

Frequently Asked Questions (FAQ)

UN Humanitarian Civil-Military Coordination, Military Civil Defense Assets and the Use of Military Escorts in South Sudan

What is UN Civil-Military Coordination?

United Nations Humanitarian Civil-Military Coordination (UN-CMCoord) is the essential dialogue and interaction between civilian and military actors in humanitarian emergencies that is necessary to protect and promote humanitarian principles, avoid competition, minimize inconsistency, and when appropriate pursue common goals.

The primary tasks associated with the UN-CMCoord function are to:

- Establish and sustain dialogue with military forces.
- Establish a mechanism for information exchange and humanitarian interaction with military forces and other armed actors.
- Support the development and dissemination of context-specific guidelines for interaction of the humanitarian community with military and armed actors.
- Monitor activities by military forces and ensure they have no negative impact on affected people or the humanitarian community.
- Assist in negotiating issues in critical areas of coordination.

UN-CMCoord should not be confused with (Civil-Military Cooperation) CIMIC of military actors or UN-CIMIC (UN Civil-Military) peacekeeping concepts:

- **UN-CMCoord is a civilian and humanitarian function while UN-CIMIC is a military staff function in a UN Peacekeeping Mission.**
- UN-CMCoord aims to protect and promote humanitarian principles.
- UN-CIMIC activities are conducted in support of political or military objectives (e.g. NATO CIMIC).
- UN-CIMIC in the context of a UN peacekeeping operation is conducted in support of the wider peace process and not solely in support of the military commander's intent or humanitarian objectives.

What are key considerations for Humanitarian Civil-Military Interaction?

1. Humanitarian Principles: Humanity, Neutrality, Impartiality and Operational Independence.

2. Humanitarian Space: A conducive operating environment for humanitarians, where the receipt of humanitarian assistance is based on needs, is not conditional upon allegiance or support to parties involved in a conflict, but is a right, and is independent of military and political action.

3. Needs-Based Assistance Free of Discrimination: Humanitarian assistance must be provided on the basis of needs alone. The assessment of such needs must be independent from any non-humanitarian considerations.

4. Humanitarian Access: Humanitarian agencies must maintain their ability to obtain access to all vulnerable people in all areas and to negotiate such access with all parties to the conflict. Coordination with the military should facilitate, secure and sustain - not hinder - humanitarian access.

5. Perception of Humanitarian Action: Humanitarian assistance must come without political or military conditions. Civil-military coordination must not jeopardize the local network and trust that humanitarian agencies have created.

6. Civilian-Military Distinction: At all times, a clear distinction must be maintained between combatants and civilians, who are granted immunity from attack by IHL. Military personnel must refrain from presenting themselves as civilian / humanitarian workers, and vice versa.

7. Operational Independence of Humanitarian Action: Humanitarian actors must retain the lead role in undertaking and directing humanitarian activities. They must not implement tasks on behalf of the military or military policies. They must be free in movement, conducting independent assessments, selecting of staff, and identifying recipients of assistance based on their needs.

8. Security of Humanitarian Personnel: Any perception that humanitarian organizations may have become affiliated with the military could impact negatively on the security of their staff and on humanitarian access.

9. Do No Harm: Humanitarian action, including humanitarian civil-military coordination, must not have negative impacts on the people it seeks to help – physical proximity to or association with military involved in relief operations could put the recipients of humanitarian assistance at risk.

10. Respect for International Legal Instruments and Culture and Customs.

11. Consent of Parties to the Conflict: The risk of compromising humanitarian operations by cooperating with the military may be reduced if all parties to the conflict recognize, agree or acknowledge in advance that civil-military coordination might be necessary for certain humanitarian activities.

12. Avoid Reliance on Military Resources or Support. Humanitarian agencies must avoid becoming dependent on military resources and Member States are encouraged to invest in increased civilian capabilities.

How can Military Assets be used to support Humanitarian Action?

Militaries can contribute valuably to humanitarian action by responding to requests for specific capabilities and capacities to meet specific needs, for a limited period of time. Deployment of appropriate military capacity should include an exit strategy that defines how the activities can be continued with civilian personnel and means. Military assets are often only available for a limited period of time. It is crucial to communicate the limitation of availability to the humanitarian community or organization directly assisted.

In natural disasters, **Military Civil Defence Assets (MCDA)** tasks that military forces may be requested to perform include:

- **Infrastructure Support:** General services that facilitate humanitarian activities but are not necessarily visible to, or exclusively intended for the benefit of, the affected people, such as re-establishing infrastructure, providing communications networks, operating airfields, or providing weather information.
- **Indirect Assistance:** Military personnel are at least one step removed from the relief activity. Only civilian personnel should have direct interface with affected people, while military units or personnel may assist the activity by e.g. transporting relief items, building camps and shelters, or clearing mines or ordnance.
- **Direct Assistance:** Face-to-face distribution of goods and services, such as handing out relief items, providing medical assistance, transporting people, interviewing refugees, or locating families.

However, in complex emergencies, like South Sudan, where armed conflict exists, the flexibility to use MCDA is greatly constrained and the importance of distinction becomes paramount as outlined in international humanitarian law. For such settings, key concepts on MCDA are outlined in Guidelines on the Use of Military and Civil Defence Assets to Support United Nations Humanitarian Activities in Complex Emergencies including:

- **Hierarchy of tasks:** Military support should focus on indirect assistance and infrastructure support. Direct assistance should only be provided as a last resort, not to compromise the distinction between military and humanitarian actors.
- **Information sharing:** In any emergency, regardless of the military forces' mandate, a mechanism should be put in place for mutual sharing of appropriate information, as far as possible.
- **Requirement for liaison:** Irrespective of the level of interaction between humanitarian and military actors, a minimum level of liaison is required.
- **Last resort:** Military assets and escorts should only be used if they are the only option to respond to a critical life-threatening situation i.e. the need cannot be met with available civilian assets, and there are no alternatives to the activity. In complex emergencies, the risks to perception of humanitarian assistance, access and acceptance, as well as security of affected people and humanitarian workers must be examined thoroughly.
- **Do No Harm:** Military assets can provide unique advantages in terms of capability, availability, and timeliness; in this case they should complement (not replace) civilian capabilities on a temporary and time-limited basis. The immediate positive effects must be carefully balanced with long-term negative effects.

What is the process to apply for MCDA in South Sudan?

As a general rule, to promote distinction between military and humanitarian actors, humanitarian actors should not use UNMISS's assets or armed escorts. The use of such assets or armed escorts should only be considered by humanitarian actors as a last resort under exceptional circumstances, when all of the following criteria are met:

- **The objective of the mission is a humanitarian one**, and the mission clearly maintains its humanitarian and civilian character;
- **There is an urgent and immediate humanitarian need** (representing an agreed HCT priority);
- **There is no comparable humanitarian alternative;**
- **The use of the asset/escort is limited in time and scale**, with a clear exit strategy agreed at the outset of the request; and
- **The use of the asset/escort does not compromise humanitarian actors' longer-term capacity to operate safely and effectively.**

As UNMISS has finite resources, UNMISS takes decisions to respond to requests by humanitarian actors on a case-by-case basis in relation to available assets, priorities and costs (which, after prior consultation, may in some cases be recovered from humanitarian actors). In keeping with the 2013 HCT Guidance - South Sudan - Guidelines for Coordination between Humanitarian Actors and the United Nations Mission in South Sudan (2013) a process was established for all requests for the use of UNMISS assets or armed escorts to be channeled through agreed focal points, namely OCHA and the JOC, and tabled at a weekly MCDA meeting in Juba. In their requests, humanitarian actors are responsible for demonstrating that their request can be considered a "last resort" by meeting all of the above criteria. OCHA reports regularly to the Humanitarian Country Team on the use of UNMISS assets and armed escorts. Movement of Personnel (MOP) using UNMISS air assets also requires an MCDA approval. To help expedite this process, it has been agreed with UNMISS that MOP requests can be channeled through OCHA sub-offices at State level, rather than going through the centralized process.

What about the use of Military Escorts or Force Protection?

As a general rule, humanitarian actors will not use **armed escorts** in South Sudan (see agreed international and South Sudan guidance listed below). However, there may be exceptional circumstances in which the use of armed escorts is necessary as a “last resort” to enable humanitarian action. Before resorting to the use of armed escorts, humanitarian organizations must consider all alternative means for establishing and maintaining access to the affected people and associated management of security risks.

An alternative and good practice to deterrence measures and armed protection is to request **area security**. This may involve UNMISS “clearing” and patrolling key road networks, maintaining a presence in the area but not being visible or accompanying the convoy, or providing aerial flyovers.

An exception to the general rule will be considered, as a last resort, only when all of the following criteria are met:

- **Humanitarian Need.** 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 the use of armed escorts.
- **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.
- **Safety and Security.** The armed escorts utilized are capable of providing a credible deterrent to enhance the safety of humanitarian personnel and their capacity to provide assistance to beneficiaries without compromising their security or that of the affected people. This should be determined on a case-by case and informed by the outcome of a security risk assessment.
- **Sustainability.** The use of an armed escort 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 all possible 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 of armed escorts 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.

What about Force Protection and MCDA within the Protection of Civilian (POC) Sites?

In December 2013, the Humanitarian Country Team approved the use of force protection to allow humanitarians to be based and work within Protection of Civilians Sites (POCs). This formed the basis of blanket MCDA clearance for work within POCs as a “last resort”. As a result, no case-by-case clearance for MCDA is currently required within POCs and Force Protection and assistance is coordinated at a State level by UNMISS RRP and humanitarian agencies. Roles and responsibilities were further outlined in the Agreement of Division of Roles and Responsibilities between UNMISS and the Humanitarian Country Team in UNMISS POC Sites, February 2014.

Where can I find out more information?

- Guidelines on the Use of Military and Civil Defence Assets to Support United Nations Humanitarian Activities in Complex Emergencies – “MCDA Guidelines” - Rev. 1 (January 2006).
- Updated Guidelines on the Use of Armed Escorts for Humanitarian Convoys - IASC Non-Binding Guidelines (February 2013).
- South Sudan - Guidelines for Coordination between Humanitarian Actors and the United Nations Mission in South Sudan (2013).
- Agreement of Division of Roles and Responsibilities between UNMISS and the Humanitarian Country Team in UNMISS POC Sites. (2014).
- UN Civil-Military Coordination Field Handbook (June 2015).
- Humanitarian Civil-Military Coordination - A Guide for the Military (July 2014).
- OCHA on Message: Civil-Military Coordination (November 2013).

Contact: OCHA South Sudan - Policy, Access and Civil-Military Coordination Unit (PACMCU).

In South Sudan OCHA’s Policy, Access and Civil-Military Coordination Unit (PACMCU) acts as the focal point for humanitarian civil-military coordination, to ensure the effective and efficient use of foreign military assets in humanitarian emergencies and to ensure the appropriate interface between civilian and military actors.

Glossary of Terms

Humanitarian action comprises assistance, protection and advocacy actions in response to human needs. An overarching issue in humanitarian action is protection, which in humanitarian terminology has different meanings and implications to military usage. For humanitarian agencies, protection is a concept that encompasses all activities aimed at obtaining full respect for the rights of an individual, regardless of ethnic, political, or religious background, in accordance with Human Rights and Refugee Law, and International Humanitarian Law (IHL). *Military forces also refer to IHL as the Law of Armed Conflict (LOAC).*

Humanitarian assistance seeks to save lives and alleviate suffering of people affected by a crisis, be it a natural disaster or conflict. It focuses on short-term emergency relief, to provide basic life-saving services that are disrupted due to the crisis. Humanitarian assistance is needs-based, with the sole purpose to save lives and reduce human suffering that originated from a crisis.

Humanitarian principles define how humanitarian assistance is delivered and are a basic consensus among humanitarian actors, irrespective of affiliations or ideologies. The core of and rationale behind all humanitarian work is the principle of HUMANITY: Human suffering must be addressed wherever it is found. The purpose of humanitarian action is to protect life and health and ensure respect for human beings. To do so, humanitarian assistance must be carried out IMPARTIALLY, on the basis of need alone, to all people regardless of their nationality, race, gender, religious beliefs, class, or political opinion. Humanitarian actors must act NEUTRALLY and not take sides in hostilities or engage in controversies. To ensure humanitarian actors’ ability to act in accordance with these three principles – humanity, neutrality, impartiality – a fourth principle of OPERATIONAL INDEPENDENCE was formulated, to highlight that humanitarian assistance must be delivered autonomously from military, political or economic objectives.

Request for MCDA/UNMISS Asset and Support

Requesting organization:	Date of request:	Date required:	ID # (OCHA to enter)
Type of support required (select one): <ul style="list-style-type: none"> <input type="checkbox"/> Logistical support ** <input type="checkbox"/> Security at site/area <input type="checkbox"/> Force Protection <input type="checkbox"/> Other Place X in appropriate box ** For logistical task, describe equipment or services needed in Comments/Observations section of attached CONVOY SHEET		Details of request: Date: --/--/--- Time: Location: (Site/Area task) Start Point & Route (Escort): (GPS coordinates where available) Composition: -no. personnel -no. vehicles (Details of personnel and vehicles in attached Pers/Veh Sheet) Expected Duration:	
Name and organization of requestor:		Contact details of requestor:	
Justification of "last resort": Confirm that the task meets <u>any and all</u> of the following criteria, with <u>written</u> justification: <ul style="list-style-type: none"> • There is no comparable civilian alternative. • The task/mission is conducted for a purely humanitarian objective and retains a purely humanitarian character. • There is a critical/immediate humanitarian need (HC/HCT priority). • The use of the asset/escort is limited in time and scale (has a clear exit strategy). • The use of the asset/escort does not compromise longer-term capacity to operate safely/effectively • All other alternatives (e.g. humanitarian. negotiations, community acceptance, change in programmatic design, etc.) have been explored. 			
Comments/observations:			

Humanitarian Convoys Personnel Sheet for UNMISS Force Protection- Armed Escort

Requesting organization:							Date of request:	Date assistance required:
Vehicle Reg #	Origin	Final Destination	Cargo	Contact details	ID	# of indiv	Satphone	VHF Call sign
Name and organization of requestor:							Contact details of requestor:	

Please submit completed MCDA request not later than five (5) working days in advance of the activity anticipated and support required.

All requests for support by, or use of, MCDA from UNMISS must be forwarded via OCHA CMCoord at the national level from where it is assessed in accordance with the above criteria. Subsequent to OCHA CMCoord approval, the request is forwarded to UNMISS Joint Operations Centre (JOC) from where it is tracked and redirected to the relevant UNMISS component. Within five days, the request is assessed in terms of feasibility and priority to UNMISS operational tasks. If approved by UNMISS, the executing unit will contact the requesting humanitarian actor (the focal point on request) with details on the execution or support delivery. If not approved or postponed by UNMISS the requesting agency will be informed and may coordinate further with UNMISS JOC.

Please confirm to OCHA PACMCU when activity/convoy has been completed.

FURTHER GUIDANCE

Use of Military Assets

No comparable civilian alternative Military assets should be requested 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.

Humanitarian agencies must avoid becoming dependent on resources or support provided by the military. Any resources or support provided by the military 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/means. Resources provided by the military are often only temporarily available and when higher priority military missions emerge, such support may be recalled at short notice and without any substitute support.

Use of Force Protection or Military Escorts

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

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 the use of armed escorts.

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.

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. In the South Sudanese context guidance should be drawn from the local ASMT recommendations regarding Force Protection. These are outlined in a map of convoy routes produced by UNDSS Monthly.

Sustainability. The use of an armed escort will not irreversibly compromise the humanitarian operating environment or the longer-term capacity of the organisation(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 using an armed escort, and has put in place all possible mitigation measures to reduce the likelihood and negative impact of such consequences.

Limitations. 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.

Availability. An MCDA clearance does **not** guarantee allocation of UNMISS assets or personnel. To ensure tasking can be processed by UNMISS after MCDA approval, please submit the completed MCDA request five (5) working days in advance of the activity anticipated and support required.

UNMISS Force Protection definition

All measures and means to minimize the vulnerability of personnel, facilities, equipment and operations to any threat and in all situations, to preserve freedom of action and the operational effectiveness of the force or elements under its protection.

Force protection for humanitarian actors can be provided through a number of different static and/or mobile means by UNMISS military component, and may often constitute of a combination of several measures dependent on a local and qualified threat analysis. Typical measures could be: *Armed Escort, Route Dominance, Area Security, Point Security (key terrain), Quick Reaction Force, etc.*

Contact:

The initial MCDA request needs to be submitted to OCHA CMCoord:

Mark Prasopa- Plaizier: prasopa-plaizier@un.org

Sanja Heric: heric@un.org

For any query related to a submitted MCDA request through OCHA, the primary point of contact in UNMISS is the Joint Operations Centre (JOC) who should be reached via email (UNMISS-JOC-OPS@un.org) or landline +211 (0) 91206 3015.

For emergencies or ongoing convoy movements, please, contact the UNMISS Military Operations Centre Duty Officer at mobile telephone +211 (0) 91217 9312 / +211 (0) 91206 7135 or email (UNMISS-MOC-DO@un.org)