Recommended Practices for Effective Humanitarian Civil-Military Coordination of Foreign Military Assets (FMA) in Natural and Man-Made Disasters

(Version 1.0)

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Annexes

Introduction

Purpose of the Recommended Practices for Effective Humanitarian Civil-Military Coordination of Foreign Military Assets (FMA) in Natural and Man-Made Disasters: These Recommended Practices for Effective Humanitarian Civil-Military Coordination of Foreign Military Assets (FMA) in Natural and Man-Made Disasters, subsequently referred to as "the Practices", intend to better meet the needs of affected people from natural, man-made or technological disasters, and effectively support principled humanitarian action through effective humanitarian civil-military interaction; assist in improving decision making; apply lessons learned and good practices; and, when appropriate, improve the deployment, employment, and transition of Foreign Military Assets (FMA) to support humanitarian relief operations.

Relationship to Existing Humanitarian Civil-Military Guidelines: The Practices were developed to capture decades of experience and lessons in humanitarian emergencies where humanitarian, military, and other governmental actors operate in the same geographic space, and in some circumstances, work together to address the needs of people affected by a crisis. The Practices were developed to operationalize the key principles and concepts contained in existing CMCoord Guidelines (see **Annex**) and to assist humanitarian, military, and other governmental actors in the

> Existing UN-CMCoord Guidelines
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> - Guidelines on the Use of Foreign Military and Civil Defence Assets in Disaster Relief, 1994 - revised November 2007 (Oslo Guidelines)
>
> - Guidelines on the Use of Military and Civil Defense Assets to Support United Nations Humanitarian Activities in Complex Emergencies, March 2003 - revised January 2006 (MCDA Guidelines)
>
> - Inter-Agency Standing Committee (IASC) Reference Paper on Civil-Military Relationships in Complex Emergencies, 28 June 2004
>
> - IASC Guidelines on the Use of Armed Escorts for Humanitarian

development of more principled, coherent, appropriate, and effective coordination across the various facets of humanitarian action. The Practices supplement existing UN-CMCoord Guidelines and provide relevant practitioners with a hands-on tool to facilitate principled humanitarian action before, during and after a humanitarian emergency. The Practices seek to enhance the predictability, effectiveness, efficiency, and coherence of employing FMA to support humanitarian relief operations. Additionally, the Practices can affirm and reinforce lessons learned across a range of humanitarian relief operations and contexts, and can serve to reinforce the distinction between the roles and responsibilities of humanitarian, military, and governmental actors.

These Practices are intended to inform humanitarian action during emergencies resulting from

> Natural Hazards are naturally occurring physical phenomena caused either by rapid or slow onset events which can be geophysical (earthquakes, landslides, tsunamis and volcanic activity), hydrological (avalanches and floods), climatological (extreme temperatures, drought and wildfires), meteorological (cyclones and storms/wave surges) or biological (disease epidemics and insect/animal plagues).
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> Technological or Man-Made Hazards (complex emergencies/ conflicts, famine, displaced populations, industrial accidents and transport accidents) are events that are caused by humans and occur in or close to human settlements. This can include environmental degradation, pollution and accidents.

both natural hazards and technological or man-made hazards[1]. However, not all of the individual recommended Practices and approaches will be applicable across these contexts, nor will they always be consistent with the goals of affected and/or assisting States. Each context reflects unique operational constraints and considerations, including different binding legal regimes, and relevant stakeholders should discuss and identify which recommended Practices and approaches are relevant and appropriate for a particular emergency. This is critical as the need to distinguish between the roles of humanitarian and military actors is a necessity where principled humanitarian action seeks to establish acceptance with local actors and safe access to the affected people.

The humanitarian civil-military environment encompasses a wide variety of humanitarian organizations (e.g. United Nations (UN), non-governmental organizations (NGO), and The International Red Cross and Red Crescent (RCRC) Movement), military (national, foreign and regional), and other governmental actors (e.g. international development agencies), and no single set of practices apply to every organization in every context. There is no "one size fits all" approach, nor should there be. Governments vary in their policies and operating procedures when deploying and employing foreign militaries to humanitarian emergencies. Although humanitarian organizations may collectively be committed to principled humanitarian action, they also differ in their approaches, policies, and modalities based on organizational mandates/models and how they choose to coordinate. In the application of individual practices, differentiation between the mandates and policies of humanitarian organizations should be understood. Each organization should make its own decision on how and when to engage with military actors, both national and foreign, according to their internal policies and in light of the relevant legal framework at the time.

Despite this caveat, the Practices can prove useful to any organization when properly applied in the appropriate context, considering that, as mentioned above, the Practices are developed on the basis of key principles and concepts of existing UN-CMCoord Guidelines, operational experience and lessons learned over several decades of humanitarian, military, and other governmental actors operating in the same geographic space.

Principled humanitarian action, defined as the provision of humanitarian assistance, protection, and advocacy, is founded on the differing mandates of humanitarian organizations and the <u>core humanitarian principles</u> of **humanity, neutrality, impartiality, and operational independence** (see **Annex B** for further details). Humanitarian agencies, including but not limited to the independent and separate agencies of the RCRC Movement, adhere to different definitions of the fundamental principles that aim to aid and protect the beneficiaries of humanitarian action. These principles also apply to humanitarian protection, assistance, and relief; are central to establishing and maintaining safe and sustained access to the affected people; and ensure that assistance is undertaken by humanitarian organizations void of political intent. Adherence to the key operating principles of neutrality and impartiality in humanitarian relief operations represents the critical means by which humanitarian actors ensure that suffering can be met wherever it is found. Consequently, maintaining a distinction between the roles and functions of humanitarian actors from those of the

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[1] http://www.ifrc.org/en/what-we-do/disaster-management/about-disasters/definition-of-hazard/ In addition to the definitions of natural hazards and technological or man-made hazards contained in the box above, the International Federation of the Red Cross and Red Crescent Societies website States that hazards also encompass a range of challenges, such as climate change, unplanned urbanization, under-development/poverty, and the threat of pandemics that will shape humanitarian assistance in the future. These aggravating factors can result in increased frequency, complexity, and severity of disasters.

military is the determining factor in creating an operating environment in which humanitarian organizations can discharge their responsibilities effectively and safely.[2]

The Recommended Practices for Effective Humanitarian Civil-Military Coordination of Foreign Military Assets in Natural and Man-Made Disasters, were developed to capture decades of experience and lessons learned in humanitarian emergencies where humanitarian, military, and other governmental actors operate in the same geographic space, and in some circumstances, work together to address the needs of people affected by a crisis. While internationally recognized UN-CMCoord Guidelines[3] exist to support engagement between humanitarian and military actors and guide the use of foreign Military and Civil Defence Assets (MCDA), they do not address all of the complexities and contexts where these actors can interact.

Scope

Similar to the existing guidelines on UN-CMCoord, the Practices are <u>non-binding</u>, although they do represent good practice and current thinking on civil-military relationships and interaction as applied to the use of foreign military assets in natural and man-made disasters. In this sense, the Practices are aspirational and are not intended as definitive or as a set of minimum practices, but instead reflect the evolution, guidance, and good practices in relevant humanitarian civil-military coordination over the past decades. The Practices should be applied based on the specific context of the humanitarian emergency, with careful consideration being given to the unique political, social, cultural, economic, and security aspects of the affected nation and the humanitarian relief operation. Operational decisions should be made by individual organizations focusing on the overriding requirement to protect and to provide assistance to people in need, and to deliver principled humanitarian assistance based on impartial assessments of need of the affected people.

The Practices are intended to provide guidance on the use of FMA and to assist decision makers in deploying and employing FMA in an appropriate manner to support humanitarian relief operations, taking into account the different specificities and constraints related to operating in natural and technological disasters or situations of armed conflict. The manner in which a government chooses to employ national military assets domestically is an issue of

> **Foreign Military Assets (FMA)**
>
> FMA are defined as military personnel and organizations; goods and services provided by military actors (including, but not limited to, logistics, transportation, security, medical assistance, engineering, communications, supplies and equipment); and funding, commercial contracting, materiel, and technical support provided by military actors.

sovereignty, and is outside the scope of these Practices. That said, it is important to note that humanitarian actors do have an important role in advocating for the appropriate use of national military assets for humanitarian purposes, including adherence to, and protection of, humanitarian principles. The application of each individual Practice should therefore be considered based on the humanitarian context and nature of the humanitarian emergency, and applied according to that specific environment. These Practices do not, in any way, affect the rights, obligations, or responsibilities of States and individuals under international law.

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[2] Sustained humanitarian access to the affected population is often effective when the receipt of humanitarian assistance is not conditioned upon the allegiance to, or support to, parties involved in a conflict, but is independent of military and political considerations.
[3] https://sites.google.com/dialoguing.org/home/resource-centre/resource-library

These Practices may inform:

- Affected States/organizations that receive FMA to support humanitarian relief operations;
- Assisting States that provide foreign military support to humanitarian relief operations that is technical, material, and/or financial/commercial in nature; and
- Humanitarian Organizations that interact with, receive support from, and/or share the same operating environment with any of the above categories.

Although all of the potential protection[4] implications of humanitarian civil-military interaction are beyond the scope of these Practices, relevant actors should take every effort to mitigate the risks that affected people and humanitarian workers may face in humanitarian emergencies. A humanitarian organization must balance the risk of interacting with military actors that may be perceived as belligerents to a conflict against the need to maintain access to affected people.[5]

The Practices are a living document and should be regularly updated when necessary, in consultation with the Consultative Group on Humanitarian Civil-Military Coordination, to reflect changes in operational challenges, lessons learned, good practices, and context. It should be stressed that these practices are based on underlying guidance documents and with any revision of the practices there should also be an evaluation of whether the underlying guidance documents need to be revised and/or updated.

[4] https://reliefweb.int/report/world/professional-standards-protection-work-carried-out-humanitarian-and-human-rights-0
[5] Ibid. https://interagencystandingcommittee.org/system/files/iasc_policy_on_protection_in_humanitarian_action_0.pdf

Structure of the Practices

The Practices are presented across five focus areas. They delineate the phases and integral components of military support to humanitarian action and guide the integration of FMA to support humanitarian relief operations. The focus areas are:

- Preparedness
- Deployment
- Employment
- Transition
- Monitoring & Evaluation

- Measure Shared Results for Collective Accountability
- Learning & Innovation

- Guidance, Policy & Doctrine
- Capacity & Capability Development
- Coordinated Planning & Predictability

MONITORING & EVALUATION

PREPAREDNESS

HUMANITARIAN CIVIL-MILITARY COORDINATION

TRANSITION

DEPLOYMENT

- Exit Strategy Planning
- Redeployment & Handover

- Consultation & Decision Making
- Comparative Advantage & Complementarity

EMPLOYMENT

- Appropriate Use & Distinction
- Information Sharing & Placing Needs at the Centre
- Connectivity & Coordination

The Practices take into account the various levels of potential humanitarian civil-military interaction, i.e. international, national, sub-national, and local levels, and include the intended outcomes resulting from the effective application of relevant practices.

1. PREPAREDNESS

1.1   Guidance, Policy & Doctrine

Overview of Practice

This section supports the alignment of State emergency response frameworks and associated policy, with International Disaster Response Laws, Rules and Principles (IDRL) Guidelines[6], other applicable laws, and key CMCoord principles and concepts. [7]

Intended outcomes

- Greater alignment with IDRL Guidelines and key CMCoord principles and concepts, as per existing guidelines.

- State emergency response frameworks contextualize and communicate CMCoord principles and concepts to all relevant actors.

- Practical application of CMCoord principles and concepts to optimize humanitarian relief operations consistent with IDRL Guidelines, meet humanitarian needs, and protect the people receiving and delivering humanitarian assistance.

Key Practices

1.1.a   Develop in a timely manner, through a consultative process, regional and/or operational/context-specific guidance to contextualize the key principles and concepts of UN-CMCoord, including, when appropriate, the deployment and use of FMA to support humanitarian relief operations in emergencies resulting from natural hazards and technological or man-made hazards. When possible, the consultative process should take place prior to the onset of the emergency especially in those contexts where there are known risks from natural and technological or man-made hazards [8]

1.1.b   To the extent possible, humanitarian organizations, military organizations, donors, and other governmental actors may understand, observe, and promote these Practices, associated international guidelines/laws, and regional and/or operational/context-specific guidance, supporting and referencing them in national/organizational policy, emergency response frameworks, and military doctrine, where appropriate.

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[6] See International Disaster Response Laws, Rules and Principles (IDRL) Guidelines, available at available at: http://www.ifrc.org/en/what-we-do/idrl/idrl-guidelines/

[7] Examples of guidelines include: the Oslo Guidelines (available at http://www.unocha.org/sites/unocha/files/OSLO%20Guidelines%20Rev%201.1%20-%20Nov%202007.pdf; the MCDA Guidelines (available at https://www.unocha.org/sites/unocha/files/01.%20MCDA%20Guidelines%20March%202003%20Rev1%20Jan06_0.pdf) , and the Asia-Pacific Regional Guidelines for the Use of Foreign Military Assets In Natural Disaster Response Operations (APC-MADRO Guidelines) (available at https://reliefweb.int/sites/reliefweb.int/files/resources/Guidelines_FMA_Final.pdf

[8] For example, an annual Asia-Pacific Conference on Military Assistance to Disaster Relief (APC-MADRO) was co-organized by the Civil-Military Coordination Section (CMCS) and the Regional Office for Asia and the Pacific (ROAP) of the United Nations Office for the Coordination of Humanitarian Affairs (UN OCHA) and host States over a five-year period with the aim of developing collaborative Guidelines to assist the planning of foreign military assistance in support of disaster response operations in the Asia-Pacific region.

1.2 Capacity & Capability Development

Overview of Practice

This section supports capacity building through cooperating, partnering, and building CMCoord capacity and capability, including the necessary skills and knowledge to support needs-driven humanitarian relief operations consistent with humanitarian principles.

Intended outcomes

- Cooperation, partnering, and training, including through simulations and/or exercises, within regions and between countries and incorporation of effective practices into operations.

- Predictability, training, and testing, including through simulations and/or exercises, of available national and foreign military capacities and capabilities.

- Knowledge and understanding of humanitarian principles, operations and architecture through standardized training, pre-deployment training, and joint simulations and/or exercises.

Key Practices

1.2.a   All relevant stakeholders – humanitarian, military, other governmental organizations, and donors – should actively promote and ensure the appropriate and regular training of their respective humanitarian civil-military coordination focal points in order to establish a solid understanding of applicable international and national laws, principled humanitarian action, military culture and organization, protection of civilians, gender issues, humanitarian architecture, and to the UN Humanitarian Civil- Military Coordination (UN-CMCoord) and similar humanitarian frameworks.

> The civil-military coordination training and promotion should be flexibly applied by different actors and in relation to different contexts (i.e. natural disasters / complex emergencies) to allow best outcomes, depending on needs. Some of the factors to be counted in designing and implementing such trainings may include the audience, the objectives / desired outcomes and expected impact.

1.2.b   Prior to an emergency, humanitarian organizations (e.g. UN, NGOs and RCRC Movement), and relevant military organizations (national and foreign, including also military alliances and standing multinational forces), and other governmental actors should establish networks and partnerships at the regional[9] and national levels[10] to discuss preparedness planning, build capacity, and identify common training needs for effective and appropriate humanitarian emergency response in natural hazards and technological or man-made hazards. As part of contingency planning, all relevant stakeholders should gain an overview of potential capacity and capabilities of national and international humanitarian and other civilian actors that may participate in a relief operation.

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[9] For example, the British Red Cross NGO-Military Contact Group (NMCG): http://www.redcross.org.uk/What-we-do/Protecting-people-in-conflict/Improving-civil-military-relations / Regional Consultative Group (RCG) for the Asia Pacific Region: https://www.humanitarianresponse.info/en/operations/asia/civil-military-coordination-working-group

[10] See the following link to the RCG national platforms: https://www.humanitarianresponse.info/en/operations/asia/civil-military-coordination-working-group

1.2.c   As part of contingency planning, States, when possible and appropriate, should share information[11] on potential foreign military capacity and capabilities that may be useful in a humanitarian relief operation, as well as the methodology or process by which such assets may be requested and employed, to consider asset suitability, readiness, operability and interoperability. When possible, this discussion should include those foreign military actors who, bilaterally or as part of a multi-national force or alliance, may or may not be part of a response, depending on the context.

1.2.d   Humanitarian organizations and relevant actors from participating States should work collaboratively on the planning and implementation of appropriate simulations and/or exercises to jointly determine the appropriate requirements, objectives, and key outcomes, and to collectively develop realistic exercise scenarios and training objectives.

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[11] Through preparedness planning, regional networks, virtual platforms, training and simulations and/or exercises.

1.3 Coordinated Planning & Predictability

Overview of Practice

This section supports organizational and national-level planning to strengthen State emergency response frameworks and associated policy through delineating roles and responsibilities and facilitating the coordination and alignment of national and foreign military assistance based on a specific context.

Intended outcomes

- Development of awareness of national and foreign military roles/responsibilities, command and control structures, planning processes, and capacities to support humanitarian relief operations.

- Predictable humanitarian emergency response planning, including appropriate humanitarian civil-military coordination mechanisms.

- Clear delineation of appropriate roles, responsibilities and division of labor among humanitarian organizations and relevant national and foreign militaries, and other governmental actors from affected and assisting States.

Key Practices

1.3.a   As part of a nation's planning activities, identify known and existing vulnerabilities and hazards to outline and delineate the potential and appropriate roles and responsibilities of humanitarian, military (national and foreign), and other governmental actors providing support to a humanitarian relief operation.

> Military and humanitarian planning processes differ substantially in nature and timeframe. The main areas in which they could overlap (e.g. security management, medical evacuation, logistics, transport, infrastructure and engineering, communications, information management, Protection of Civilians) would also vary based on the context of the emergency – natural or man-made.
> While the civil-military interaction should always be assessed against the specific background and context to be applied, humanitarian actors should always plan for the projected timeframe of the relief operations independent of military support to avoid any type of dependencies.

1.3.b   Governments, with support from humanitarian organizations and foreign military actors, should agree on the potential and appropriate relief tasks and expected outcomes and assistance goals to be undertaken by foreign militaries in support of identified and prioritized key humanitarian needs. This should be undertaken in both general and mission/context-specific planning.

> As a general rule, humanitarian actors, affected States and assisting States should invest in increased civilian capacity instead of relying on ad hoc use of FMA.

1.3.c	States should appropriately integrate and communicate identified roles and responsibilities into emergency response frameworks and concepts of operations, and should ensure alignment with common training activities and simulations and/or exercises.

1.3.d	Affected States should clearly articulate and ensure wide dissemination of their principles and procedures for requesting, receiving, and using FMA. The UN Office for the Coordination of Humanitarian Affairs (OCHA) and/or sector/humanitarian cluster leads (such as the Global Logistics Cluster and other humanitarian agencies) are responsible for collecting relevant information regarding the capabilities and limitations of the assets accepted for use in the humanitarian relief operation, and sharing this information using the established humanitarian coordination mechanism.

2. DEPLOYMENT

2.1 Consultation & Decision Making

Overview of Practice

This section supports organizational and national policy, and emergency response frameworks, by promoting tools to ensure that coordinated approaches to deploying FMA result in timely and appropriate humanitarian assistance.

Intended outcomes

- Efficient deployment of required FMA by assisting States to support humanitarian relief operations.

- Assessment, request, and receipt of FMA by affected State(s) of resources, and expertise, in an appropriate, consistent and predictable manner necessary to increase the speed and volume of nationally-led response efforts.

- Use of FMA to appropriately and effectively address sub-national and local humanitarian response gaps and meet humanitarian needs without adversely affecting humanitarian programmes or affected populations.

Key Practices

2.1.a   Affected States are encouraged to consider foreign military assistance that has been offered in a manner consistent with humanitarian principles and these Practices.

2.1.b   In situations of natural hazards and technological or man-made hazards, assisting States considering the provision of bilateral and/or international assistance through FMA are requested to consider the *anticipated* humanitarian gap between disaster needs and available resources. A scenario-based analysis can support assisting States in their initial assessment of possible foreign military functions, tasks, and effects that may be required in a humanitarian relief operation.

2.1.c   In situations of natural hazards and technological or man-made hazards, the affected State, with support from humanitarian organizations, should widely communicate the *known* humanitarian gaps emerging from initial needs assessments,[12] including prioritization of peoples' needs, to support final decision-making for using FMA.

2.1.d   In situations of natural hazards and technological or man-made hazards, assisting States are encouraged to communicate the offer of, and if accepted, the deployment of FMA (including information regarding the capabilities and limitations of FMA), to inform and help affected States in their decision-making through the appropriate coordination mechanisms.

2.1.e   In situations of natural hazards and technological or man-made hazards, affected States are encouraged to communicate requests and acceptance of bilateral and/or international foreign military assistance through the appropriate coordination mechanisms to support a humanitarian relief operation to, amongst others, the UN OCHA Civil-Military Coordination Service (CMCS),[13] the appropriate representative of the International Red

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[12] For example, through the United Nations Disaster Assessment and Coordination (UNDAC) teams deployable within 12-28 hours of an emergency, and the Multi-Cluster/Sector Initial Rapid Assessment (MIRA) produced within 72 hours of an emergency: https://www.humanitarianresponse.info/programme-cycle/space/page/assessments-tools-guidance
[13] Email address cmcs@un.org / subject labelled "Deployment of FMA".

Cross/Red Crescent Movement (IFRC, ICRC, or National Red Cross/Red Crescent Society), for monitoring and wider promulgation.

2.2   Comparative Advantage & Complementarity

Overview of Practice

This section supports the use of FMA to meet specific and identified needs with assets that are unique in capability, availability, and/or timeliness; and supports their appropriate use to complement the humanitarian relief operation, and promote humanitarian principles.

Intended outcomes

- Receipt by affected States of appropriate, timely and specific life-saving/life-sustaining assistance that complements and supplements existing response capacities, capabilities, and resources.

- FMA supplement local capacity and capability gaps and is complementary to national sovereignty, and associated response mechanisms and modalities.

Key Practices

2.2.a   When using FMA in response to natural hazards and technological or man-made hazards, the deployment of FMA should serve to fill identified and validated humanitarian response gaps within the existing and anticipated response. FMA should seek to complement existing capacities and capabilities of the affected State and/or assisting States and assisting organizations.

2.2.b   When using FMA in response to natural hazards and technological or man-made hazards, the deployment of FMA should be unique in capability, availability, and/or timeliness to support the humanitarian relief operation effectively and/or provide life-sustaining/life-saving assistance, when appropriate.

2.2.c   To maximize the specialized capabilities of FMA, affected and assisting States should agree on objectives and associated indicators, while avoiding sustained dependencies on any particular foreign asset.

2.2.d   Assisting States that provide foreign military assistance are encouraged to do so at no cost to the affected nation and are encouraged to avoid diverting funds that are otherwise allocated to humanitarian aid budgets.

3. EMPLOYMENT

3.1 Appropriate Use & Distinction

Overview of Practice

This section guides the appropriate use of FMA used to support humanitarian relief operations through emergency response activities or direct life-saving assistance and/or associated enabling tasks, while ensuring respect of humanitarian principles, and of social and cultural norms.

Intended outcomes

- The actions of humanitarian, military, and other governmental actors uphold and respect the perceived and actual humanity, neutrality, impartiality, and independence of the humanitarian relief operation.

- All actors support and provide assistance in an appropriate manner that respects national sovereignty, humanitarian principles and the humanitarian imperative, and applicable international and national law.

- Assurance by all actors, to the largest extent possible, and when contextually necessary, that a distinction between humanitarian, military, and other governmental actors involved in the humanitarian relief operation is maintained to ensure that access to affected populations, and the safety and security of the affected people and humanitarian workers is not compromised.

Key Practices

> The local population's acceptance and trust of humanitarian actors is essential to minimize the likelihood of attacks on humanitarian workers. When considering the possible use of enabling activities of military forces, such as the provision of armed escorts or the provision of security, careful assessment is required to respect the applicable CMCoord concepts and principles. These include the concept of Last Resort; the full understanding of military mandates and mission structures (including command and control arrangements); and the rules for the use of force so as to ensure that the humanitarian principles, the humanitarian imperative, the humanitarian operating environment, and the perceived or actual distinction between military and humanitarian actors are respected.

3.1.a   When using military assets in response to natural hazards and technological or man-made hazards, humanitarian organizations, military organizations, or other governmental actors from affected and assisting States should respect humanitarian principles and the humanitarian imperative, the civilian character of humanitarian response, established policies, and should adhere to applicable international humanitarian law, human rights law, and international humanitarian standards/guidelines (e.g. The Sphere[14]Project, and Core Humanitarian Standard[15]), as applicable.

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[14] http://www.spherestandards.org/
[15] https://corehumanitarianstandard.org

3.1.b   For response to natural hazards and technological or man-made hazards, humanitarian, military, and other governmental actors should conform to the key principles and concepts of internationally established CMCoord Guidelines on the use of FMA in humanitarian relief operations (see **Annex A**), and those actors should follow regional and country/operational/context-specific guidance, when available and appropriate, in order to maintain a distinction between military and humanitarian actors, as determined by the specific context.

> In the context of complex emergencies, maintaining a clear and visible distinction between humanitarian actors and the military is essential to avoid blurring the lines between humanitarian action and military operations, thus also avoiding exposing humanitarians to increased risks.

3.1.c   In response to natural hazards and technological or man-made hazards, humanitarian, military, and other governmental actors from affected and assisting States should respect the humanitarian operating environment[16], core humanitarian principles and, the humanitarian imperative, and communicate appropriately to avoid exposing people to further harm as a result of their actions.[17] For example, in a given context, foreign militaries should carefully consider how they publicize their activities as it may affect perceptions of their role both on the ground and overseas. Assisting organizations are also encouraged to evaluate or consider how publicizing their coordination/cooperation with military or government actors may impact their access and perception in other areas.

> With the rise of social media and expansion of mobile technology in remote areas, organizations (both civilian and military) should evaluate how publicizing their cooperation/coordination activities with the host nation government, military or UN agencies can impact operational access and acceptance in other areas. For example, a photograph of an NGO branded staff member partnering with a member of a foreign military who is also conducting military operations in another part of the world could lead to suspicion that the NGO is working with the military actor in all environments regardless of context or circumstance.

3.1.d   In response to natural hazards and technological or man-made hazards, humanitarian organizations, military organizations, and other governmental actors from affected and assisting States should prioritize, communicate and coordinate the use of FMA through a context appropriate coordination mechanism that supports those humanitarian actors who have been accepted by local actors and have access to the affected people. FMA should only be requested if no equivalent civilian/commercial capabilities are available and only when military assets meet critical and life-saving humanitarian needs.

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[16] A key element for humanitarian organizations when they deploy consists of establishing and maintaining a conducive humanitarian operating environment. The perception of adherence to the key operating principles of neutrality and impartiality represents the critical means by which the prime objective of ensuring that suffering is met wherever it is found, can be achieved.

[17] This sentence refers to the Protection Principle of "do no harm", i.e. those involved in humanitarian response take steps to avoid or minimize any adverse effects of their intervention, in particular the risk of exposing people to increased danger or abuse of their rights.

3.1.e   In response to natural hazards and technological or man-made hazards , humanitarian organizations, militaries, and other governmental actors from affected and assisting States should consider and prioritize the hierarchy of humanitarian assistance tasks[18] (infrastructure support, indirect assistance, or, when security restricts humanitarian access, direct/life-saving assistance) into their decision-making process regarding the types of support provided, as determined by the specific context. When the conditions for the appropriate use of FMA are

> **Hierarchy of Humanitarian Assistance**
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> **Infrastructure Support** involves providing general services, such as road repair, airspace management and power generation that facilitate relief, but are not necessarily visible to or solely for the benefit of the affected population.
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> **Indirect Assistance is** at least one step removed from the population and involves such activities as transporting relief goods or relief personnel.
>
> **Direct Assistance** is the face-to face distribution of goods and services, providing first aid, transporting people, interviewing refugees, locating families, etc.

met, infrastructure support (e.g. repairing infrastructure) should be the priority option, while direct assistance should be considered only in the context of a natural disaster in peacetime, and only as the last option. On the contrary, in the context of man-made emergencies, and especially when military forces are engaged in combat, both direct assistance (e.g. handing out relief goods) and indirect assistance (e.g. providing logistic support) should be avoided.

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[18] See both Oslo Guidelines and MCDA Guidelines introductions on Humanitarian Assistance

3.2 Connectivity & Coordination

Overview of Practice

This section complements organizational and national policy and emergency response frameworks by outlining how common coordination procedures and appropriate platforms can be established to facilitate dialogue and interaction between humanitarian, military, and other governmental actors in response to natural hazards and technological or man-made hazards.

Intended outcomes

- Effective integration and utilization of FMA as part of the humanitarian relief operation.

- Common situational awareness based on agreed contextual requirements and good practices among all actors of who is doing what, when, and where in the area of operation.

- Appropriate coordination structures and procedures are established for tasks conducted by FMA at the sub-national and local levels.

Key Practices

3.2.a   In response to natural hazards and technological or man-made hazards, interaction between humanitarian organizations, military organizations, and other governmental actors from affected and assisting States are encouraged to respect humanitarian principles, referring to the UN-CMCoord framework, the Practices, existing Guidelines, and organizational mandates and frameworks for an appropriate coordination strategy. The selected coordination strategy, ranging from *cooperation* to *co-existence*, should protect the humanitarian operating environment and be continuously monitored by all actors based on the specific context.

> In response to natural disasters, the preferred coordination strategy will be on the cooperation side of the spectrum, with humanitarian organizations and military actors working towards the most effective ways of providing disaster relief.
>
> In the context of conflict and man-made emergencies, and as the intensity of military operations increases towards combat, cooperation between humanitarian and military actors is often not appropriate, opportune or possible and thus co-existence becomes the default option.
>
> Context should always be a planning consideration and will have an impact on coordination, including the military command and control structure.

3.2.b   In response to natural hazards and technological or man-made hazards and where appropriate, and as necessary, humanitarian organizations (e.g. the UN, NGOs, the RCRC Movement), military organizations (national and foreign), and relevant governmental actors

from affected and assisting States should identify humanitarian civil-military coordination focal points, including at the headquarters level where interaction should be established by governments connecting with existing national and/or international coordination mechanisms[19]

> Appropriately trained CIMIC officers, including in ad-hoc military coalitions, should be appointed to engage in CMCoord mechanisms, as appropriate and as soon as possible, in order to increase the predictability and effectiveness of civil-military coordination

3.2.c   In response to natural hazards and technological or man-made hazards, humanitarian organizations, military organizations, and other governmental actors from affected and assisting States are encouraged to engage in an appropriate coordination mechanism[20] in order to facilitate communication, information sharing, planning, task division, and decision-making, as appropriate, depending on the specific context. The type and composition of the mechanism should be determined by context and needs of relevant stakeholders.

> In response to natural disasters, it is generally most efficient to co-locate humanitarian and military actors in one operational coordination facility, allowing for real-time interaction, communication and information sharing, task division and joint planning.
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> In the context of man-made emergencies, when the coordination strategy is closer to the co-existence side of the spectrum (especially when CMCoord facilitates humanitarian access, the protection of civilians, and the security of aid workers), to avoid blurring the lines between humanitarian and military actors and to preserve the distinction between them, the preferred options would be to use reciprocal liaison visits or a third party interlocutor, for example a Humanitarian Civil-Military Coordination Officer.
>
> The coordination platform should be revised and adjusted on the basis of the feedback received from humanitarian, military and other governmental actors from affected and assisting States in order to ensure that it remains continuously fit-for-purpose.

3.2.d   For natural and technological disasters in non-conflict environments, affected States receiving FMA are encouraged to consider establishing a mechanism for military-military operational coordination between national and foreign military forces. For example, the establishment of a nationally led multinational coordination centre (MNCC),[21] also referred to as multi-national military coordination centre (MNMCC).

3.2.e   Assisting States providing FMA should participate with national coordination frameworks and coordinate with the relevant humanitarian civil-military coordination focal

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[19] Email address cmcs@un.org / subject labelled "[insert country] CMCoord Focal Point".

[20] For example, through a dedicated civil-military coordination platform, such as the functionality as described in the Humanitarian-Military Operational Coordination Concept (HuMOCC, or through other independent coordinating mechanisms such as with the members of the International Red Cross and Red Crescent Movement.

[21] For example: (see Multinational Force Standing Operating Procedure (MNF SOP), Part D, Chapter 1, Annex C: Humanitarian Assistance/Disaster Relief,). December 2016), available at
https://wss.apan.org/432/ReferenceDocuments/MNFSOP%20Ver%203.11_10%20Nov%20%2017.pdf

points[22] to engage in, for example, the humanitarian cluster system and/or other independent coordinating mechanisms such as with the members of the International Red Cross and Red Crescent Movement.

3.2.f   Humanitarian organizations, military organizations, and other governmental actors[23] from affected and assisting States should establish a uniform and consistent Request for Assistance (RFA) procedure to source foreign military capability to support or complement humanitarian relief operations.[24]

3.2.g   Humanitarian organizations, military organizations, and other governmental actors from affected and assisting States should develop, when appropriate, common information security and critical incident procedures to prevent and mitigate potential threats to the affected people and humanitarian workers.

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[22] For example, OCHA UN-CMCoord officer, the World Food Programme (WFP) Civil-Military Logistics Officer, donor nation civil-military focal point, military G9/J9 CIMIC officer, other independent coordinating mechanisms such as with the members of the International Red Cross and Red Crescent Movement, etc.   Note. Should there be no dedicated civil-military coordination focal point, the UN OCHA Civil-Military Coordination Service (Geneva) can fill this role remotely until dedicated capacity arrives in country.
[23] Note. National military forces and/or civil defence/protection organizations often fulfill the "first responder" role where capacity exists.
[24] For example, the Logistics Cluster Relief Item Tracking Application (RITA) is an established RFA process that serves to prioritize and validate requests: http://www.logcluster.org/cargo-tracking

3.3 Information Sharing & Placing Needs at the Centre

Overview of Practice

This section identifies the essential information elements that support humanitarian relief operations to meet the needs of and protect affected people.

Intended outcomes

- Focused information exchange enabling effective decision making without placing undue risk on the safety of the affected people and humanitarian workers.

- Comprehensive situational awareness supporting the analysis and prioritization of the key and immediate needs of affected people.

- Reliable data supporting the tasks of militaries and ensuring that the humanitarian needs of the affected people are met.

Key Practices

3.3.a   In the early phase of a humanitarian relief operation, and based on context analysis of the operational environment, humanitarian organizations, military, and other governmental actors from affected and assisting States are encouraged to share information that can improve coordination, including contact details and roles/responsibilities, when using appropriate online platforms such as Humanitarian ID,[25] the Virtual On-Site Operations Coordination Centre (V-OSOCC),[26] and/or other comparable information-sharing platforms.

3.3.b   At all levels of humanitarian civil-military coordination, and through appropriate and agreed internal mechanisms based on the specific context of the humanitarian emergency, humanitarian organizations, military organizations, and other governmental actors from affected and assisting States should collectively share information to identify social, cultural, ethnic and gender considerations. This information should include differing humanitarian needs (such as the needs of women, men, children, the disabled and the elderly), location of affected people, material and logistical gaps, security, protection and access issues, and instances of actual or threatened sexual exploitation and abuse.[27] The sharing of such information should not place additional risk on the affected people or humanitarian workers, particularly in situations of armed conflict.

> Organizations may consider the ICRC Handbook on Data Protection [28]which has specific guidance and recommendations for the handling and sharing of information of affected populations. Information sharing, to the extent possible, including the minimum exchange necessary to deconflict operations, is of crucial importance in the context of technological or man-made disasters when the preferred coordination strategy between humanitarian and military actors tends towards co-existence. Information sharing should always be done in a way that does not lead to the blurring of lines or misperceptions about the roles and mandates of different actors. Therefore, the decision on how and what type of information to be shared should be left to the relevant actors and may substantially differ from one crisis to the other.

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[25] https://humanitarian.id
[26] https://vosocc.unocha.org
[27] https://cdu.unlb.org/Policy/SexualExploitationandAbusePolicy.aspx
[28] https://www.icrc.org/en/publication/handbook-data-protection-humanitarian-action

3.3.c   When contextually appropriate, humanitarian organizations, military organizations, and other governmental actors from affected and assisting States may commit to appropriate data and information sharing processes to inform a *Humanitarian Notification System for Deconfliction (HNS4D)*[29].

This is necessary to advise military forces of humanitarian locations and humanitarian personnel in both static and non-static locations for the purpose of protection against attacks and the incidental effects of attacks under international humanitarian law.

> Humanitarian Notification Systems for Deconfliction (HNS4D) are voluntary and each organization must decide to participate or not. The decision to participate or not always lies with the individual organization, based on internal analysis, and may differ from one crisis to the other. The manner in which Humanitarian Notification Systems for Deconfliction operate should be constantly updated and revised based on feedback received from humanitarian, military and other governmental actors, and should be tailored to the specific context.

3.3.d   Humanitarian organizations, military organizations, and other governmental actors from affected and assisting States are encouraged to use the online data standard for Humanitarian Data Exchange (HDX)[30] and associated Humanitarian Exchange Language (HXL)[31] to streamline data collection, analysis and dissemination, including taking appropriate measures to protect Personally Identifiable Information (PII),[32] as considered appropriate based on the specific context.

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[29] OCHA's Civil-Military Coordination Service has developed Operational Guidance for Humanitarian Notification Systems for Deconfliction. This guidance is based on the current practice in several operating environments and the applicable legal framework under international humanitarian law (IHL). More information is available at https://drive.google.com/open?id=1kGlCupEpg7JKwS9wDLl9vSERUYvPhZcS.

[30] https://data.humdata.org

[31] http://hxlstandard.org

[32] PII is information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual.

4. TRANSITION

4.1 Exit Strategy Planning

Overview of Practice

This section recommends the establishment of clear transition criteria to support national and local actors, including the identification of key relief tasks, outcome goals, and indicators to guide and measure progress and facilitate the transition of foreign military functions and assets to civilian capabilities and capacities.

Intended outcomes

- Efficient and appropriate deployment and use of FMA by governments to support humanitarian relief operations with a clear understanding of agreed/appropriate roles and responsibilities, limited deployment duration, and exit criteria.

- Continuity of humanitarian relief operations from initial onset of the crisis through the recovery, reconstruction, and development phases of a humanitarian emergency.

- Actors, including military organizations, develop an effective, articulated, and disseminated exit strategy, while ensuring that the needs of the affected population are met.

Key Practices

4.1.a   As early as possible in the humanitarian relief operation, and when contextually appropriate, humanitarian organizations, military, and other governmental actors from affected and assisting States should collaboratively plan a transition and exit strategy for

> An exit strategy and hand-over that will ensure continuity of humanitarian relief operations should be considered when making the decision to use FMA. Transition planning by military actors should ideally begin as soon after mission acceptance as possible. To enhance predictability, the procedures for transition and the exit strategy should be disseminated and consistent in standing military alliances.

FMA supporting humanitarian assistance in order to avoid the creation of dependencies or humanitarian response gaps.

4.1.b   Assisting States should, to the largest extent possible, develop with the affected State's lead organization, clear outcome goals/indicators, handover milestones, end dates for support, and the intended departure dates of assisting foreign military forces, while providing continuous updates to the humanitarian community.

4.1.c   Based on the specific context, humanitarian organizations, and actors from affected and assisting States should disseminate transition criteria and associated transition points. For example, these criteria may include points such as when capacity is exhausted and/or unique FMA are no longer needed, key relief tasks have ended, objectives have been achieved, decision points have been met, and outcome goals/milestones have occurred (such as when the handover of responsibilities has taken place with the affected State, NGO, or humanitarian or development actors).

4.2 Redeployment & Handover

Overview of Practice

This section identifies the recommended handover approach parameters that should include responsibilities, timeframes, procedures, governance, and principled guidance for transferring the operation and maintenance responsibilities of humanitarian assistance from foreign military forces to another responsible entity.

Intended outcomes

- Foreign military forces are withdrawn in a controlled, planned, and coordinated fashion.

- Smooth transition between service providers with no significant disruption to the provision of essential humanitarian assistance.

- Appropriate transition of FMA in a coordinated, responsible, safe, and secure way.

Key Practices

4.2.a   Affected States, through an established central coordination body, should monitor the drawdown of foreign military assistance and the identification of essential activities and assets required to support these activities.

4.2.b   Humanitarian organizations, military organizations, and other governmental actors from affected and assisting States should be aware of responsibilities for the operation and maintenance of equipment (including medical supplies) donated by foreign military forces, including costs for repair, refurbishment, maintenance, and operation for the remaining life of the equipment. Donating entities should provide relevant donation documentation.

4.2.c   Assisting States providing FMA should collaboratively prepare disposal/donation plans to be provided with the equipment, including technical training and maintenance schedules where necessary.

4.2.d   Humanitarian organizations, military organizations, and other governmental actors from affected and assisting States should ensure that donated FMA do not expose people to further harm nor expose humanitarian workers to additional risk. For example, the removal of military markings may be necessary in a situation of armed conflict (de-militarization) pending resolution of the situation. Foreign military personnel should be aware of such potential dangers and take action to reduce risks as necessary.

5. MONITORING & EVALUATION

5.1 Measure Shared Results for Collective Accountability

Overview of Practice

This section supports establishing indicator baselines, benchmarks, assessments, monitoring and evaluation, and the instruments and tools needed to measure effectiveness, impact, and conformity. Key stakeholders are encouraged to undertake monitoring and evaluation focused on:

- Evaluating the use of the Practices and recommended approaches during actual operations.
- Collecting and reporting on organizational data to characterize the quality of humanitarian civil-military coordination.
- Assessing local community perceptions on the distinction between humanitarian, military, and other governmental actors.
- Collection of observations and data necessary for the implementation of practice 5.b (Learning & Innovation) and continual improvement of the Practices.

Intended outcomes

- Correct and appropriate deployment, use, and withdrawal of military forces and assets in humanitarian relief operations – by foreign military organizations and other governmental entities from assisting States.

- Delivery on commitments in a predictable manner based on a clear and appropriate contribution to broader outcomes and a desired level of quality by actors from affected and assisting States.

- Cohesion between actors through a shared understanding of the common operating environment and of respective and appropriate roles and responsibilities.

Key Practices

5.1.a   Humanitarian organizations, military organizations, donors, and other governmental actors from affected and assisting States are encouraged to assess: 1) the effectiveness of foreign military assistance; and 2) the extent of use of the 5 focus areas of the Recommended Practices.

5.1.b   Foreign military organizations, and other governmental actors from affected and assisting States are encouraged to measure performance against previously identified key relief tasks assigned to foreign militaries.

5.1.c   Humanitarian organizations, military organizations, and other governmental actors from affected and assisting States are encouraged to assess their use of these Practices and recommended approaches as well as associated international guidelines, guidance, and policy.

5.2 Learning & Innovation

Overview of Practice

This section supports humanitarian organizations and States receiving or providing FMA in conducting joint after-action reviews to extract and implement lessons observed, develop good practices, and exchange information on matters of innovation.

Intended outcomes

- Improvement of future humanitarian civil-military coordination by building an evidence base from previous operations.

- Development of a common approach for integrating foreign military assistance into State emergency response frameworks and associated policy.

- Application of new and innovative products and processes to improve humanitarian relief operations.

Key Practices

5.2.a   Conduct after-action reviews among humanitarian organizations, military organizations, and other governmental actors from affected and assisting States to identify good practices and reflect on the effects of FMA on the humanitarian relief operation, as well as effectiveness of humanitarian organizations and assisting States.

5.2.b   Extract lessons observed to identify and implement good practices, including the innovative application of new or existing technologies and processes that are transferrable to other/future humanitarian emergencies. This should be achieved while understanding there is no "one-size fits all" approach and that each context and crisis is unique.

5.2.c   Utilize a common platform for the promulgation and proactive dissemination of self-assessments, performance measurement, lessons observed, and good practices, such as the "Humanitarian//Military Dialogue" community of practice,[33] within regional networks as established under the focus area of Preparedness.

5.2.d   Future simulation and/or exercise scenario planning should incorporate lessons observed and good practices from past humanitarian relief operations to anticipate future emergencies more effectively, particularly in predictable contexts, e.g. naturally occurring disasters in specific regions and/or countries.

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[33] https://sites.google.com/dialoguing.org/home

KEY PRINCIPLES, CONCEPTS, AND CRITERIA FOR THE USE OF FOREIGN MILITARY ASSETS/FOREIGN MILITARY AND CIVIL DEFENCE ASSETS

1.   Inter-Agency Standing Committee (IASC) Principles and Concepts for Humanitarian Action

The IASC principles and concepts for humanitarian action by humanitarian organizations, including Civil-Military Coordination for humanitarian purposes in complex emergencies, are summarized[34] below:

A.   **Humanity, Neutrality and Impartiality**

Ample consideration by humanitarian organizations must be given to finding the right balance between a pragmatic and a principled response, so that coordination with the military does not compromise humanitarian imperatives.

B.   **Humanitarian Access to Vulnerable Populations**

Coordination with the military should be considered to facilitate, secure, and sustain humanitarian access to vulnerable populations and should not work in ways that could be perceived as neither impartial nor neutral or that could hinder sustained humanitarian access

C.   **Perception of Humanitarian Action**

The delivery of humanitarian assistance by humanitarian organizations to all populations in need must be neutral and impartial. Neutral and impartial humanitarian assistance must not support parties to a conflict or take sides in disputes or political positions.

D.   **Needs-Based Assistance Free of Discrimination**

Humanitarian assistance must be given without adverse discrimination based on race, religion, sex, birth, or any similar criteria.

E.   **Civilian-Military Distinction in Humanitarian Action**

Humanitarian workers must never present themselves or their work as part of a military operation, and military personnel must refrain from presenting themselves as civilian humanitarian workers.

F.   **Operational Independence of Humanitarian Action**

Humanitarian actors must retain the lead role in undertaking and directing humanitarian activities. Humanitarian organizations must not implement tasks on behalf of the military nor represent or implement policies applicable to military organizations.

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[34] Civil-Military Relationship in Complex Emergencies: an IASC Reference Paper (28 June 2004)

G. Security of Humanitarian Personnel

Any perception that humanitarian actors may have become affiliated with the military forces within a specific situation could impact negatively on the security of humanitarian staff and their ability to access vulnerable populations.

H. **Do No Harm**

Considerations on Civil-Military coordination must be guided by a commitment to "Do No Harm".

I. **Respect for International Legal Instruments**

Both humanitarian and military actors must respect international humanitarian law as well as other international norms and regulations, including human rights instruments, as applicable.

J. **Respect for Culture and Custom**

Respect and sensitivity must be maintained for the culture, structures and customs of the communities and countries where humanitarian activities are carried out.

K. **Consent of Parties to the Conflict**

The risk of compromising humanitarian operations by cooperating with the military might be reduced if all parties to the conflict recognize, agree or acknowledge in advance that humanitarian activities might necessitate Civil-Military coordination in certain exceptional circumstances.

L. **Option of Last Resort**

Use of military assets, armed escorts, joint humanitarian-military operations and any other actions involving visible interaction with the military must be the option of last resort.

M. **Avoid Reliance on the Military**

Humanitarian agencies must avoid becoming dependent on resources or support provided by the military.

2. IASC Guiding and Operating Principles on Civil-Military Relationships and the Use of Foreign Military Assets[35]

A. **Guiding Principles**

- The guiding principles of impartiality, neutrality, humanity and independence from political considerations are the same as those governing humanitarian action in general.

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[35] The 'GUIDING PRINCIPLES' are excerpts from the 'IASC Guiding and Operating Principles for the Use of Military and Civil Defence Assets in Support of Humanitarian Operations' reflected in the "Report of the Task Force on the Use of Military and Civil Defence Assets in Support of Humanitarian Operations" of September 1995, endorsed by the IASC Working Group on 27 September 1995. The 'OPERATING PRINCIPLES' are excerpts from the 'IASC Principles on Military-Civilian Relations' of January 1995. Reports are available at the Inter-Agency Standing Committee (IASC) website at https://interagencystandingcommittee.org/product-categories/use-military-and-civil-defense-assets.

- The military nature of the assets may, however, require increased attention to be paid to the need to ensure that humanitarian action is not only neutral and impartial in intent but also perceived to be so by the parties directly concerned.

- Particular caution should be exercised in circumstances where there is a risk that either the motivation for the use of military or civil defence assets or its consequences may be perceived as reflecting political rather than humanitarian considerations.

- This risk is likely to be greatest in humanitarian actions in countries where military forces are operating under a UN Security Council resolution involving Chapter VII of the UN Charter[36], even if the two operations are not considered as integrated.

B. **Operating Principles**

- Decisions by humanitarian organizations to accept military assets must be made by humanitarian organizations, not political authorities, and based solely on humanitarian criteria.

- Military assets should be requested by humanitarian organizations only where there is no comparable civilian alternative and only the use of military assets can meet a critical humanitarian need. The military asset must therefore be unique in nature or timeliness of deployment, and its use should be a last resort.

- A humanitarian operation by humanitarian organizations using military assets must retain its civilian nature and character. The operation must remain under the overall authority and control of the humanitarian organization responsible for that operation, whatever the specific command arrangements for the military asset itself. To the extent possible, the military asset should operate unarmed and be civilian in appearance.

- Countries providing military personnel to support humanitarian operations by humanitarian organizations should ensure that the military personnel respect the code of conduct and principles of the humanitarian organization responsible for that deployment.

- The large-scale involvement of military personnel in the direct delivery of humanitarian assistance should be avoided.

- Any use of military assets should ensure that the humanitarian operation retains its international and multilateral character.

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[36] UN Charter, Chapter VII: Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression.

3.   Key Concepts for Use of Foreign Military Assets (FMA)/Military and Civil Defence Assets (MCDA)[37]

The following concepts guide the use of FMA/MCDA:

- **Requests by humanitarian organizations for military assets must be made by the Humanitarian/Resident Coordinator on the ground, not political authorities, and based solely on humanitarian criteria.**

- **MCDA should be employed by humanitarian agencies as a last resort, e.g.. only in the absence of any other available civilian alternative to support urgent humanitarian needs in the time required.**

- **A humanitarian operation by humanitarian organizations using military assets must retain its civilian nature and character. Although military assets will remain under military control, such an operation as a whole must remain under the overall authority and control of the responsible humanitarian organization. This does not infer any civilian command and control status over military assets.**

- **Humanitarian work should be performed by humanitarian organizations. Insofar as military organizations have a role to play in supporting humanitarian work, it should, to the extent possible, not encompass direct assistance, in order to retain a clear distinction between the normal functions and roles of humanitarian and military stakeholders.**

- **Any use of MCDA by humanitarian organizations should be, at its onset, clearly limited in time and scale and present an exit strategy element that defines clearly how the function it undertakes could, in the future, be undertaken by civilian personnel.**

- **Countries providing military personnel to support humanitarian operations of humanitarian organizations should ensure that such personnel respect the UN Codes of Conduct[38] and the humanitarian principles.**

4.   Concept of Last Resort

- A specific capability or asset requirement that cannot be met with available civilian assets has been identified; **and**

- Foreign military and civil defence assets would help meet the requirement and provide unique advantages in terms of capability, availability, and timeliness; **and**

- Foreign military and civil defence assets would complement civilian capabilities.

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[37] Guidelines on the Use of Military and Civil Defence Assets to Support United Nations Humanitarian Activities in Complex Emergencies (MCDA GUIDELINES), endorsed by the members of the Inter-Agency Standing Committee (IASC) in March 2003 and Guidelines on the Use of Foreign Military and Civil Defence Assets in Disaster Relief (Oslo Guidelines), Rev. 1.1, November 2007.

[38] For the United Nations' Code of Conduct, go to https://conduct.unmissions.org/

5.   Criteria for the Exceptional Use of Armed Escorts[39]

As a general rule, humanitarian convoys of humanitarian organizations will not request and use armed escorts. An exception to the general rule will be considered by humanitarian organizations, as a last resort, only when all of the following criteria are met:

A. **Humanitarian Need and Programme Criticality**

The level of humanitarian need is such that the lack of humanitarian action would lead to unacceptable human suffering, yet the transport of essential personnel and relief supplies cannot be undertaken without requesting the use of armed escorts.

B. **Responsible Authorities**

State authorities or local non-State actors are unable or unwilling to permit the movement of humanitarian supplies or personnel without the use of armed escorts.

C. **Safety and Security**

The armed escorts utilized are capable of providing a credible deterrent necessary to enhance the safety of humanitarian personnel and capacity to provide assistance to the beneficiaries without compromising their security or that of the affected people.

D. **Sustainability**

The use of an armed escort by humanitarian organizations will not irreversibly compromise the humanitarian operating environment or the longer-term capacity of the organization(s) to safely and effectively operate in the future. The humanitarian agency in question has conducted a thorough stakeholder analysis to determine the potential consequences of the using an armed escort, and has put in place effective mitigation measures to reduce the likelihood and negative impact of such consequences.

Note: The humanitarian community should refrain from making a carte blanche determination on whether or not to use armed escorts. Instead, the decision should be determined case-by-case and informed by the outcome of a corresponding structured security risk assessment. The use should be geographically limited, time-bound and with specific purpose. There should be no blanket adoption of armed escorts as a modality for humanitarian operations.

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[39] IASC Non-Binding Guidelines on the Use of Armed Escorts for Humanitarian Convoys, approved for implementation by the IASC Principals as a Non-Binding Reference Document on 18 February 2013.

ANNEX B – ADDITIONAL RESOURCES

Guidelines on the Use of Foreign Military and Civil Defence Assets in Disaster Relief, 1994 - revised November 2007 (Oslo Guidelines)

Guidelines on the Use of Military and Civil Defense Assets to Support United Nations Humanitarian Activities in Complex Emergencies, March 2003 - revised January 2006 (MCDA Guidelines)

Inter-Agency Standing Committee (IASC) Reference Paper on Civil-Military Relationships in Complex Emergencies, 28 June 2004

IASC Guidelines on the Use of Armed Escorts for Humanitarian Convoys, 27 February 2013
https://sites.google.com/dialoguing.org/home/resource-centre/resource-library

Asia-Pacific Regional Guidelines For The Use Of Foreign Military Assets In Natural Disaster Response Operations.
https://reliefweb.int/sites/reliefweb.int/files/resources/Guidelines_FMA_Final.pdf

OCHA on Message providing information on the core humanitarian principles:
https://docs.unocha.org/sites/dms/Documents/OOM-humanitarianprinciples_eng_June12.pdf

OCHA's Civil-Military Coordination Service maintains a virtual dialogue platform for humanitarian civil-military issues, with up-to-date information, training material and events: http://www.dialoguing.org

OCHA information on UN-CMCoord, including links to global, and country and organization-specific guidelines:
https://www.unocha.org/themes/humanitarian-civil-military-coordination

OCHA, Oxford Guidance on the Law Relating to Humanitarian Relief Operations in Situations of Armed Conflict, October 2016: http://reliefweb.int/report/world/oxford-guidance-law-relating-humanitarian-relief-operations-situations-armed-conflict

The ICRC provides comprehensive information about IHL on: http://www.icrc.org

Information about the RCRC Movement, links to national Red Cross and RedCrescent Societies, RCRC disaster information and the Disaster Law Database:
https://www.ifrc.org and https://www.ifrc.org/publications/disaster-law-database/.

UN OCHA website: http://www.unocha.org

OCHA Humanitarian Reports (regular country SitReps):
http://www.unocha.org/media-centre/humanitarian-reports

OCHA on Message (2-pagers to explain important concepts such as Humanitarian Principles, Protection, UN-CMCoord, etc.):
http://www.unocha.org/about-us/publications/OOM or
https://www.unocha.org/themes

Reliefweb, the leading information database for humanitarian response, contains situation reports, analyses, maps and info-graphics on crises and natural disasters, and information by country: http://reliefweb.int

Virtual On-Site Operations Coordination Centre V-OSOCC:
http://vosocc.unocha.org/

Website of the IASC with all IASC guidelines on humanitarian coordination and different topics: www.humanitarianinfo.org/iasc

Overseas Development Institute research project "Civil-military coordination: The search for common ground":

http://www.odi.org.uk/projects/2581-civil-military-coordination-humanitarian

ANNEX C – Humanitarian Notification Systems for Deconfliction (HNS4D)
Good Practices and Lessons Learned

Background

Humanitarian Notification Systems for Deconfliction between military and humanitarian/ development operations have become increasingly necessary as protracted conflicts have increased in length, scope and complexity. The purpose of this document is to capture existing good practices and lessons learned which are currently in use in multiple operating environments and make them more readily available to those in both the military and humanitarian and development communities. While these good practices are not intended to be exhaustive, they are intended to help familiarize those operating in the field or at the headquarters level with existing approaches. While these systems are primarily used in areas where humanitarian actors operate, as conflicts extend into multiple years, one can envision a time where development actors will also be necessary to deconflict; for example, as is currently necessary in Somalia, or in Nigeria in the future.

Currently, there are humanitarian notification systems for deconfliction in use in Iraq, Syria, Yemen, Afghanistan, and Somalia. While the systems are in different locations and may require different facilitators, there are core similarities and issues as it pertains to information and information management.

Development of a notification system for deconfliction does not alleviate a military actor of their obligations under international humanitarian law (IHL). It is the sole responsibility of warring belligerents to protect civilians and uphold IHL. Under IHL, military actors are obligated to ensure the protection of civilians and assets employed towards the delivery of humanitarian assistance and must ensure that all feasible actions and precautions are taken in this regard.

There are currently three possible approaches to deconfliction between humanitarian and military operations. This document will outline each approach and highlight each one's advantages and disadvantages to better inform organizations contemplating participating in such a mechanism. While this list is not exhaustive, it draws upon the primary approaches which have been utilized or are currently being utilized in multiple contexts. The most important factor to remember when considering each approach is that they are all voluntary and each organization, especially non-governmental organizations (NGOs), must determine internally whether they will participate.

OCHA-led Notification System
In this approach, the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) is the primary interlocutor between the humanitarian and military organizations. Organizations, both NGO and UN, are encouraged to provide GPS data to a UN OCHA focal point that in turn anonymizes the data before providing it to the relevant military actors. This approach was used in Libya in 2013 and is currently in use in Yemen.

The advantage to the OCHA-led system is that it ensures a coordinated approach and allows for more accurate reporting of existing infrastructure and movements. A potential disadvantage of this approach could be organizations' concerns about the confidential handling of data which can be used to identify key humanitarian/development infrastructure or planned movements.

Member State Foreign Ministry or Humanitarian Assistance Agency- led Notification System
In this approach, a United Nations Member State foreign ministry or humanitarian assistance agency may serve as the interlocutor between the humanitarian and military organizations. This approach is typically observed when a UN member State military is engaged in kinetic activity in a country and their foreign ministry or humanitarian assistance agency is also engaged in funding activities in the country. This approach may be utilized when UN OCHA lacks personnel or resources to establish this mechanism themselves. The advantage to this approach is that the foreign ministry or humanitarian assistance agency is typically within the same government as the deployed member State military which allows for greater information sharing without the limits that may occur between the UN and a Member State military. The disadvantage to this approach is that the provision of data by organizations may be viewed as supporting military operations or allow for perceptions or allegations that organizations may be affiliated with the military organization engaging in kinetic activity.

Member State Military-led Notification System
In this approach, a UN member State military may serve as the interlocutor between the humanitarian and military organizations. This approach is typically utilized when UN OCHA lacks personnel or resources to establish this mechanism themselves. The advantage to this approach is the data is provided directly to the military actors conducting operations and may diminish the likelihood of direct or indirect damage to humanitarian infrastructure or movements. The disadvantage to this approach is that the provision of data by organizations may be viewed as supporting military operations or allow for perceptions or allegations that organizations may be affiliated with the military organization.

Is a Notification System Necessary?
One of the biggest challenges with notification systems for deconfliction is that they are typically established following the decision for military action. One question we should be asking is: Are there current emergencies or crises where there is either ongoing military action taking place or there have been indications where military action is imminent where this mechanism should be proactively established to minimize the anticipation of imminent military action when this mechanism is established? This is a key lesson learned from existing mechanisms which have been established, and to mitigate the need for this mechanism when conflict or instability arises, these mechanisms should be implemented in those contexts where unilateral or multilateral military action is likely to occur. This includes those contexts where UN peacekeeping operations are currently present.

Recommend Information Requirements
To establish a common baseline of information requirements within notification systems, the Drafting Committee has collated the typical information requirements sought when these types of mechanisms are established. These information requirements are divided into two primary categories: static humanitarian/development infrastructure sites and dynamic humanitarian/development infrastructure or movements.

Static Humanitarian Infrastructure Sites Recommended Minimum Information Requirements
- o   Accurate GPS Coordinates of site
- o   Function of the site, i.e. compound, office, hospital
- o   Contact information should additional data be required
- o   A second point of contact if for some reason the primary is unavailable
- o   Optional: digital imagery of the site
- o   Optional: background data on the site, i.e. tent or former school

Dynamic Humanitarian/Development Infrastructure Sites Recommended Minimum Information Requirements
  - o Name of organization conducting missions
  - o Brief description of mission activity
  - o Date of departure and anticipated completion
  - o Locations: origins, waypoints, destination – GPS coordinates of all three as well as the planned route
  - o Vehicle description including quantity of each and whether vehicles will be driven by organization or contract personnel
  - o Description of destination
  - o Contact information for personnel who will be part of the mission and secondary point of contact for someone not participating in the mission

Recommended Criteria for determining whether to participate
Each organization, whether intergovernmental or non-governmental, must individually determine whether they will participate in a notification system for deconfliction based on their own risk assessment and internal concerns. No donor or government can require an organization's participation in a deconfliction notification system within a particular context. Participation and submission of information through a notification system for deconfliction is strictly voluntary.

Based on lessons learned and good practices, there are a few key questions which should be answered prior to an organization determining whether they will participate in a notification system for deconfliction.

Key questions for determining whether to share static humanitarian or development sites:
- How is information shared, validated, and updated, and how frequently?
- How can the humanitarian and/or development community express its concerns to military organizations without compromising neutrality or independence?
- If the mechanism is made public, what impact would it have on humanitarian or development organizations, including perceptions of their neutrality and independence? How would this impact national staff?
- Does this de-confliction arrangement benefit or include local partners? If so, what are the potential risks or negative consequences of including local partners, including potential attacks on those partners if their participation is made public?
- Will data be provided as part of negotiations with all parties to the conflict including non-State armed actors? If entered into a de-confliction arrangement with any party to conflict, what negative implications for partners might need to be anticipated?
- What are the risks associated of sharing this type of data with military forces who may be party to the conflict?
- What are the different risks associated with sharing the data with United Nations or regional peacekeeping forces?

Key questions for determining whether to share dynamic Humanitarian/ Development Infrastructure Missions:
- How is information shared, validated, and updated, and how frequently?
- How can the humanitarian and/or development community express its concerns to military organizations without compromising neutrality or independence?
- Does this data sharing arrangement create an expectation within participating organizations of "rescue" by military actors if the activity comes under attack by armed actors?
- What is a reasonable expectation of time for provision of information?

- Should data be shared with national authorities as well as non-State armed actors as part of access negotiations? How should the appropriateness of this be assessed?
- Will data be provided as part of negotiations with all parties to the conflict including non-State armed actors? If entered into a de-confliction arrangement with any party to conflict, what negative implications for partners might need to be anticipated?