

Protecting Civilians While Fighting a War in Somalia – Drawing Lessons from Afghanistan

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Summary

The African Union Mission in Somalia (AMISOM) is currently seeking to strengthen civilian protection in Somalia while moving on the offensive against al-Shabaab. By drawing lessons from Afghanistan, where the International Security Assistance Force (ISAF) has been faced with the same kind of insurgency-scenario and the measures taken to protect are very similar, this policy brief highlights the limitations of an approach to protection that focuses merely on protecting civilians from ‘collateral damage’ in the fight against insurgents. First, civilians in this scenario tend to care more about the total number of deaths than who is actually responsible. Similarly, they are often more worried about the presence of violence than that of either party. Second, even when territory is successfully seized at minimum civilian costs, it does not necessarily reduce the threat to civilians from insurgents as they will then have stronger incentives to use violence. Third, even in areas where the threat from insurgents is successfully reduced, this threat may only shift elsewhere, because insurgents can attack anywhere and still achieve the same destabilising effect. The biggest challenge for AMISOM will be to mainstream protection into its operations in ways that will not merely reduce the threat from AMISOM’s own forces, but also the threat from al-Shabaab in areas they capture. This will require a mission-specific strategy for protecting civilians that considers why and how insurgents like al-Shabaab use violence against civilians in the first place.

Introduction

This year, the African Union Mission in Somalia (AMISOM) has stepped up its offensive against al-Shabaab – first by consolidating control over Mogadishu, and now seizing key towns in southern and central regions. From February 2012, AMISOM also has been explicitly mandated to ‘take all necessary measures [...] to reduce the threat posed by al-Shabaab and other armed opposition groups’.¹ During its operations, protection of civilians has arisen as a primary concern due to accusations of indiscriminate shelling of civilian areas by AMISOM and the potentially damaging effect casualties have on the mission’s credibility.

This policy brief draws three lessons from the International Security Assistance Force (ISAF)’s operations in Afghanistan that may inform the on-going process of ‘mainstreaming’ protection into AMISOM’s operations. There are two reasons for drawing parallels to Afghanistan. First, the measures that AMISOM has taken to reduce the number of civilian casualties in Somalia are very similar to those taken in Afghanistan. Second, the particular type of scenario in which both missions have found themselves, is one where they are seeking to protect civilians whilst fighting an insurgency. In this paper it is argued that the threat to civilians in these scenarios cannot be addressed merely through measures that focus on ‘how not to kill’ civilians during one’s own operations, as characterises the situation in Afghanistan and is the current approach also taken in Somalia.

¹ United Nations Security Council Resolution 2036 (22 February, 2012).

The AU and Protection of Civilians

Protection of civilians is defined differently by humanitarian, political and military actors, but any effort to 'mainstream' it into the operations of a mission must begin with defining the type of threat one is meant to protect civilians from. Previous studies have found that the United Nations (UN) and the North Atlantic Treaty Organization (NATO) view protection of civilians fundamentally differently and that this is reflected in how they implement it on the ground.² The UN views protection of civilians more like an end in itself – as something intrinsic to its existence as an organisation meant to save civilians from the scourge of war. As such, the UN has adopted a broad definition of protection in its peacekeeping operations, as reducing *all* kinds of threats to civilians, based on three pillars: protection through political process; protection from physical violence; and by establishing a protective environment.³ By contrast, NATO's mission in Afghanistan sees protection as a means of defeating the insurgency based on 'insurgent math', which holds that 'every civilian casualty creates an additional 20 insurgents', and because it erodes the credibility of the mission.⁴ Thus, ISAF defines protection of civilians as reducing the threat from *their own* operations and have focused on 'how not to kill' civilians themselves by restricting their escalation of force, use of air-support and establishing a Civilian Casualty (CIV-CAS) Tracking Cell.

In recent years, the AU too has developed its own approach to protection of civilians for its peace support operations.⁵ In 2010, the AU Commission developed 'Draft Guidelines for the Protection of Civilians' whose purpose is to provide strategic guidance for specific missions tasked with implementing protection at the operational and tactical levels. Like the UN, the AU defines protection broadly as reducing all kinds of threat to civilians – through a political process; protection from physical violence; by establishing a protective environment; and even add an extra tier on top of that of the UN, which is protection through respect for human rights.⁶

On the ground, however, AMISOM is nothing like a UN peacekeeping operation, as it has been deployed without the consent of al-Shabaab and in support of

the Somalia Transitional Federal Government (TFG), and it employs force beyond merely in self-defence. Neither ISAF nor AMISOM has an explicit mandate to protect civilians, but both have realised that doing so is critical to the outcome of its operation in line with 'population-centric' counterinsurgency doctrine, which holds that the Afghan and Somali populations are centres of gravity that must be defended. Following criticism regarding indiscriminate use of force by AMISOM, violent abuses by the TFG forces it is there to support, and in light of how collateral damage feeds al-Shabaab's propaganda, AMISOM has taken a number of steps that have effectively reduced the number of civilian casualties caused by its operations. These are very similar to ISAF's – most notably the implementation of an Indirect Fire Policy (IDF) and consideration for the establishment of a Civilian Casualty Tracking Analysis and Response Cell (CCTARC).⁷

Its main challenge, however, is that AMISOM now finds itself caught between two fundamentally different ideas of what kind of protection it is meant to provide – the UN-like guidelines whose broad definition it has been decided should be mainstreamed into its operations; and its current measures on the ground that resembles NATO's 'how not to kill civilians ourselves'-approach. This naturally begs the question: which of the two approaches will be the most useful in Somalia?

Lessons from Afghanistan

Three lessons from Afghanistan suggest that the 'how not to kill'-approach is not sufficient for protecting civilians in situations like the one facing AMISOM in Somalia. In insurgency-scenarios, the 'how not to kill'-approach falls short of protecting civilians as it often fails to reduce the threat posed by insurgents in the long term, which is key to success in population-centric counterinsurgencies.⁸

1. *Civilians may care more about the total number of deaths than who is actually responsible.*

By implementing protection-measures like those mentioned above, ISAF has successfully reduced the number of civilian casualties resulting from their own actions. The proportion of civilians killed by ISAF and Afghan forces has dropped from 41 % in 2007 to 14 % in 2011, meaning insurgents are now responsible for the great majority of civilian deaths.⁹ Yet, although these developments are frequently cited by ISAF as successful protection, the total number of civilians

2 See Beadle, Alexander William (2010), 'Protection of civilians in theory – a comparison of UN and Nato approaches', *FFI-report 2010/02453* (Kjeller: FFI); and Kjeksrud et al. (2011), 'Protection of civilians in armed conflict – comparing organisational approaches', *FFI-report 2011/01888* (Kjeller: FFI).

3 DPKO/DFS Operational Concept on the Protection of Civilians in United Nations Peacekeeping Operations (2010).

4 'McChrystal: Civilian deaths endanger mission', *Marine Corps Times*, 2 June 2010, http://www.marinecorpstimes.com/news/2010/05/military_afghanistan_civilian_casualties_053010w

5 For an overview of the AU's approach to protection, see Lotze's chapter in Kjeksrud et al. (2011). For an up-to-date summary of AU's protection-efforts in Somalia specifically, see Lotze, W. and Kasumba, Y. (2012), 'AMISOM and the Protection of Civilians in Somalia', *Conflict Trends*, No. 2, pp. 17-24.

6 This can be explained by the fact that they were drafted before the UN's operational concept. The AU's guidelines, however, still remain only in draft form.

7 CIVIC (2011), *Civilian Harm in Somalia – Creating an Appropriate Response*, (Washington: CIVIC).

8 The 'insurgency'-scenario is one of the eight scenarios currently being developed at the Norwegian Defence Research Establishment (FFI). See the author's description at the end for more information.

9 Comparing figures from UNAMA (2009), 'Afghanistan: Annual Report 2008', http://unama.unmissions.org/Portals/UNAMA/human%20rights/UNAMA_09february-Annual%20Report_PoC%202008_FINAL_11Feb09.pdf, and UNAMA (2012), 'Afghanistan: Annual Report 2011', http://unama.unmissions.org/Portals/UNAMA/Documents/UNAMA%20POC%202011%20Report_Final_Feb%202012.pdf.

killed in Afghanistan has never been higher – having risen every year from 1,523 to 3,021 in the same period.¹⁰

The total number of civilian deaths matter most because studies have shown that people who fear for their lives tend to support whoever can provide a basic form of security, regardless of ideological conviction.¹¹ In Afghanistan, more than half the population say they fear for their personal safety and the feeling of insecurity per se rather than the presence of Taliban or outside interference has been identified as the primary reason.¹² Surprisingly, more people feel victimized by foreign force actions than insurgent actions, despite the overwhelming number of civilians killed by anti-government forces.¹³ This illustrates why a mission fighting an insurgency has a strategic problem when it fails to protect civilians in general – regardless of who actually kills them.

2. *Even when territory is successfully seized at minimum civilian costs, it does not necessarily reduce the threat to civilians from insurgents.*

A case in point was Operation Moshtarak in February 2010, which was the largest ISAF offensive since the fall of the Taliban. It was rightly praised for the precautionary measures it took to avoid civilian casualties compared to previous operations, but still failed to provide security for the population in subsequent months. This can be explained by the insurgents' rationale for using violence in the first place. Insurgents primarily use violence 'to enforce the compliance of a civilian population or to act as a deterrent to prevent them from supporting the other side'.¹⁴ At the same time, they must avoid 'indiscriminate' violence in the sense of it being too random, because civilians must feel that cooperation guarantees them some sense of security when insurgents are in control.

When insurgents are 'cleared', insurgent violence against civilians is likely to increase precisely because insurgents feel they must deter the population from supporting the government. Although the key town of Marjah was captured on the first day of Operation Moshtarak, daily bomb explosions, gun battles, and a 'virulent campaign of intimidation' were reported in the months that followed.¹⁵ Six months after the operation began, an opinion poll showed that 73 % both felt

even more negative about foreign forces now than a year ago (under the Taliban) and that NATO forces did not protect them.¹⁶ This shows that, if the success of a mission rests on making civilians safer, then seizing territory at minimum civilian casualties does not necessarily lead to increased protection when the enemy is an insurgent force.

3. *Even if the threat from insurgents is successfully reduced in one area, it may easily shift elsewhere.*

The campaigns of intimidation and indiscriminate attacks in areas seized during Operation Moshtarak were eventually countered through constant patrols and permanent security presence, which demonstrates how protection from insurgents is possible in population-centric counterinsurgency. Doing population-centric counterinsurgency everywhere, however, is impossible. But more importantly, even if one succeeds in one area, it does not necessarily mean that protection is achieved in the area of operations as a whole – as illustrated by the increased civilian deaths in Afghanistan. Whilst security has been established in southern areas of Afghanistan where fighting has traditionally been concentrated, there has been increased insurgent activity in south-eastern, eastern and central regions instead.¹⁷ Insurgents can do this because their violence against civilians is only a tactic intended to destabilise the country, so they can threaten and attack civilians anywhere, anytime and still attain the same effect. When facing military defeat, insurgents may simply choose to withdraw, as they did during Operation Moshtarak (2010) and from Afgooye (2012) in Somalia.

The main finding from these three lessons is that the 'how not to kill'-approach alone can only really reduce the threat posed by yourself, not that by the insurgents. Local protection from insurgent threats is possible through presence and patrols, but doing so in one area will not necessarily protect civilians in the area of operation as a whole. The limitations of what military force can do to protect civilians when faced with insurgents are obvious from experiences in Afghanistan, but it can still be used with purpose when employed within a more suitable approach.

Recommendations for AMISOM

At the latest workshop on mainstreaming protection of civilians into AMISOM (in June 2012), the need for

10 UNAMA (2012), p. 1.

11 See e.g. Kalyvas, S. (2006), *The Logic of Violence in Civil War* (Cambridge: Cambridge University Press).

12 The Asia Foundation (2011), 'Afghanistan in 2011: A Survey of the Afghan People', <http://asiafoundation.org/resources/pdfs/TAF2011AGSurvey.pdf>, p. 21, 27.

13 Ibid., p. 31.

14 Slim, Hugo (2007), *Killing Civilians* (London: Hurst & Company), p. 143.

15 'Taliban Adjust, Wage Bomb Attacks in Afghan Town', *ABC News International*, 20 March 2010, <http://abcnews.go.com/International/wireStory?id=10156609>; 'Test of counterinsurgency strategy in Afghanistan', *Los Angeles Times*, 25 June 2010, <http://articles.latimes.com/2010/jun/25/world/la-fg-afghanistan-marja-20100625>.

15 'Taliban Adjust, Wage Bomb Attacks in Afghan Town', *ABC News International*, 20 March 2010, <http://abcnews.go.com/International/wireStory?id=10156609>; 'Test of counterinsurgency strategy in Afghanistan', *Los Angeles Times*, 25 June 2010, <http://articles.latimes.com/2010/jun/25/world/la-fg-afghanistan-marja-20100625>.

16 'Afghanistan: The Relationship Gap', ICOS, July 2010, http://www.icosgroup.net/static/reports/afghanistan_relationship_gap.pdf, p. 23, 29

17 UNAMA (2012); International Crisis Group (2011), 'The Insurgency in Afghanistan's Heartland', 27 June 2011, <http://www.crisisgroup.org/~media/Files/asia/south-asia/afghanistan/207%20The%20Insurgency%20in%20Afghanistans%20Heartland.pdf>.

a mission-specific strategy for protection of civilians in Somalia was highlighted in particular. As the mission now expands beyond Mogadishu, such a strategy will have to reconcile the need to protect civilians with the realities of fighting a war on the ground. The lessons from Afghanistan provide the basis for some recommendations towards this:

- AMISOM must expand their definition of protection to include more than reducing the threats posed by their own actions.

AMISOM must continue its efforts to address the already identified challenges for AMISOM in reducing collateral damage, which particularly relates to increased discipline amongst own troops, reparations, implementing the civilian casualty tracking cell, and work to increase national accountability for the violations by the TFG forces.¹⁸ At the same time, protection of civilians from a broader definition of threats will be equally important because it carries the key to eventual success and possible exit for AMISOM. Doing so will require the mission to reduce all kinds of threats, as outlined in the AU guidelines.

- Remember al-Shabaab's strategy of violence against civilians.

4 Knowledge of al-Shabaab's particular strategy of violence will provide information about why, where and when they need to conduct attacks on civilians, not just government targets.¹⁹ It is commonly assumed that clearing insurgents will eventually lead to protection of civilians, but the process itself may jeopardize the strategic objective. Destroying or coercing insurgents militarily may curb the prospects of achieving their political objective, but violence against civilians, which insurgents employ merely as a tactic, is unlikely to stop until they are politically accommodated

¹⁸ Lotze & Kasumba (2012), p. 23-24.

¹⁹ Also as it changes. Forthcoming FFI-report Våge, Anders (2012).

or completely defeated. It is flawed to think that insurgents can be coerced into stopping their attacks on civilians when this is not their primary intention in the first place – they can simply adopt new methods to attack in a geographically different area. Taliban was easily driven out initially, but eventually returned as a force to be reckoned with that has maintained and even increased the threat to civilians. This should serve as a warning to AMISOM as it is following a similar approach against al-Shabaab. Offensive operations against insurgents are required to restore government control, but not necessarily for protecting civilians, who often see the presence of violence rather than insurgents or counterinsurgency as the main security problem. These two imperatives must be balanced when seeking to do both.

- Consider the risk of retaliation when planning for the next offensives.

One possible way of reconciling the need to fight an insurgency with the need to reduce the threat to civilians by all sides would be to consider the risk of retaliation (from both al-Shabaab and TFG forces) when planning which areas to clear next. Discussion over this will already be influenced by political, military and logistical factors, but a protection-strategy should tap into this process by assessing the risk of increased violence specifically targeted against civilians too. Going after strongholds usually makes sense when military defeat is one's objective, but because insurgents have stronger incentives to target civilians in contested areas than in areas under their control, doing so is likely to increase the risk of retaliation to punish 'collaboration' with the enemy, especially if they regain control at a later stage. The same could happen with TFG forces, as village or tribal membership is often used as a proxy for collaboration with the enemy. If the risk of retaliation against civilians is considered, the sequencing of areas to be seized may have to be reversed as contested areas are secured before strongholds.

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Alexander William Beadle is a research fellow at the Norwegian Defence Research Establishment (FFI). He is currently developing an operating concept on protection of civilians for the Norwegian Armed Forces, which will look at planning for military operations in eight different types of scenarios. The author would like to thank Stian Kjeksrud (FFI) and Walter Lotze (African Union Commission) for their comments on this paper.