both encourages the self-reliance of the refugees and reduces prolonged dependency on outside relief, and that it does nothing to prevent the promotion of a long-term solution as soon as possible." See also Handbook: Emergencies, 8, and FM 3-07, 3-10.

8. FM 3-19.4, F-1.

9. U.S. Joint Forces Command, *Tactics, Techniques, and Procedures (TTP) for Migrant Camp Operations* (15 April 1995), F2. (Discussions should include whether there are any existing treaties, constraints, or concerns regarding the region in which a camp may be established. The JA should also ensure whether there are any memorandums of understanding or executive agreements that may need to be established and to ensure proper coordination with and authorization from the Department of State and all other authorities. In addition, location of the camp can

play an important role; the camp should be located a safe distance away from the borders to avoid turmoil, violence, and threats.) See also Handbook: Emergencies, 19.

10. TTP, F2. (Status of forces agreements [SOFA] between the United States and the host nation establish the status of U.S. forces in the host nation. A SOFA addresses issues regarding jurisdiction over the forces and U.S. nationals who may be accused of criminal misconduct.) The United States generally wants to retain jurisdiction over military members and not hand over jurisdiction to the host nation government or international criminal courts. All SOFA negotiations must be coordinated through the Department of State.

11. TTP, F2. (Research should be conducted to determine if any executive orders are in place that may be "relevant or applicable to the situation." The TTP provides the following pertinent example: "Executive Order (EO) 12324, as modified by EO and presidential proclamations, regulates 'High Seas Interdiction of Illegal Aliens.'")

12. Ibid., F3. (The command should ensure that applicable personnel are thoroughly briefed and understand current policy and rules regarding immigration and naturalization, specifically focusing on granting asylum to those individuals who may claim refugee status and request asylum.)

13. Ibid. (Sources of international law or authority such as "the U.N. Charter, the International Declaration of Human Rights, and the Geneva Conventions regarding the Protection of Civilians" may provide useful in establishing camps. Further, the laws of the nations from where IDPs are traveling is important to know in terms of the nation to nation treaties, agreements, or laws that may exist, especially in terms of the nationality of children born in the host nation.)

14. Ibid., F5.

15. Ibid.

16. JP 3-07.6, A-6.

17. Ibid., IV-15.

18. TTP, F5.

19. Ibid.

20. Ibid.

21. Ibid.

22. Ibid., G1.

23. Rules taken from TTP, G1.

24. JP 3-07.6, II-1. (Discusses the important role of nongovernmental and international organizations in FHA operations. "Interagency coordination is essential for effective policy development and implementation. [Such] coordination is often highly complex.")

25. TTP, F6.

26. Ibid. See also U.S. DOD Regulation, 5500.7-R, *Joint Ethics Regulation (JER)*, (including changes 1-7) (17 November 2011).

27. U.S. Constitution, Article I, Sec. 9, Clause 7 ("No money shall be drawn from the Treasury, but in Consequence of Appropriations made by law . . . ."); U.S. Constitution, Article IV, Sec. 3, Clause 2 ("The Congress shall have the Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States . . . . "); United States v. MacCollom, 426 U.S. 317, 321 (1976) ("The established rule is that the expenditure of public funds is proper only when authorized by Congress, not that public funds may be expended unless prohibited by Congress.").

28. The general rule is that appropriated funds must be expended for a proper statutory purpose (31 U.S.C. sec. 1301(a)--the "purpose" statute), within the amount specified in the appropriation, and within the fiscal year or time constraints contained in the appropriation. Violation of any of these three tenants—purpose, time, or amount—may result in a violation of the Anti-Deficiency Act, a criminal statute. 31 U.S.C. sections 1341(a)(1)(A), 1341(a)(1)(B), 1342, and 1517(a). For an example of an appropriation act, see Consolidated Appropriations Act, 2012, Pub. L. No. 112-74, 125 STAT. 786, December 23, 2011 (making appropriations for fiscal year 2012 for the DOD, military construction, and the Department of Veterans Affairs, among other agencies).

29. For example, see National Defense Authorization Act for Fiscal Year 2012, Pub. L. No. 112-81, 125 STAT. 1298, Dec. 31, 2011 (providing annual authorizations for DOD to expend funds appropriated to the DOD in the Consolidated Appropriations Act, 2012).

30. Permanent DOD authorizations to expend funds are generally found in Title 10 of the U.S. Code; in contrast, permanent authorizations for the State Department and USAID to expend funds are generally found in Title 22 of the U.S. Code.

31. Compare Title 22 U.S.C. (State Department and foreign affairs), with Title 10 (DOD, the Services, and defense). See generally Defense Security Cooperation Agency, Security Assistance Management Manual, chapter 1, available at http://www.dsca.mil/samm/Default.htm.

32. The Honorable Bill Alexander, 63 Comp. Gen. 422, B-213137 (June 22, 1984). This Comptroller General opinion resulted from military operations in Honduras. It solidified the general rule that DOD only provides foreign assistance when specifically authorized by Congress and provided funds for that specific purpose. In other words, DOD may not conduct foreign assistance using operations and maintenance funds appropriated to the DOD for the conduct of the mission. Congress provides these operation and maintenance funds to support DOD and they may not be used for the primary benefit of the host nation.

33. For example, see Consolidated Appropriations Act, 2012, Pub. L. No. 112-74, 125 STAT. 786, 794 December 23, 2011 (appropriating $107 million in OHDACA funds).

34. OHDACA funds must be expended consistent with 10 U.S.C. sections 401, 402, 404, 407, 2557, 2561.

35. Defense Institute of Security Assistance Management (DISAM), Greenbook, Chapter 1, available at http://www.disam.dsca.mil/pubs/DR/greenbook.htm. The DSCA is the focal point for DOD security cooperation efforts, to include DOD humanitarian assistance. Given that security cooperation is primarily a State

Department responsibility, DSCA closely coordinates with the State Department, other governmental agencies, and Congress. If in planning you determine a need to provide humanitarian assistance but cannot determine the funding source, check with the combatant command and ultimately DSCA. Through these avenues, a planner will be able to maximize potential available funds for humanitarian assistance. The Defense Security Cooperation website, available at http://www.dsca.mil/ (provides a wealth of information on DOD humanitarian assistance programs, to include culture or religion-neutral MRE packets available for distribution).

36. For example, see Consolidated Appropriations Act, 2012, Pub. L. No. 112-74, 125 STAT. 786, 794 Dec. 23, 2011.

37. DISAM, Greenbook, Chapter 1, available at http://www.disam.dsca.mil/pubs/DR/greenbook.htm.

38. Consolidated Appropriations Act, 2012, Division I, Pub. L. No. 112-74, 125 STAT. 786, 1164--1271, Dec. 23, 2011 (the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012).

39. For a description of the authorized uses of CERP funds, see Money as a Weapon System–Iraq and Money as a Weapon System–Afghanistan. These funds authorize commanders to use operations and maintenance funds (up to a congressionally specified limit) to provide for the urgent humanitarian relief and reconstruction requirements of the people of Iraq and Afghanistan respectively. For example, in Fiscal Year 2012, Congress authorized the use $400 million in operations and maintenance funds for the CERP program in Afghanistan. Consolidated Appropriations Act, 2012, Pub. L. No. 112-74, 125 STAT. 786, 849, Dec. 23, 2011.

Chapter 3

Refugee Camp Funding Sources

MAJ Robert Perry, U.S. Army

Vignette

Refugees from Afghanistan have been arriving in a steady stream over the past 30 days in the North Western Frontier Province (NWFP) of Pakistan. Afghanistan refugees as well as the Taliban constitute the majority of the population. Authorities estimate the refugee population could be as high as 3.5 million persons. The majority are being housed in refugee camps in NWFP that are situated along the Afghan border by the Pakistani Government with financial support from the United Nations through the United Nations High Commissioner for Refugees (UNHCR).

Living conditions in the camps are harsh, in part due to the short period of time that authorities had to build them. Several of the new camps are beginning to receive provisions from the Pakistani government, along with medical and school facilities. In some areas, tents have been gradually replaced by more durable structures, as well as durable provisions of water, food, electricity, and sanitation services.

As part of its mission, 2BCT has been tasked to provide security for a number of newly developed refugee camps in the vicinity. As part of the assessment process, the commander has identified a number of camp shortfalls and desires to provide swift relief to the population within his area of responsibility (AOR).

(**Note:** The vignette was taken from the following sources: *The Pro Bono Statistician Fritz Scheuren, 100th ASA President*, 2005, and *The Making of Amir: An Afghan Refugee Musician's Life in Peshawar, Pakistan*, John Baily.)

Problem Set

The problem is that the immediate authorities of the newly developed camps have yet to emplace all of the components necessary to facilitate adequate living conditions within camp populations. Camp quality-of-life requirements cross several lines of responsibilities and can encompass engineering, health care, and emergency medical care, as well as food, water, and sanitation.

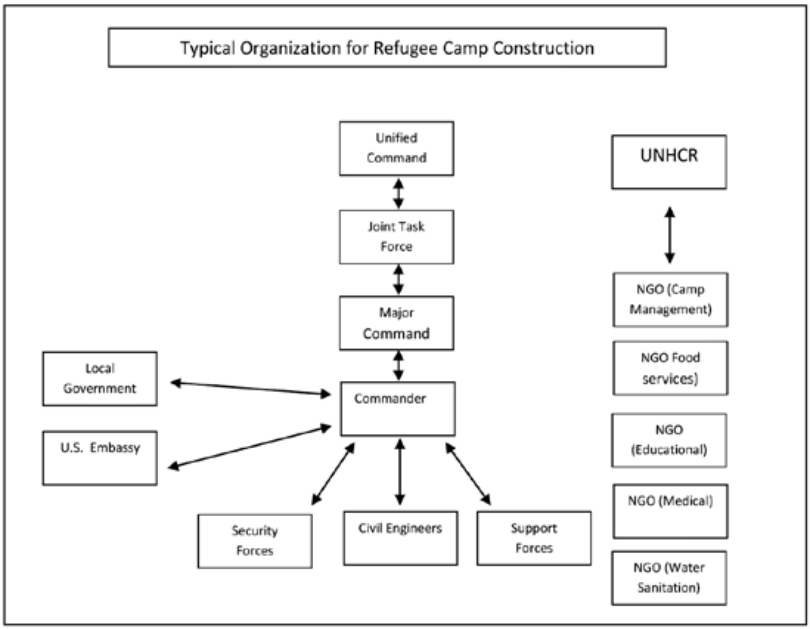

Figure 3-1

Funding sources for these different requirements can be equally multifaceted and must be pursued through appropriate funding authorities and programs. Additionally, each responsible organization or agency may be restricted in the usage of specific funding authorities and programs. The commander of the 2BCT has been given this AOR in a Central Command (CENTCOM) AOR and should consider gaining funding assistance from the following three categories of authorities and programs:

- **Global Funding Authorities:**
  - **Combatant Commanders Initiative Fund (CCIF)**

    Background: CCIF was authorized by Congress in 1992 (Chairman Joint Chiefs of Staff [CJCS] Measure of Performance [MOP] 65) and is regulated by the CJCS. The primary focus of CCIF is to support unforeseen contingency requirements critical to unified commanders' joint warfighting readiness and/or related national security interests. The strongest candidates for approval are initiatives that support unified commander activities and functions, enhance interoperability, and yield high benefits at low cost.

CCIF is a joint staff, J-7-managed, annual program. Each initiative is evaluated on its individual merits, competing with initiatives submitted from the six regional (CENTCOM, European Command [EUCOM], Pacific Command [PACOM], Northern Command [NORTHCOM], Southern Command [SOUTHCOM], African Command [AFRICOM]) and four functional (Special Operations Command [SOCOM], Strategic Command [STRATCOM], Transportation Command [TRANSCOM], and Space Command [SPACECOM]) commanders. Governing Regulation: CJCSI 7401.01, Department of Defense (DOD) Directive 5200.1. CENTCOM Functional Office of Primary Responsibility (OPR): CCJ8

○ **Cooperative Programs for Friendly Nations** (Sections 401–406, "Humanitarian and Civic Assistance" [H/CA])

Background: This program provides funds for projects to assist the civilian population of a developing nation. H/CA projects must be accomplished in conjunction with authorized military operations, enhance the security interests of the United States and the host nation, improve the specific operational skills of participating forces, and complement other forms of assistance from any other U.S. department or agency. Governing Regulation: CCR 525-23, DOD Instruction 2205.02. CENTCOM Functional OPR: CCJ7

○ **Emergency and Extraordinary Expense Funds (EEE)**

Background: Exclusive authority granted to the secretary of defense and the service secretaries. This program provides funds to meet expenses not authorized or funded elsewhere and that cannot be anticipated or classified. This provides wide latitude to spend DOD operations and maintenance (O&M) appropriated funds for such purposes that the principal deems proper. Such determinations are "final and conclusive." Governing Regulation: Defense appropriations. CENTCOM Functional OPR: CCJ8

○ **Overseas Humanitarian, Disaster, and Civic Aid (OHDACA)**

Background: Projects to assist the civilian populations of developing nations. Governing Regulation: Annual authorization/appropriation bills. CENTCOM Functional OPR: CCJ5

- **Security and Stabilization Assistance (1207)**

  Background: An authority that permits DOD to provide services and transfer of defense articles and funds to the secretary of state to facilitate reconstruction, security, or stabilization assistance efforts to a foreign country. Governing Regulation: P.L. 109–163, Sec 1207, as amended. CENTCOM Functional OPR: CCJ5

- **Operation Enduring Freedom (OEF)/Operation Iraqi Freedom (OIF) Specific Funding Authorities:**
  - **Afghanistan Security Forces Fund (ASFF)**

    Background: This fund allows the Combined Security Transition Command-Afghanistan commander or secretary of defense's designee to provide assistance to the military and security forces of Afghanistan. It authorizes the purchase of equipment, supplies, services, training, infrastructure, facility repair, renovation, and construction activities. Governing Regulation: P.L. 109–289, DOD Instruction 5000.64, DOD Instruction 5010.14. CENTCOM Functional OPR: CCJ8

  - **Coalition Support Funds (CSF)**

    Background: Congressional legislation since FY02 has appropriated CSF to reimburse Pakistan, Jordan, and other key cooperating nations for logistical and military support provided to U.S. military operations. The purpose of this fund is to provide vital financial assistance to nations in the CENTCOM AOR that could not otherwise afford to support coalition operations. Governing Regulation: Annual authorization/appropriation bills, DSCA-67, DOD Instruction 3000.5. CENTCOM Functional OPR: CCJ8

  - **Commander's Emergency Response Program (CERP)**

    Background: The purpose of this fund is to enable local commanders in Afghanistan (and previously Iraq) to respond to urgent humanitarian relief and reconstruction requirements with programs that would immediately assist the indigenous population. Governing Regulation: Department of Defense Financial Management Regulation (DODFMR) Vol. 12, Chapter 37. CENTCOM Functional OPR: CCJ8

- **Contingency Construction Authority (CCA)**

  Background: In FY04, Congress enacted a limited authority to permit the use of O&M funds for military construction-scoped projects in support of overseas combat operations. USC Code Title 10, §2805 limits O&M funded construction to $750,000 per project or $1,500,000 per project if the project corrects an urgent deficiency that affects life, health, or safety. Governing Regulation: Temporary authority renewed annually in the 2800 section of the National Defense Authorization Act (NDAA). Original rules were established in §2808 of the FY04 NDAA, but they have been modified in each renewal. CENTCOM Functional OPR: CCJ4

- **Pakistan Counterinsurgency Capability Fund (PCCF)**

  Background: The purpose of this fund is to provide the Government of Pakistan a counterinsurgency capability necessary for defending and securing the Pakistan–Afghan border region. Governing Regulation: FY 09 NDAA (P.L. 110–417), as amended. CENTCOM Functional OPR: CCJ8

- **Key Department of State Programs that Support CENTCOM**

  - **Foreign Military Financing (FMF)**

    Background: The purpose of this fund is to provide financial support for "Partnership for Peace" programs used within Central Asian countries to pay for participation in NATO-led or NATO-sponsored activities. Governing Regulation: 10 USC 1051, 2010. CENTCOM Functional OPR: CCJ5

  - **Nonproliferation, Antiterrorism, Demining, and Related Programs (NADR)**

    Background: The purpose of this program is to provide financial and technical support to critical security and humanitarian assistance-related foreign policy objectives related to threats posed by terrorist activities, land mines, and stockpiles of excess weapons. It is also used to fund activities related to nuclear, chemical, and biological weapons and missiles and their associated technologies. Governing Regulation: *Security Assistance Manual.* Functional OPR: Department of State

Discussion/Recommendations

(**Note:** All funding authorities and programs listed above are referenced from the *U.S. CENTCOM Resourcing the Mission Handbook*, February 2010, and apply specifically to the CENTCOM AOR. However, the following discussion and recommendations can be applied generally.)

The single most common reason for funding disruptions commanders will experience is failure to ensure that units effectively articulate substantiated requirements to the Coalition Acquisition Review Board (CARB) in a timely manner. Requirements must pass a six-step CARB process (nine steps for joint CARBs) that ensures a given requirement is a bona fide need and ensures the need is met using the appropriate funding source. Although the actual process used may vary by locality and command, the following are the basic areas of analysis:

- Cost analyst review.
- Contracting review.
- Legal review.
- CARB review.
- G-8 review.
- Final signatures.

To ensure expedient processing, it is extremely important that units complete the following components of the requirement packet as early and accurately as possible:

- Statement of justification.
- Statement of work.
- Legal review.

The best approach is to work in coordination with legal, the resource manager, and the appropriate functional OPR during the drafting process. This will ensure that the nature of the requirement is consistent with the commander's intent, the funding authority, or the program requested. This process will also ensure that the unit has included the requirement within its budget spending plan and that it is routed through the appropriate agency.

Chapter 4

The Importance of Civil-Military Relations in Managing Refugees and Internally Displaced Persons

MAJ Joyce Craig, U.S. Army

Introduction

Refugees and internally displaced persons (IDPs) affect nearly every country in the world. Whether caused by a natural disaster, civil strife, or war, their situation is normally dire. This vulnerable population will need assistance from either the host nation government if they are internally displaced or the government of the country to which they are fleeing if they are refugees. Even a first world country like the United States faced an internally displaced population crisis when Hurricane Katrina devastated the Gulf Coast region. This crisis left thousands of Americans without a home and, in many cases, left them entirely dependent on the government for assistance. This is an issue that affects everyone and that requires a combined civil–military effort to determine the best possible solutions to solve the problem.

A commander entering or assigned to an area that has a significant refugee or IDP population must understand the importance of ensuring that population group is not neglected. A neglected refugee or IDP population can cause additional security and logistic problems and can hinder the mission. They will leave their camps searching for additional provisions if there is not an adequate supply, which could interfere with the operation. If the camp security situation is not acceptable, they could also leave or band together and form an insurgency, which could cause problems in the future. Commanders need to understand the impact that refugees and IDPs can have on their mission.

Operational Environment

For commanders assigned an area with a high number of refugees or IDPs, understanding the operational environment and knowing who is working alongside them in their operational environment are critical. Numerous nongovernmental organizations (NGOs) specialize in refugee and IDP issues and may already be working within their area of operations (AO). Prior to conducting operations, commanders should meet with these organizations. They are experts in their field and understand the situation on the ground and the needs of the affected population. Commanders are not mandated to work with these outside agencies, but the wealth of knowledge these civilian organizations possess will only enhance the commanders'

situational awareness and their understanding of how to solve various issues. NGOs often possess cultural knowledge of the area and most likely have gained the trust of the people in the camps.

Role of Civil Affairs

Within their military organization, commanders may have civil affairs personnel who specialize in civil–military coordination and can greatly assist in managing IDP and refugee issues. Commanders who have civil affairs personnel within their organization have an advantage. The civil affairs officer, the G-9 or S-9, can be the focal point for civil–military coordination within the organization. The G-9 and his staff should ensure each course of action (COA) effectively integrates civil considerations (the "C" of METT-TC [mission, enemy, terrain and weather, troops and support available, time available, and civil considerations). The G-9 and his staff consider not only tactical issues but also logistics support issues.

Core Tasks

Civil affairs personnel have several core tasks, but one in particular focuses on managing refugees and displaced persons.[1] Civil affairs officers understand the importance of civil–military coordination and have the background and training to conduct key engagements with NGOs. "Civilian agency involvement in overseas operations is one of the most decisive factors in mission success … U.S. civil affairs forces repeatedly illustrate the importance of military assets working closely with the U.S. Department of State and USAID [U.S. Agency for International Development] to coordinate emergency response and longer-term reconstruction efforts."[2]

Populace and resource control is a civil affairs core task that spells out how to work with dislocated civilians (DCs) and enables civil affairs personnel to understand the intricacies of working with this vulnerable population. DC operations include planning and managing DC routes, assembly areas, and camps in support of the host nation's and intergovernmental organizations' efforts. DC operations also include foreign humanitarian assistance support to the affected populace. The military police corps is a key component to the successful planning and execution of DC operations, and their involvement should be sought early in the planning process.[3] Figure 4-1, from Field Manual (FM) 3-05.40, *Civil Affairs Operations*, illustrates the core missions of civil affairs personnel.

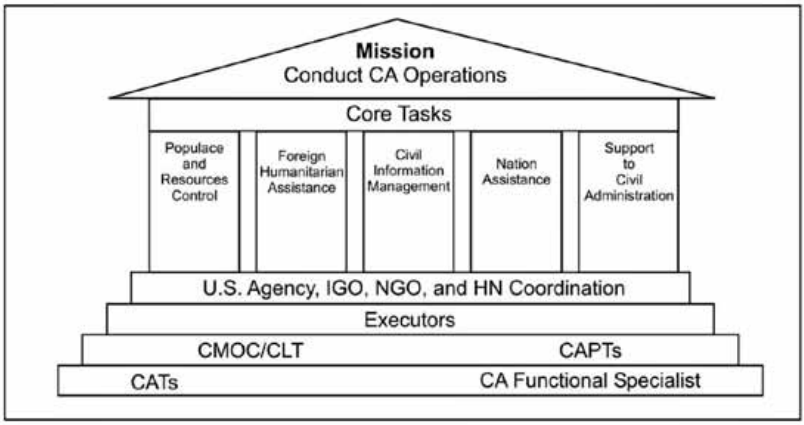

Figure 4-1. From FM 3-05.40, page 1-3

Establishing a Civil–Military Operations Center

A civil–military operations center (CMOC) is a critical structure that allows the military and civilian agencies to meet on neutral ground. A CMOC is a clearinghouse from where civil–military coordination can be conducted. Civil affairs personnel can host regular meetings with representatives from various NGOs and host nation military or state agencies operating in the area.

Figure 4-2. Provincial Reconstruction Team Nuristan meeting[4]

Extensive civil–military coordination can be conducted during these meetings. CMOCs help to promote unity of effort and, more importantly, reduce duplication of effort.

Even if a brigade does not have an assigned civil affairs officer, the commander should still establish a CMOC and engage with the interagency community in the brigade's assigned area. These meetings will allow the commander to understand who is operating alongside him in his operational environment. Even if there are no organizations specifically dedicated to refugee operations assigned to this specific area, there may be some NGO organizations that can assist in providing medical care or other supplies. The CMOC meeting will push all of this information out. Figure 4-3, from Joint Publication (JP) 3-57, *Civil Affairs Operations*, shows this relationship.

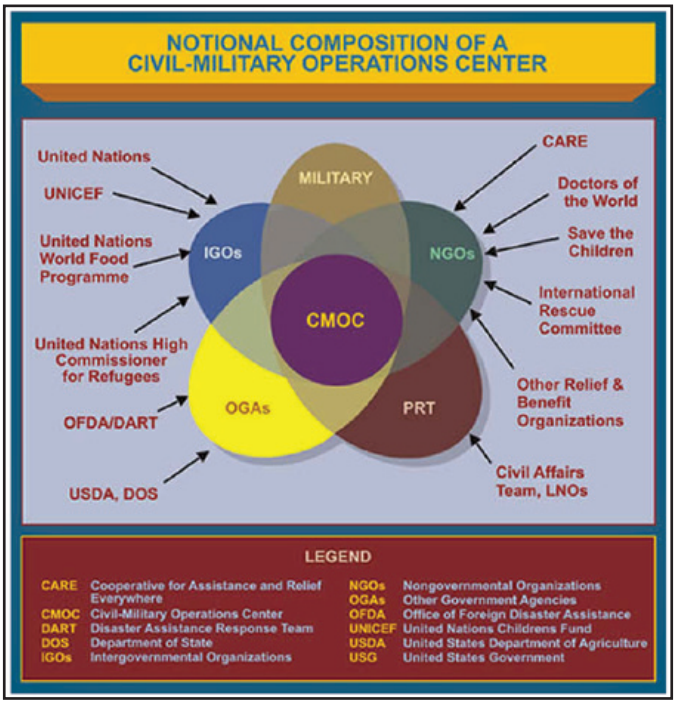

Figure 4-3. JP 3-57, page II-29, Figure II-8

Building Trust

There may be hesitancy and sometimes distrust within the NGO community when it comes to working with the military. CMOC meetings can help alleviate some of that mistrust. The NGOs will better understand the military mission, whereas the military will see how best to support the civil organizations and their operations. Each group can discuss their capabilities and goals and begin to build the trust necessary to work with each other.

NGOs have extensive cultural knowledge of the area and can prove to be very helpful. Their knowledge of the people, language, and the different tribal groups is good information that can help a commander determine the best COA. Additionally, the military has extensive lift capabilities and may be able to move needed humanitarian supplies. NGOs sometimes lack this capability. They have access to vital lifesaving supplies but cannot always transport them. These are all issues that can be addressed during the CMOC meetings.

Conclusion

Civil–military coordination during refugee and displaced person operations is an important part of mission success. Civil affairs officers and noncommissioned officers already understand the importance of coordinating and integrating the efforts of various organizations and can be an asset to a commander. However, even if an organization does not have a civil affairs officer, there are still tools a commander can use. Establishing a CMOC and providing a neutral space for NGOs and other agencies to meet and coordinate while working toward unity of effort will begin this dialogue.

Endnotes

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Chapter 5

Enabling Media Coverage of Internally Displaced Persons/Refugee Operations

MAJ Corey Schultz, U.S. Army

Getting Ahead of the Story

Question: What do the following two stories have in common?

> 1. Fifty-four Navy Seabees die during a "hurricane party" in a Gulf-side apartment building destroyed by Katrina.
>
> 2. A second hijacked jet is two minutes inbound, intent upon attacking the burning Pentagon after American Airlines 77 crashed into it.

Answer: They were both untrue rumors that flashed out of control in the initial aftermath of a crisis.

In both of these cases, an aggressive and proactive approach to media relations was needed to quickly get the true story out to the public. Proactive public affairs officers (PAOs) in military units can provide rumor control and serve other purposes. Media relations can bring value to internally displaced persons (IDPs) or refugee operations by bringing the issue to the world's attention. The Department of Defense (DOD) should ensure that a PAO is assigned to brigade-size units to manage media, combat misinformation, and inform interested publics.

PAOs serve as a media liaison, providing access to media outlets reporting on military events. To cite a few recent examples, PAOs brought the plight of coastal Mississippi to the Nation's living rooms. Public affairs helped the Pakistani people understand the role of the U.S. military in earthquake relief, providing transportation of relief supplies and medical care. According to a survey, positive popular public opinion of the United States in Pakistan doubled during this period.

The DOD has a legal and ethical responsibility to inform the American people on how it uses tax money, since the American populace is the ultimate bill payer for all DOD activities. As stated on the website of the Office of the Assistant Secretary of Defense for Public Affairs, "It is Department of Defense policy to make available timely and accurate information so that the public, the Congress, and the news media may assess and understand the facts about national security and defense strategy" (http://www.defense.gov/admin/prininfo.aspx). The existence of

proactive military PAOs is central to the nation's concept as a representative democracy.

When applied to military operations involving IDPs or refugees, public affairs can be a force multiplier, primarily by engaging national and international media, but also by working with local media and by producing print and broadcast stories.

Figure 5-1. Private First Class Kendra Hinds, a U.S. Army Reserve medic, helped deliver a child for a Ugandan woman. Medical care of vulnerable populations such as women, children, and single heads of households is critical to IDP or refugee operations. (Photo credit: U.S. Army Reserve)

Engaging External Media

In order to get the DOD message into the homes of the public, PAOs will need to actively engage with local and international media outlets. Civilian media outlets have nationwide and global reach. As an example, CNN has 40 news bureaus worldwide, employing over 4,000 personnel devoted to providing 24-hour-per-day coverage of events, seven days a week (http://www.cnn.com/about/). The size of news organizations like CNN, Fox, and the British Broadcasting Corporation provides coverage and market saturation that is incomparably more effective than what military journalists can accomplish.

Second, engaging civilian media provides “third party credibility.” Publics believe what the news says about an organization much more readily than what an organization says about itself. This may be for the obvious reason that third-party reporters have no vested interest in maintaining the reputation of the organization and are thus more likely to provide a viewpoint not biased in favor of the organization.

Civilian news media have an unparalleled capacity to disseminate information quickly to large audiences. In a crisis situation, they are usually receptive to publishing or transmitting public safety information. In the aftermath of Hurricane Katrina, media outlets in Mississippi contacted the military not just for updates on operations but also to disseminate information on food and water distribution points, medical care, and off-limits areas. Dislocated civilians will try to find out any information pertaining to their situation and will monitor any media outlets to which they have access. Military public affairs should work with any available media to provide public safety information to local populations.

Finally, media relations can provide an indirect benefit to IDP or refugee operations by keeping the issue alive, relevant, and in the mind of the public. The majority of the work involving IDPs or refugees is conducted and financed not by the military but by the United Nations and various nongovernmental organizations (NGOs). NGOs are particularly dependent upon private donations for their existence. Complex humanitarian emergencies that generate large amounts of IDPs or refugees take months, if not years, to resolve. However, public interest does not have that long an attention span, and the initial wave of donations quickly dwindles. Continued media attention can have the second-order effect of continued interest and donations to NGOs and the third-order effect of enabling NGOs to resolve the IDP or refugee issue more quickly and effectively.

Providing the Context

In addition to their primary role of media relations, public affairs enlisted journalists can produce their own broadcast and print news. In the Internet era, every command has a website, and enlisted journalists provide a valuable capability for the command to tell its own story. Civilian media are often unfamiliar with the complex organization and culture of military units, whereas public affairs journalists can provide context to operations.

Public affairs journalists also have access to members of the command. Ideally, they have a relationship of trust with key personnel who can explain and provide context as to why operations are important to the host nation, DOD, and the U.S. government. Public affairs journalists are with the operation for the duration and can provide the public with long-term coverage. This contrasts with civilian media journalists, who may be with a particular unit or operation for a short period of time. This capability can

also be used to provide public information to the host nation population, though this is primarily the responsibility of military information support operations and must be coordinated with them.

Getting the Story Out

Print stories and still photographs can be uploaded to the Internet, providing factual and timely information on the operation to global audiences with Internet connections. DOD public affairs currently has an extremely powerful contracted asset called Defense Visual Information System (DVIDS). Public affairs personnel have the capability to produce broadcast quality news video and transmit it via satellite to a hub in Atlanta, where it is uploaded to a website (www.dvidshub.net).

It is then made available by download to any member of the public or any news organization. For copyright purposes, all DOD-produced stories, photos, and video are in the public domain and may be used and reproduced by any member of the public, including and especially media organizations. They just may not be used to offer a good or service for sale.

Figure 5-2. Department of the Army civilian PAOs set up a satellite communications device at the airfield in Entebbe, Uganda. These highly trained personnel brought technical expertise and understanding of media relations to the mission, using the satellite to enable civilian media outlets as far away as Chicago and Atlanta to interview U.S. personnel on their humanitarian assistance operations and their importance. (Photo credit: U.S. Army Reserve)

DOD-produced visual and written projects have several benefits. They inform the public of military stories of interest funded by public monies. They also can be used by civilian media, allowing these organizations to report on activities without sending a representative. Most news organizations do not have the regular coverage for a special mission, so the work of the public affairs journalists is very important for informing the U.S. public about the activities and operations of the military and the DOD. Lastly, public affairs journalists provide information and context to civilian journalists who are sent to the site but do not have extensive information about the situation or the military.

How to Make the Best Use of PAOs

Though a powerful force multiplier, public affairs is sometimes misunderstood and misemployed by commanders. Public affairs is best employed providing information and products to the external public, whereas creating information products for military personnel and their families is of secondary importance. The reason is two-fold: internal products do not have third-party credibility to the intended audience and are often not believed, and command information is primarily the responsibility of the chain of command.

Leaders at all levels are responsible for transmitting the commander's vision and intent to their subordinates and should not rely on public affairs to transmit this information in a newsletter that never leaves the command. The time and energy it takes to create command information products are better spent creating products for an external website that informs both internal and external audiences about the unit's mission, vision, personnel, and operations. Additionally, command newsletters are relics of the pre-Internet era, when DOD personnel did not have access to the Internet or cell phones. In today's information environment, most military personnel and families have access to the Internet in all but extreme conditions and can research required but routine information — for example, how to use TRICARE, information on a new post or command, biographies of leadership, etc.— without relying on a command information product.

Keys to Success in Proactive Public Affairs

The following checklist (Figure 5-3) is based on personal experience and will provide commanders and planners with a list of items to think about when planning for the use of PAOs during operations.

Key component	Explanation	Lead
PA personnel assigned to the unit.	Ensure that the unit has PAOs. If it does not, the US Army Reserve owns public affairs personnel and units, and personnel management mechanisms are in place to mobilize them. Ideally, a brigade-size element should have a 46A O4, a senior NCO 46Z, and three or four junior enlisted 46Q and 46R to provide media escort and create written and visual products. A division should have a Mobile Public Affairs Detachment (MPAD), commanded by a major, and doctrine allocates a Public Affairs Operations Center (PAOC), an O5 command, to a corps. Commanders and staff should ensure as early as possible in the deployment planning process that these personnel are added to the deployment order.	Unit commander (BCT, DIV, Corps)
Primary focus on embedding/engaging external media and creating products for external publics	Ensure that the public affairs personnel's primary mission is media relations. PAO should act as a media liaison and cultural translator, enabling the "fourth estate" to report on operations of American forces to the American people. Part of media relations is "media training" of commanders and leaders at all levels to build their experience and confidence in talking with the media. The products created by public affairs print and broadcast journalists should be aimed at external publics and made available for distribution on the Internet. Products intended for a primarily internal audience, Soldiers and their families, should only be created when the primary mission allows. In the age of digital photography, it is not necessary to use the time and energy of public affairs journalists to conduct personal photographer duties, such as taking photos at award ceremonies; that is a misuse of those personnel.	Commander and senior PAO.
Equip public affairs personnel with communications equipment	Ensure that public affairs personnel are supplied with equipment enabling communication and transmission of print and visual products from the deployment AO to CONUS. Currently, a PA team can acquire a photo set (ESPS), a Digital Video Acquiring Suite (DVAS) and Digital Video Editing Suite (DVES), and a NORSAT dish that, when combined, can capture words, still photography, and video that can be edited and transmitted anywhere on the globe. This is a powerful capability that commanders at the brigade and above level should acquire well before deployment and ensure that broadcast personnel avail themselves of the specialized training to use the satellite.	Commander, S/G4

Engage civilian media	The best way to tell the Army's story is to enable its telling by the civilian news media. PAO should work to embed media, and if this is not possible, should create and maintain a public website regularly updated with products that can be downloaded by media. Currently, an account at www.dvidshub.net can serve this purpose without costing the command any additional contract or outlay of funds.	PAO
Provide print, photo, and video products to higher to "boost the signal"	Deployment, especially with short notice, can create a situation in which it is difficult to communicate with the outside world. PAOs and commanders should coordinate with their higher command and develop a plan wherein print and visual products can be transmitted to PAO at the nondeployed headquarters, who will post on their website and/or deliver to interested media. DVIDS hub in Atlanta can also "boost the signal" and publish print and visual products on its website. DVIDS has the additional capability of media outreach: when provided with information on personnel's hometowns or home of residence, they will contact the local media and arrange for interviews.	PAO, PAO at non-deployed higher
External *is* internal	External communications are internal communications. Information and stories given to the public are read by DOD personnel and their families and are more widely believed than newsletters created by the command.	PAO
Public Information to IDP/refugee and HN media	Though not its primary mission, in crises public affairs can use its capability as liaison to civilian news media and capability to create print and visual products in order to inform displaced civilians about the locations of camps, medical care, and distribution points. This is the primary responsibility of MISO/IO and must be coordinated with them.	PAO, IO, MISO, CA
Build media contacts *before* the crisis starts	PAO should build relationships with media before the crisis, so that media 1) know whom to call and 2) call someone they trust.	PAO

Figure 5-3

Summary

Public affairs is a media capability that can be misunderstood and poorly utilized. But when commanders plan, prepare, execute, and assess public affairs assets, they can be a great force multiplier for IDP/refugee operations. Public affairs can bring national and international attention to the crisis, which generates donations to the intergovernmental organization and the NGO community. Public affairs inform the American people about the use of their tax money, which is an important function for a free society. Public affairs can also engage with host nation media, providing information on public safety, such as location of camps, distribution points,

and medical care. All of these functions can help U.S. forces, interagency, Department of State, and U.S. Agency for International Development partners solve complex humanitarian emergencies more effectively. Ultimately, any military operation in a crisis situation — including those that create IDPs or refugees — can benefit from the proactive and continuing work of public affairs.

Chapter 6

Socio-Economic Impact of Refugees on the Areas Neighboring Camps: A Case Study of Kenya's Refugee Camps

Lieutenant Colonel Solomon Menye, Kenyan Army

Background

The Dadaab refugee camp complex in Kenya's North Eastern Province comprises the three camps of Dagahaley, Hagadera, and Ifo. This complex was established to accommodate about 270,000 predominantly Somali refugees, although it currently holds in excess of 450,000.[1] In spite of extensive investments in sustaining the camps over the last 18 years, knowledge of their social, economic, and environmental impacts on the surrounding areas remains scant. As their presence has become more permanent, increased attention from donors, United Nations agencies, nongovernmental organizations (NGOs), and the Government of Kenya has been focused on the provision of services in the areas around Dadaab.

Kenya is the main host country near the Horn of Africa that has received the most refugees from the internal conflict in Somalia. The general impact that refugees have on the receiving state include, but is not limited to, internal conflict, introduction of politically based issues, socio-economic challenges, resource scarcity, infrastructure inaccessibility, criminal activity, environmental degradation, and militarization of camps.[2]

The Current Problem

Somalis have lacked an effective central government since civil war broke out in 1991 after the ouster of President Siad Barre. Driven out of their homes by climatic factors and seemingly never-ending conflicts, tens of thousands of Somalis have been forced to flee across the borders to neighboring countries. In response, Kenya adopted an informal camp policy for refugees, restricting their movement to the limited confines of refugee camps that in most cases are located in the most remote, poor, hostile, and undesirable parts of the country.

The Dadaab refugee camp is located in one of the remotest parts of Kenya, which has the least fertile soil. The refugees live among the nomadic pastoralists, many of whom live in abject poverty. While the refugees receive international aid, the locals generally do not. This disparity causes an economic imbalance that has resulted in the host community being hostile and blaming its problems on the refugees. It also raises fundamental questions about human rights and equality, since the refugees, who receive

free shelter, food, firewood, and health care, have better conditions than their hosts.

Resource Competition

Since the arrival of refugees to the Dadaab camp, the host community's already insufficient water supply has been severely affected. The locals argue that their women are forced to travel long distances to find water, resulting in health problems for them, such as back and chest pain. Lack of sufficient water, deforestation, and resultant soil erosion have threatened the food security of the locals, who depend on pasture and water for survival. The huge demands on the scarce local water resources give rise to friction within the local communities.

Moreover, refugees are often viewed as a security threat to the host community. For example, the Turkana tribesmen accuse the Dinka (Sudanese ethnic group) in the Kakuma refugee camp of raping their women and cutting down trees. There have also been numerous cases of cattle rustling. Some locals further argue that they have been attacked during the night and had their cattle stolen. This perceived threat forces the locals to acquire illegal arms and thus sets conditions for terrorist groups to take advantage of the poor conditions at the camp to lure young men into their organizations.

When refugees arrive at a camp, there is often a great demand for timber, wood, and poles for construction and cooking purposes, which puts a great strain on the timber resources of the local community. The Turkana, who host the refugees at Kakuma, are alarmed at the rate at which refugees cause deforestation. This anxiety causes frequent confrontations and fights between the local population and the refugees, because the hosts argue that their livestock largely depend on foraging and the trees that the refugees have cut down.

The combined demand for firewood and building materials from the camps and the host communities is very significant. Collecting firewood and building materials is undertaken by members of the host communities and camp populations alike, and both groups are engaged in buying and selling it. However, firewood harvesters based in the camps are largely responsible for commercially providing firewood to the camps. Good quality firewood is difficult to find close to the camps and nearby settlements, leaving only low-quality firewood for collection by women and children in the host communities.

As the distance to good firewood sources increases, the collection process is taken over by men using donkey carts; therefore, it has been commercialized. The demand for energy for household use is growing with the increasing population in the area as a whole. The local collection of

firewood is becoming more laborious, and the potential for conflict is ever increasing.

Other Impacts

There have been mixed reports on the impact of refugees on local education. At the Kakuma refugee camp, refugees often have more opportunities for education than the locals. The refugees can go to local schools or they can attend one of the many schools in the refugee camp. However, the locals are not allowed to attend the schools in refugee camps. The host community suffers from poor quality education as compared to the refugees in refugee camps, since the refugees can access better teachers who, in most cases, come from urban areas or from foreign countries.

Refugees influence the local economy in a variety of other ways. In general, the increase in population results in an increased demand for products and goods, which raises prices and the cost of living in and around the refugee camp. The influx of refugees also increases job competition. At the Kakuma refugee camp, job competition is intense because NGOs tend to hire refugees, who work for less than the locals. This disparity in employment opportunities causes additional tension between refugees and the host communities.[3]

Additionally, the influx of a great number of refugees causes an increase in communicable infectious diseases in the surrounding areas. When this occurs, there is often a push for improving health sanitation services in the area. Locals are allowed to utilize the health services at some but not all refugee camps. Still, there are cases where refugees have better health services than the surrounding villages, which can lead to tension.

Pastoralists living along the borders neighboring the refugee camps lose their lives from increased cross-border, resource-based armed confrontations. Depleted livestock, limited pasture and water from the cumulative effect of cyclic drought, and the availability of small arms have resulted in an increase in pastoralists' cross-border movements that can trigger violent, armed cross-border conflict.

There are significant impacts on grazing and wildlife. Livestock from the camps impact grazing up to about 20 kilometers away from the camps, although grazing pressure and competition are negligible beyond this distance. Meanwhile, wildlife populations around Dadaab have been reduced as animals have migrated due to disturbance, having been forced out by competition with livestock for food or after having been hunted for their meat. Droughts have intensified competition between herbivores and domestic livestock, reducing the traditional prey of predators and forcing them to attack goats, sheep, and cattle instead, thereby creating a serious problem to the host communities.

Conclusion and Recommendations

The socio-economic impacts of refugee camps are varied. From the refugee's perspective, they revolve around the desire to live a decent life, whereas locals who live close to the camps often view the refugees as intruders and as competitors for scarce resources, such as food, water, and wood fuel, as well as a cause of insecurity in the area close to the refugee camps. Drought, with its implications for water shortage and food insecurity, is currently the most significant climate-related hazard contributing to conflict and mass displacement. Cattle rustling incidents have also increased in the region as owners seek to restock herds that have been badly affected by the searing drought across East Africa.

In order to address these issues, the government of Kenya, with the assistance of NGOs and the international community, should make concerted efforts to mitigate the effects of drought in the region. Relocating the camps to more habitable areas is an option that may not be viable in the short term. Similarly, repatriating the refugees to their countries of origin could be a lasting solution; however, the conditions in Somalia that made them seek refuge still prevail, and many refugees would not want to go back. Therefore, an enduring solution is to empower the population around the camps to mitigate the effects of harsh weather and to reduce the perception that the "intruders" benefit from better facilities and resources.

The priority should be to provide sufficient potable water for both people and their animals. The dependence on wood fuel must be reduced, and an alternative form of energy should be made available — whether that is gas or possibly the abundant wind and solar power. Similarly, essential services, to include equal education opportunities, universal access to medical facilities and health care, and employment opportunities, must be available to all. The most certain and long-term solution is to resolve the Somalia conflict and create an elected government that is acceptable to all Somalis.

Endnotes

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Chapter 7
Displaced Civilian Operations
Maj. Michael Bennett, USMC

Introduction

As part of humanitarian, refugee, or displaced person-type operations, civilian and military authorities execute a series of tasks known as populace resource control (PRC). PRC operations provide security for the populace, deny personnel and materiel to the enemy, mobilize the population and materiel resources, and detect and reduce the effectiveness of enemy agents. Populace controls include curfews, movement restrictions, travel permits, registration cards, and resettling villagers. Resource control measures include licensing, regulations or guidelines, checkpoints (for example, roadblocks), ration controls, amnesty programs, and inspection of facilities. Most military operations will employ some type of PRC measures. Although PRC measures may be employed by the services and other government agencies, civil affairs personnel are also trained to support these agencies in PRC. A major part of a PRC operation is displaced civilian (DC) operations.

Displaced Civilian Operations

DC operations are a special category of PRC. Planning and conducting DC operations is the most basic collective task performed. As a combat support task, the goals are to minimize civilian interference with military operations and to protect civilians from combat operations. The availability of military personnel may be limited due to mission constraints; therefore, a mixture of military and interagency activities, including nonmilitary actors such as international aid organizations, often work together in DC operations.

Civilians

The control of civilians is essential during military operations. Commanders must segregate civilians from enemy prisoners of war (EPWs), insurgents, and criminal elements to protect them as required by international law. Uncontrolled masses of people can seriously impair the military mission. According to U.S. policy, the area population, including DCs, is the responsibility of the civil government of the country in which they are residing.

Categories of Civilians

U.S. forces must be prepared to deal with two distinct types of civilians during military operations: those who stay put and those who are displaced. The first category deals with those indigenous to the area and the local

populace, to include citizens from other, most likely neighboring, countries. These civilians may or may not need assistance. If they can care for themselves, they should be encouraged to stay in place as long as they are not in danger of being caught up in military operations.

DCs are people who have left their homes for various reasons. Their movement and physical presence can hinder military operations. They most likely require some degree of assistance, such as medicine, food, shelter, clothing, and similar items. DCs may not be native to the area (local populace) or to the country in which they currently reside. DC is a generic term that is further subdivided into four categories. These subcategories are defined by legal and political considerations:

> **Displaced person** – a civilian who is involuntarily outside the national boundaries of his country in time of war.
>
> **Refugee** – a civilian who, because of real or imagined danger, has left home to seek safety and has crossed an international border.
>
> **Evacuee** – a civilian removed from his place of residence by civil or military order.
>
> **Stateless person** – a civilian who has been denationalized, or whose country of origin cannot be determined, or who cannot establish his right to the nationality claimed.

The theater commander will define the above categories in coordination with the Department of State (DOS), United Nations, allies, and the host nation. Subordinate commanders must ensure that civilians within the area of operation (AO) are not erroneously treated as EPWs. Military police units have the responsibility of establishing routes, camps, and services for EPWs. Civil affairs elements of military units are usually given responsibility for DC operations and must coordinate with the military police units to ensure separation of DCs from EPWs as directed by the Geneva Conventions.

Objectives and Principles of Displaced Civilian Operations

The primary purpose of DC operations is to minimize civilian interference with military operations. DC operations are also designed to:

- Protect civilians from combat operations.
- Prevent and control the outbreak of disease among DCs, which could threaten the health of military forces.
- Relieve, as far as is practicable, human suffering.
- Centralize the masses of DCs.

Although the G-5 or S-5 is the primary planner of DC operations, all military planners must consider DC operations in their planning. The following are principles of DC operations:

- The G-5 or S-5 must assess the needs of the DCs to ensure they receive adequate and proper assistance. He must also consider their cultural background and that of the country in which they are located.
- All commands and national and international agencies involved in DC operations must have clearly defined responsibilities within a single overall program.
- The planning and actual task accomplishments for DCs differ with each level of command.
- Coordination should be made with DOS, the United Nations High Commission for Refugees (UNHCR), and host nation civil and military authorities to determine the appropriate levels and types of aid required and available.
- Outside contributions to meet basic needs are reduced as the DCs become more self-sufficient. DCs must be encouraged to speed this process.
- The G-5 or S-5 must constantly review the effectiveness of the humanitarian response and adjust relief activities as necessary. The use of these external agencies not only capitalizes on their experience but also reduces requirements placed on U.S. military forces in meeting the commander's legal obligations.
- Under international law, DCs have the right to freedom of movement. But in the case of mass influx, security considerations and the rights of the local population may require movement restrictions.

Displaced Civilian Operations Planning

Depending on the command level, planning considerations discussed in this chapter are applicable to any tactical scenario, including logistic operations. Field Manual (FM) 3-05.401, *Civil Affairs Tactics, Techniques and Procedures*, Appendix F, is the main source of information for most of this discussion on DC planning.

The theater commander provides directives governing policies and procedures for the care, control, and disposition of DCs. This guidance will be based on national policy directives and other political imperatives. At the corps level, the commander integrates the theater commander's guidance with the corps ground tactical plan. The driving force for DC planning must be generated at corps level. At division, the DC plan must:

- Allow for accomplishing the tasks assigned by the higher command echelon.
- Be within the restrictions imposed by the higher headquarters.
- Guide the subordinate commands in the handling and routing of DCs.
- Ensure that all concerned parties, including the fire support coordination center, S-3, and G-3 air, receive information on DC plans, routes, and areas of concentration.

DC plans support the operation plan. At a minimum, DC plans must address:

- Authorized extent of migration and evacuation.
- Minimum standards of care.
- Status and disposition of all DCs.
- Designation of routes and control measures for movement control.
- Cultural and dietary considerations.
- Designation and delegation of responsibilities.

Handling Considerations

Care and control of DCs fulfill a double purpose. Care for humanitarian concerns (food, water, clothing, and emergency medical aid) is important to ensure the DCs receive at least the minimum essentials to subsist. Movement control enables maximum mobility of tactical forces and minimizes civilian interference with military operations, and careful consideration must be given to establish movement control early. Military commanders can use the techniques described below.

Stand Fast or Stay Put Policy

Civilians must remain near their homes, and their movement is controlled. This policy assumes a capability for enforcement, information dissemination, and emergency services. The stand fast or stay put policy is not within the authoritative capability of U.S. forces. A host nation may have one the United States would support, but U.S. forces may not have the authority to enforce it.

Civilian collection point (CCP)

The purpose of the CCP is to establish control and direction over the movement of the civilian populace. *It is the primary control measure used to gain initial control over DCs.* A CCP is temporary for small numbers of DCs until they can return to their homes or, if the tactical situation

requires, move to a safer area. The CCP is established as far forward as possible during the flow of battle. Since it is temporary, screening will be quick. It may include screening for intelligence information and emergency assistance. Screening to segregate EPWs, insurgents, or allied soldiers from DCs must take place. Local civilians or civilian agencies (police or firefighters) under the supervision of tactical or support troops or civil affairs personnel could operate the CCP. Military police become involved in DC operations when maneuver force mobility is threatened by refugee congestion along main supply routes. Military police will be the first U.S. elements to address DC problems and will initiate actions aimed at restoring force mobility.

Assembly areas (AAs)

An AA is a temporary holding area for civilians prior to their return to their homes or movement to a more secure area. AAs are usually located in a secure, stable environment and may include buildings such as schools, churches, hotels, and warehouses. A consideration in selecting a specific area should include the ability to provide overnight accommodations for several days. Here, screening that is more detailed or segregation of the different categories of DCs takes place. Local civilians may operate an AA under the supervision of tactical military, host nation troops, support personal, or civil affairs elements.

Displaced Civilian Movement

In handling large numbers of DCs, directing and controlling their movement are vital. The G-5 and/or host nation authorities are responsible for mass DC operations. Military police may help direct DCs to alternate routes. If possible, host nation assets should be incorporated in the planning and used in implementation. At least five considerations with respect to movement are discussed below.

- **Selection of routes.** All DC movements take place on designated routes that are kept free of civilian congestion. When selecting routes for civilian movement, consider the types of transportation common to the area, and conduct coordination with the transportation officer and military police before moving DCs along proposed routes.

- **Identification of routes.** After designating the movement routes, mark all routes with signage in the languages and symbols that can be understood by civilians and U.S. and allied forces. Military information support operation units and local agencies, to include host nation military and other allied military units, can help in marking the routes. Use information operations units and techniques to pass instruction concerning the routes to take via the most appropriate media available.

- **Control and assembly points.** After selecting and marking the movement routes, establish control and assembly points at selected key intersections. The G-5 or S-5 should coordinate with the provost marshal and G-4 for the locations of these points for inclusion in the traffic circulation plan.

- **Emergency rest areas.** Establish emergency rest areas at congested points to provide for the immediate needs of the DCs. These needs include water, food, fuel, maintenance, and medical services.

- **Local and national agencies.** Using local and national agencies is essential. First, it conserves military resources. Second, civilian authorities normally have legal status and are best equipped to handle their own people. Third, using local personnel reduces the need for interpreters and/or translators.

Evacuation Planning

Evacuation creates serious problems and should only be considered as a last resort. When the decision is made to evacuate a community, planners must make detailed plans to prevent uncontrolled groups from disrupting the movement of military units, supplies, and first responders. Mass evacuation planning includes;

- **Transportation.** Planners must make considerations for the maximum use of civilian transportation.

- **Security.** Planning must consider security screening and documentation of evacuees. Since the civilians are being removed from the area where they can best take care of themselves, the military and host nation security forces provide security for civilians after evacuation. These organizations also provide for the security of all civilian property left behind, including farm animals, pets, and other possessions.

- **Documentation.** In some circumstances, evacuees may need identification documents to ensure DCs are properly manifested and to ensure orderly movement is accomplished.

- **Briefing.** Before movement, the movement control officer briefs evacuees. This can be accomplished by using leaflets, loudspeakers, posters, or other available means. This briefing explains the details of the move, restrictions on personal belongings, organization for movement, and schedules.

- **Rations.** For a movement lasting no more than two days, planning should ensure DCs are supplied with rations at the time of departure or at designated points en route.

- **Health care.** The public health team makes maximum use of civilian medical personnel, equipment, and supplies to care for the health and physical well-being of the evacuees. Military medical personnel, equipment, and supplies should be used to supplement host nation and civilian organization assets, if necessary and authorized. Special consideration should be taken by medical personal to take proper steps before the movement to prevent the spread of infectious diseases.

- **Return.** During planning, considerations need to be taken to provide for the evacuees' eventual return and criteria for determining the duration of their absence.

Facilities

In the case of large groups of civilians who must be quartered for a temporary period (less than six months) or on a semipermanent basis (more than six months), camps must be established. Host nation personnel usually direct the administration and operation of a camp and are provided technical advice, support, and assistance depending on the requirements from U.S. military, interagency, and other civilian organizations. Specialty units will be assigned to assist with public health, public welfare, or public safety problems at any particular camp. Minimum planning considerations for DC facilities include camp control, construction, administration, screening, medical care, sanitation, security, supply, transportation, information dissemination, and liaison with other agencies.

DC camp location and construction. Camp location is extremely important and should take into consideration the remoteness of the site, access to water and roads, and other buildings that could be used. Engineering support and construction materials must be planned for when camps are located in areas where local facilities such as hotels, schools, halls, theaters, vacant warehouses, unused factories, or workers' camps are not available. Sites near vital communication centers, large military installations, or other potential military targets should be avoided. Camp location should also take into consideration the availability of food, water, power, and waste disposal in the area. Additional considerations include the susceptibility of the area to natural disasters (e.g., flooding, pollution, fire) and the use of local labor.

Administration of DC camps. Using host nation civilians as cadre for the camp administration is preferred. DCs should be involved in camp administration as much as possible. Past military experience in DC operations shows that about 6 percent of the total number of DCs residing in the camp should be re-employed on a full-time basis for the day-to-day operation of the DC camp.

Another point of emphasis concerns the problems that might stem from the state of mind of the DCs. The difficulties they have experienced may affect how well they accept authority. They may be angry due to their losses, or they may resort to looting and general lawlessness because they are destitute. The camp administrator can minimize difficulties through careful administration and by implementing the following measures:

- Maintaining different national and cultural groups in separate camps or sections of a camp.
- Keeping families together, while separating unaccompanied males, females, and children under the age of 18 (in accordance with the laws of the host nation as to when a child becomes an adult).
- Furnishing necessary information regarding the status and future of DCs.
- Making it possible for DCs to speak freely to camp officials.
- Involving the DCs in camp administration, work, and recreation.
- Quickly establishing contact with agencies such as UNHCR and the International Red Cross for aid and family reunification.

Disposition

The final step in DC operations is the ultimate disposition of the DCs, although this must be considered early in the planning phase. The most desired disposition is for them to return to their homes. Allowing DCs to return to their homes as quickly as tactical considerations permit lessens the burden on the military and the civilian economy for their support.

Conclusion

In order to ensure effective support to refugee and internally displaced person populations, military commanders must ensure that civilian and military organizations under their command properly execute DC operations. Through effective planning and preparation, the commander and his staff can ensure that displaced populations are properly cared for, that they do not interfere with the commander's mission and scheme of maneuver, and that they are not negatively influenced by hostile organizations. By using population and resource control measures, this can be accomplished and can minimize adverse affects to the commander's operations while caring for the needs of the displaced population.

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Chapter 8

Brigade Combat Team Level Health Service Support Planning Considerations in Support of Humanitarian Assistance Operations for Internally Displaced Persons Camps and Refugee Camps

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Introduction

Over the past decade, the range of missions a brigade commander has found himself planning and executing has transcended traditional combat operations. "Winning battles and engagements is important, but alone is insufficient. Shaping the civil situation is just as important to success."[1] With increasing frequency, the Department of Defense (DOD), with or without interagency collaboration, is supporting activities outside the United States "to relieve or reduce human suffering, disease, hunger or privation."[2] Consequently, the combatant commander is required to be knowledgeable of, develop, plan, and execute humanitarian operations.[3]

A significant number of combatant commanders may lack sufficient understanding of the capabilities of professional medical staff, resulting in their inefficient application. The focus of this article is on the planning considerations with the resources that are organic to the armor, infantry, and Stryker brigade combat teams (BCTs). The intended audience of this article is the brigade-level staff and the brigade commander.

Professional Health Care Staff of the Brigade Combat Team

In the planning stages of a humanitarian mission, the critical assessment is a detailed inventory of the medical staff and medical equipment. The brigade surgeon or brigade physician assistant (PA) can provide this data and further clarify the skill set of each health care professional as questions arise. This inventory must go beyond labeling every emergency medical technician (Medic, 68W), medical service corps officer, medical specialty corps officer, and mental health professional as "doc."

Certifications

An emergency medical technician-paramedic (EMT-P) has the credentials to provide advanced cardiac life support and pediatric advanced life support.[4] In contrast, an EMT-Basic (EMT-B) provides basic life support.[5] Are the medics in your organization credentialed as EMT-B or are they credentialed as EMT-P? The capability of an EMT-P compared to that of

an EMT-B is vast. In the planning of ground or air evacuations for civilians in a humanitarian assistance mission, the EMT-P skills are suited to handle the complications of a critical care or cardiac patient in transport without requiring the presence of a physician.

At battalion and brigade levels, the physicians assigned are usually pediatricians, internists (internal medicine), primary care PAs, and family medicine physicians. It is equally important to define the skill set of the physicians, PAs, and nurse practitioners. It is a mission-essential task to provide an adequate number of female staff members for all humanitarian operations and to never hide the fact or mislead anyone that the team is composed of or has military members.

The gender identification of the health care staff is important. If the humanitarian mission directs providing a medical consultation service by the professional medical staff, the brigade staff can create a viable plan with this information. The medical staff's credentials dictate the type of medical care and services it can provide. A pediatrician's consultations should be limited to the age of 18 and under. In contrast, an internal medicine physician's consultation should exclude the pediatric patients. An internal medicine physician's expertise and scope of practice are focused on the adult population (18 years and older).

Physician Assistants

The PA is the backbone of the medical efforts at battalion and brigade levels. In garrison, the infantry, armor, or Stryker BCT's modified table of organization and equipment (MTOE) routinely authorizes one physician (brigade surgeon), with the remainder of the authorizations filled by PAs. The PA provides the bulk of the momentum for the medical sustainers in garrison, encompassing medical readiness, medical training, and patient care for the military-age population.

The commander must take notice that this health professional is an expert at taking care of the military-age population. The utilization of a PA to provide care to a pediatric population for a humanitarian mission may place this health professional outside his scope of practice. It is common for the U.S. Army Medical Department (AMEDD) to credential a PA to treat and evaluate patients only from the age of two and higher.[6] In contrast, a properly credentialed nurse practitioner can evaluate and treat patients under the age of two, perform well-baby evaluations, and treat adults.[7]

Professional Filler System

As a BCT deploys, the AMEDD fills the authorized Professional Filler System (PROFIS) positions of the MTOE. Historically, PROFIS personnel are subject to change. Customarily, the AMEDD tasks

primary care providers, normally comprised of family medicine, internal medicine, pediatrics, or emergency medicine. Occasionally, due to a shortage of primary care providers or the frequency of deployments, a specialist is assigned. It is important to understand that these specialized medical professionals, often comprised of cardiologists, urologists, and gastrointestinal specialists, bring an additional source of consultative capability to the BCT. However, they can be limited in their ability to provide treatment due to the fielded medical equipment sets (MES) and medications doctrinally available at the brigade support medical company and at medical platoons.

Medical Equipment Sets of the Brigade Combat Team and Their Limitations

In determining the type of health care that organic personnel can render in a BCT, the commander must be cognizant of the medical staff's professional training and the unit's MES. A pediatrician is an expert in treating and evaluating the entire child-age population of any refugee or internally displaced persons (IDPs) camp, but has significant constraints that the planning staff must overcome. All the primary care providers,[8] specialists, and medics are constrained by MES fielded by the AMEDD. The MES of the medical units in a BCT were developed and fielded for a population age of 18 and older — not for pediatric patients. The medications in the MES are not in a formulation that allows administering the proper dose to children based on weight. The medications in the MES are for an adult population that is generally free of chronic diseases. The diagnostic medical equipment sets are for adult patients. In order to provide care to the pediatric population, the health care professionals would require that a pediatric MES be fielded or would need to have the ability to purchase the required set.

Funding for Consumable Class VIII Items

It is not within the scope of this article to discuss the intricacies of Class VIII funding. Suffice it to say that to acquire these MES and pediatric medications, they will need to be requisitioned and resourced using an approved funding source. Using consumable Class VIII supplies from normal funding sources that are intended for the BCT's military members can cause a legal problem for the chain of command if they are diverted to support a humanitarian mission. Seek legal counsel prior to approving consumption of military medical supplies for humanitarian purposes.

Preventing Disease by Providing Potable Water

Regardless of the capabilities the professional medical staff can provide in the support of humanitarian assistance missions, the resources will unquestionably fall short of the requirement. Thus, commanders should

focus their attention on creating the greatest effect to minimize suffering. The single most important commodity any organization supporting refugee camps or IDPs can provide is potable water.[9] Providing clean water for human consumption and sanitation purposes will reduce the risk and rates of infectious diseases that typically plague camp populations.[10] The implementation of good hygiene procedures, like hand washing with clean water, will have a dramatic effect on the spread of disease.[11]

Figure 8-1. The very young and elderly have a higher mortality and morbidity rate from the consumption of nonpotable water. (Photo by JTFB Combat Camera, 2009)

As described by the World Health Organization (WHO), "The quality of drinking water is a powerful environmental determinant of health. Assurance of drinking-water safety is a foundation for the prevention and control of waterborne diseases."[12] "Lack of drinking water and sanitation kills about 4,500 children a day and sentences their siblings, parents, and neighbors to sickness, squalor, and enduring poverty. Improvements bring immediate and lasting benefits in health, dignity, education, productivity, and income generation."[13] The military commander has the capability to have a significant impact in this arena of essential services with the BCT's organic equipment, preventive medicine expertise, and distribution capability. The water purification equipment of the BCT must deploy with the unit.

Preventing Disease Outbreaks Through an Immunization Program

Like providing potable water, implementing a vaccination campaign for a displaced persons camp or a refugee camp will decrease human morbidity or mortality. "It is one of the most important public health interventions," according to the WHO.[14] "Vaccines are a cost-effective method of further reducing human suffering and death."[15] It is not a question of eliminating diseases spread by poor sanitation, but rather a matter of putting practices in place that limit their spread. Vaccinations against Hepatitis A, Hepatitis B, and diarrheal diseases are a cost effective method to curb the spread.[16]

The command's determination of which vaccines to administer should be based on the diseases endemic in the area and the WHO's recommendations. The commander can effectively utilize Commander's Emergency Response Program (CERP) funds in this endeavor. Immunizing individuals residing in displaced persons camps or refugee camps creates a refrigeration requirement for the transport and storage of the vaccines. In any immunization campaign, an adverse vaccine event will most likely occur. The commander must ensure appropriate personnel are available on site to manage this occurrence and have a prescribed plan for transportation, hospitalization, and acute follow-up.[17] Army Regulation (AR) 40-562, *Immunizations and Chemoprophylaxis*, details the minimal requirements for the U.S. Army.

Proper Disposal of Medical Waste

Medical operations generate waste that must be disposed of using proper medical waste disposal procedures. "Waste generated by health care activities includes a broad range of materials, from used needles and syringes" used in immunization campaigns, "soiled dressings, diagnostics samples, medical devices, pharmaceuticals…"[18] "Poor management of health care waste potentially exposes health care workers, waste handlers, patients, and the community at large to infection, toxic effects, injuries, and risk polluting the environment."[19]

Improper waste disposal will create a sensational media story when identified by any reporter and negate the positive effects of the humanitarian mission. Waste generated by military forces must be disposed of properly.[20] Detailed guidance is located in the Medical Command Regulation 40-3, *Management of Regulated Medical Waste*. Safeguarding medical waste is just as important as properly disposing of it. An individual or group rummaging through medical waste can become a medical casualty, generate an infectious disease outbreak, and/or inadvertently distribute or utilize objects that can spread disease directly or indirectly.

Utilization of the BCT's Field Sanitation and Preventive Medicine Teams

The brigade support medical company has subject matter experts on field sanitation and preventive medicine.[21] In addition, per U.S. Army doctrine, at the company level there are at least two Soldiers trained in unit and field sanitation.[22] Brigade, battalion, and company commanders can utilize these individuals to conduct camp assessments in support of humanitarian operations.

The field sanitation and preventive medicine teams provide valuable assessments in creating and monitoring IDP camps or refugee camps. This assessment should identify the potable water requirements, the quantity and location of latrine facilities, and human waste disposal requirements. The field sanitation team will also be able to develop a food safety inspection program as well as insect and rodent control measures. These duties are identical to the functions they provide to their parent organization, and minimal additional funding and support is required. Field sanitation is another area in which the commander's utilization of CERP funds will proportionally relieve human suffering.[23]

Managing Expectations, Operating, and Supporting Health Care Clinics

In planning ad hoc clinics or contributing to the support of the health clinics in an IDP or refugee camp, it is important that medical units become the supported element. It is not unusual for hundreds of IDPs or refugees to seek medical care on a single day.

Augmentation for crowd control is a requirement. If the medical staff is part of the crowd control force, it cannot focus its attention on providing medical care. Crowd control includes the flow of patients into the patient care areas, establishing security and a plan to deal with disruptions, plus a carefully executed plan for departure at the conclusion of the day's activities.[24] Individuals waiting in line will get upset or initiate a riot when a humanitarian clinic closes or if they believe they cannot be seen before the clinic closes.[25] Managing expectations is also important. A triage system must be put into place, and the focus should be on acute illness and, if the resources are available, some chronic care.

An individual who shows up for a second opinion for a cancer diagnosis or treatment will be disappointed. A process to screen these folks before they enter the clinic will allow the health care providers to concentrate their limited time on the medical issues they can treat. A method is to have a staff member screen each person in order to direct them to the patient care area or issue a supply of vitamins and conclude their visit. The medical element of Joint Task Force Bravo, based at Soto Cano Airbase, successfully uses

this methodology. This organization has years of experience in conducting medical missions consisting of health clinics in the remote areas of Central and South America.

Figure 8-2. In 2009, El Salvador experienced torrential rains that resulted in flash floods and mudslides. Joint Task Force Bravo (SOUTHCOM) responded to the natural disaster by delivering humanitarian aid and conducting ad hoc clinics. On an average day the health care professionals provided medical care to more than 500 people. The staff comprised members of the DOD, nongovernmental organizations (NGOs), and the host nation.

Often, the host nation population travels for hours to seek the medical care provided as a joint venture with host nation professionals, NGOs, and interagency partners. A member of the humanitarian team starts with a lecture on preventive medicine and sanitation. Children are given a single dose of anti-helminthic (de-worming) medication due to the ubiquitous infestation of the population. Each person requesting a consultation with a provider is screened by an allied health professional in order to direct them to the patient care area or is informed that the services requested are beyond the scope of the care provided and are issued a supply of vitamins. This methodology generates the feeling that everybody received something for their visit, whether they saw a physician or not.

Providing Quality and Culturally Aware Medical Care

The situational understanding and awareness of the IDPs and refugees goes beyond their immediate predicament. It is important to understand the varied cultures that exist in the population and their respective language. It may not be appropriate for a male physician to interview and evaluate a female patient without a female chaperone. Similarly, it may not be appropriate to use a male translator for a female patient consultation. Members of the humanitarian mission who speak the language are invaluable. The use of an interpreter increases the time requirement per patient and adds an additional element that can lead to a medical error. It is not always possible to have a native speaking health professional or native-speaking translator who has a mastery of medical terminology. Despite the focus to get the most patients seen, the ultimate benchmark should be *on the quality of care,* minimizing the number of medical errors and adverse events. This understanding must be incorporated into the commander's intent.

Summary

This article provides members of the BCT planning staff and brigade commander a starting point for humanitarian missions for IDPs camps and refugee camps. By directing the limited and valuable resources organic to a BCT, the BCT commander can have a positive effect on winning the hearts and minds of the population by reducing the level of human suffering.

Endnotes

1. An internal medicine physician traditionally focuses his or her scope of practice to an adolescent-age (18 years) population and higher. http://www.certificationmatters.org/abms-member-boards/internal-medicine.aspx. Accessed 8 May 2012.

2. Depending on the core training of the PA and/or additional training beyond the core curriculum a PA can specialize in pediatrics, orthopedics, emergency medicine… expanding their capability. It is a common practice for PAs in the AMEDD not to request credentials to treat and evaluate children under the age of two. *Physician Assistant's Scope of Practice; Professional Issues,* Issue Brief, published by the American Academy of Physician Assistants, October 2011. Available for review at http://www.aapa.org/uploadedFiles/content/The_PA_Profession/Federal_and_State_Affairs/Resource_Items/PI_PAScopePractice_110811_Final.pdf. Accessed 8 May 2012 .

3. Unlike PAs, nurse practitioners can be credentialed to work independently and traditionally have no pediatric limitations in their scope of practice unless they specialize. *Scope of Practice for Nurse Practitioners,* published by the American Academy of Nurse Practitioners, Revised 2010 Edition. Available for review at http://www.aanp.org/NR/rdonlyres/FCA07860-3DA1-46F9-80E6-E93A0972FB0D/0/2010ScopeOfPractice.pdf. Accessed 8 May 2012.

4. Paramedic, Requirements for National EMS Certification, brochure. Available for review at www.nremt.org or https://www.nremt.org/nremt/downloads/Paramedic_Brochure.pdf. Accessed 8 May 2012.

5. EMT-Basic, Requirements for National EMS Certification, brochure. Available for review at www.nremt.org or https://www.nremt.org/nremt/downloads/EMT-Basic_Brochure.pdf. Accessed 8 May 2012.

6. Depending on the core training of the PA and/or additional training beyond the core curriculum, a PA can specialize in pediatrics, orthopedics, emergency medicine… expanding their capability. It is a common practice for PAs in the AMEDD not to request credentials to treat and evaluate children under the age of two. *Physician Assistant's Scope of Practice; Professional Issues,* Issue Brief, published by the American Academy of Physician Assistants, October 2011. Available for review at http://www.aapa.org/uploadedFiles/content/The_PA_Profession/Federal_and_State_Affairs/Resource_Items/PI_PAScopePractice_110811_Final.pdf. Accessed 8 May 2012.

7. Unlike PAs, nurse practitioners can be credentialed to work independently and traditionally have no pediatric limitations in their scope of practice unless they specialize. *Scope of Practice for Nurse Practitioners* published by the American Academy of Nurse Practitioners, Revised 2010 Edition. Available for review at http://www.aanp.org/NR/rdonlyres/FCA07860-3DA1-46F9-80E6-E93A0972FB0D/0/2010ScopeOfPractice.pdf. Accessed 8 May 2012.

8. "Primary care provider" is defined as a physician, nurse practitioner, or PA whose scope of practice is focused on ambulatory care medicine that is not in a specialty field. Examples include: pediatrician, family medicine, and internal medicine.

9. WHO. Water for Life, Making it Happen. Available for review at http://www.who.int/water_sanitation_health/monitoring/jmp2005/en/index.html. Accessed 8 May 2012.

10. Ibid.

11. Ibid.

12. WHO. Water Sanitation Health. http://www.who.int/water_sanitation_health/dwq/en/. Accessed 8 May 2012.

13. WHO. Water for Life, Making it Happen. Available for review at http://www.who.int/water_sanitation_health/monitoring/jmp2005/en/index.html. Accessed 8 May 2012.

14. WHO. Immunization Safety, http://www.who.int/immunization_safety/en/. Accessed 9 May 2012.

15. WHO, Immunization, http://www.who.int/topics/immunization/en/. Accessed 9 May 2012.

16. Ibid.

17. U.S. Department of the Army. AR 40-562, *Immunizations and Chemoprophylaxis,* Washington, DC: Government Printing Office, 29 September 2006, paragraph 2-9.

18. WHO, Medical Waste, http://www.who.int/topics/medical_waste/en/index.html. Accessed 9 May 2012.

19. Ibid. and WHO, Waste from Health-Care Activities, November 2011, http://www.who.int/mediacentre/factsheets/fs253/en/index.html. Accessed May 2012.

20. U.S. Department of the Army. Medical Command Regulation 40-3, *Management of Medical Regulated Waste*, 29 April 2008.

21. U.S. Department of the Army, Field Manual (FM) 4-90, *Brigade Support Battalion*, Washington, DC: Government Printing Office, 31 Aug 2010, page 5-3.

22. U.S. Department of the Army, FM 21-10, *Field Hygiene and Sanitation*, Washington, DC: Government Printing Office, 2000, page 2-4.

23. It stands to reason; the more money available to implement the facilities and services required, the more the quality of life would improve. The assumption is that the money is being utilized properly and not diverted.

24. U.S. Department of Defense, Joint Publication 3-29, *Foreign Humanitarian Assistance*, Washington, DC: Government Printing Office, 17 March 2009, page A-7.

25. This is often an informal lesson learned from organizations that conduct humanitarian health clinics in areas with great need. An appropriate amount of security should be present as the clinic closes to ensure the safety of the staff at the clinic and to prevent a riot.

Chapter 9

Health and Sanitation for Displaced Persons

MAJ April R. Verlo, U.S. Army

Vignette

Your unit is responsible for a displaced persons camp and has been successful in ensuring access to health care and providing an abundance of food and certified clean water. You think you have provided them the resources that are essential to life, health, and livelihood. However, the camp is experiencing unusually high mortality and illness rates, and the population of the camp is dissatisfied and miserable. Where did you go wrong?

Introduction

It is not just food and clean water that will afford refugees and displaced persons the ability to sustain life, health, livelihood, and dignity. Adequate sanitation (to include excreta disposal), management of solid waste, control of waste water drainage, control of vectors, and good hygiene practices prove equally essential to the survival and well-being of the camp population. Persons affected by emergencies often suffer from malnourishment, stress, and fatigue, which, when combined with substandard sanitation, poor hygiene, and insufficient water supplies, lead to an increased vulnerability to disease. The spread of communicable diseases can be controlled and prevented through the management of environmental conditions and individual and community behaviors.

Disease Transmission

Diarrheal diseases, acute respiratory infections, measles, malaria, and malnutrition are among the most common causes of death in emergencies.[1] Most diarrheal diseases are transmitted through fecal–oral means, when the feces of one person are ingested by another person. These diseases are easily spread in overcrowded, unsanitary conditions through incorrect food handling or preparation, unsafe water, or inadequate hygiene practices. Figure 9-1 illustrates fecal–oral disease transmission routes.[2]

Overcrowding, poor sanitation, and inadequate hygiene practices also contribute greatly to the spread of other communicable diseases, such as acute respiratory illnesses and measles. Vector-borne diseases are transmitted through rodent or insect vectors carrying pathogens between human or animal reservoirs. Malaria is a major cause of death in many parts of the world. Exposure to rodents or insects increases during an emergency,

when shelter is often inadequate to protect the population. In addition to contributing to the spread of disease, painful bites can increase the stress and suffering of the population.

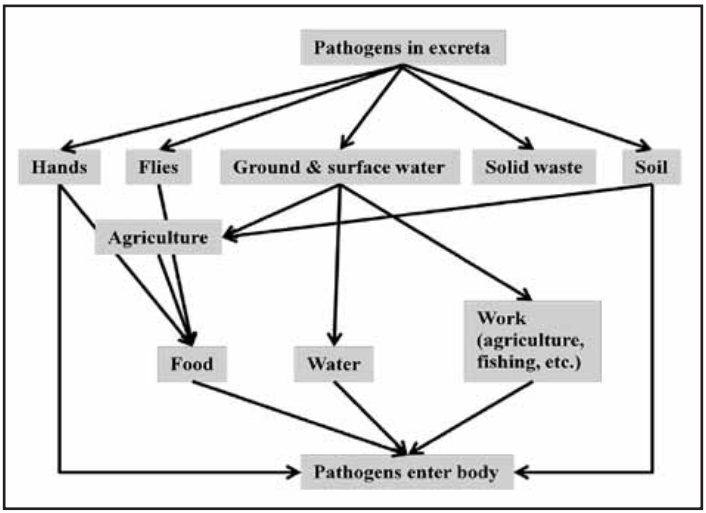

Figure 9-1. Fecal–oral disease transmission routes

Military units can utilize preventive medicine assets and medical personnel to assist in conducting assessments of the hygiene, sanitation, and environmental conditions that could affect the health of the population. It is also best to consult the help of international nongovernmental organizations (NGOs), which have competency in providing for these needs during an emergency, as well as valuable local expertise.

Emergency Phase

During the emergent phase of a refugee or internally displaced persons (IDPs) situation, providing water and sanitation should be among the top priorities. Appropriate disposal of the deceased is an important sanitation-related consideration that should be planned from the start of an emergency, as a displaced population generally experiences an increased mortality rate.

Water

With limited shelter, the absence of water will quickly become detrimental to the survival of the population. The first priority is to provide clean drinking water, followed by the provision of sufficient quantities of water for sanitation purposes to protect the health of the camp. A displaced population requires sufficient quantities of water to meet drinking, cooking,

personal hygiene needs, and domestic hygiene needs. The provision of increased amounts of water is more effective in protecting against fecal–oral diseases than providing cleaner water.[3]

Two options for water sources in an emergency are surface water or ground water. Surface water is easily accessible but may require treatment before it is of acceptable quality for use. Ground water is generally purer but is more difficult and expensive to access.

Figure 9-2. Children retrieving water from the International Committee of the Red Cross well in Liberia (http://www.icrc.org/eng/resources/documents/photo-gallery/photos_water_03-2004.htm)

Assessment of water during the emergency phase should include evaluation of whether the quantity of resources available will meet demand and if the available water is reaching the households within the camp in an equitable manner. The minimum standards for water supply and excreta disposal, according to the United Nations High Commissioner for Refugees (UNHCR) and Sphere Project, are shown in Table 9-1.[4]

Sanitation

Sanitation efforts must be established immediately during the first stages of an emergency displaced person situation. Planners must take into account excreta disposal, wastewater management, solid waste disposal, vector control, disposal of human remains, and hygiene promotion. Methods to contain excreta provide the greatest protection against diarrheal diseases as compared to any other preventive measure. During the onset of emergency, communal facilities, such as defecation fields, trenches, or barrel latrines, are the easiest and quickest option for large populations.

Standard	UNHCR	Sphere Project
Average quantity of water per person per day	> 20 liters	> 15 liters
Water containers per household (average five members)	1 x 20 liters, 2 x 10 liters, 2 x 5 liters	2 x 10-20 liters and enough for storage at household level
Commercial latrines	20 people per latrine	20 people per latrine
Distance from farthest dwelling to water point	< 200 meters	< 500 meters
Number of persons per water point	80-100 per tap 200-300 per hand pump or well	250 per tap 500 per hand pump 400 per well
Optimum distance from latrine to household	6-50 meters	< 50 meters

Table 9-1

Given the possibility of a protracted emergency scenario, latrine construction should begin immediately and should be in accordance with the cultures and customs of the affected population. The *2007 UNHCR Emergency Handbook* recommends the following standards for sanitary facilities in emergencies and as guidelines for camp development:[5]

	Preferred Option	Alternate Option	Minimum for Emergencies
Excreta disposal	1 latrine/family	1 cubicle/20 persons	1 cubicle/100 persons or defecation field
	Storage	**Transport**	**Final Disposal**
Refuse/Garbage disposal	1 bin, 100 liters/10 families or 50 persons	1 wheel barrow/500 persons and 1 tipper/5,000 persons	1 landfill (50m^2 x 1.2 meters deep)/500 persons and 1 incinerator and 1 deep pit/ clinic

Table 9-2

Education

A key aspect of long-term success of a sanitation and hygiene program includes community participation aimed at instituting behavior changes encouraging healthy life choices. Enabling the population to adhere to sanitation recommendations requires them to possess, at a minimum, hygiene kits, soap, and water storage containers, and requires adequate water supplies to conduct them. They must be empowered with information regarding safe food-handling procedures, hand washing, the use of safe water, and vectors. This information should accommodate the population's customs and traditions and be targeted toward appropriate audiences.

Stable Phase

Plans to improve a camp should begin at the onset of the displacement. Most situations that produce a refugee population have consequences that last for years, leaving the populations displaced for extended periods of time. It is essential to the health of the population that conditions within the camp be improved as quickly as possible. Protection, resources, and other factors must be considered when providing a sustainable, sanitary habitat for the population. It is also important to integrate cultural norms into the design and layout of any plan to maximize utilization and compliance.

A technical expert should design any water supply system to ensure it will be an effective, sustainable, and cost-efficient plan that will meet the needs of the population. Water systems that require little ongoing maintenance are preferable, as they will remain operational for longer periods, and are easier for a population to sustain if support organizations have to reduce manpower. Some additional considerations include:

- Water supply rates should match the usage by the population.
- Adequate drainage to redirect water away from the distribution points will reduce the amount of stagnant water and improve area sanitation.
- UNCHR advocates at least 10 liters of storage per person per day at the household level. This allows for a family to continue a sanitary practice if an event preventing the production or collection of water occurs.

Maintaining the integrity of the water quality is important to allow for its continued use for sanitary purposes. Storage containers that provide the best water quality protections are narrow necked and have a lid. This style can prevent contamination through environmental means or during use, such as dirty hands reaching into the container.

Facility Considerations

Providing mature sanitation facilities and adequate resources is essential to prevent fecal–oral disease transmission in an enduring camp. General excreta sanitation guidelines that will promote acceptance by the population are:

- Maximum of 20 people per communal latrine, segregated by gender. Eventually, the goal should be to provide each family with a separate facility.
- Male and female latrines and showers should be constructed with roofs and lockable doors, separated by sufficient distance, and placed in a well-lighted area close to dwellings to deter access by the opposite gender.
- Facilities need to be built from good quality materials (nonporous is ideal) that can be easily cleaned to encourage use.
- Design considerations need to account for the soil capacity and type to afford adequate drainage but not risk ground water pollution.
- Special considerations should be made for populations with special needs for the elderly and young children, such as smaller diameter latrine holes and easier accessibility.
- Provision of personal cleansing materials should consider cultural norms. If water is required, an additional 3 liters per day per person should be forecasted.

Waste Management Considerations

In addition to excreta disposal, sanitation considerations include provisions for solid waste disposal, waste water control, vector control, and hygiene promotion. UNHCR considerations for solid waste management are:

- Dump pits should provide 20 m^3 per 500 persons.
- Pits should be located more than 100 meters from households and more than 30 meters from water sources to avoid potential contamination.
- Solid waste should be covered with 15 centimeters of soil each week and covered with 50 centimeters of soil and marked when closed.
- Pits should be fenced to prevent access by children and animals.
- Medical waste requires special handling due to the potential public health risks. Consult medical personnel to plan for risk mitigation and proper disposal.

Drainage

Waste water from water sources, cooking, shower and laundry facilities, and surface runoff from rainwater or natural sources must be properly drained to prevent the buildup of stagnant water and exposure to health risks. Camp construction should account for soil conditions, water table depths, topography, and the type of waste to be drained to mitigate the development of conditions adverse to health and well-being.

Displaced person camps provide ideal conditions for the spread of disease associated with poor sanitation through contact with flies, mosquitoes, lice, and rodents. The following measures will work to reduce disease transmission and contribute to eradication of disease vectors:

- Install screens on latrine doors, windows, and ventilation pipes as well as in the doors and windows of food preparation areas. Install covers on latrine holes.
- Locate latrines as far as possible from food preparation and storage areas.
- Provide chemically treated mosquito nets to the camp population.
- Design drainage areas with an appropriate slope to minimize water stagnation.
- Consult qualified vector control personnel for the application of appropriate chemicals.

Education

Health promotion aims at preventing disease and increasing physical, mental, and social well-being. Health education provides awareness of the links between sanitation, poor hygiene, and disease. Done correctly, it can motivate a population to adopt new behaviors that will benefit their health following the resolution of the emergency. A population requires sufficient amounts of clean water, sanitation facilities, and appropriate information on hygienic practices in order for a sanitation program to be successful. Hygiene education should be reinforced through multiple channels (school, health care workers, and community services) and emphasize the following key principles:

- The use of safe water and protection of water from contamination during collection and storage.
- Proper disposal of solid and liquid wastes.
- Elimination of mosquito breeding areas and rodent harborage.

- Emphasis on safe food preparation and storage (fruit and vegetable washing, proper cooking temperatures, etc.).
- Proper excreta disposal for babies and elderly use of sanitation facilities.
- Personal hygiene and hand washing.

Figure 9-3. Displaced persons conducting personal and household hygiene at an improvised facility in Timor-Leste. (Photo from UNHCR: http://www.unhcr.org/44b3b4474.html)

Conclusion

Camps holding displaced persons or refugees demand high levels of personal, domestic, and communal hygiene to mitigate the increased risk of communicable disease transmission. The military might be asked to aid in camp establishment or management in conjunction with local resources. While our experiences establishing military operating bases will be extremely valuable, it is also important to understand some of the differences in needs, standards, and resources available to support a displaced population.

Additional information is available through the following sources:

- *UNHCR Emergency Handbook.*
- *Sphere Handbook* (Sphere 2011).
- *Excreta Disposal in Emergencies: A Field Manual* (IFRC, OXFAM, UNHCR, UNICEF, WEDC, 2007).
- Emergency Water Sources (WEDC, 1997).

Endnotes

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3. Ibid., 395.

4. UNHCR, *A Guidance for UNHCR Field Operations on Water and Sanitation Services* (Geneva, Switzerland: 2008), 5

5. UNHCR, *A Guidance for UNHCR Field Operations on Water and Sanitation Services* (Geneva, Switzerland: 2008), 12.

Chapter 10

The Challenges of Liquid Logistics in Refugee and Internally Displaced Persons Camps

MAJ Timothy Haylett, U.S. Army

Introduction

Around the world, turmoil continues to plague millions of people yearly through war, conflict and natural disaster. Based on recent calculations from Depoortere and Brown's "Rapid health assessment of refugee or displaced populations," there are over 40 million internally displaced persons (IDPs) and refugees worldwide.[1] In places like Darfur, where over two million displaced persons are competing for limited resources, liquid logistics becomes a top priority.

Safe and consistent access to cooking fuel and clean water is a major concern for humanitarian and health organizations operating within refugee and IDP camps. Without these essentials, displaced persons face significant risks to their health, nutrition, safety and well-being. One health expert recently noted, "[T]he provision of adequate food, clean water, and sanitation has been demonstrated to be a more effective intervention than most medical programs."[2]

Following is a brief overview of the challenges refugees and displaced persons in camps face without an adequate supply of fuel and water. It will provide some practical solutions on how military organizations can assist through best practices, education, and security.

Finding Cooking Fuel

Based on typical cultural roles in a refugee or IDP camp, women are responsible for collecting the cooking fuel that is essential for family survival. Every day women and young girls must leave the relative safety of their refugee camps to collect firewood for their families. In doing so, they often face dangerous conditions that range from accidental injury, abduction, and theft, to rape, and even death.

In Northern Darfur, just outside the Abu Shouk IDP camp, the day begins for many women as early as three o'clock in the morning as they scour the desert for miles in hopes of finding enough wood to last a full day.[3] Because of dwindling resources, these women often find only small tree roots and pieces of kindling after six to eight hours of searching. In a delicate ecosystem such as that of Darfur, low levels of rainfall and recurrent drought have caused a decline in plant growth and spread of deforestation in and around the camps. This problem has continued to worsen as supplies

have diminished, population levels have increased, and increased numbers of people are housed within these confined spaces.

Figure 10-1. Refugees in South Sudan use small twigs found in the desert to cook their evening meal. (Photo courtesy of Frank Haylett, South Sudan)

Providing Support

Firewood collection and fuel alternatives are important issues that require immediate attention. Military units tasked to provide support to nongovernmental organizations (NGOs) and intergovernmental organizations (IGOs) in a humanitarian emergency can prove instrumental by providing basic physical protection and transportation. Protection measures can range from a security presence around or within refugee camps to providing security patrols to areas where violence against women gathering wood is more prone to exist.

Sending patrols out with the women and girls during their collection of firewood in areas outside of the camps will not only help to prevent crimes that target women, but also will assist the ecological system by ensuring wood collection is spread farther from the camp. The promotion of reforestation is critical in areas where protracted displacement camp presence is likely. In addition, ensuring fuel is more easily obtained during the initial stages of a humanitarian crisis will reduce the need for refugees to leave the camp while levels of conflict are high. This will require more deliberate logistics planning and preparation when establishing or supporting these camps.

Education

The military can also play an important role in educating the population in the efficient use of scarce resources. Teaching techniques that require shorter cooking times for certain foods and more efficient ways of burning wood is a start to the conservation of resources. Providing communal cooking facilities, substituting charcoal or sawdust briquettes for wood, and incorporating new technologies such as solar power stoves are a few techniques that will improve life around the camps. Some recent examples that illustrate these recommendations are from the Thailand Burma Border Consortium (TBBC).

In 2000, the TBBC hired a consultant to review the ration levels and cooking fuel type issued in some of the refugee camps within Burma. The review determined that the food being issued to the refugees required longer cooking times, which resulted in increased fuel consumption. Additionally, the stoves they were using were inefficient and dangerous to the environment. Recommendations were made and processes quickly altered. Eight kilograms of compressed sawdust logs became the new standard for weekly consumption of a family dwelling. These changes, coupled with the use of more efficient stoves and food that was easier to cook, represented a few of the major solutions to this problem.[4]

Water Requirements

Much like the limited amount of fuel available in or around IDP and refugee camps, potable and nonpotable water is always of extreme concern for humanitarian relief organizations. Water is essential for human life and is required to meet basic needs for cooking, drinking, domestic hygiene, and health care. According to the Sphere Project, the average minimum amount of water needed daily is 15 liters per person. This number can vary according to climate, available facilities, cultural practices, and population.

Broken down into three main groups, the consumption of water required for drinking is three liters per day, basic hygiene is six liters per day, and basic cooking is six liters per day.[5] These figures do not take into account the additional amount required to preserve livestock or for hospital usage, but do provide general guidelines for daily use.[6] It should be noted that people living with HIV/AIDS or other communicable diseases require additional water for drinking and personal hygiene. Hospitals and patient treatment facilities can easily become the largest consumers of water in an IDP or refugee camp.

Figure 10-2. Refugee children living in South Sudan drawing water from a local pump as a part of their morning routine. (Photo courtesy of Frank Haylett, South Sudan)

Disease Prevention

Disease is often caused or exacerbated by an insufficient quantity and quality of water for the required population. In the early stages of an emergency, until minimum standards can be achieved, the priority should be to provide water equitably to all — even if it is of intermediate quality.[7] One of the major health concerns for people drinking untreated water is diarrhea, especially among young children. The United Nations High Commissioner for Refugees (UNHCR) has empirical evidence showing that insufficient water and sanitation also adversely affect children's education in IDP and refugee camps due to diarrheal-related health issues.

UNHCR reported an average decrease of 26 percent in the amount of water collection for children and their families who experienced a case of diarrhea within the past 24 hours versus those with no diarrhea.[8] Since water retrieval is primarily the children's job in a refugee camp, diarrhea becomes a major concern for individual and group health. Furthermore, the quality of a water supply is of vital importance to a population's health. A primary indicator of levels of contamination in water is the presence of fecal coliforms. If fecal coliforms are present, the water should be treated immediately.[9]

Education

Some people may prefer to use untreated sources of water, like rivers or lakes, based on custom, convenience, or taste. It is important to educate people on the health risks of drinking untreated water and encourage the use of protected sources. For this reason, water points should be easily accessible, and wait times should be reduced as much as possible. The

number of people that each water source can service will depend on the yield and availability of water at each point. As a general rule, the chart below illustrates people per water point based on flow rate.

> 250 people per tap, based on a flow of 7.5 liters/minute
>
> 500 people per hand pump, based on a flow of 16.6 liters/minute
>
> 400 people per open well, based on a flow of 12.5 liters/minute
>
> — Source: *Sphere Project*, page 65

Providing Support

During the initial or emergency phases of a humanitarian crisis, military organizations can help to improve health and sanitation by providing temporary tanker deliveries of potable water until more permanent water wells are dug. Engineer units can assist in installing plastic water tanks for storage and digging trenches for latrines. Preventive medicine specialists can assist in checking the quality of the water and providing recommendations for the layout of the camp. These initial steps will drastically improve the control of communicable diseases and health epidemics.

A sanitary health survey is optimally conducted when arriving at a new IDP or refugee camp. This assessment should be used to identify risks associated with queuing times, contamination, transportation, storage, drainage, and waste procedures.

Conclusion

Millions of refugees and displaced persons around the world are dependent on humanitarian assistance provided by the United Nations, host nation military, and numerous NGOs. Although the use of U.S. military forces is normally the last resort in providing support for refugees and displaced persons, the military is a force multiplier that brings a host of important capabilities to the effort. The military can provide logistics in the form of air and ground transportation, horizontal and vertical engineer assets, and sustainment expertise. It can assist in camp management by advising, monitoring, and promoting best practices. It can help in coordinating services, assisting in protection, and in developing firm and effective camp leadership and good governance among the population.

Refugee and IDP camps are often overcrowded, suffer from limited resources, and comprise high concentrations of people fighting for survival. The impact on the environment and available natural resources can be considerable. Nature is often the only mechanism by which displaced

persons are provided firewood (fuel) for cooking and water for their basic needs. Because of this, the depletion of forests and rivers can ignite conflict between refugees and the local communities. Providing liquid logistics becomes the key to successful camp operations. Military organizations can be a positive force in the success of coordinating, educating, and protecting IDP and refugee populations.

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Chapter 11

Class I: Feeding the Refugees

MAJ Sandra Chavez, U.S. Army

> *"I spent years in a refugee camp in Ethiopia, and there I watched two young boys, perhaps 12 years old, fighting so viciously over rations that one kicked the other to death. He had not intended to kill his foe, of course, but we were young and very weak."*[1]

This is a quote from Valentino Achek Dang, a refugee from the civil war in Sudan. Unfortunately, this is probably a common occurrence throughout refugee camps as food continues to be a scarce and critical resource. Many refugee camps lack a durable and sufficient food supply capability and rely heavily on humanitarian assistance.

Introduction

What does this mean to military commanders? If, as many military strategists predict, our armed forces will be involved with more counterinsurgency (COIN), stability, peacekeeping, and humanitarian assistance missions in future years, it is probable that we will encounter refugees and displaced persons at some point. Class I support is an area where the military commander can have a positive impact and have Soldiers who are trained to perform these operations. The question might be, How can a military unit effectively support food operations for refugee camps while working with United Nations (U.N.) agencies and other nongovernmental organizations and intergovernmental organizations to alleviate issues of food shortages and malnutrition?

The Kenyan Experience

A recent example of these issues is the situation in Nairobi, Kenya. In 2011, the worst drought in 60 years caused a severe food crisis in East Africa.[2] The world's largest refugee camp complex in Kenya today houses almost 500,000 refugees, far surpassing its designed capacity. The situation in Kenya has produced problems of limited food resources, severe malnutrition, and mass starvation. Many of these problems are due to the rise in the consumer price index for food, decreasing donations, and the amounts of aid U.N. agencies are receiving to enable them to provide humanitarian support.

Figure 11-1. Food distribution at the Dadaab refugee camp

Rising Refugee Populations

As the population of refugees and other displaced persons continues to climb at many refugee camps, the lack of sufficient food stocks and distribution staff has become more difficult to manage. Food shortages for refugees have become a crisis now more than ever. In Kenya and Ethiopia, it was estimated in February 2012 that refugee camps were experiencing a major humanitarian crisis involving hundreds of thousands of Somalia refugees.

Figure 11-2. Boxes of food from the U.S. Agency for International Development sent to the Dadaab refugee camp in Kenya during the Horn of Africa famine

The United Kingdom announced it would provide aid in Kenya to over 150,000 refugees per year over the next three years. In Ethiopia, Britain agreed to provide support to over 100,000 refugees every year up to 2015.[3] This is just one example of a refugee crisis characterized by famine and starvation. Many other countries and camps do not have a solution like the United Kingdom's aid program, and aiding these populations will continue to remain a critical challenge.

The crisis in East Africa is a true representation of food shortage problems throughout many refugee camps in the world. Military commanders operating in environments where there are existing refugee camps or where they may expect to establish refugee camps must be aware of the challenges. In today's operating environment, the military can realistically expect to augment U.N. agencies with food support.

The Corresponding Challenge of Malnutrition

Malnutrition continues to be a challenge in many places for refugees as well. In many places in Africa, the required ration per person per day is 420 grams of uncooked rice, 70 grams of beans or lentils, and 20 grams of vegetable oil. This daily ration would provide 2,100 Kcals (kilocalories) per person per day, which is the U.N. standard.[4] Unfortunately, many refugee camps cannot provide the U.N. standard for daily rations per person per day.

It is considered a natural emergency when there is a malnutrition rate of more than 15 percent, or more than 10 percent with aggravating factors such as an epidemic.[5] In 2011, the United Nations High Commissioner for Refugees (UNHCR) reported high levels of malnutrition among young children in Ethiopia's Dollo Ado camp, which was home to tens of thousands of Somali refugees. The UNHCR referred to a nutrition survey at the Kobe and Hilaweyn camps, which found that Somali refugee children under age five were in a critical state.[6] The importance of logistics cannot be overstated, since military capabilities in these areas can either make a mission a success or a failure.

Finally, for military commanders, there are many logistic considerations and challenges when providing food for refugee camps. Some of the biggest considerations that need to be planned for are: access to refugee camps, necessary equipment and transportation to deliver food, sufficient storage facilities, and the stockage and distribution plan.

Planning Considerations

When planning for refugee or other displaced person support, a host of issues needs to be considered. Below is a recommendation of areas to be considered.

- What agencies are currently working with the respective refugee camp(s)?
- What is the population of the refugee camp?
- What are the demographics of the refugee camp?
- What are the current reported food shortages?
- Are the current rations meeting U.N. nutritional standards?
- What road networks support access to the refugee camps?
- What organic equipment does the unit have to conduct food operations?
- What food storage space does the unit have available?
- What is the plan to receive, store, and issue food to the refugee camps?
- Are potable water points available within a reasonable distance to prepare food?

These are just examples of some factors military commanders should consider when planning food operations at refugee camps. Depending on the environment where the refugee camps are located, there will be several other critical factors to consider.

One key area of note is the legal parameters of providing sustenance support to refugee camps. Currently, military forces conduct foreign humanitarian assistance (FHA) operations, with the focus exclusively on prompt aid to resolve an immediate crisis. Specific legal restrictions apply when conducting FHA operations. Military commanders should reference the applicable operational law handbook and consult their respective judge advocate general officers for clarification.

Conclusion

For U.S. military forces today, the contemporary operating environment has changed greatly since the Vietnam era. Since the 1980s, Soldiers have been conducting more COIN, peacekeeping, and humanitarian assistance operations and less conventional warfare. As civil wars continue to persist throughout the world, refugees and displaced personnel will almost always be an unfortunate result. Coupled with this will be natural disasters and other human-caused depredations. Military leaders at all levels will need to understand what it takes to support refugee and displaced persons operations, especially in the critical commodity area of food.

Endnotes

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Chapter 12

Security Considerations for Military Commanders Establishing or Protecting a Refugee Camp

MAJ Jennifer Reed, U.S. Army

Overview of Refugees and Displaced Persons

Military involvement with refugee camps is often limited to humanitarian aid missions or supporting the many nongovernmental organizations (NGOs) that provide humanitarian aid inside camps. According to Joint Publication (JP) 3-03.6, *Joint Tactics, Techniques, and Procedures for Foreign Humanitarian Assistance*, "the general policy of the U.N. [United Nations] is that where refugees are present, the affected country will provide security, safety, assistance, and law and order."[1] Changes in the operational environment, however, to include the collapse of weakened or failing states, might result in the U.S. military having a more direct role in providing security for refugee camps.

Commanders at all levels are expected to establish appropriate force protection and security measures to safeguard their units. This article is not intended to look at those security issues and concerns. Instead, it will focus on the security issues that are peculiar to the occupants of refugee camps and what commanders can do to mitigate those issues.

For the purpose of this article, refugees are defined as "any persons who, by reason of real or imagined danger, have left their home country or country of their nationality and are unwilling or unable to return."[2] Legally, refugees are different from displaced persons, who "are civilians who are involuntarily outside the national boundaries of their country"[3] due to reasons other than persecution, such as natural or man-made disasters. An internally displaced person is "any person who has left their residence by real or imagined danger but has not left the territory of their own country."[4]

Although this article will primarily focus on situations with refugees, security issues inside camps for displaced persons are similar. Rules of engagement must address the specific nature of the refugee camp mission, ensuring they meet the criteria of international law as well as any host country laws that might still be in effect.

Resettlement Operations and NGOs

Certain military police units have the mission to conduct resettlement operations, following the doctrinal guidance described in Chapter 10 of Field Manual (FM) 3-39.40, *Internment and Resettlement Operations.* The objectives in a military police unit conducting resettlement operations

include protecting displaced civilians from combat operations, preventing and controlling the outbreak of disease, relieving human suffering, and centralizing masses of displaced civilians. All of these objectives might equally apply to any unit tasked with establishing or providing security to a refugee camp.

Regardless of the size of the camp or the number of refugees expected, unit commanders must address crimes against persons and property, guidance for security patrols inside and around the camp, and emergency response force operations. The commander faces delicate and potentially international incident-creating issues, including providing adequate security without creating the impression that the camp is a prison with the occupants as prisoners. If NGOs are not present at the establishment of the camp, incorporating them at the earliest opportunity is essential. Their assessment of the security requirement is worth considering, even if not all suggestions result in changes. The organizations involved in refugee assistance are extensive and sometimes regionally specific.

A good online reference to understand specific NGO mission and capability is available at http://library.duke.edu/research/subject/guides/ngo_guide/ngo_database.html. The United Nations High Commissioner for Refugees (UNHCR) is the main U.N. organization charged with providing refugees with international protection and seeking permanent solutions for the refugee problem. The UNHCR is responsible for many publications on refugees, some of which are listed at the end of this article.

Establishing Rules and Knowing the Population

Establishing control over the population of the refugee camp is an essential starting point for the security operation. Determining appropriate camp rules of conduct will facilitate the camp commander's ability to maintain authority and discipline. Before the rules are made public, they should be reviewed by military unit legal officers and, if possible, a legal representative from the host nation or available NGOs. The same groups should also discuss with U.S. forces how the rules should be enforced and the appropriate response to camp occupants who violate the rules. Including the refugees in the development of the rules is also advisable, especially since use of the traditional and formal laws of the country of origin might influence behavior in the camps.

When considering the rules and outlining the security requirements, it is important for commanders to look at the members of the camp who are the most vulnerable. Women of all ages, especially unaccompanied women and women who are heads of households, are particularly exposed to danger in refugee populations. Both males and females under the age of 18 and the elderly also face increased risks.

The Vulnerable Population

Without the right safeguards in place, women and children are highly vulnerable to sexual and gender-based violence (SGBV). In May 2003, UNHCR published a guideline on the issue of vulnerable populations titled *Sexual and Gender-Based Violence against Refugees, Returnees, and Internally Displaced Persons: Guidelines for Prevention and Response.* The report concluded that "Sexual and gender-based violence occurs in all classes, cultures, religions, races, gender, and ages."[5]

Acts of sexual violence include rape, child sexual abuse, forced sodomy, attempted rape or forced sodomy, sexual exploitation, forced prostitution, sexual harassment, and other crimes of a sexual nature.[6] Commanders should familiarize themselves with this guideline and other applicable references, not only to improve the safety and security of their refugee camps, but also because many NGOs may be unfamiliar with the conditions that facilitate SGBV and are unaware of how to mitigate those conditions. Commanders may find themselves in the position of working with NGOs in establishing or improving a camp, and this report is a useful guide to enhance unity of effort between all parties.

Giving Women a Voice

In refugee situations the collapse of social and family support structures, gender-biased decisions, lack of security patrols, and lack of individual registration and identity cards are just a few of the factors that increase the possibility of SGBV.[7] Although cultural norms might dictate that males play a predominant role in leading and decision making, the representation of women in the camp leadership structure is vital.[8] "Equal access to and control of material resources and assistance benefits and women's equal participation in decision-making processes should be reflected in all programs, whether explicitly targeting SGBV or responding to the emergency, recovery, or development needs of the population."[9] Without providing women with a voice in the camp, victimization is likely to run rampant. Working within the camp population, religious and other community leaders should be engaged by unit leadership to promote those social values that "uphold equal rights and respect for all community members."[10]

Estimating Populations

Population estimation will assist commanders with understanding the size of the traditional vulnerable population. This vulnerable population is generally comprised of children, females under 18, single female heads of households, pregnant females, and the elderly. Knowing the size of this population will assist the commander in understanding the camp security requirements as well as what resources are necessary for

survival. Determining the demographics of the population, especially in the beginning of an operation, is difficult, but a formula is available to estimate the basic breakdown.

First, estimate the total number of refugees. One way to do this is to assign people to count those who show up at a water distribution station. Once the estimated population is determined, assume that the ratio of males to females is 50/50. The number of children aged 0-4 years old is 16 percent of the total population. The average percentage of children aged 5-14 years is 27 percent. Roughly 27 percent of the population will also be aged 15-29 years. Those aged 30-44 years will make up 16 percent of the group. Only 14 percent of the camp will be aged 45 years or older.

Commanders can also make an educated guess as to the number of pregnant females in their camp with this formula: .50 (women in the population) x .47 (people of childbearing age) x .18 (average fertility rate).

Recommendations

If available to the unit, establishing a female engagement team (FET), similar to those first used in Operation Iraqi Freedom (OIF) and Operation Enduring Freedom (OEF), could empower women in the camps and provide the commander with a means to build trust in this often defenseless demographic. Center for Army Lessons Learned (CALL) Handbook 11-38, *Commander's Guide to Female Engagement Teams,* might provide a useful starting point for commanders seeking to use FETs in a refugee camp situation.

Minor Children

In establishing the systems for reporting incidents, members of the refugee camp should be able to speak freely to the camp officials, as specified in FM 3-90.40. However, commanders also need to consider the voices of the children. Minor children, especially those not accompanied by an adult or with their blood relatives, are at risk for SGBV as well as other abuses. Additionally, incidents of SGBV or other crimes that took place prior to the refugees arriving at the camp might be reported. Commanders need to have a plan in place for taking care of the victim and the accused so that no further violations occur and the accused receives a fair trial.

Camp Location

The location of the refugee camp is also something the commander must consider when looking at potential security issues. Outside the normal security considerations utilized in any displaced civilian situation, the location of a refugee camp in close proximity to a border increases the chance of violence against the refugees. The availability of resources, such as wood (for shelter as well as for fuel) and water, also create security

concerns. The farther away from the security of the camp that women and children must travel to gather these resources, the more at risk they are, not only from other members of the refugee population, but from members of the local population as well.

Camp Design

The layout within the camp can also enhance or detract from the inhabitants. Both the UNHCR and FM 3-90.40 recommend keeping families together while separating unaccompanied adult males from adult females and children. Adequate lighting inside the camp deters criminal acts as well as routine patrolling inside and outside the camp. The design for a dislocated civilian resettlement facility is provided in FM 3-39.40 and might prove valuable to commanders establishing a refugee camp from the ground up.

Assessments

CALL Handbook 10-41, *Assessments and Measures of Effectiveness in Stability Operations*, provides the commander with the tactical conflict assessment planning framework tool kit. Found in appendix A of the handbook, this framework provides a means of understanding refugee camp needs, providing the commander with some insight into potential security friction points before they take place. Additionally, getting input from the refugees themselves on the most important problems they face and how they feel these problems can be solved is helpful for the commander and the staff.

Conclusion

Commanders face a difficult mission when dealing with camps of refugees or displaced persons. The camp is probably at risk from the violence that led to the people seeking refugee status in the first place. Inside the camp, violence is likely to take place as the social structure breaks down and those without protection are victimized by those around them. Commanders cannot expect to eliminate generations of cultural conflict, but through careful planning, they can mitigate situations that make the violence worse, helping those victimized and preventing additional atrocities.

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Chapter 13

Key Military Police Tasks in Refugee/Internally Displaced Persons Operations: Providing Security and Preventing Human Suffering

MAJ Margie Brown, U.S. Army

Introduction

Countries are increasingly dealing with refugees and internally displaced persons (IDPs) in sizeable numbers. The Office of the United Nations High Commissioner for Refugees (UNHCR) reported almost 10 million refugees in 2010 and 14.7 million IDPs. Due to natural disasters, political strife, and war, people around the world become internally and outwardly displaced. Between March–June 1999, the armed conflict in Kosovo created over 800,000 refugees that flowed primarily into Albania and the former Yugoslavia Republic of Macedonia. This conflict also created 206,500 IDPs in Serbia and 21,000 IDPs in Kosovo and Montenegro, which were ethnic Serbs originating from Kosovo.

Kosovo is just one example of how this dilemma is a growing concern on every continent. Refugees and displaced persons are often separated from family, friends, and personal property, with no certainty of return.

Figure 13-1. Refugee camp

Limited Doctrine

Refugees and IDPs present a complex problem scenario for the military. What makes this more challenging is the limited military doctrine on refugee and IDP operations. Field Manual (FM) 3-19.40, *Military Police Internment/Resettlement*, provides the legal definition of refugees and IDPs in accordance with the UNHCR. It also discusses the principal coordinating federal agency, which is the United States Agency for International Development (USAID), and other supporting civilian organizations. However, FM 3-19.40 does not provide operational measures for commanders to execute IDP operations.

Certain tasks are vital to refugee camps, and these tasks will support the UNHCR and limit internal conflict and prevent human suffering. There are security issues within these camps of which the military should be aware when executing refugee operations. The United Nations' guiding principles on internal displacement are based on two bodies of international law that provide useful guidance on displacement-specific aspects. Military police and other military occupation forces may face the challenge of working with displaced persons.

Criminal Activity

Displaced people are sometimes separated from family and friends and are joined with strangers, which creates disorientation. Refugee camps routinely suffer from overcrowding, lack of sustainable employment, and poor sanitary conditions, which all combine to cause additional security problems. Crime categories range from common to serious, with sexual and gender-based violence (SGBV) a very common occurrence. The most serious crimes and abuses faced by displaced men, women, and children are murder, serious injury, rape, arson, kidnapping, and disappearances.

SGBV can be characterized as sexual violence, including sexual exploitation or abuse; forced prostitution; domestic violence; trafficking; and forced or early marriage. There are harmful traditional practices, such as female genital mutilations, honor killings, widow inheritance, and more. Female genital mutilation is practiced in 28 countries in sub-Saharan Africa, northern Iraq, Malaysia, and Indonesia. New evidence shows that genital mutilation is also occurring in other Middle Eastern countries, including Yemen, Iran, Syria, Oman, and Saudi Arabia, and parts of South Asia. The practice also can be found in Europe, the United States, Australia, and other countries in the West where immigrants bring their cultural traditions with them.

Theft of personal belongings is also a concern as is the routine use of violence during the commission of this crime. People tend to use violence more easily against those who have no family ties. Competition over limited

resources such as food, water, and fuel may give rise to people resorting to violence as a means of survival.

Providing Security

For these reasons, effective law and order are imperative and become the primary task for military policing. Law and order for refugees require a police organization that is efficient and effective and that upholds human rights and the rule of law. Nongovernmental or international officials cannot effectively conduct assistance without security enforcement.

Military police must prioritize security inside camps for aid workers and refugees and ensure that those who have suffered violence are not further victimized. Combatants must be immediately disarmed and disbanded within the camp, and the area of operation must be considered a weapons-free zone except for the military. Camps should be situated away from border areas to maintain positive control of the camps by denying penetration or enemy access. Location considerations should include logistical routes, water supply, availability of wood fuel, waste disposal, and proximity to local support facilities.

Camp Security

A camp is similar to a community as it applies to security: the camp requires proactive policing and the investigation of crimes. This approach will ultimately help to reduce instances of crime and violence, restore humanitarian confidence, and allow for the start of desperately needed humanitarian programs.

Moreover, those in charge of the camps must make a diligent effort to register and issue identification cards to dislocated persons for accurate accountability. This measure will help to determine the size of the police force needed and will assist with logistical requirements. If identification cards are not available, military units can use enemy prisoner of war capture tags (Department of Defense Form 2745) to obtain data such as gender, age, special health considerations, and family members.

A camp must be divided into groups as much as possible. Groups can be made up of single parents, the elderly without family, and orphans under the age of 16, etc. Every consideration should be taken to group single females away from single males without separating families.

Security Considerations for Females

Female patrols are important to maintain female privacy and respect. Creating privacy in camps is a positive action, but it must be balanced with security. Camp security should include entry points and traffic control points for vehicles and pedestrians to prevent infiltrators who want to exploit

women and children. Units should also train females within the host nation security force to assist with gender-based crimes. Some patrols can be of a mixed gender to efficiently meet the needs of the people.

If available, it is beneficial to coordinate with engineers to provide structural capability and assist with developing road networks to provide freedom of movement for continuous patrolling, since this will generate a deterrent effect. Lighting also supports security efforts in dead space and along roads during periods of limited visibility. Lighting should be placed both internally to the camp and externally around the perimeter to increase effective surveillance.

Camps are inclined to have large numbers of displaced persons, which may require a large police force. However, if the security force is not very large, the key is to discourage criminal activity through active patrols and investigations.

Prosecuting Crimes

Steps should be taken to establish prosecutorial awareness using an information awareness campaign. Host governments may be unable or unwilling to provide law and order and the administration of justice in the camps. Therefore, the administration of justice within an IDP camp would be better carried out according to the judicial and penal system of the host country. In refugee camps, some host countries effectively relinquish control of these matters to local civil authority.

The legal staff should work with the host nation to bring legal process to the camps on a routine basis. If obtaining an in-camp legal process proves difficult, another option could be to establish a bus system to transport dislocated persons to the local courts. Traditional or customary ad hoc systems of justice are often used in camps. These systems provide mediation, resolution, and punishment practices utilized in countries or communities of origin, which are transferred in part or whole and adapted to the refugee camp setting. Elected or appointed refugee elders, traditional judges, or refugee leaders can arbitrate disputes, assign guilt, impose punishment, and administer such practices. The refugee community may view them as representative, transparent, impartial, and affordable, thus offering refugees a continuation of the system from their country of origin. Their rulings are likely to be accepted by the community, which will reinforce respect for their sanctions. Additionally, these systems offer both easy access and a quick response to victims.

Conclusion

Military missions that involve IDP/refugee operations are complex and require an understanding and assessment of the environment. Establishing

security is the immediate goal, along with establishing close linkage with USAID, UNHCR, and nongovernmental organizations or intergovernmental organizations operating in the area. This will create a positive setting for further stability. There is a vast amount of literature on how to secure camps. The problem lies with the implementation of the ways and means that have been suggested in the literature to ensure the safety of refugees in camps. Some of the suggestions may not be practical enough and others are generalized, but the main problem seems to be a lack of commitment and motivation by supporters and an effective host nation government to implement the suggestions. The military would prove useful in refugee or IDP operations by implementing the suggested ways and means, along with having the commitment to effectively execute law and order tasks.

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