

Liberating Our Hostage Battalions: Improving Freedom of Movement in Peacekeeping

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Abstract

Freedom of movement has long been a key tenet of United Nations (UN) Peacekeeping Operations and is specifically referenced in seven current mandates. However, most missions experience limitations on their freedom of movement, leading to failures in vital mandate requirements to protect civilians, monitor human rights abuses, and create conditions conducive to the distribution of humanitarian assistance. This article uses the example of South Sudan to highlight the problems with freedom of movement in modern peacekeeping and discuss how these issues can and should be addressed. The methodology combines an analysis of data from the literature with examples from the author's own experiences, while serving in the United Nations Mission in South Sudan (UNMISS), to show that constraints on freedom of movement take three main forms: interference by host nation forces, poor road conditions, and the "checkpoint economy." He contends that these constraints on freedom of movement represent a lack of political will and fiscal oversight by senior mission leadership and the donor nations – not a lack of ability or enthusiasm by individual peacekeeping battalions. If we are to succeed in enforcing our mandates, we must

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improve the freedom of movement for our peacekeepers by putting into action what has been written up in so many official reports since the turn of the century : stop acceding to physical and administrative obstruction by local armed political actors, stop wilfully funding the ‘checkpoint economies’, and start making meaningful improvements to transportation infrastructure.

Introduction

The 2021 USI monograph UN Peace Operations: Hostage Taking of Peacekeepers highlighted the issues that can arise when groups of peacekeepers are taken hostage by armed actors inside the very countries where they are working:

“Peacekeepers are supposed to be the enablers and get deployed in the conflict zone to help bring peace and save human lives. So, what happens when the enablers themselves become the victims [...] Peacekeepers will be denied their freedom and will not be able to deliver in implementing the mandate... and, thereby, would impact the effectiveness of the mission”.¹

That monograph references historical cases in Bosnia, Syria, and Angola – with their account of the latter example in 1991 markedly similar to what frequently occurs in South Sudan today – ‘observers were denied freedom of movement and could not report on activity by the [combatants]’.²

But what about when whole battalions are held hostage by their organisations own policies and, thus, prevented from carrying out their mandated responsibilities? Sadly, this happens daily in many of our largest missions – and while not every instance results in human tragedy on a scale of Srebrenica³ or Kibeho⁴, many still do. In 2020, UNMISS failed to conduct aerial reconnaissance or deploy peacekeepers to prevent the Jonglei massacres, in which hundreds of civilians were killed, thousands displaced, and many villages were burnt.⁵ The year prior, similar failures allowed combatants loyal to Major General James Ochan Puotto rape and murder with impunity in Maiwut County.⁶

Indeed, every time that UN peacekeepers have their freedom of movement infringed upon, the most vulnerable amongst the

local populations suffer, as noted by the former UNMISS Special Representative of the Secretary General (SRSG) David Shearer, in reference to one incident in 2019:

“For six days, we waited for an SOI [government clearance] so that the force protection could accompany the World Food Program convoy to Kapoeta[...]People were waiting for the food. They couldn’t get the food because they [peacekeepers] couldn’t get clearance on the ground”.⁷

Three Constraints on Freedom of Movement

Restrictions on freedom of movement imposed by host nation’s political and military forces like the one described by Shearer are routinely reported to the UN Security Council – for example, in the most recent report from UNMISS (dated 07 December 2022), there were 23 such violations reported, with 69 per cent of those violations being committed by government forces.⁸

But interference by government forces is just one of the three significant and documented elements that negatively impact freedom of movement. Equally problematic are road conditions and the hundreds of check points where cash payments extorted from UN agencies and humanitarian organisations are used to fund the same armed actors who block the UN’s access to areas where human rights are being violated and where violence and famine threaten the lives of local people.

None of these problems are insoluble. In fact, the UN’s peacekeeping battalions and their supporting units are already well-suited to dealing with them – only if the highest echelons of mission leadership empower them to do so.

Interference by Host Nation Actors

The issue of host nation political and military forces interfering with freedom of movement is well-documented, with the Report of the Independent Strategic Review of the United Nations Mission in South Sudan stating that these violations “are the single most important factor limiting the mission’s ability to carry out its mandated activities”.⁹ But notably, the report gave no recommendations for solving the problem beyond “sustained and joint dialogue”.¹⁰ Other reports note that the mission’s internal policy of requesting clearances from host nation forces prior to moving

by air can delay deployments¹¹ – but this happens on the ground as well. In South Sudan, we were frequently told that if we did not receive these clearances in advance to enter an area, the government ‘could not guarantee our safety’¹² – but our patrols were quite capable of ensuring their own safety in principle. In practice, they were rarely allowed to do so because they were frequently prevented from passing checkpoints consisting of nothing more than a pair of soldiers with small arms and a rope across the road.

Freedom of movement vis-à-vis political and military interference by host-nation actors can be re-established in two ways: through mission-level policies to exercise that freedom using all means at their disposal, or by operational initiative at the battalion level as exhibited by NORDBAT 2 in Bosnia¹³ and INDBATT 2 in South Sudan.¹⁴ In both cases, bold and deliberate action by military leaders at the battalion level saved civilian lives – despite the fact that those actions defied orders from higher echelons.

In Bosnia, it was observed that NORDBAT 2 maintained freedom of movement and operational initiative in a mission where many other units failed to do so. This was because their commander, Colonel Ulf Henricsson, was willing to disregard orders if it meant saving civilian lives on the ground; and similar operational initiative was displayed by INDBATT 2 in South Sudan in response to crisis. During the outbreak of violence in 2016, Indian peacekeepers saved hundreds of lives by opening their gates to fleeing civilians and firing on their armed pursuers. Like their NORDBAT 2 predecessors, the bold actions of INDBATT 2 were contrary to orders from their distant headquarters¹⁵, but as AK Bardalai wrote, ‘since defiance of orders resulted in a positive outcome, no question was asked’.¹⁶

It is clear from these examples that individual battalions and their leaders from many countries are both ready and willing to do the right thing when faced with threats to the mandate – but it is not fair to put the burden for doing so upon their shoulders alone, and it is unfortunate that peacekeepers who do take action to enforce their mandates are still painted as “Trigger-Happy[...] and Disobedient”.¹⁷

The Unpaved Roads to Hell

Even if all battalions were both unconstrained by host-nation forces and their own mission's policies, many would still find their ability to move freely in support of their mandate to be inhibited by another well-known issue – road conditions.

'Paving the Road to Hell'¹⁸ is the title of a much-cited critique of UN peacekeeping¹⁹– but in today's multidimensional missions in Africa, the roads to the places where too many civilians perish in hellish conditions remain unpaved. Indeed, the Santos Cruz report in 2017 stated both the problem and solution quite clearly:

“Road conditions are related to ambushes, logistics, PoC, development, state authority, and UNsecurity...[the] UN should orient all the agencies and government supported NGOs to apply at least 20 per cent of the budget in infrastructure independent of the nature of the organisation.”

The report further recommended that missions “use Quick Impact Projects (QIPs) and United Nations Country Team (UNCT) funds and coordination to improve road infrastructure”.²⁰

Of course, there are those who might observe that UN missions in South Sudan, Central African Republic, and Democratic Republic of Congo already put a significant amount of their budgets into repairing roads – but, unfortunately, it is done in the most wasteful and ineffective manner imaginable. In UNMISS, for example, each dry season sees seven engineering units spend months scraping over 3,000 kilometres of dirt roads into a passable condition – roads which are then predictably washed out by the annual monsoons within a matter of weeks.

Moreover, the management of QIPs is ineffectual in this regard. The UN's own guidebook for QIP's gives the construction of a road using local workers as its exemplar project,²¹ and although UNMISS has spent over 7.5 million USD on these projects,²² not a single QIP, listed on UNMISS's interactive map of these projects has been related to road construction.²³

The Illegal Checkpoint Economies

The final major obstacle to freedom of movement is the 'checkpoint economy', which is present not only in South Sudan, but in the Democratic Republic of Congo and Central African Republic as

well.²⁴ This endemic interference by armed actors – many of them affiliated with the host nation’s military and police forces – represents a significant transfer of wealth from donor governments to the same armed actors who seek to interfere with UN agencies carrying out their mandate. In addition to directly funding violence, this transfer of wealth deprives the people most in need of humanitarian aid of the resources that they need to survive.

In South Sudan, the scale of the problem is enormous. There are roadblocks approximately every 23 kilometre along the rivers and roads, and 49 percent of these checkpoints illegally extort money at gunpoint from humanitarian aid convoys; cash payments which make up 50 percent of the total cost of transporting humanitarian aid.²⁵ Government forces (police and military) operate 81 percent of these checkpoints,²⁶ hindering not only humanitarian aid but peacekeepers as well. UN patrols are routinely stopped to have their papers checked, and often blocked from proceeding if the government wishes to halt their movement. Indeed, it is not uncommon for UN peacekeepers to be parked alongside the road with their officer locked in fruitless negotiations for passage, watching civilian vehicles pay to pass into the same area where they are being told that it is ‘too dangerous’ for them to go.

The literature calls these payments ‘taxes’²⁷ – but legal taxes are levied by state decree. South Sudan’s Republican Order No. 29/2017, signed by President Salva Kiir on 09 November 2017, specifically prohibits the hindrance of humanitarian convoys, stating, ‘all roadblocks should be removed from the roads,’ and that “[a]nybody who intentionally obstructs the delivery of Humanitarian Aid or imposes taxes on Humanitarian Convoys shall be held accountable”.²⁸ Thus, these checkpoint payments – and, indeed, the roadblocks themselves are illegal; an institutionalised form of highway robbery which takes place in plain sight.

Action for Peacekeeping

While the problems are well-documented, those of us who have worn the blue helmets cannot help but observe that while senior leaders have commissioned many reports and held many conferences, they have so far seem to always stop short of taking real action. Improving freedom of movement for UN peacekeepers, and the humanitarian agencies they support, requires three lines of effort, which are mutually supporting.

First, missions must make it clear to host nation political and military forces that they will tolerate no further obstructions to their patrols; no longer will company-sized groups of armoured vehicles loaded with professional soldiers be held back by a frayed rope hanging across a road, manned by six men sharing three assault rifles.²⁹ Senior political and military leaders must empower their tactical commanders to do exactly what is stated in their mandates – to use all necessary means to ensure their own freedom of movement and that of other UN agencies and humanitarian organisations in order to carry out the remainder of their explicitly mandated priority tasks. Moreover, they must take steps to comply precisely with the administrative requirements agreed to in their Status of Forces Agreements regarding visas and in-country movement of peacekeepers and their equipment and cease to entertain the accumulated detritus of unnecessary permissions and approvals that has been allowed to accrete over the years.

Second, the international community must push back on attempts to normalise the corrupt behaviour of host nation's armed actors by dignifying their routine roadblock extortion as 'taxes'. Instead, these demands for payment by men holding weapons should be called what it is: armed robbery. When it is stated in this way – and when the quantities of aid budgets lost to these depredations is considered – it becomes clear that such actions represent a condition not conducive to the delivery of humanitarian assistance, and a direct challenge to mission mandates.

Third, even if host nation actors cease interfering with the movements of UN peacekeepers, many areas will remain inaccessible for much of the year due to lack of infrastructure. Thus, we must stop merely rehabilitating dirt roads and start building sealed roads.

The UN's equipment tables for generic construction engineer units require them to arrive with the necessary equipment to do this,³⁰ and data on the construction of cold-sealed asphalt roads indicates that they could be constructed at a rate of about one kilometre per day by a 14-person team.³¹ Given the substantial construction engineering capacity in UNMISS this suggests that during a single dry season, sealed roads could be fully extended between several key locations – Juba to Torit, Wau to Tonj, etc. Roads could also be surfaced using concrete segmented blocks – this process is slower but would lend itself well to leveraging

local labour³² (funded by a QIP) to lay the concrete pavers, while the UN battalions provided the engineering expertise and the security. At the same time, an assessment of locations where bridges are required to ensure access to known conflict hot-spots must be done – and their construction made a mission priority.

Conclusion

There can be no question that restrictions on the freedom of movement of UN peacekeepers directly results in the preventable death of thousands of civilians every year, and the displacement of many more. These limitations are not in dispute, and have been repeatedly noted by academics, civilian oversight agencies, and the UN's own reports.

What this article has sought to make clear is that the blame does not lie at the feet of the battalions or of individual peacekeepers as some reports suggest. I have personally observed Mongolian and Rwandan officers and troops asserting their freedom of movement in the face of armed opposition and saving lives by doing so – without resorting to gunfire. I have also watched armoured columns halted by a piece of string, and seen the horrific consequences when patrols are ordered by senior leaders to return to the safety of their bases and abandon civilian population centres to the depredations of tribal militias.

There is no need to seek battalions with the 'capacity and willingness' to assert themselves.³³ What we need is mission leaders who will give their military components orders to move freely in support of the mandate, even in the face of local opposition – leaders willing to employ their engineering resources and QIP budgets to make roads passable, and who will ensure that host nation actors understand that the 'checkpoint economies' must give way to the rule of law.

In short, the recommendations of experts like General Santos Cruz must be implemented, and the strong language in our Security Council resolutions backed up by similarly resolute actions on the ground. Only then will our battalions truly be free to exercise their full potential to help countries torn by conflict create conditions for lasting peace.

Endnotes

¹ A.K Bardalai and Pradeep Goswami, eds. *UN Peace Operations: Hostage Taking of Peacekeepers*. (New Delhi: Vij Books India Pvt Ltd, 2021) xii

² Ibid.

³ Odile Heynders. "Speaking the Self, Narratives of Srebrenica." *The European Journal of Life Writing* 3 (2014): 14.

⁴ David Sutton. "Commonwealth Peacekeepers: Unwilling Spectators." *Key Military*, April 30, 2020. Accessed 31 Jan 2023. <https://www.keymilitary.com/article/commonwealth-peacekeepers-unwilling-spectators>

⁵ UN Office of the High Commissioner for Human Rights. *Armed Violence Involving Community-Based Militias in Greater Jonglei, January-August 2020*. (New York, NY: UN Headquarters, 2020)1.

⁶ United Nations, Security Council. *Situation in South Sudan – Report of the Secretary-General*. (New York, NY: UN Headquarters, 2020) UN Doc S/2020/145. 6,10. https://unmiss.unmissions.org/sites/default/files/secretary-generals_report_0.pdf

⁷ Beatrice Mategwa. *Free Movement in Support of South Sudanese Civilians Crucial, Says Head of UNMISS*. (Juba, 11 June 2019). <https://unmiss.unmissions.org/free-movement-support-south-sudanese-civilians-crucial-says-head-unmiss>

⁸ United Nations, Security Council. *Situation in South Sudan – Report of the Secretary-General*. (New York, NY: UN Headquarters, 2020) UN Doc S/2022/918. 15. <https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/N2272929.pdf>

⁹ United Nations, Security Council. *Report of the Independent Strategic Review of the United Nations Mission in South Sudan*. (New York, NY: UN Headquarters, 2020) UN Doc S/2020/1224. 11. https://unmiss.unmissions.org/sites/default/files/unmiss_isr_report_to_unsc_15_december_2020.pdf

¹⁰ Ibid, 73.

¹¹ Lauren Spink. *Moving Toward Mobility: Providing Protection to Civilians Through Static Presence and Mobile Peacekeeping in South Sudan*. (Washington, D.C.: Center for Civilians in Conflict, 2019) 2. <https://civiliansinconflict.org/wp-content/uploads/2019/03/MovingTowardMobility.pdf>

¹² This remark was made by South Sudan's former Chief of Defence Forces, General Gabriel JokRiak at a Joint Verification and Monitoring Mechanism workshop in Juba on 11 June 2019. Similar sentiments were expressed on several occasions during the author's numerous interactions with members of the South Sudanese military establishment.

¹³ Tony Ingesson. "Trigger-Happy, Autonomous, and Disobedient: Nordbat 2 and Mission Command in Bosnia." *Strategy Bridge*, September 20, 2017. <https://thestrategybridge.org/the-bridge/2017/9/20/trigger-happy-autonomous-and-disobedient-nordbat-2-and-mission-command-in-bosnia>

¹⁴ A.K. Bardalai. "UNPKO and Military Contributions: Challenges and Opportunities for Asia-Pacific Governments." *Journal of the United Service Institution of India*, Vol. CXLVII, No. 607 (January-March 2017).<https://usiofindia.org/publication/usi-journal/unpko-and-military-contributions-challenges-and-opportunities-for-asia-pacific-governments/>

¹⁵ Médecins Sans Frontières. *MSF internal review of the February 2016 Attack on the Malakal Protection of Civilians Site and the Post-Event Situation*. June 2016. 24-25. https://www.msf.org/sites/default/files/malakal_report_210616_pc.pdf

¹⁶ Bardalai, "Challenges and Opportunities."

¹⁷ Ingesson, "Trigger Happy."

¹⁸ Max Boot, "Paving the Road to Hell: The Failure of U.N. Peacekeeping." *Foreign Affairs*, 79, no. 2 (2000). 145.

¹⁹ I disagree with Boot's assertion that "[t]he various national contingents that make up U.N. peacekeeping operations... are chosen not for martial prowess but because their governments are willing to send them"—the officers and soldiers from the UNMISS battalions I served with were in no way lacking in martial prowess, an ability to operate in austere conditions, or a desire to protect civilians.

²⁰ Carlos Alberto dos Santos Cruz. *Improving Security Of United Nations Peacekeepers*. United Nations Department of Peace Operations. 19 December 2017. https://peacekeeping.un.org/sites/default/files/improving_security_of_united_nations_peacekeepers_report.pdf

²¹ UN Office of the High Commissioner for Human Rights. *Quick Impact Projects (QIPs) - A Provisional Guide*. (Geneva. May 2004). 3. <https://www.unhcr.org/en-au/partners/guides/41174ce94/quick-impact-projects-qips-provisional-guide.html>

²² United Nations Mission in South Sudan. *UNMISS Quick Impact Projects Improve the Lives of Communities across South Sudan*. (Juba, 11 December 2018). <https://reliefweb.int/report/south-sudan/unmiss-quick-impact-projects-improve-lives-communities-across-south-sudan>

²³ United Nations Mission in South Sudan. *UNMISS Quick Impact Projects Interactive Map*. Accessed on 31 January 2023 at: <https://unmiss.maps.arcgis.com/apps/webappviewer/index.html?id=0b8ceb1fbc214689b9712b66783c06f7>

²⁴ Peer Schouten, Ken Matthysen, and Thomas Muller. *Checkpoint Economy: The Political Economy of Checkpoints in South Sudan, Ten Years after Independence*. (Antwerp/Copenhagen: The International Peace Information Service / Danish Institute for International Studies, 2021). 13. <https://ipisresearch.be/wp-content/uploads/2021/12/2021-South-Sudan-Checkpoint-Economy-Full-Report.pdf>

²⁵ Schouten et al., *Checkpoint Economy*, 6.

²⁶ Ibid, 6.

²⁷ Ibid, 6.

²⁸ Ibid, 83.

²⁹ Ibid, 6.

³⁰ United Nations Department of Peace Operations. *United Nations Military Engineer Unit & CET Search and Detect Manual, Second Edition*. (January 2020) 67. https://peacekeeping.un.org/sites/default/files/3._military_-_2_un_military_engineer_unit_and_cet_manual.pdf

³¹ Augustus Osei Asare. *Construction of Low Volume Sealed Roads - Good Practice Guide to Labour-Based Methods*. (Geneva: International Labour Office, 2013) 8-60. https://www.ilo.org/wcmsp5/groups/public/-ed_emp/documents/publication/wcms_743039.pdf

³² Asare, *Sealed Roads*, 8-45.

³³ Spink, *Moving Toward Mobility*, 6.