



# MULTILATERAL PEACE OPERATIONS AND THE CHALLENGES OF IRREGULAR MIGRATION AND HUMAN TRAFFICKING

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## I. Introduction

Multilateral peace operations are increasingly confronting a set of relatively new, interrelated and mutually reinforcing security challenges.<sup>1</sup> These do not respect national borders and their causes and effects cut right across the international security, peacebuilding and development agendas. Two of the most prominent examples of these non-traditional security challenges are irregular migration and human trafficking.<sup>2</sup> For example, peace operations have had to protect internally displaced persons (IDPs), repatriate refugees and combat human traffickers.

While there are clear, widely accepted definitions of migration, refugee, IDP and human trafficking (see box 1), there is no universally accepted definition of irregular migration. Moreover, terms that are commonly used in national debates—such as ‘irregular’, ‘illegal’, ‘undocumented’, ‘non-documented’ and ‘unauthorized’—each come with different connotations. In addition, even with the clear definitions of refugee and IDP (humanitarian terms defined by international conventions) and of illegal migration and human trafficking (legal terms that criminalize some migrants), in practice it is sometimes difficult to distinguish who is what and different categories may overlap or intertwine.<sup>3</sup> Groups of irregular migrants often include both economic migrants and also refugees and asylum seekers, who might cross a border irregularly but may later acquire a legal status. This paper thus takes irregular migration and human trafficking to encompass movement of refugees and IDPs as well as migrant smuggling and human trafficking.

<sup>1</sup> On the SIPRI definition of multilateral peace operation see van der Lijn, J. and Smit, T., ‘Global trends and developments in peace operations’, *SIPRI Yearbook 2018: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 2018), pp. 103–16, p. 103. See also the SIPRI Multilateral Peace Operations Database, <<https://www.sipri.org/databases/pko/>>.

<sup>2</sup> The related topics of organized crime and terrorism and violent extremism are addressed, respectively, in van der Lijn, J., ‘Multilateral peace operations and the challenges of organized crime’, SIPRI Background Paper, Feb. 2018; and Smit, T., ‘Multilateral peace operations and the challenges of terrorism and violent extremism’, SIPRI Background Paper, Nov. 2017.

<sup>3</sup> Vespe, M., Natale, F. and Pappalardo, L., ‘Data sets on irregular migration and irregular migrants in the European Union’, *Migration Policy Practice*, vol. 7, no. 2 (Apr.–Sep. 2017), pp. 26–33.

## SUMMARY

● The third phase of the New Geopolitics of Peace Operations (NGP) initiative seeks to enhance understanding of how peace operations interact with non-traditional security challenges such as terrorism and violent extremism, irregular migration, piracy, organized crime and environmental degradation. It aims to identify the various perceptions, positions and interests of the relevant stakeholders. By engaging key stakeholders and mapping the policy space for the potential role of peace operations in addressing non-traditional security challenges, it also aims to stimulate open dialogue, cooperation and mutual understanding.

Four dialogue meetings organized by SIPRI and the Friedrich-Ebert-Stiftung (FES) will focus on a different non-traditional security challenge. Each will be preceded by a background paper that sets the baseline for the meeting: giving an overview of the main developments and discussions regarding peace operations and the specific challenge to be discussed. The initiative will conclude with a final report based on the outcomes of these meetings that will advance the discussion on peace operations and non-traditional security challenges.

This phase of the NGP initiative is supported by the Ministry for Foreign Affairs of Finland, co-sponsored by the Ministry of Foreign Affairs of Ethiopia, and in continued partnership with FES.

**Box 1. Definitions of terms related to the movement of people***Migration*

‘The movement of a person or a group of persons, either across an international border, or within a State. It is a population movement, encompassing any kind of movement of people, whatever its length, composition and causes; it includes migration of refugees, displaced persons, economic migrants, and persons moving for other purposes, including family reunification.’<sup>a</sup>

*Internally displaced person*

‘[P]ersons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.’<sup>b</sup>

*Irregular migration*

‘Movement [of people] that takes place outside the regulatory norms of the sending, transit and receiving countries.’<sup>a</sup>

*Migrant smuggling*

‘[T]he procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident.’<sup>c</sup>

*Refugee*

A person who, ‘owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.’<sup>d</sup>

In Africa this definition is extended to include ‘every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality.’<sup>e</sup> A similarly extended definition also applies in Latin America.<sup>f</sup>

*Trafficking in persons (human trafficking)*

‘[T]he recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.’<sup>g</sup>

<sup>a</sup> International Organization for Migration (IOM), ‘Key migration terms’, [n.d.].

<sup>b</sup> United Nations, Economic and Social Council, Commission on Human Rights, ‘Guiding principles on internal displacement’, E/CN.4/1998/53/Add.2, 11 Feb. 1998.

<sup>c</sup> Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, opened for signature 12 Dec. 2000, entered into force 28 Jan. 2004, Article 3.

<sup>d</sup> Convention Relating to the Status of Refugees (Refugee Convention), opened for signature 28 July 1951, entered into force 22 Apr. 1954, Article 1(A)(2), as amended by the Protocol Relating to the Status of Refugees of 31 Jan. 1967, entered into force 4 Oct. 1967.

<sup>e</sup> OAU Convention governing specific aspects of refugee problems in Africa, opened for signature 10 Sep. 1969, entered into force 20 June 1974, Article I(2).

<sup>f</sup> Cartagena Declaration on Refugees, adopted by the Colloquium on the International Protection of Refugees in Central America, Mexico and Panama, Cartagena, Colombia, 22 Nov. 1984, Conclusion 3.

<sup>g</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime, opened for signature 12 Dec. 2000, entered into force 25 Dec. 2003.

However, despite the occasional overlap between the above categories in practice, they should not be conflated.

By the end of 2017, there were 68.5 million forcibly displaced people: 25.4 million refugees, 40.0 million IDPs and 3.1 million asylum seekers.<sup>4</sup> About 68 per cent of all refugees originated from just five countries: Syria, Afghanistan, South Sudan, Myanmar and Somalia. While most forcibly displaced people are hosted in the Global South, discussions on irregular

<sup>4</sup> United Nations High Commissioner for Refugees (UNHCR), *Global Trends: Forced Displacement in 2017* (UNHCR: Geneva, 2018), pp. 2–3.



migration often centre on the affluent states of Europe and North America.<sup>5</sup> As a consequence, there is a focus on the current streams across the Sahel region and through Mexico, and on how irregular migration could be changing. In practice, however, many of the challenges globally have remained the same since 1945.

The role of irregular migration and human trafficking in armed conflict, and their relationship to multilateral peace operations, varies according to the context. At times, organized criminal networks—involved in human trafficking and the smuggling of migrants—become part of the conflict dynamics. In Libya, for example, armed groups have become intertwined with these criminal networks and use profits from these activities to sustain themselves and their struggles. In a number of cases, such as in the Sahel, there are also concerns that human trafficking is taxed by terrorist groups.<sup>6</sup> Irregular migration, and in particular refugees, have affected the stability of host regions. For example, the influx of Rwandans into the east of Zaire (now the Democratic Republic of the Congo, DRC) following the 1994 Rwandan genocide affected the balance of power in the host country. Refugees may cause a conflict to spill over international borders since refugee flows facilitate the spread of arms, fighters and ideologies, since the presence of large numbers of refugees may affect the local demographic balance, or since refugees may compete with local populations for scarce resources. Internal displacement may also change domestic balances between ethnic groups and reduce incentives for armed groups to compromise or stimulate them to seek secession. Most often, refugees and IDPs require assistance, and peace operations provide this either in an active or supportive role, by means of protection, humanitarian assistance, shelter or support for return and reintegration.<sup>7</sup>

The challenges of irregular migration and human trafficking are both directly and indirectly relevant to multilateral peace operations. They are directly relevant because a mission may be confronted with the task of protecting displaced populations or because human trafficking may support spoilers to evade a peace process. They are indirectly relevant because irregular migration or human trafficking may increase demands on scarce state resources in an already weak state or fuel a conflict in other ways and, as such, decrease the effectiveness of a peace operation.

This paper reviews the existing literature and debates on peace operations and irregular migration and human trafficking, examines the activities that the operations should take on, and describes how they cooperate and coordinate on these activities. Section II outlines how multilateral peace

<sup>5</sup> Chimni, B., 'The geopolitics of refugee studies: a view from the South', *Journal of Refugee Studies*, vol. 11, no. 4 (1998), pp. 350–74; and Elie, J., 'Histories of refugee and forced migration studies', eds E. Fiddian-Qasmiyeh et al., *The Oxford Handbook of Refugee and Forced Migration Studies* (Oxford University Press: Oxford, 2014), pp. 23–35, pp. 25–26.

<sup>6</sup> United Nations, Security Council, Report of the Secretary-General on trafficking in persons in armed conflict pursuant to Security Council Resolution 2331 (2016), S/2017/939, 10 Nov. 2017; Cockayne, J. and Walker, S., *Fighting Human Trafficking in Conflict: 10 Ideas for Action by the United Nations Security Council*, Workshop report (United Nations University: Tokyo, Sep. 2016); and Micallef, M., *The Human Conveyor Belt: Trends in Human Trafficking and Smuggling in Post-revolution Libya* (Global Initiative against Transnational Organized Crime: Geneva, 2017).

<sup>7</sup> Salehyan, I. and Gleditsch, K., 'Refugees and the spread of civil war', *International Organization*, vol. 60, no. 2 (Apr. 2006), pp. 335–66; and Recchia, S., 'The paradox of safe areas in ethnic civil wars', *Global Responsibility to Protect*, vol. 10, no. 3 (May 2018), pp. 362–86.



operations have become increasingly involved in dealing with irregular migration and human trafficking. It then describes a categorization of activities that missions could undertake to prevent or respond to irregular migration and human trafficking. Based on this categorization, section III provides examples of such activities undertaken by peace operations. Section IV identifies the opportunities and challenges for peace operations when dealing with irregular migration and human trafficking. It looks in turn at the challenges of dealing with refugees and IDPs, safe areas and protection of civilians, and human trafficking and migrant smuggling. Section V examines how peace operations cooperate and coordinate on the issues of irregular migration and human trafficking, both within integrated missions and between missions in multi-mission environments, as well as with other actors. The paper concludes in section VI by outlining the implications for multilateral peace operations of dealing with irregular migration and human trafficking.

## II. Peace operations and irregular migration and human trafficking

### **Development of the irregular migration-related activities of peace operations**

Although the United Nations Security Council has taken increasingly explicit steps in the past three decades to protect vulnerable groups through peace operations, until recently irregular migrants and human trafficking had received little attention. During the early 1990s, UN peace operations were already being mandated, on a case by case basis, to protect civilians and support IDPs and refugees in a variety of ways. Towards the end of the 1990s, the failures in Bosnia and Herzegovina, Rwanda and Somalia forced the Security Council to think more explicitly about the role of peace operations in the protection of civilians in armed conflict (POC), including support to and protection of IDPs and refugees. In 1997 it noted that the ‘massive displacement of civilian populations in conflict situations may pose a serious challenge to international peace and security’ and acknowledged that peace operations should protect humanitarian assistance for refugees in conflict situations.<sup>8</sup>

*The Security Council noted that the ‘massive displacement of civilian populations in conflict situations may pose a serious challenge to international peace and security’*

In 1999 it explicitly listed IDPs and refugees as vulnerable groups of civilian.<sup>9</sup> Starting in 1999, the Security Council adopted a series of thematic POC resolutions. In the first, the Council expressed ‘its willingness to consider how peacekeeping mandates might better address the negative impact of armed conflict on civilians’.<sup>10</sup> Shortly after, it authorized the UN Mission in Sierra Leone (UNAMSIL) with the first explicit POC mandate.<sup>11</sup> This mandate did not yet explicitly refer to IDPs and refugees. In its second thematic POC

<sup>8</sup> United Nations, Security Council, Statement by the President of the Security Council, S/PRST/1997/34, 19 June 1997.

<sup>9</sup> United Nations, Security Council, Statement by the President of the Security Council, S/PRST/1999/6, 12 Feb. 1999.

<sup>10</sup> UN Security Council Resolution 1265, 17 Sep. 1999, para. 11.

<sup>11</sup> UN Security Council Resolution 1270, 22 Oct. 1999.



resolution, adopted in 2000, the Council noted that IDPs and refugees may require particular protection.<sup>12</sup> The third thematic POC resolution, adopted in 2006, listed ‘the facilitation of the provision of humanitarian assistance’ and ‘the creation of conditions conducive to the voluntary, safe, dignified and sustainable return of refugees and internally displaced persons’ as specific tools for peace operations to protect civilians.<sup>13</sup> Three years later, in a resolution on humanitarian access, the Council added ‘creating conditions conducive to safe, timely and unimpeded humanitarian assistance’ to this list of tools. At the same time, it stressed that peace operations should prioritize POC activities over their other mandated tasks.<sup>14</sup>

Compared to POC, the Security Council has been far less active on the issues of migration and human trafficking. However, in 2004 the UN Department of Peacekeeping Operations (DPKO) developed a policy paper on human trafficking.<sup>15</sup> The paper was partly in response to the growing perception that, through sexual exploitation and abuse and the use of prostitution, peace operation personnel were actually a part of the problem rather than the solution.<sup>16</sup> In the policy paper, the DPKO acknowledged that ‘peace operations are generally not well-suited, nor directly mandated, to deal with the challenges of combating human trafficking’, while recognizing ‘there are support roles for UN peacekeepers that can complement the strengths and strategies of others in the anti-trafficking community’.<sup>17</sup> Migration and refugee crises appear only infrequently on the agenda of the Security Council. Indeed, it has only given attention to migration in a resolution on peace operations in the cases of Libya and Mali.<sup>18</sup> In contrast, the European Union (EU), the Organization for Security and Co-operation in Europe (OSCE) and the African Union (AU) have each been more active on the issues of human trafficking, migration and migrant smuggling.

***Migration and refugee crises appear infrequently on the Security Council’s agenda, and only received attention in resolutions on the peace operations in Libya and Mali***

In 2016 the Security Council adopted its first thematic resolution on human trafficking. This condemned ‘in the strongest terms all instances of trafficking in persons in areas affected by armed conflicts, and stresses that trafficking in persons undermines the rule of law and contributes to other forms of transnational organized crime, which can exacerbate conflict and foster insecurity and instability and undermine development’.<sup>19</sup>

<sup>12</sup> UN Security Council Resolution 1296, 19 Apr. 2000, para. 14.

<sup>13</sup> UN Security Council Resolution 1674, 28 Apr. 2006, para. 16.

<sup>14</sup> UN Security Council Resolution 1894, 11 Nov. 2009, paras 15, 19.

<sup>15</sup> United Nations, Department of Peacekeeping Operations (DPKO), Peacekeeping Best Practices Unit, ‘Human trafficking and United Nations peacekeeping’, DPKO Policy Paper, Mar. 2004.

<sup>16</sup> On the role played by UN peace operations in the establishment of human trafficking networks see e.g. Smith, C. A. and Miller-de la Cuesta, B., ‘Human trafficking in conflict zones: the role of peacekeepers in the formation of networks’, *Human Rights Review*, vol. 12, no. 3 (Sep. 2011), pp. 287–99.

<sup>17</sup> United Nations (note 15), pp. 1, 2.

<sup>18</sup> E.g. in the case of Libya see UN Security Council Resolution 2434, 13 Sep. 2018.

<sup>19</sup> UN Security Council Resolution 2331, 20 Dec. 2016, para. 1.



**Table 1.** Categorization of activities that multilateral peace operations could undertake to prevent or respond to irregular migration and human trafficking

The example activities included have been identified in peace operation mandates or are selected from examples in the literature. Activities are not unique to one category and the categories can overlap.

Documented/investigated by	Targeting drivers	Targeting consequences
Direct activities	POC; Sensitization to human rights, corruption and inclusiveness; Quick-impact projects to support community resilience; Community violence-reduction projects, community engagement and resilience building; Provision of security and supporting stability; Rule of law and reconciliation; Disarmament, demobilization and reintegration projects.	Safe areas or zones; Protection of refugees and IDPs within the context of POC; Enhancing security in IDP and refugee camps; Facilitation or coordination of the provision of humanitarian assistance; Establishing the necessary security conditions conducive to the provision of humanitarian assistance and return of refugees and IDPs; Facilitate, assist or coordinate repatriation of refugees, return of IDPs; Reintegration of refugees and IDPs; Border monitoring; Training courses and information provision for irregular migrants, providing them with shelter and facilitating voluntary return.
Indirect activities	Assisting host governments (and other local actors) in areas such as sustainable social and economic development, education and socio-economic opportunities, reducing corruption and supporting social justice; Supporting rule of law and human rights compliance; Institution building and strengthening governance; Security sector reform.	Support local authorities to protect civilians; Support local security enhancement in IDP and refugee camps; Support local authorities in the return of IDPs and refugees; Support government reintegration efforts; Monitor the return of IDPs and refugees; Good offices and support for dialogue on IDP and refugee issues; Strengthening border security and management institutions; Strengthening the capacity of authorities and civil society to prosecute perpetrators and assist victims of human trafficking; training of officials and stakeholders; and support public information campaigns; Support to the government in controlling, managing and fighting irregular migration.

POC = protection of civilians; IDP = internally displaced person.

Source: Author’s compilation.

In 2017 the Council expressed its intention to give greater consideration to how peacekeeping operations and special political missions can assist host governments in preventing and combating human trafficking.<sup>20</sup> However, until the mandate of the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) was renewed in 2018, there were no concrete references to human trafficking.<sup>21</sup>

<sup>20</sup> UN Security Council Resolution 2388, 21 Nov. 2017, para. 25.

<sup>21</sup> UN Security Council Resolution 2423, 28 June 2018.



## Activities to prevent and respond to irregular migration and human trafficking

When considering ways to respond to irregular migration and human trafficking, the activities of multilateral peace operations can be organized on two dimensions. Activities are placed on the first dimension according to whether they target the drivers or the consequences of irregular migration and human trafficking. Activities that target consequences (or symptoms) are mainly reactive as they respond to challenges (e.g. irregular migration flows, IDP communities or human trafficking networks) that have already been identified, with the objective of assisting, protecting and eventually returning populations and combatting human trafficking networks. Activities that target drivers (or root causes) are proactive in the sense that they seek to prevent irregular migration and human trafficking by addressing the push and pull factors that might produce or enable them. Activities are placed on the second dimension according to whether they target these consequences and drivers directly or indirectly. While direct activities are executed by peace operations themselves, indirect activities aim to build or strengthen the capacity of the host government, civil society and local communities.

Together, these two organizing principles result in four broad categories of activity that a multilateral peace operation might undertake to prevent and respond to irregular migration and human trafficking (see table 1). Although these four categories are a simplification and may overlap, they can help facilitate and structure further discussion by focusing on concrete activities.

### III. Examples of peace operations that have dealt with irregular migration and human trafficking

Often, multilateral peace operations focus on the consequences of irregular migration and human trafficking, rather than the drivers, and undertake both direct and indirect activities. Nearly every multidimensional or integrated UN peace operation becomes in some way involved with IDPs and refugees. However, to date their activities related to human trafficking and other forms of migration have been limited (see table 2). In the early 2000s the field missions of the OSCE began to engage with issues such as human trafficking, migration and border control.<sup>22</sup> Since the EU adopted the 2016 Global Strategy for its foreign and security policy, it has strengthened the focus of the missions and operations conducted under its Common Security and Defence Policy (CSDP) on migration issues.<sup>23</sup> These include efforts to maintain the security of the EU's external borders, to build partners' capacity to manage their borders, and to combat migrant smuggling and human trafficking.

<sup>22</sup> Organization for Security and Co-operation in Europe (OSCE), Ministerial Council, 'Enhancing the OSCE's efforts to combat trafficking in human beings', Decision no. 1, MC(8).DEC/1, 28 Nov. 2000.

<sup>23</sup> Council of the European Union, Council conclusions on implementing the EU Global Strategy in the area of Security and Defence, 14149/16, 14 Nov. 2016; and European External Action Service (EEAS), *Shared Vision, Common Action: A Stronger Europe—A Global Strategy for the European Union's Foreign and Security Policy* (EEAS: Brussels, June 2016).



**Table 2.** Examples of multilateral peace operations that have undertaken activities to prevent or respond to irregular migration and human trafficking

	Targeting drivers	Targeting consequences
Direct activities	Nearly all peace operations but most specifically MINUSCA; MINUSMA; MINUSTAH; MONUSCO; UNAMID; UNMIL.	ECOMOG Guinea-Bissau; ECOMOG Liberia; EUFOR Chad/CAR; EU Military Operation in the DRC (Operation Artemis); IFOR; KFOR; SFOR; KVM; OMIK; OSCE Mission to Skopje; MINURCAT; MINURSO; MINUSCA; MINUSMA; MINUSTAH; MONUC; MONUSCO; ONUB; ONUMOZ; UNAMA; UNAMI; UNAMID; UNAMIR; UNAMSIL; UNCRO; UNIFIL; UNMIK; UNMIL; UNMIS; UNMISSET; UNMISS; UNMIT; UNMOGIP; UNOCI; UNPROFOR; UNOSOM I; UNOSOM II; UNSMIL; UNTAC; UNTAES; UNTAET; UNTAG.
Indirect activities	Nearly all peace operations.	EUBAM Libya; EUCAP Sahel Mali; EUCAP Sahel Niger; EUPM; OSCE Assistance Group to Chechnya; OSCE Mission to Bosnia and Herzegovina; OSCE Mission to Croatia; OSCE Mission to Estonia; OSCE Mission to Moldova; OSCE Mission to Serbia; OSCE Mission to Skopje; OSCE Mission to the Federal Republic of Yugoslavia; BNUB; MINURCAT; MINUSCA; MINUSMA; MINUSTAH; UNAMA; UNAMI; UNAMID; UNAMIR; UNMIBH; UNOCI; UNSMIL

ECOWAS = Economic Community of West African States; EU = European Union; NATO = North Atlantic Treaty Organization; OSCE = Organization for Security and Co-operation in Europe; UN = United Nations; CAR = Central African Republic; DRC = Democratic Republic of the Congo; ECOMOG = ECOWAS Monitoring Group; EUBAM Libya = EU Border Assistance Mission in Libya; EUCAP Sahel Mali = EU Capacity Building Mission in Mali; EUCAP Sahel Niger = EU Capacity Building Mission in Niger; EUFOR Chad/CAR = EU Force in Chad and CAR; EUPM = EU Police Mission (in Bosnia and Herzegovina); IFOR = NATO-led Implementation Force (in Bosnia and Herzegovina); KFOR = NATO-led Kosovo Force; SFOR = NATO-led Stabilisation Force (in Bosnia and Herzegovina); KVM = OSCE Kosovo Verification Mission; OMIK = OSCE Mission in Kosovo; BNUB = UN Office in Burundi; MINURCAT = UN Mission in CAR and Chad; MINURSO = UN Mission for the Referendum in Western Sahara; MINUSCA = UN Multidimensional Integrated Stabilization Mission in CAR; MINUSMA = UN Multidimensional Integrated Stabilization Mission in Mali; MINUSTAH = UN Stabilization Mission in Haiti; MONUC = UN Organization Mission in the DRC; MONUSCO = UN Organization Stabilization Mission in the DRC; ONUB = UN Operation in Burundi; ONUMOZ = UN Operation in Mozambique; UNAMA = UN Assistance Mission in Afghanistan; UNAMI = UN Assistance Mission for Iraq; UNAMID = UN-AU Hybrid Operation in Darfur; UNAMIR = UN Assistance Mission for Rwanda; UNAMSIL = UN Mission in Sierra Leone; UNCRO = UN Confidence Restoration Operation in Croatia; UNIFIL = UN Interim Force in Lebanon; UNMIBH = UN Mission in Bosnia and Herzegovina; UNMIK = UN Mission in Kosovo; UNMIL = UN Mission in Liberia; UNMIS = UN Mission in Sudan; UNMISSET = UN Mission of Support to East Timor; UNMISS = UN Mission in South Sudan; UNMIT = UN Integrated Mission in East Timor; UNMOGIP = UN Military Observer Group in India and Pakistan; UNOCI = UN Operation in Côte d’Ivoire; UNOSOM = UN Operation in Somalia; UNPROFOR = UN Protection Force (in Bosnia and Herzegovina and Croatia); UNSMIL = UN Support Mission in Libya; UNTAC = UN Transitional Authority in Cambodia; UNTAES = UN Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium; UNTAET = UN Transitional Administration in East Timor; UNTAG = UN Transition Assistance Group (in Namibia).

Source: Author’s compilation.

Although many multilateral peace operations have also undertaken activities that address the drivers of irregular migration and human trafficking, both directly and indirectly, generally speaking they do not do so in a systematic manner. Such activities may have been an explicit part of their mandate, or they may be part of a mission’s broader policy space, and



they often have broader objectives that deliberately or incidentally overlap with prevention and response to irregular migration and combatting human trafficking. Thus, even if a mission does not possess a mandate to specifically deal with the drivers of irregular migration and human trafficking, it may still be preventive in character. In fact, the 2015 report of the UN's High-level Independent Panel on Peace Operations underlines the importance of conflict prevention and dealing with the root causes of conflict.<sup>24</sup> As conflict and persecution can be important drivers or underlying causes of irregular migration, multilateral peace operations—almost by definition—aim to prevent irregular migration.<sup>25</sup>

### **Activities that address the consequences of irregular migration and human trafficking**

A large number of UN and non-UN peace operations have dealt with the consequences of irregular migration and human trafficking. These missions have assisted IDPs and refugees during conflict, in the transition phase after a peace agreement, and later during the peace consolidation or peacebuilding phase. In addition, some missions have worked on border management, human trafficking and migrant smuggling.<sup>26</sup>

#### *Activities during conflict*

During ongoing conflicts, peace operations have protected IDPs by establishing a variety of safe areas and safe zones. These find their origins in international humanitarian law. After the cold war, they were increasingly established without the prior consent of the conflict parties and were enforced with or without the authorization of the Security Council, for example in northern Iraq (1991), Bosnia and Herzegovina (1993–95), Rwanda (1994), Kosovo (1999) and Libya (2011). In a number of cases, peace operations have been actively involved. For example, the UN Protection Force (UNPROFOR) was responsible for six safe areas in Bosnia and Herzegovina, including Srebrenica, where large numbers of IDPs gathered for protection. Similarly, African-led peace operations, such as the Economic Community of West African States Monitoring Group (ECOMOG) in Liberia, have protected civilians in safe havens. Currently, the UN Mission in South Sudan (UNMISS) hosts over 200 000 IDPs in its POC sites. In addition to humanitarian grounds, other arguments often used to justify safe areas are the prevention of refugee

***A large number of peace operations have assisted IDPs and refugees, and some missions have worked on border management, human trafficking and migrant smuggling***

<sup>24</sup> United Nations, General Assembly and Security Council, 'Uniting our strengths for peace: politics, partnership and people', Report of the High-level Independent Panel on Peace Operations A/70/95-S/2015/446, 17 June 2015.

<sup>25</sup> Koser, K., 'Dimensions and dynamics of irregular migration', *Population, Space and Place*, vol. 16, no. 3 (May/June 2010), pp. 181–93; Boswell, C., *Addressing the Causes of Migratory and Refugee Movements: The Role of the European Union*, New Issues in Refugee Research Working Paper no. 73 (United Nations High Commissioner for Refugees: Geneva, Dec. 2002); and Carling, J. and Talleraas, C., *Root Causes and Drivers of Migration: Implications for Humanitarian Efforts and Development Cooperation* (Peace Research Institute Oslo: Oslo, 2016).

<sup>26</sup> Tennant, V., *UNHCR's Engagement with Integrated UN Missions: Report of a Lessons Learned Workshop*, PDES/2009/04 (United Nations High Commissioner for Refugees: Geneva, Aug. 2009).



flows and their security implications in terms of conflict spillover and destabilization of neighbouring countries.<sup>27</sup>

Contemporary UN peace operation mandates routinely include the ‘protection of civilians under imminent threat’ also outside safe areas. In a number of cases IDPs and refugees have been specified as vulnerable groups, but the intention may also be to prevent displacement in the first place. Sometimes the mission takes primary responsibility for POC, particularly in cases where it effectively fulfils state responsibilities. At the other end of the spectrum are missions that primarily support the local authorities in their POC activities. Some contemporary mission mandates prioritize POC over all other objectives and the mission must proactively use force for that purpose. The mandate of the United Nations Organization Stabilization Mission in the DRC (MONUSCO), for example, is to

Ensure effective, dynamic and integrated protection of civilians under threat of physical violence through a comprehensive approach, including by preventing, deterring, and stopping all armed groups and local militias from inflicting violence on the populations, and by supporting and undertaking local mediation efforts to prevent escalation of violence, paying particular attention to civilians gathered in displaced persons and refugee camps...<sup>28</sup>

Operations led by the EU and the North Atlantic Treaty Organization (NATO) also have had similar forceful POC mandates.<sup>29</sup>

Furthermore, enhancing security in IDP and refugee camps is an important role of UN peace operations. Some have directly taken on community policing activities in IDP camps. In other cases, missions have taken a less direct approach.<sup>30</sup> For example, the UN Mission in the Central African Republic and Chad (MINURCAT) partnered with the Chadian Government to establish the *Détachement Intégré de Sécurité* (DIS, Integrated Security Detachment), a specialized Chadian police force for community policing in and around the refugee camps.<sup>31</sup>

Since the 1990s a number of peace operations have facilitated or coordinated the provision of humanitarian assistance, for example, logistical support for food, shelter or medical services for refugees, IDPs and, in case of the UN Support Mission in Libya (UNSMIL), also migrants. During the refugee crisis in Kosovo in 1999, in addition to the UN, the OSCE’s Kosovo Verification Mission (KVM) took on a similar role with refugees and IDPs. More frequently, UN and NATO-led missions have been mandated to help establish the necessary security conditions to allow the provision of

<sup>27</sup> Landgren, K., ‘Safety zones and international protection: a dark grey area’, *International Journal of Refugee Law*, vol. 7, no. 3 (1995), pp. 436–58; Birnie, R. and Welsh, J., ‘Displacement, protection and responsibility: a case for safe areas’, *Global Responsibility to Protect*, vol. 10, no. 3 (May 2018), pp. 332–61; Jacob, D., ‘Safe areas and the responsibility to protect’, *Global Responsibility to Protect*, vol. 10, no. 3 (May 2018), pp. 312–31; and Orchard, P., ‘Revisiting humanitarian safe areas for civilian protection’, *Global Governance*, vol. 20, no. 1 (Aug. 2014), pp. 55–75.

<sup>28</sup> UN Security Council Resolution 2409, 27 Mar. 2018, para. 36(i)(a).

<sup>29</sup> Weir, E. A., *Greater Expectations: UN Peacekeeping and Civilian Protection* (Refugees International: Washington DC, July 2009).

<sup>30</sup> Caparini, M. et al., *The Role of the Police in UNAMID*, Institute for Security Studies (ISS) Monograph no. 190 (ISS: Pretoria, 2015); and Sebastián, S., *The Role of Police in UN Peace Operations: Filling the Gap in the Protection of Civilians from Physical Violence*, Civilians in Conflict Policy Brief no. 3 (Stimson Center: Washington DC, Sep. 2015).

<sup>31</sup> Weir, E. A., ‘MINURCAT withdrawal: the risks to civilian protection and humanitarian assistance in eastern Chad’, Peace Brief no. 63, United States Institute of Peace, 22 Oct. 2010.



humanitarian assistance for refugees and IDPs. Specifically, these missions have protected the provision of humanitarian aid. For example, in 1991–92 the first UN Operation in Somalia (UNOSOM I) escorted convoys of relief supplies from Kenya to a so-called preventive zone that had been established by the UN High Commissioner for Refugees (UNHCR) along the Somali side of the Somali–Kenyan border. The aim was to discourage the mass movement of 280 000 vulnerable people across the border by providing assistance to them in or as near as possible to their place of origin.<sup>32</sup>

UN peace operations have also used their good offices and supported dialogue. The UN Assistance Mission for Iraq (UNAMI) has advised, supported and assisted the Iraqi Government with facilitating regional dialogue on border security and refugees.<sup>33</sup> The UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) is mandated to assist the national authorities to increase the participation of IDPs and refugees in the peace process.<sup>34</sup>

#### *Activities during the transition phase*

After the end of the cold war, repatriation and return processes changed drastically as—in order to make them more sustainable—they were integrated into broader strategic and political frameworks. During the 1990s in particular, peace operations helped to establish the necessary security conditions conducive to the voluntary, secure and sustainable return of refugees and IDPs after a peace agreement was signed. In such places as Cambodia, Mozambique and Namibia, UN operations provided security to returnees, with varying levels of success.<sup>35</sup> Operations conducted by the UN and others (e.g. ECOMOG Guinea-Bissau) have cleared mines in affected areas to smooth the path for the returnees. The UN Mission in Bosnia and Herzegovina (UNMIBH) trained Bosnian police officers to better respond to the key public security problems for potential returnees.<sup>36</sup> Furthermore, at times non-security conditions have received attention from peace operations. For example, the UN Assistance Mission in Afghanistan (UNAMA) is using reconstruction and economic and social development, among other things, to stimulate return by strengthening local and national authorities in assisting and protecting IDPs.<sup>37</sup>

Particularly during the 1990s and the first half of the 2000s, numerous UN operations were also mandated to facilitate, assist or coordinate the voluntary, safe and sustainable return of refugees and IDPs. The UNHCR even became an integral part of the civilian component of the UN missions in Namibia, Cambodia, Mozambique and later Kosovo. Although the UNHCR designed, funded, implemented and monitored these return processes, in

***Particularly during the 1990s and 2000s, numerous UN operations were mandated to facilitate, assist or coordinate the voluntary, safe and sustainable return of refugees and IDPs***

<sup>32</sup> United Nations, Security Council, 'The situation in Somalia', Report of the Secretary-General, S/24480, 24 Aug. 1992.

<sup>33</sup> UN Security Council Resolution 1770, 10 Aug. 2007.

<sup>34</sup> UN Security Council Resolution 2448, 13 Dec. 2018.

<sup>35</sup> Cutts, M. et al., United Nations High Commissioner for Refugees, *The State of the World's Refugees 2000: Fifty Years of Humanitarian Action* (Oxford University Press: Oxford, 2000), chapter 6.

<sup>36</sup> UN Security Council Resolution 1144, 19 Dec. 1997.

<sup>37</sup> UN Security Council Resolution 2405, 8 Mar. 2018.



practice entire missions were involved. Police and military components, for example, provided protection and logistical support and assisted in the construction of some reception centres and in mine action. UN missions assisted the repatriation of 40 000 refugees to Namibia, 360 000 to Cambodia and 380 000 to Mozambique.<sup>38</sup> Apart from the UN, NATO-led missions in the Western Balkans and the OSCE's KVM were mandated to assist the UNHCR in its efforts to return displaced persons to their homes. In other cases, UN operations and OSCE missions have indirectly assisted return by supporting local authorities to implement the return processes. Even when return is not written into a mission mandate, the civil affairs section of a UN operation is often involved in activities such as negotiating that returnees can move back into their occupied houses.<sup>39</sup>

Lastly, UN operations and OSCE missions have monitored repatriation and resettlement of displaced persons to verify that it is carried out in a safe and orderly manner. They have monitored the security and human rights situation of returnees, including some of the processes they were actively involved in themselves. In practice, this means that missions have collected information on and have identified potential threats against returning displaced persons. They have also monitored whether the support provided is used in line with refugee law, in order to bring challenges to the attention of the appropriate authorities.

#### *Activities during the consolidation phase*

In a limited number of cases, UN peace operations have even been involved in the more long-term, programmatic work of the reintegration of returnees after a conflict has ended. Peace operations in Cambodia, Mozambique and Somalia all had their own component for rehabilitation or for coordination of humanitarian assistance. Other missions supported government reintegration efforts.

Later in the 1990s, however, it became increasingly clear that there was insufficient donor support to sustain such long-term processes in places that donors considered of less strategic importance.<sup>40</sup> Moreover, five challenges stood out with regard to return and reintegration: (a) embedding returning ex-combatants, within the context of demobilization, disarmament and reintegration (DDR) processes, into broader approaches to post-conflict economic development; (b) guaranteeing housing, land and property for returnees to return to; (c) ensuring reconciliation and transitional justice for a more sustainable context for return; (d) incorporating the challenges of IDPs into peace agreements; and (e) realizing that return is not the end but the beginning of a highly political process of reintegration.<sup>41</sup>

<sup>38</sup> Cutts et al. (note 35).

<sup>39</sup> United Nations, Department of Peacekeeping Operations, Peacekeeping Best Practices Unit, *Handbook on United Nations Multidimensional Peacekeeping Operations* (United Nations: New York, Dec. 2003).

<sup>40</sup> Cutts et al. (note 35).

<sup>41</sup> Tegenbos, J. and Vlassenroot, K., *Going Home? A Systematic Review of the Literature on Displacement, Return and Cycles of Violence*, Politics of Return Working Paper no. 1, (London School of Economics: London, Feb. 2018); Bradley, M., *Refugee Repatriation: Justice, Responsibility and Redress* (Cambridge University Press: Cambridge, 2013); Chimni, B. S., 'Refugees, return and reconstruction of "post-conflict" societies: a critical perspective', *International Peacekeeping*, vol. 9, no. 2 (2002), pp. 163–80; and Black, R. and Koser, K. (eds), *The End of the Refugee Cycle? Refugee Repatriation and Reconstruction* (Berghahn Books: New York, 1999).



*Activities related to border management, human trafficking and migrant smuggling*

Alongside dealing with displacement, some UN peace operations have become involved in border management, particularly monitoring mixed streams of refugees and combatants. For this purpose, the UN Operation in Burundi (ONUB) monitored Burundi's borders itself, while other operations, for example the UN Operation in Côte d'Ivoire (UNOCI), have supported the host government in this task.<sup>42</sup> Other UN missions have given attention to border security and management within the broader context of security sector reform (SSR). For example, MINUSMA assists the Malian Government to update and develop its national border policy. MINUSMA together with the EU also aims to strengthen Mali's surveillance of its border between the established border posts.<sup>43</sup>

The EU has extensive experience with border missions. Following its 2018 mandate adjustment, the EU Border Assistance Mission (EUBAM) to Libya is to assist the Libyan authorities to build state security structures in border management as well as in law enforcement and criminal justice efforts to disrupt organized criminal networks involved in smuggling migrants and human trafficking.<sup>44</sup>

Starting in the second half of the 1990s, the OSCE has become involved in countering human trafficking.<sup>45</sup> Initially it focused in particular on the trafficking of women and children. A number of OSCE field missions and programme offices have subsequently engaged with human trafficking more generally. They have focused on strengthening the capacity of authorities and civil society to prosecute perpetrators and assist victims. This has mainly involved training officials and stakeholders and supporting public information campaigns.<sup>46</sup>

Regardless of the 2004 DPKO policy paper on human trafficking, the UN has only given limited attention to human trafficking.<sup>47</sup> As early as 2004 the UN Mission in Liberia (UNMIL) established a Trafficking Persons Unit to advise and assist the Liberian National Police in its efforts to combat human trafficking, and in 2010 the UN Stabilization Mission in Haiti (MINUSTAH) was mandated to tackle the risk of trafficking of children.<sup>48</sup>

<sup>42</sup> UN Security Council Resolution 1545, 21 May 2004; and UN Security Council Resolution 1528, 27 Feb. 2004.

<sup>43</sup> Van der Lijn, J., *For the Long Run: A Mapping of Migration-Related Activities in the Wider Sahel Region* (Netherlands Institute of International Relations 'Clingendael': The Hague, Jan. 2017).

<sup>44</sup> Council Decision (CFSP) 2018/2009 of 17 December 2018 amending and extending Decision 2013/233/CFSP on the European Union Integrated Border Management Assistance Mission in Libya (EUBAM Libya), *Official Journal of the European Union*, L 322, 18 Dec. 2018, pp. 25–26.

<sup>45</sup> Organization for Security and Co-operation in Europe (OSCE), Office for Democratic Institutions and Human Rights (ODIHR), 'Trafficking in human beings: implications for the OSCE', ODIHR Background Paper no. 1999/3, OSCE Review Conference, 1999.

<sup>46</sup> Organization for Security and Co-operation in Europe (OSCE), Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, *2016–17 Report* (OSCE: Vienna, 2017); and Organization for Security and Co-operation in Europe (OSCE), Conflict Prevention Centre, 'Survey of OSCE field operations', SEC.GAL/110/18, June 2018.

<sup>47</sup> United Nations, Department of Peacekeeping Operations (note 15).

<sup>48</sup> UN Security Council Resolution 1927, 4 June 2010; and Mays, T., 'The development and role of peacekeeping operations in security platform police missions in West Africa', *Police Practice and Research*, vol. 13, no. 2 (2012), pp. 167–83.

In a first for UN operations, MINUSMA's 2018 mandate includes measures against trafficking of persons and migrants.<sup>49</sup> The UN Security Council maintains that the trafficking of persons and smuggling of migrants are transnational criminal activities that risk destabilizing Mali's peace process. It therefore requested MINUSMA to coordinate with relevant partners in order 'to enhance its awareness of the financial sources of conflicts in Mali, including trafficking in persons . . . and the smuggling of migrants' and of its implications for the regional security environment.<sup>50</sup> Additionally, MINUSMA provides technical support to Malian justice and corrections officials and institutions regarding transnational organized criminal activities, including human trafficking and the smuggling of migrants.

Apart from MINUSMA, UN operations rarely deal with migrant smuggling. One of the few other examples is the UN Mission for the Referendum in Western Sahara (MINURSO), which in 2005 assisted in the repatriation of a few stranded South Asian migrants.<sup>51</sup> Another example is UNSMIL, which, within its mandate to promote and protect the human rights of vulnerable groups, has given particular attention to the appalling circumstances in which migrants and refugees have to live in Libya.<sup>52</sup>

Compared with the UN, the OSCE and its predecessor, the Conference on Security and Co-operation in Europe (CSCE), have greater experience dealing with irregular migration. In 1992 the CSCE Mission to Estonia was mandated to establish and maintain contacts with competent authorities on migration, among other issues.<sup>53</sup> Since 2015, with the increased migrant flows along the Balkan route, a number of OSCE field missions in the region have also taken on activities in this field. In 2016 the OSCE Mission to Skopje organized a conference that took stock of achievements and proposed ways to address migration-related human trafficking in the region. It adopted a joint declaration of the Western Balkans anti-trafficking coordinators that aimed to improve regional cooperation on the topic.<sup>54</sup> In response to the increased number of migrants and refugees entering the country in 2018, the OSCE Mission to Bosnia and Herzegovina conducted a needs assessment of the migrant and refugee situation. The aims of the assessment were (a) to raise awareness of the gaps, (b) to promote a human rights-based approach, and (c) to improve coordination among the various stakeholders.<sup>55</sup>

Since 2016 the momentum of the EU's CSDP missions has increasingly shifted towards dealing with migrant smuggling and irregular migration. In that year, the EU Capacity Building Mission in Niger (EUCAP Sahel Niger) refocused on assisting 'the Nigerien central and local authorities

<sup>49</sup> UN Security Council Resolution 2423 (note 21).

<sup>50</sup> UN Security Council Resolution 2423 (note 21), para. 31.

<sup>51</sup> United Nations, Security Council, Report of the Secretary-General on the situation concerning Western Sahara, S/2005/49, 27 Jan. 2005, paras 13–14.

<sup>52</sup> UN Security Council Resolution 2040, 12 Mar. 2012; and United Nations Support Mission in Libya and United Nations High Commissioner for Refugees, 'Desperate and dangerous: report on the human rights situation of migrants and refugees in Libya', 20 Dec. 2018.

<sup>53</sup> Conference on Security and Co-operation in Europe, Committee of Senior Officials, 18th meeting, 13 Dec. 1992, Journal no. 3, Annex 2.

<sup>54</sup> OSCE Mission to Skopje, 'OSCE hosts conference in Skopje on addressing human trafficking along Western Balkan migration routes', Press release, 27 Oct. 2016.

<sup>55</sup> OSCE Mission to Bosnia and Herzegovina, *Assessment: Migrant and Refugee Situation in Bosnia and Herzegovina—Overview of the Intervention of Key Actors in the Field* (OSCE: Sarajevo, [25 Sep. 2018]).



and security forces in developing policies, techniques and procedures to better control and fight irregular migration'.<sup>56</sup> The mission has established a permanent branch in Agadez, an important migration hub in the region. It gathers information on migrant routes and relevant actors, and in this way contributes to help control irregular migration and related trafficking more effectively. In addition, the mission has established training courses, informs irregular migrants about the risks of their journey, provides migrants with shelter and helps to facilitate their return to the country of origin on a voluntary basis. Similarly, the mandate of EUCAP Sahel Mali has been adjusted to include support to the Malian Government in managing its border and migration flows.<sup>57</sup>

### **Activities that address the drivers of irregular migration and human trafficking**

Some of the activities discussed above that address the consequences of irregular migration and human trafficking also deal with their drivers at the same time. These include POC, the provision and securing of humanitarian assistance in general, establishing the necessary security and other conditions conducive to the return of displaced persons, and the monitoring of their situation upon return. Such tools aim to prevent either the start of displacement or its renewal.

Most concretely, however, a number of UN operations have dealt with drivers of displacement by focusing on stabilization and rule of law activities that specifically mention displaced people or have them in mind. With regard to stabilization, the UN–AU Hybrid Operation in Darfur (UNAMID) has aimed to reduce inter-communal violence, which in turn will allow displaced populations to return.<sup>58</sup> MINUSTAH developed a community violence-reduction approach, particularly focusing on IDPs and violence-affected neighbourhoods.<sup>59</sup> This approach is currently also used by MINUSCA. Moreover, UNAMID, MINUSMA and MONUSCO have developed or codeveloped community stabilization programmes funded by multi-donor trust funds that aim to re-establish or increase the cohesion of governance at the local level and to maintain public support for peace processes.<sup>60</sup> In its efforts to protect and promote human rights, UNMIL gave particular attention to refugees.<sup>61</sup> UNAMID aimed to contribute to an 'environment conducive to respect for human rights, accountability, and the rule of law', including through monitoring and reporting, and institution and capacity building.<sup>62</sup>

***Tools such as POC, the provision of humanitarian assistance, and supporting the return of displaced persons, aim to prevent the start or renewal of displacement***

<sup>56</sup> Council Decision 2016/1172/CFSP of 18 July 2016 amending Decision 2012/392/CFSP on the European Union CSDP mission in Niger (EUCAP Sahel Niger), *Official Journal of the European Union*, L 193, 19 July 2016, pp. 106–107, Article 1(1).

<sup>57</sup> Van der Lijn (note 43); and Council Decision 2017/1102/CFSP of 20 June 2017 amending Decision 2014/219/CFSP on the European Union CSDP Mission in Mali (EUCAP Sahel Mali), *Official Journal of the European Union*, L 158, 21 June 2017, pp. 44–45.

<sup>58</sup> UN Security Council Resolution 2363, 29 June 2017.

<sup>59</sup> UN Security Council Resolution 1944, 14 Oct. 2010.

<sup>60</sup> Bachmann, J. and Schouten, P., 'Concrete approaches to peace: infrastructure as peacebuilding', *International Affairs*, vol. 94, no. 2 (Mar. 2018), pp. 381–98.

<sup>61</sup> UN Security Council Resolution 1509, 19 Sep. 2003.

<sup>62</sup> UN Security Council Resolution 2363 (note 58), para. 15(a)(vii).



In particular, the establishment of criminal justice institutions and rural courts in Darfur were seen as key, as they aim to address land disputes and other drivers of inter-communal conflict and as such allow for the voluntary return of displaced populations.

#### IV. Peace operations and dealing with irregular migration and human trafficking: Opportunities and challenges

The debate on whether multilateral peace operations can or should more actively address irregular migration and human trafficking depends to a large extent on the specific issue—IDPs and refugees, human trafficking, or broader irregular migration—and the tools applied. In general, there is a divide between sceptics, who are wary of the difficulties and costs involved, and advocates, who see this as an opportunity—or, in fact, a moral obligation—to protect and assist imperilled civilians and thus to preserve the relevance of peace operations.<sup>63</sup> In the 2000s there was some discussion in the UN Security Council, among policymakers and in academia on a number of activities of UN multidimensional peace operations related to refugees and IDPs.<sup>64</sup> Recent discussions have focused on the potential role that UN peace operations could play in dealing with human trafficking since this role is a novelty and a clear step beyond their traditional aims and activities.<sup>65</sup>

##### **Potential opportunities**

There are three clear advantages to involving peace operations in activities such as the protection, return and reintegration of IDPs and refugees, and enhancing security of their camps.

First, the capacity and assets of a mission can contribute significantly to protection, assistance and return processes.

Second, peace operations are increasingly deployed in environments of ongoing conflict where humanitarian action is required. Often in this conflict phase, peace operations and humanitarian efforts are interdependent. For example, military escorts provided by missions are commonly one of the few options to permit access to aid beneficiaries or to provide physical security to IDPs and refugees.

Third, resolving displacement involves political and peacebuilding processes to deal with issues such as the political dimensions of return, reconciliation, transitional justice, land and property, and minority rights. An integrated mission approach to these issues provides opportunities for better linking social and economic reintegration with broader economic recovery and DDR processes. Such an approach also provides opportunities for connecting efforts to restore national protection capacity with broader support to the restoration of national rule of law, human rights and governance capacity. Moreover, as peace operations and the UNHCR often

<sup>63</sup> E.g. Avezov, X., van der Lijn, J. and Smit, T., *African Directions: Towards an Equitable Partnership in Peace Operations* (SIPRI: Stockholm, Feb. 2017), p. 11.

<sup>64</sup> Tennant (note 26).

<sup>65</sup> E.g. Security Council Report, 'Open debate and resolution on human trafficking', *What's in Blue*, 19 Dec. 2016; and Security Council Report, 'Open debate and resolution on human trafficking', *What's in Blue*, 20 Nov. 2017.



operate in the same areas (e.g. on protection and rule of law), integrating the UNHCR's efforts in an integrated mission or at least coordinating UNHCR's efforts with integrated missions—particularly in a clear post-conflict situation—ensures that they are embedded in wider conflict-management, conflict-resolution and peacebuilding efforts. This in turn would create more sustainable conditions after the mission leaves, when activities are transitioned to the UN country team.<sup>66</sup>

Involving peace operations in countering human trafficking and migrant smuggling provides opportunities similar to their involvement in efforts to deal with organized crime. Conflict affects trafficking-prevention efforts, but trafficking may also drive conflict. Organized criminal groups involved in human trafficking can be spoilers in peace processes since their activities thrive in unstable environments. Moreover, state or non-state political groups may set up human trafficking and migrant smuggling activities in order to finance their struggle.<sup>67</sup> For these reasons, in 2016 the UN Security Council requested the UN Secretary-General to include human trafficking 'in conflict prevention strategies, conflict analysis, integrated missions' assessment and planning [and] peacebuilding support'.<sup>68</sup> The assumption is that a failure to understand the issue might undermine international efforts to build peace, security and the rule of law. Two observers have argued that 'Instead of seeing anti-trafficking tasks as another bauble to hang on missions' Christmas tree mandates, the Council must see them as a way to understand and address the underlying drivers of ongoing crisis and violence. And instead of seeing anti-trafficking as the domain of the UN's professional anti-traffickers, the Council must ask how an anti-trafficking lens can help all parts of the UN system work together to sustain peace.'<sup>69</sup>

Furthermore, dealing with migration, refugee flows and human trafficking makes multilateral peace operations more relevant to international donors and personnel-contributing countries that have interests at stake. The deployment of, or contribution to, a peace operation is at times legitimized based on the assumption that it will stabilize a region and, as a result, stem migration or refugee flows, or that it is required to quench financing of terrorism. The former was in part why the Netherlands, Finland, Norway and Sweden have contributed to MINUSMA and why Spain supported the establishment of the EU Mission in Support of SSR in Guinea-Bissau (EU SSR Guinea-Bissau).<sup>70</sup> In the same way, the nexus between terrorism and human

***Integrated mission approaches to the political dimensions of return provide opportunities for better linking social and economic reintegration with broader economic recovery and DDR processes***

<sup>66</sup> Tennant (note 26).

<sup>67</sup> Kemp, W., Shaw, M. and Boutellis, A., *The Elephant in the Room: How Can Peace Operations Deal with Organized Crime* (International Peace Institute: New York, June 2013); and Holt, V. K. and Boucher, A. J., 'Framing the issue: UN responses to corruption and criminal networks in postconflict settings', eds J. Cockayne and A. Lupel, *Peace Operations and Organized Crime: Enemies or Allies?* (Routledge: Abingdon, 2011), pp. 20–32.

<sup>68</sup> UN Security Council Resolution 2331 (note 19), para. 21.

<sup>69</sup> Cockayne J. and Oppermann, J., 'Can we sustain peace by fighting human trafficking in conflict? Lessons from Libya', United Nations University, Centre for Policy Research, 10 Nov. 2017.

<sup>70</sup> Karlsrud, J., 'The UN at war: examining the consequences of peace-enforcement mandates for the UN peacekeeping operations in the CAR, the DRC and Mali', *Third World Quarterly*, vol. 36, no. 1 (2015), pp. 40–54; and Grevi, G., Helly, D. and Keohane, D. (eds), *European Security and Defence Policy: The First Ten Years (1999–2009)* (EU Institute for Security Studies: Paris, 2009), p. 370.



trafficking prompted the United States during the presidency of Barack Obama to reevaluate the role of UN operations within US foreign policy.<sup>71</sup>

### **Potential challenges**

Despite the opportunities mentioned above, there are still problems. Foremost of these is that an increase in the role of peace operations in dealing with irregular migration and human trafficking could have unintended consequences for their regular activities, as well as for broader efforts to address peace and security more generally. A number of potential challenges and risks are frequently mentioned in this regard.

#### *Challenges of dealing with refugees and internally displaced persons*

Involving peace operations with refugees and IDPs raises humanitarian concerns. Specifically, the lines between the mission and humanitarian organizations may be blurred, militarizing the neutral and impartial humanitarian space that humanitarian actors occupy. Particularly in conflict situations, if a peace operation—essentially a political and military actor—is in close proximity to and associated with a humanitarian organization such as the UNHCR, it may endanger the latter. This blurring could become likely for a number of reasons: for instance, if a mission has a robust mandate, if it is perceived to be politically aligned, if it fails to deliver anticipated benefits such as security, or if a UN political mission is linked to a non-UN military presence (e.g. as UNAMI was to the Multi-National Force–Iraq). Since the 1991 First Gulf War, the militarization of humanitarian space has reduced the perceived neutrality of humanitarian aid and, arguably, has been a cause of increased numbers of attacks on aid workers.<sup>72</sup>

***The militarization of humanitarian space has reduced the perceived neutrality of humanitarian aid and, arguably, caused increased numbers of attacks on aid workers***

The involvement of a peace operation with humanitarian assistance activities may also lead to the real or perceived politicization of that assistance. Real politicization can arise because peace operations, their leadership and the UN Security Council resolutions that underpin them are inherently political. On the one hand, humanitarian action requires neutrality and aims to mitigate the direct consequences of the conflict. On the other hand, conflict resolution requires long-term political involvement to solve the causes of the conflict. When implemented by missions, refugee and IDP assistance activities may be deprioritized if they are at odds with the broader conflict-resolution mandate. Perceived politicization of assistance can arise because, even if a peace operation aspires to be impartial, it is often perceived to be partial at least by some political actors. In fact, being partial cannot always be avoided, for example when perpetrators of crimes are held accountable. While humanitarian personnel in particular view ending

<sup>71</sup> Cockayne, J. and Lupel, A., 'Conclusion: from iron fist to invisible hand—peace operations, organized crime and intelligent international law enforcement', eds Cockayne and Lupel (note 67), pp. 190–208; and Perito, R. M., 'UN peacekeeping in the Sahel: overcoming new challenges', Special Report no. 365, United States Institute for Peace, Mar. 2015, p. 4.

<sup>72</sup> Tennant (note 26), pp. 41–43; Merheb, N. et al., United Nations High Commissioner for Refugees, *The State of the World's Refugees 2006: Human Displacement in the New Millennium* (Oxford University Press: Oxford, 2006), chapter 3; and Irwin, R., 'Violence against healthcare workers in complex security environments', SIPRI Background Paper, Nov. 2014.



impunity to be at odds with neutrality, lawyers and human rights activists in particular would argue that protection without long-term addressing of impunity is unlikely to be sustainable and therefore both efforts should be considered complementary.<sup>73</sup>

Related to politicization is the risk that, if mandates include dealing with refugees and IDPs, then humanitarian assistance will become securitized. Securitization is defined as ‘the prioritization of security and the security lens, especially in the development and aid spheres where traditionally notions of empathy and moral compassion held sway’.<sup>74</sup> The centre of gravity of a mission—in terms of resources and strategic priorities—generally lies with its military component. When humanitarian activities are implemented by a peace operation, there is a risk that the aim of the assistance shifts from being humanitarian to security, and that may have real consequences for the prioritization of beneficiaries and the actions undertaken.<sup>75</sup>

Lastly, a peace operation is usually only active during the beginning of the reconstruction phase. This means that it may focus on protection, repatriation and reintegration aspects, but it may have left when the situation for returnees is still unstable. Handover to other organizations is essential; however, development organizations usually do not see IDPs and returnees as a special category, so any earlier prioritization is often not sustained.<sup>76</sup>

#### *Challenges of protection of civilians and safe areas*

POC activities in general require political and military commitment. Without sufficient commitment, missions may produce false expectations and potentially place civilians in greater danger, as they could have instead chosen to flee the area.<sup>77</sup> Moreover, POC efforts may also serve as a way to transfer the burden away from developed countries. It gives the appearance of ‘doing something’, while limiting the displacement to the region and preferably within the country of origin, but not really addressing the root causes of the problem.<sup>78</sup> This has been termed the ‘humanitarian placebo effect’.<sup>79</sup> A number of critics even argue that POC allows developed states to avoid the non-refoulement principle of the 1951 Refugee Convention.<sup>80</sup> This principle prohibits sending asylum seekers and refugees back to a country where they would be at risk of persecution based on ‘race, religion,

<sup>73</sup> Jacob (note 27); O’Neill, W. G., *A New Challenge for Peacekeepers: The Internally Displaced*, occasional paper, (Brookings–Johns Hopkins SAIS Project on Internal Displacement: Washington DC, Apr. 2004); Newland, K. and Waller Meyers, D., ‘Peacekeeping and refugee relief’, *International Peacekeeping*, vol. 5, no. 4 (1998), pp. 15–30; and Tennant (note 26), pp. 7–9.

<sup>74</sup> Mac Ginty, R., ‘Against stabilization’, *Stability: International Journal of Security and Development*, vol. 1, no. 1 (2012), pp. 20–30, p. 24.

<sup>75</sup> Tennant (note 26), pp. 7–9.

<sup>76</sup> Weiss Fagen, P., ‘Peace processes and IDP solutions’, *Refugee Survey Quarterly*, vol. 28, no. 1 (2009), pp. 31–58.

<sup>77</sup> Jacob (note 27); van der Lijn, J., ‘Protection of civilians: time to rethink the concept’, *SIPRI Update*, July/Aug. 2013; and Birnie and Welsh (note 27).

<sup>78</sup> Orchard, P., ‘The perils of humanitarianism: refugee and IDP protection in situations of regime-induced displacement’, *Refugee Survey Quarterly*, vol. 29, no. 1 (2010), pp. 38–60; and Chimni (note 41).

<sup>79</sup> Lischer, S. K., ‘Military intervention and the humanitarian “force multiplier”’, *Global Governance*, vol. 13, no. 1 (2007), pp. 99–118, p. 100.

<sup>80</sup> E.g. Gilmore, J. and Staples, K., ‘Introduction: the politics of protection and the limits of the ethical imagination’, *International Politics*, vol. 56, no. 2 (Apr. 2019), pp. 141–57; and Orchard (note 78).



nationality, membership of a particular social group or political opinion'.<sup>81</sup> As such, POC would be a sign, not of solidarity, but of limited solidarity.

The creation of safe areas and POC has recently not been an active strategy of peace operations but is a last resort in emergencies. They may be an answer to the moral call on missions to help those in need. However, they may also have many unintended consequences. The establishment of safe areas or POC sites may stimulate further migration flows, as they may encourage populations to leave their places of origin. They may also lead to humanitarian needs outside the protected areas being ignored. This in turn would make return more difficult, with the ultimate potential to change the 'political and demographic *status quo ante*'.<sup>82</sup> They may also reduce incentives for protected groups to compromise and in some cases even increase the call for secession. They may be used by armed groups to stage attacks and, by provoking retaliation, put the protected population at risk. They risk becoming permanent facilities for hosting IDPs, while they are initially intended only as a temporary solution to a mission's mandate for 'protection of civilians under imminent threat'.<sup>83</sup>

***Requiring missions to become responsible for dealing with human trafficking may be unrealistic given that they already have overly ambitious mandates and limited resources***

#### *Challenges of dealing with human trafficking and migrant smuggling*

The challenges of peace operations dealing with human trafficking are different from those of the humanitarian efforts, yet similar to efforts to deal with organized crime.

First, in the view of China and many of the other states of the Group of 77 developing countries, issues that can be dealt with through domestic criminal justice tools do not belong within the purview of the UN Security Council as they fear that their sovereignty may be compromised.<sup>84</sup> Hence, until the dramatic situation for migrants and refugees in Libya developed from 2011, there had never been agreement among the permanent members of the Security Council that it should pick up the topic.<sup>85</sup> While human trafficking also received attention in 2018 in the context of MINUSMA, this was mainly related to its role in financing armed groups in Mali.<sup>86</sup>

Second, multilateral peace operations might not be the most suitable tool to deal with human trafficking. Specialized organizations may have more relevant expertise. Therefore, requiring missions to become responsible for dealing with human trafficking may be unrealistic given that they already have overly ambitious mandates and limited resources.<sup>87</sup>

Third, while combating human trafficking in peace operations may be considered a noble cause, it is also used to legitimize the use of funds and resources to audiences in donor countries. This shift in perspective—away from host populations—may affect the focus of peace operations on the

<sup>81</sup> Convention Relating to the Status of Refugees (Refugee Convention), opened for signature 28 July 1951, entered into force 22 Apr. 1954, Article 33.

<sup>82</sup> Sewall, S., 'Military options for preventing atrocity crimes', eds J. M. Welsh and S. Sharma, *Responsibility to Prevent: Overcoming the Challenges of Atrocity Prevention* (Oxford University Press: Oxford, 2015), p. 176.

<sup>83</sup> Recchia (note 7). See also Birnie and Welsh (note 27).

<sup>84</sup> Cockayne and Walker (note 6), p. 3.

<sup>85</sup> Cockayne and Walker (note 6), p. 3; and UN Security Council Resolution 2240, 9 Oct. 2015.

<sup>86</sup> UN Security Council Resolution 2423 (note 21),

<sup>87</sup> Avezov et al. (note 63), pp. 12–13; and Cockayne and Lupel (note 71), p. 190.



ground. Rather than solving the problems of the host country, operations may prioritize challenges that are most relevant to external actors.<sup>88</sup>

Similar challenges are relevant when discussing peace operations taking on activities related to other forms of irregular migration and migrant smuggling. Likewise, the topic is not generally seen as part of the mandate of the UN Security Council. In the EU, CSDP missions have been more focused on migration since the adoption of the Global Strategy in 2016. This shift has faced criticism from both the humanitarian and development community and the military and security community.<sup>89</sup> The main aim of humanitarian and development aid is to assist poor and vulnerable populations in developing countries. Defence and security policy is designed to ensure national and international security, particularly against armed threats. Those concerned in both critical groups emphasize the negative effects of the increased focus on migration in their respective work fields. Notwithstanding the importance of dealing with irregular migration, both communities argue that this attention on migration prevents them from accomplishing their real goal.<sup>90</sup>

## V. Cooperation and coordination

The need to improve cooperation and coordination within missions and with other relevant actors, including other peace operations, receives recurring attention in mandates, policy documents and strategies. Since multilateral peace operations are relative newcomers to the field of preventing and responding to irregular migration and human trafficking, it is important to consider the opportunities for and challenges to effective cooperation and coordination presented by their activities in this area.

### **Cooperation and coordination within and between peace operations**

Cooperation and coordination between the different components of a multilateral peace operation are essential in dealing with irregular migration and human trafficking. A technical approach that only deals with protecting IDPs and refugees against physical violence and returning them with a resettlement package to their places of origin after the conflict has ended will probably not be sustainable. At the same time, applying only a law enforcement approach to human trafficking and migrant smuggling is unlikely to be effective. A comprehensive or integrated approach that also deals with the broader causes and dynamics of the conflict is necessary to ensure that civilians will not be forced to flee again.<sup>91</sup>

#### *Integrated missions*

Currently, integrated missions—that is, integration of the UN country team (consisting of the all the UN entities in the country, including funds, programmes and specialized agencies) into the UN peace operation—are the

<sup>88</sup> Hansen, A. S., *From Congo to Kosovo: Civilian Police in Peace Operations*, International Institute for Strategic Studies, Adelphi Paper no. 343 (Oxford University Press: Oxford, 2002), pp. 10, 49.

<sup>89</sup> Van der Lijn (note 43).

<sup>90</sup> Van der Lijn (note 43).

<sup>91</sup> Tennant (note 26), pp. 23–26.



norm. They are being increasingly deployed to situations of ongoing conflict and humanitarian crisis. The longer a mission area has been in a post-conflict state, the greater scope there is for an integrated approach and fewer of the challenges listed above apply. In conflict situations, most humanitarian personnel would prefer to have a strict separation between the operation and humanitarian agencies. In a clear post-conflict situation, there are obvious benefits to integration. In 2009 the UNHCR held a lessons learned workshop on integrated missions. One conclusion of the workshop was that the UNHCR—while remaining alert to potential risks—should take maximum advantage of the opportunities that the presence of a peace operation offers for enhanced protection. The UNHCR should also collaborate with the operation on selected issues based on pragmatism and realism.<sup>92</sup>

Therefore, depending on the context, there are a variety of forms of integration between the UN country team and a UN peace operation. In a number of cases the UNHCR or the UN Office for the Coordination of Humanitarian Affairs (OCHA) had their own component in an operation. Particularly in some less recent cases of large-scale IDP returns (e.g. East Timor, Liberia and Kosovo), inter-agency offices were established within the operation to develop strategies, coordinate and implement the assisted return process. However, even in cases where the UNHCR or OCHA were integrated within an operation, an integrated approach necessitates that all components and sections need to be involved.<sup>93</sup>

Integration benefits the efforts of the operation and the country team not only because they complement each other's work, but there are at least four organizational benefits as well. First, it might open up channels of communication with host government authorities in ways previously not considered. Second, it might provide additional information and improve analysis—the UN country team often has a wealth of local knowledge through its field offices and as its presence frequently predates that of the peace operation. Third, it might facilitate access to collective funding mechanisms. Fourth, it allows the UNHCR and other agencies and organizations to better ensure that humanitarian concerns and priorities remain high on the peace operation's agenda. At the same time, there are also clear organizational challenges as, in particular, the humanitarian personnel and the military in operations have different organizational cultures.<sup>94</sup>

There are numerous examples of how different processes dealing with irregular migration and human trafficking in peace operations are interrelated and how different components depend on each other. A common challenge is for an operation to support the repatriation of refugees and the resettlement of IDPs within the time limits provided by an electoral process. This was already recognized in the case of the UN Transition Assistance Group (UNTAG) in Namibia and the UN Transitional Authority in Cambodia (UNTAC) but was also specifically mentioned in the resolution

<sup>92</sup> Tennant (note 26), pp. 15–16, 39.

<sup>93</sup> United Nations, 'Policy on integrated assessment and planning', PK/G/22159, 9 Apr. 2013; United Nations, Office for the Coordination of Humanitarian Affairs (OCHA), 'OCHA's structural relationships within an integrated UN presence', Policy instruction, 1 May 2009; Metcalfe, V., Giffen, A. and Elhawary, S., *UN Integration and Humanitarian Space: An Independent Study Commissioned by the UN Integration Steering Group* (Overseas Development Institute: London, Dec. 2011); and Tennant (note 26), pp. 41–43.

<sup>94</sup> Tennant (note 26), pp. 23–24; and Newland and Waller Meyers (note 73).



mandating MINUSCA.<sup>95</sup> In order to allow for the safe return of the refugees and displaced people to take place in a timely manner in Cambodia, UNTAC's repatriation component identified five preconditions: (a) peace and security; (b) provision of adequate agricultural land by the Cambodian Government; (c) demining of settlements; (d) repair of key repatriation roads and bridges; and (e) strong funding support from donor countries.<sup>96</sup> UNTAC played a role in dealing with most of these.<sup>97</sup> First, its task was to implement the peace process, contribute to the demilitarization and demobilization of the armed factions, and ensure a neutral political environment. This required the civil administration, the civilian police, and the military and human rights components to monitor the ceasefire, human rights and the neutral political environment, and to protect returnees from reprisals, among other things. Aside from security, returnees also needed assistance to start a new life. The rehabilitation component was responsible for the resettlement and reintegration needs of returnees and for raising the donor funds to cover these. The military component repaired roads and bridges and also played an important role in demining and mine-awareness operations. As a result, the repatriation of refugees was successfully completed in time for Cambodia's 1993 elections.<sup>98</sup>

Similarly, POC involves more than merely the deployment of troops or police for physical protection. POC can be done in many different ways. The UN's POC policy contains three tiers: (a) protection through dialogue and engagement; (b) provision of physical protection; and (c) establishment of a protective environment through medium- to long-term peacebuilding programmes.<sup>99</sup> This means that POC involves also all other substantive sections of a mission. It may require political affairs and mediation sections to mitigate conflict, or SSR and human rights sections to reform the security sector and develop human rights training for security forces. Since it is a mission-wide approach, it should be integrated into all aspects of the mission. This requires that all components—particularly the military and UN Police—have clarity about their role in providing physical POC. If they are unclear in their role, it will be difficult to coordinate internally and also with external partners.<sup>100</sup>

A law enforcement approach alone cannot solve human trafficking and migrant smuggling. The UN Security Council has dealt with both matters primarily from a security and stability perspective, specifically focusing on terrorism and law enforcement. However, law enforcement approaches need to be part of holistic and sustainable strategies that take into account the political and developmental context. Integrating human trafficking into UN

***A technical approach to protection and return is not sustainable, while a law enforcement approach to human trafficking and migrant smuggling is ineffective***

<sup>95</sup> Cutts et al. (note 35); and UN Security Council Resolution 2149, 10 April 2014.

<sup>96</sup> Cutts et al. (note 35), pp. 145–46.

<sup>97</sup> Findlay, T., *Cambodia: The Legacy and Lessons of UNTAC*, SIPRI Research Report no. 9 (Oxford University Press: Oxford, 1995); and United Nations, Security Council, Report of the Secretary-General on Cambodia, S/23613, 19 Feb. 1992.

<sup>98</sup> Cutts et al. (note 35); Findlay (note 97); and United Nations, S/23613 (note 97).

<sup>99</sup> United Nations, Department of Peacekeeping Operations (DPKO) and Department of Field Support (DFS), 'The protection of civilians in United Nations peacekeeping', DPKO/DFS Policy, ref. 2015.07, 1 Apr. 2015, pp. 8–9.

<sup>100</sup> Holt, V. and Taylor, G. with Kelly, M., *Protecting Civilians in the Context of UN Peacekeeping Operations: Successes, Setbacks and Remaining Challenges* (United Nations: New York, Nov. 2009).



peace operations enables their integrated character to be built on, allowing for a multidimensional approach to the challenge. This means, however, that beyond the UN Police other substantive sections need to cooperate to ensure that community support for human trafficking is addressed, while stabilization and recovery efforts in missions address the incentives for human trafficking and migrant smuggling.<sup>101</sup>

When a peace operation deals with irregular migration and human trafficking issues, a number of dilemmas play a role in cooperation and coordination within the operation. The humanitarian dilemma is the tension between the (perceived) partiality arising from involvement in a political process and the impartiality required for humanitarian assistance. The human rights dilemma is the tension between, on the one hand, having to work with partners that have, at best, questionable human rights records to ensure progress in the political process and, on the other hand, the monitoring, reporting and advocacy role of particular human rights sections. The UN has developed a Human Rights Due Diligence

Policy to prevent operations and agencies from supporting a security force that has a risk of committing human rights violations, unless steps are taken to mitigate those risks.<sup>102</sup> There are also concrete operational dilemmas. With limited resources, the military component commonly has to prioritize activities. A choice may then have to be made between committing resources to protect a humanitarian convoy or to a different operation going on elsewhere.<sup>103</sup>

***As irregular migration and human trafficking are frequently cross-border phenomena, inter-mission cooperation is relevant***

#### *Multi-mission environments*

Contemporary mission environments often host multiple operations within complex constellations, both in parallel and in sequence. Missions that are deployed in parallel usually cooperate in various ways and have both formal and informal mechanisms in place to coordinate their activities. However, recent experiences have demonstrated that an effective division of labour among the various peace operation actors is difficult, as is their cooperation and coordination. Given that dealing with migrant smuggling and human trafficking is a relatively recent development in multilateral peace operations, there has been little research on this subject. Although more is known about dealing with IDPs and refugees, there is not a wealth of relevant experiences beyond the missions in Bosnia and Herzegovina and Kosovo.

When dealing with IDPs and refugees, the overarching challenge is to maintain a comprehensive and sustainable approach in a multi-mission environment. The return and reintegration of refugees and IDPs is a complex process that not only requires logistics but also needs to be embedded in broader developments such as security provision and improved governance. For example, in Bosnia and Herzegovina the local police forces protected

<sup>101</sup> Boutellis, A., 'Still flying blind: peace operations and organised crime', Oxford Research Group, 27 Feb. 2019; and Cockayne and Oppermann (note 69).

<sup>102</sup> United Nations, General Assembly and Security Council, Human rights due diligence policy on United Nations support to non-United Nations security forces, A/67/775-S/2013/110, 5 Mar. 2013.

<sup>103</sup> Holt et al. (note 100), pp. 21, 292–93; and Schrepfer, N., 'Protection in practice: protecting IDPs in today's armed conflicts', *International Journal of Refugee Law*, vol. 30, no. 2 (June 2018), pp. 292–306.



the political power of nationalist parties and prevented returnees from coming home. In addition to the efforts of the UNHCR, the NATO-led Implementation Force (IFOR), the follow-on Stabilisation Force (SFOR) and later the EU Force in Bosnia and Herzegovina (EUFOR Althea) were therefore tasked with creating the stable security conditions for returnees. UNMIBH and later the EU Police Mission (EUPM) were tasked with training Bosnian police officers to address key public security issues for returnees. The Office of the High Representative (OHR) and the OSCE Mission to Bosnia and Herzegovina were tasked to foster and monitor inclusive governance. In practice, a strict separation of human rights, police, security and humanitarian issues was ineffective and pragmatic arrangements had to be found on the ground. However, for a long time local authorities were able to resist these efforts. Although less well documented and researched than in the field of policing, the poor outcome also with regard to IDPs and refugees was in part due to a lack of coordination, competition and turf battles between the different missions. Coordination was difficult and the commitment of SFOR to protect returnees was insufficient, while the OSCE was unable to enforce its efforts sufficiently, and the OHR suffered from a combination of both.<sup>104</sup> In Kosovo the outcome was different since NATO's Kosovo Force (KFOR) was more willing to enforce its mandate and local authorities were less able and willing to obstruct it.<sup>105</sup>

The experiences in Bosnia and Herzegovina and Kosovo show that more or less the same cooperation and coordination challenges apply when a peace operation deals with human trafficking as when it deals with organized crime: (a) maintaining a comprehensive and sustainable approach in multi-mission environments is difficult; (b) turf battles between missions are common; (c) the different approaches and perspectives of organizations deploying peace operations are amplified by the geopolitics of countries and regions; (d) the deployment of parallel military and civilian peace operations may create obstacles when a predominantly military operation is given public security tasks; (e) intelligence sharing between missions poses difficulties; and (f) the handover from one mission to the next needs further regulation.<sup>106</sup>

As irregular migration and human trafficking are frequently cross-border phenomena, inter-mission cooperation becomes more relevant. Already in 2005, the UN Secretary-General emphasized the need for inter-mission cooperation between UNAMSIL, UNMIL and UNOCI in West Africa, including on refugee repatriation and reintegration, as well as contingency planning for sudden influxes of refugees.<sup>107</sup> For example, UNMIL provided assistance to Ivorian refugees, assisted in the evacuation of humanitarian

<sup>104</sup> Kostakos, G., 'Division of labor among international organizations: the Bosnian experience', *Global Governance*, vol. 4, no. 4 (Oct.–Dec. 1998), pp. 461–84; International Crisis Group (ICG), *Preventing Minority Return in Bosnia and Herzegovina: The Anatomy of Hate and Fear*, ICG Report no. 73 (ICG: Brussels, 2 Aug. 1999); and International Crisis Group (ICG), *Minority Return or Mass Relocation?*, ICG Bosnia Project Report no. 33 (ICG: Brussels, 14 May 1998).

<sup>105</sup> International Crisis Group (ICG), *Return to Uncertainty: Kosovo's Internally Displaced and the Return Process*, ICG Balkans Report no. 139 (ICG: Brussels, 13 Dec. 2002); and Wouters, J. and Naert, F., 'How effective is the European security architecture? Lessons from Bosnia and Kosovo', *International & Comparative Law Quarterly*, vol. 50, no. 3 (July 2008), pp. 540–76.

<sup>106</sup> See van der Lijn (note 2).

<sup>107</sup> United Nations, Security Council, Report of the Secretary-General on inter-mission cooperation and possible cross-border operations between the United Nations Mission in Sierra



personnel from Côte d'Ivoire and participated in joint patrols to restore the local population's confidence in their security in order to prevent additional population outflows. UNMIL and UNOCI in particular would eventually collaborate on such issues as security and border control, strengthening state authority in border areas and the sustainable return and reintegration of refugees.<sup>108</sup>

In the EU context, regionalization of approaches has received increasing attention. In 2017 the Council of the EU established a Regional Coordination Cell (RCC) within EUCAP Sahel Mali to regionalize and coordinate the work of the EU in the Sahel region, particularly its CSDP missions.<sup>109</sup> However, migration was only part of the RCC's mandate in relation to fighting trafficking. In 2019 the RCC was reinforced, renamed the Regional Advisory and Coordination Cell (RACC), and moved to Nouakchott, Mauritania. This was intended to ensure that the cell was better linked to the efforts of the G5 Sahel group of five states in the region: Burkina Faso, Chad, Mali, Mauritania and Niger.<sup>110</sup>

### **Cooperation and coordination between peace operations and other actors**

As multilateral peace operations assume a greater role in addressing challenges such as irregular migration and human trafficking, they join a number of other actors that are already involved at the international, regional, national and local levels. The responsibilities are currently dispersed—and to varying extents duplicated—across multiple entities in multilateral organizations and governments, as well as across different domains, such as security, development and humanitarian affairs. Dealing with the challenges of irregular migration and human trafficking also requires engagement with host governments and civil society, notably local communities, women and youth. Therefore, in order to ensure the coherence and effectiveness of their own efforts, peace operations have to coordinate with all these different stakeholders.

Since the 1990s the DPKO, which became the Department of Peace Operations (DPO) in January 2019, has cooperated or coordinated on irregular migration and human trafficking issues with the International Organization for Migration (IOM), the International Criminal Police Organization (Interpol), OCHA, the UNHCR and the UN Office on Drugs and Crime (UNODC) outside the integrated mission context. These other UN agencies have been involved, for example, in policy development and integrated mission-planning processes.

The interest of the IOM and the UNHCR in this collaboration is the underlying assumption that the presence of a peace operation, even if these agencies are not integrated in it, builds confidence between groups and

Leone, the United Nations Mission in Liberia and the United Nations Operation in Côte d'Ivoire, S/2005/135, 2 Mar. 2005.

<sup>108</sup> United Nations, Security Council, Twenty-fourth progress report of the Secretary-General on the United Nations Mission in Liberia, S/2012/641, 15 Aug. 2012.

<sup>109</sup> Council Decision 2017/1102/CFSP (note 57).

<sup>110</sup> Venturi, B., 'An EU integrated approach in the Sahel: the role for governance', Istituto Affari Internazionali (IAI) Papers no. 3, Feb. 2019; and Council of the European Union, 'Sahel: EU takes further steps to better support the security of the region', Press release, 18 Feb. 2019.



contributes to the stabilization of a country. These are in turn considered essential requirements for protection and the safe and voluntary return of refugees and IDPs.<sup>111</sup> However, peace operations and humanitarian agencies often have a different conception of POC. In particular, the military component of peace operations tends to define POC narrowly as physical protection, while humanitarian organizations define it broadly to include, for example, food security. This became relevant in the case of South Sudan in August 2015, when after a break in food distribution UNMISS wanted to turn away civilians that came to the POC site at Malakal, Upper Nile state: the mission argued that the people were seeking assistance, not protection.<sup>112</sup>

On human trafficking the DPO and the OSCE participate in a UN system-wide policy forum and coordination mechanism: the Inter-Agency Coordination Group against Trafficking in Persons (ICAT).<sup>113</sup> ICAT includes other relevant UN agencies and international organizations, such as Interpol, the IOM, the UN Development Programme (UNDP), the UNHCR and the UNODC. This allows for a more multidimensional approach to the challenge. The UNODC and the DPO are also working on a training module for in-mission training of police personnel on human trafficking and migrant smuggling.<sup>114</sup> However, there are two main challenges for cooperation and coordination. First, the UN has limited experience and capabilities in the area of human trafficking, and therefore engaging more with NATO, the EU and, in particular, the OSCE and UN member states could be helpful. Second, the collaboration between peace operations and other UN and non-UN entities (e.g. the IOM and Interpol) is difficult due to weak information-sharing procedures, which are necessary to identify human trafficking networks and protect civilians from exploitation by them.<sup>115</sup>

Humanitarian non-governmental organizations (NGOs) have often underlined the dangers of peace operations engaging in humanitarian assistance to IDPs and refugees, as they fear that this may affect the perception of the NGOs' neutrality. For this reason, many humanitarian NGOs opposed the integration of OCHA into UNMIL and UNAMA.<sup>116</sup> At the same time, human rights activists often encourage more protective and robust action (as discussed above in the context of politicization). Finding the right balance for partnerships of peace operations with NGOs and local community initiatives is also important in dealing with human trafficking and migrant smuggling. Dealing effectively with human trafficking and migrant smuggling will require altering the local incentive structures that foster community support for these crimes. Eventually, initiatives need to be put in place to sustainably disrupt such incentives and transform trafficking economies into licit economies.<sup>117</sup>

<sup>111</sup> United Nations High Commissioner for Refugees (UNHCR), 'Civil-military coordination', *Emergency Handbook*, 4th edn (UNHCR: Geneva, 2015).

<sup>112</sup> Claire, A., 'From concept to practice: the long road to operationalising protection', *Disasters*, vol. 43, no. 1 (Jan. 2019), pp. 46–66.

<sup>113</sup> United Nations Office on Drugs and Crime (UNODC), *Countering Trafficking in Persons in Conflict Situations*, Thematic paper (United Nations: Vienna, 2018), pp. 65–66.

<sup>114</sup> United Nations Office on Drugs and Crime (note 113), p. 48.

<sup>115</sup> Boutellis (note 101); and Cockayne and Walker (note 6), p. 29.

<sup>116</sup> Tennant (note 26), p. 42.

<sup>117</sup> Cockayne and Oppermann (note 69).



Finally, the role of the host government in all these issues is of paramount importance. This means that in case of human trafficking and migrant smuggling it is important for strategies to consider corruption in state institutions and the presence or absence of political will in the host government. This points at the challenge that at times host governments do not have an interest in peace operations taking on certain activities. This turns into a dilemma in cases where a peace operation has to protect civilians against the host government whose capacity to protect civilians it is simultaneously supposed to strengthen. Often the UN Police are meant to monitor, advise and train the police and security forces of the host country to contribute to the sustainable protection of the local population. This presupposes that the host government and the local police will cooperate with the peace operation. In UNAMID, for example, this was not the case. In the event that a host government ignores the distinction between combatants and non-combatants and engages in ethnic cleansing or genocide, it often intends to block the provision of humanitarian assistance or even stop populations from seeking refuge.<sup>118</sup> In 2012 the UN Secretariat itself concluded that POC strategies are most effective when they recognize ‘the host nation’s principal role in protection and focused on supporting the government to fulfil that role’, pointing at the relative successes of cooperation in the cases of MONUSCO, the UN Interim Security Force for Abyei (UNISFA) and UNMISS.<sup>119</sup>

## VI. Conclusions

Although it perhaps does not come first to mind as their main tasks, multilateral peace operations have undertaken many activities that directly or indirectly target the drivers or consequences of irregular migration and human trafficking. Although the discussion is often focused on irregular migration towards Europe and North America, most IDPs and refugees are currently hosted in South Asia, the Middle East and Africa.<sup>120</sup> By contributing to the stabilization and resolution of conflicts, most peace operations explicitly or implicitly aim to address key drivers of irregular migration, ensuring that populations either do not have to flee or enabling their return. They have done so, not only on purely humanitarian grounds, but also at times because countries in the region or further away have interests in preventing or stopping displacement and irregular migrant flows.

UN peace operations have been involved in particular in the protection of IDPs and refugees, as well as supporting their return and reintegration after conflicts end. While UN peace operations have only had limited experience dealing with human trafficking and migrant smuggling, OSCE field missions have a longer history on the subject. EU CSDP missions are even embarking on dealing with broader irregular migration flows across the Sahel region.

<sup>118</sup> Boutellis (note 101); Holt et al. (note 100), pp. 75–77; Holt, V.K. and Berkman, T.C., *The Impossible Mandate? Military Preparedness, the Responsibility to Protect and Modern Peace Operations* (Henry L. Stimson Center: Washington, DC, Sep. 2006); O’Neill (note 73), pp. 12–19; Orchard (note 78); and Jacob (note 27).

<sup>119</sup> United Nations, *Protection of Civilians: Coordination Mechanisms in UN Peacekeeping Missions*, DPKO/DFS Comparative Study and Toolkit, PK/G/2012 (United Nations: New York, 2012), p. 22.

<sup>120</sup> UNHCR (note 4), annex table 1.



Research on peace operations and irregular migration is, however, relatively limited and has focused on case studies or is hidden in work on broader questions such as protection of civilians in general.

There is a broad agreement that peace operations have a role to play in protection and return of refugees and IDPs. The main debate in this field is about the maintenance of humanitarian space in conflict environments. With increasing deployments in ongoing conflict and with more counterterrorism-related or robust tasks, peace operations may become targeted more often. This may change the consensus.

In the case of the prevention and combating of human trafficking, the discussion on the role of peace operations is intertwined with debates on the topic of peace operations and organized crime. The challenges and opportunities are similar, and on both topics there appears to be a growing consensus that there is a role for peace operations to play, particularly when it is linked to terrorism and violent extremism.

Whether and how peace operations should deal with broader migration issues and migrant smuggling is much more controversial. Some countries simply question the prerogative of the UN Security Council in this area. Moreover, the more critical scholars—who challenge traditional understandings—and some groups in the security and development communities question whether peace operations are the appropriate instrument for dealing with what are often development issues.

Whatever the view on whether peace operations should deal with irregular migration and human trafficking, there is broad agreement that such missions can only be one of a number of instruments within a broader strategy, and that their first priority has to be generally stabilizing the security situation.

Playing a role in dealing with the challenges of irregular migration and human trafficking may have important consequences for multilateral peace operations. To be done successfully, it requires four elements.<sup>121</sup> First, it requires an intelligence- and analysis-led approach to better understand the context of human trafficking and migrant smuggling—particularly the political economy. This would better prevent unintended negative consequences of peace operation activities. It would also help to better identify threats against civilians and contribute to their protection. Second, the peace operations need to take a transnational approach—including inter-mission cooperation—that goes beyond a single host country and deals with the challenges of refugees, IDPs, human trafficking and migrant smuggling in a regional manner. Third, the various organizations need to take an integrated approach in which they cooperate and coordinate all their international efforts, with the level of integration depending on the conflict environment and the broader role and perception of the peace operation. Fourth and finally, the peace operations must take a gradual approach in which prevention and responding to the immediate consequences of irregular migration—protection and supporting humanitarian work—are likely to start before combating human trafficking; then, once security is established, they can move their attention to supporting return and reintegration.

<sup>121</sup> Adapted from van der Lijn (note 2).

## Abbreviations

AU	African Union
CSCE	Conference on Security and Co-operation in Europe
CSDP	Common Security and Defence Policy (of the European Union)
DDR	Demobilization, disarmament and reintegration
DPKO	Department of Peacekeeping Operations (of the United Nations)
DPO	Department of Peace Operations (of the United Nations)
DRC	Democratic Republic of the Congo
ECOMOG	Economic Community of West African States Monitoring Group
EU	European Union
EUBAM	European Union Border Assistance Mission
EUCAP	European Union Capacity Building Mission
ICAT	Inter-Agency Coordination Group against Trafficking in Persons
IDP	Internally displaced person
Interpol	International Criminal Police Organization
IOM	International Organization for Migration
KVM	Kosovo Verification Mission
MINUSCA	United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (Mission multidimensionnelle intégrée des Nations unies pour la stabilisation en Centrafrique)
MINUSMA	United Nations Multidimensional Integrated Stabilization Mission in Mali (Mission multidimensionnelle intégrée des Nations unies pour la stabilisation au Mali)
MINUSTAH	United Nations Stabilization Mission in Haiti (Mission des Nations Unies pour la stabilisation en Haïti)
MONUSCO	United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (Mission de l'Organisation des Nations unies pour la stabilisation en République démocratique du Congo)
NATO	North Atlantic Treaty Organization
NGO	Non-governmental organization
OCHA	Office for the Coordination of Humanitarian Affairs (of the United Nations)
OHR	Office of the High Representative for Bosnia and Herzegovina
OSCE	Organization for Security and Co-operation in Europe
POC	Protection of civilians in armed conflict



RCC	Regional Coordination Cell
SFOR	Stabilisation Force
SSR	Security sector reform
UN	United Nations
UNAMA	United Nations Assistance Mission in Afghanistan
UNAMI	United Nations Assistance Mission for Iraq
UNAMID	United Nations–African Union Hybrid Operation in Darfur
UNAMSIL	United Nations Mission in Sierra Leone
UNHCR	United Nations High Commissioner for Refugees
UNMIBH	United Nations Mission in Bosnia and Herzegovina
UNMIL	United Nations Mission in Liberia
UNOCI	United Nations Operation in Côte d’Ivoire
UNODC	United Nations Office on Drugs and Crime
UNSMIL	United Nations Support Mission in Libya

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SIPRI BACKGROUND PAPER

# MULTILATERAL PEACE OPERATIONS AND THE CHALLENGES OF IRREGULAR MIGRATION AND HUMAN TRAFFICKING

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## CONTENTS

I. Introduction	1
II. Peace operations and irregular migration and human trafficking	4
Development of the irregular migration-related activities of peace operations	4
Activities to prevent and respond to irregular migration and human trafficking	7
III. Examples of peace operations that have dealt with irregular migration and human trafficking	7
Activities that address the consequences of irregular migration and human trafficking	9
Activities that address the drivers of irregular migration and human trafficking	15
IV. Peace operations and dealing with irregular migration and human trafficking: Opportunities and challenges	16
Potential opportunities	16
Potential challenges	18
V. Cooperation and coordination	21
Cooperation and coordination within and between peace operations	21
Cooperation and coordination between peace operations and other actors	26
VI. Conclusions	28
Abbreviations	30
Box 1. Categorization of activities that multilateral peace operations could undertake to prevent or respond to irregular migration and human trafficking	2
Table 1. Categorization of activities that multilateral peace operations could undertake to prevent or respond to irregular migration and human trafficking	6
Table 2. Examples of multilateral peace operations that have undertaken activities to prevent or respond to irregular migration and human trafficking	8

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