

## Country Specific Guidelines for Civil-Military Coordination between Humanitarian Actors and MINUSCA in the Central African Republic

The following Country Specific Guidelines for Civil-Military Coordination between Humanitarian Actors and MINUSCA in CAR – hereafter referred to as “the Guidelines” – were developed at the request of the Humanitarian Country Team, which is comprised of UN Funds and Programmes, UN Specialized Agencies and the Humanitarian Non-Governmental Organizations community<sup>1</sup> – hereafter referred to as “Humanitarian Actors” (HAs) – and the military, police and civilian components of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA). The Guidelines replace the previous document called « HCT Position paper on Interaction between the Humanitarian Community and Military Forces present in the Central African Republic », dated February 2014.

The purpose of the Guidelines is to provide succinct operational guidance on relations between HAs and MINUSCA, in order to strengthen the coordination of activities, avoid competition and duplication of tasks, minimize inconsistency, and ensure the preservation of humanitarian access and space and the upholding of humanitarian principles.

The Guidelines are based on a spirit of mutual respect for the diversity of mandates and objectives that exist among the HAs in CAR, as well as among the military, police and civilian components of MINUSCA. The Guidelines are intended to facilitate effective relations between relevant actors, and to provide structured guidance on how to approach sensitive issues within a highly complex environment. They intend to help resolve constraints, and provide the basis for discussion on a common operational framework for the way in which HAs engage with MINUSCA.

By endorsing the Guidelines, stakeholders commit to respecting the principles, practices and procedures articulated in them.

Bangui, 03 octobre 2017



Special Representative of the  
Secretary-General (SRSG),  
Head of MINUSCA

Parfait Onanga-Anyanga



Humanitarian Coordinator in CAR

Najat Rochdi



<sup>1</sup> The humanitarian NGO community includes both international and national NGO's. Although the latter have not participated in the process of development of these guidelines they are expected to adhere by these.

## ACRONYMS

CAR	Central African Republic
CCO	Comité de Coordination des ONG Internationales en RCA (INGO Coordination Committee in CAR)
CIMIC	Civil-Military Cooperation (Military)
CRSV	Conflict Related Sexual Violence
DFS	Department of Field Support (UN)
DG ECHO	European Civil Protection and Humanitarian Aid Operations
DPKO	Department for Peacekeeping Operations (UN)
DSRSG	Deputy Special Representative to the Secretary-General (UN)
ESN	Elements du Soutien National
EUFOR	European Union Force
EUTM	European Union Training Mission
FC	MINUSCA Force Commander
FHQ	MINUSCA Force Headquarters
FMFs	Foreign Military Forces
FSI	Internal Security Forces (Forces Internes Sécuritaires, y compris Forces Armées Centrafricaines [FACA], Gendarmerie et Police Centrafricaine)
G3	Sector operation branch
G9	Sector CIMIC branch
HAs	Humanitarian Actors
HC	Humanitarian Coordinator (UN)
HCT	Humanitarian Country Team
HRDDP	Human Rights Due Diligence Policy
IASC	Inter-Agency Standing Committee
IASMT	Integrated Area Security Management Team (UN)
INGO	International Non-Governmental Organization
INSO	International NGO Safety Organization
MARA	Monitoring, Analysis and Reporting Arrangements (UN)
MCDA	Military and Civil Defense Assets
MINUSCA	United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic
MRM	Monitoring and Reporting Mechanism (UN)
NGO	Non-Governmental Organization
UN-CMCoord	Humanitarian Civil Military Coordination
OCHA	Office for the Coordination of Humanitarian Affairs (UN)
OHCHR	Office of the High Commissioner for Human Rights (UN)
PoC	Protection of Civilians (UN)
PWG	Protection Working Group (UN)
QIPs	Quick Impact Projects
RC	Resident Coordinator (UN)
SCR	Security Council Resolution (UN)
S3	Battalion operation branch
S9	Battalion CIMIC branch
HC	Humanitarian Coordinator
SMG-P	Senior Management Group on Protection (UN)
SMT	Security Management Team (UN)
SRSG	Special Representative of the Secretary-General (UN)
U3	FHQ operation branch
U9	FHQ CIMIC branch
UN	United Nations
UNDSS	United Nations Department of Safety and Security
UNHAS	United Nations Humanitarian Air Service
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNSMS	United Nations Security Management System
WFP	World Food Programme

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## 1. INTRODUCTION

### 1.1 Background

- 1) In contexts where the United Nations (UN) have established peacekeeping and/or political missions which operate in the same country as UN Funds and Programmes, UN Specialized Agencies and NGOs conducting humanitarian activities, the UN Secretariat and the Inter-Agency Standing Committee (IASC) have established reference documents to guide the civil-military interactions and coordination.
- 2) UN peacekeeping missions have both a political and military mandate; meaning that some of their positions or activities may not be considered as neutral by some actors in the country. For the HAs, adherence to the humanitarian principles of neutrality, humanity, impartiality and operational independence is critical to gain and preserve the access to all parties, including to the community they serve, thus enabling them to achieve the primary objective of providing assistance and ending suffering wherever it is found.
- 3) Globally, military actors have become increasingly involved in the provision of relief assistance in conflict areas. MINUSCA is specifically mandated to “facilitate the creation of a secure environment for the immediate, full, safe and unhindered delivery of humanitarian assistance”. While military actors can undoubtedly help to save lives and alleviate suffering by drawing on key comparative advantages, their involvement in the delivery of humanitarian assistance can contribute to “blurring the lines” between humanitarian and military activities in contexts of ongoing conflict. The Guidelines are thus key to ensure adequate arrangements for civil-military coordination and ultimately to safeguard humanitarian principles, space, access and activities.
- 4) The Guidelines have been developed by the Civil-Military Coordination Guidelines’ Working Group. The working group, under the lead of OCHA’s Civil-Military Coordination Officer (“the UN-CMCoord Officer”), consisted of designated members of the INGO Coordination Committee (CCO), and representatives of the CCO Advocacy Working Group, INSO, ECHO, OCHA, UNICEF, UNHCR, WFP, as well as MINUSCA. EUFOR representatives were also represented at the beginning of the process during their mandate in CAR.

### 1.2 Objectives

- 5) The objectives of the Guidelines are to:
  - Provide operational guidance for constructive interaction and coordination between HAs and MINUSCA through a specific interaction framework and clearly identified mechanisms by area of convergence;
  - Promote a consistent and constructive coexistence approach between HAs and MINUSCA;
  - Establish information-sharing and liaison arrangements. This includes identifying clear criteria for the request of the use of Military and Civil Defense Assets (MCDA), as well as nominating focal points for the purpose, in accordance with globally agreed principles and guidelines;
  - Enhance the understanding of the humanitarian principles of humanity, neutrality, impartiality and independence by all parties, the adherence to these principles by HAs and their respect by MINUSCA, in order to allow facilitation of immediate, full, safe and unhindered delivery of humanitarian assistance;
  - Ensure that actions are to consider the differential impact of crisis on women and men, boys and girls, whose capacities, coping strategies, roles and constraints may substantially differ, in adherence to relevant legislation, policies and guidance, such as the “Women, Girls, Boys and Men Different Needs – Equal Opportunities: IASC Handbook for Gender equality in Humanitarian Action”<sup>2</sup>;

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<sup>2</sup> Women, Girls, Boys and Men Different Needs – Equal Opportunities: IASC Handbook for Gender equality in Humanitarian Action

- Enhance the understanding of MINUSCA institutions, protocols, modus operandi and constraints by HAs;
- Maintain clear distinction between HAs and MINUSCA so that HAs can perform their programmes and deliver assistance that aim to save lives and alleviate human suffering in accordance with humanitarian principles;
- Outline the parameters of MINUSCA engagement in direct and indirect assistance, as well as infrastructure support activities and Quick Impact Projects (QIPs) and CIMIC activities; and
- Establish a mechanism to monitor the application of the Guidelines and to ensure the commitments taken by all parties are respected and the issues that may arise in this regard are resolved constructively.

### **1.3 Scope and Applicability**

- 6) The Guidelines apply to humanitarian response activities of HAs in CAR<sup>3</sup> and to related operations and activities conducted by MINUSCA. FMFs deployed to CAR under bilateral arrangements with the Government of CAR are encouraged to apply the Guidelines mutatis mutandis.
- 7) The Guidelines do not apply to the interaction between HAs or MINUSCA with FSI, with the exception of potential coordination for direct relief in case of natural disaster (chapter 2.13 below), or non-state armed groups.
- 8) The Guidelines are not intended to derogate from key UN and IASC policies on civil-military coordination<sup>4</sup>. The Guidelines are also not intended to derogate from MINUSCA internal Standard Operating Procedures (SOP), however, relevant MINUSCA SOP should be aligned with the Guidelines as a whole. Where there is a deviation from binding principles and guidance, the binding instruments should prevail.

### **1.4 Stated Purpose of Humanitarian Actors**

- 9) The HAs bring together a diverse range of entities, including UN Funds and Programmes, UN Specialized Agencies, other inter-governmental organizations, international and national NGOs and other actors. While mandates and activities may differ, all are united by their commitment to providing humanitarian assistance in accordance with the principles of humanity, neutrality, impartiality and independence<sup>5</sup>.

### **1.5 Stated Purpose of MINUSCA**

- 10) Based on UN Security Council Resolution (SCR) 2149 (2014) that established MINUSCA and subsequent SCR 2217 (2015) and SCR 2301 (2016)<sup>6</sup> renewing its mandate, and guided by the strategic objective to support the creation of conditions conducive to the sustainable reduction of the presence of, and threat posed by armed groups, the immediate priority tasks of MINUSCA are:
  - the Protection of civilians, including to fully implement and deliver, in close consultation with humanitarian and human rights organizations and other relevant partners, the mission-wide protection of civilians' strategy;
  - the Promotion and protection of human rights, including to assist the CAR authorities in their efforts to protect and promote human rights and prevent violations and abuses, including through the establishment of a national human rights commission and to strengthen the capacity of civil society organizations;

<sup>3</sup> Some HAs (e.g. ICRC, MSF) coordinate with MINUSCA following its own specific modalities according to their mandate.

<sup>4</sup> Specifically, General Assembly resolution 46/182 (1991), the Oslo Guidelines on the Use of Foreign Military and Civil Defense Assets in Disaster Relief (revised 2007), the IASC Civil Military Guidelines and Reference for Complex Emergencies (2008), the IASC Reference Paper on Civil-Military Relationship in Complex Emergencies (2004), the IASC Guidelines on the Use of Armed Escorts for Humanitarian Convoys (revised 2013), the DPKO/DFS Policy on Civil-Military Coordination in UN Integrated Peacekeeping Missions (2010), and the DPKO Policy Direction on Quick Impact Projects (2013). It should be noted that the majority of global civil-military guidance documents are non-binding, but considered best practice.

<sup>5</sup> As per agreement among UN Member Provincials (A/RES/48/182 and A/RES/58/114)

<sup>6</sup> United Nations Security Council Resolution (SCR) 2149 (2014), United Nations Security Council Resolution (SCR) 2217 (2015), United Nations Security Council Resolution (SCR) 2301 (2016)

- to facilitate the creation of a secure environment for the immediate, full, safe and unhindered delivery of humanitarian assistance, including to improve coordination with humanitarian actors, in order to facilitate the creation of a secure environment for the immediate, full, safe and unhindered, civilian-led delivery of humanitarian assistance, in accordance with United Nations guiding humanitarian principles and relevant provisions of international law, and for the voluntary safe, dignified and sustainable return or local integration or resettlement of internally displaced persons or refugees in close coordination with humanitarian actors; and
  - the Protection of the UN, including to protect the United Nations personnel, installations, equipment and goods and ensure the security and freedom of movement of United Nations and associated personnel.
- 11) MINUSCA performs tasks that have relevance and are complementary to humanitarian activities, most notably the mission's contribution based on their mandate to providing a safe and secure environment for HAs, the protection of civilians, restoration of state authority, as well as the promotion and monitoring of human rights.

## 2. OPERATIONAL GUIDANCE FOR CIVIL-MILITARY ENGAGEMENT IN CAR

### 2.1 Principles

- 12) By endorsing the Guidelines, all actors make a commitment to respecting the following principles:
- HAs must be able to provide humanitarian assistance in accordance with the humanitarian principles of **humanity, neutrality, impartiality and independence**;
  - The **independence** of humanitarian action and decision-making must be preserved both at the operational and policy levels;
  - HAs must retain their ability to obtain **access to vulnerable populations** and the **affected-populations** must be able to reach assistance and basic services essential for their survival, in a manner consistent with core humanitarian principles;
  - At all times, a clear **distinction** must be maintained between humanitarian and military and/or police actors;
  - Considerations on civil-military coordination must be guided by a commitment to '**do no harm**';
  - The use of military assets, armed escorts, joint humanitarian-military interventions, and any other actions involving visible interaction with the military must be avoided unless at **last resort**, defined as "no other option available to facilitate the safety of humanitarian personnel in lifesaving circumstances or required to meet critical humanitarian needs. All other options to reduce risks are exhaustively explored and determined not viable", such as the **programme criticality** for the UN humanitarian agencies; and
  - Respect must be given to the culture, structures and customs of the communities assisted by humanitarian action.

### 2.2 Strategy of co-existence

- 13) While HAs and MINUSCA operate alongside in the same complex environment, they have different mandates, roles, objectives, and strategic planning processes.
- 14) A strategy of **co-existence** aims to minimize competition and inconsistency, in order to enable the different actors to work in the same geographical area with minimum disruption to each other's activities, maintaining a clear distinction between humanitarian and political, police and/or military activities. HAs are not tasked by MINUSCA, and vice-versa.
- 15) Co-existence aims to provide an operational framework that allows for the exchange of information in order to help facilitate respective objectives linked to protection of civilians and of humanitarian access, while respecting all parties' respective rules on classification and handling of sensitive information and mandates.

### 2.3 Coordination structure and arrangements

- 16) It is the role of the RC and OCHA's HoO and designated officials to ensure strategic coordination between the HAs and MINUSCA.
- 17) HAs coordinate through the Cluster System<sup>7</sup>. They designate focal points from within their respective organizations (NGOs and UN) at the national and prefectural levels for the purposes of civil-military coordination (see Annex 7), and in particular for the participation in and liaison with the below outlined coordination cells. These focal points will engage with OCHA, who is the HAs' designated focal point for civil-military coordination, comprising the liaison between HAs and MINUSCA.
- 18) At the **national level**, HAs may engage with the MINUSCA (Force and relevant components) through the HC, OCHA's HoO or designated and/or the UN-CMCoord Officer.
- 19) The primary coordination mechanisms are the so called UN-CMCoord cells. The CAR UN-CMCoord cell meets in Bangui and comprises representatives of HAs, OCHA CM-Coord Officer, MINUSCA (Force, UNPOL, relevant civilian components and UNDSS). The purpose of the meeting is to discuss civil-military coordination related issues, including the use of military and mission owned assets, protection, logistics, security and any other UN-CMCoord issues that need to be addressed at the **national level**. The UN-CMCoord Officer is responsible for the coordination and facilitation of the CAR UN-CMCoord cell.
- 20) At the **prefectural level**, engagement takes place between the heads of OCHA sub-offices or a selected representative of the HAs, nominated by HAs, and the MINUSCA (Force (G3, if present) and relevant civilian components). UN-CMCoord sub-cells at the prefectural level should hold meetings on a regular basis. The frequency of the meetings can be adjusted to meet context based needs (See Annex 7).
- 21) In addition to the primary coordination mechanisms, interaction on specific thematic issues may take place. Secondary coordination must be in line with the principles and responsibilities outlined in the Guidelines and may not deviate from agreed arrangements on information-sharing. OCHA's HoO or designated and UN-CMCoord Officer should be kept informed of such secondary coordination and to the extent possible participate in such meetings.
- 22) On **security issues**, HAs and UNSMS will coordinate in the framework of Saving Lives Together (noting that UN HAs are members of the Security Management Team (SMT)) through the UN-CMCoord cell structure at the **national level**, and through the Integrated Area Security Management Team (IASMT) at the **prefectural level**. OCHA, where present, will serve as the main interface between non-UN HAs and MINUSCA on security issues. MINUSCA/Force and/or UNDSS will brief HAs on security issues when attending relevant meetings.

### 2.4 Humanitarian Participation in MINUSCA-led Coordination Mechanisms

- 23) OCHA, in its role to represent the interest of the humanitarian community, and relevant UN Funds and Programmes and Specialized Agencies are regularly invited to participate in MINUSCA internal coordination structures at the **national level**, because of their own role of coordination and liaison with other HAs on certain topics, including but not limited to the Protection Working Group (PWG), the Senior Management Group on Protection (SMG-P), the ad hoc Operation Coordination Team (OCT) meetings and Crisis Management Team meetings (CMT). Other HAs, could be invited as deemed appropriate, upon prior consultation with OCHA.
- 24) At the **prefectural level**, OCHA, UNHCR and UNICEF similarly represent and channel humanitarian protection issues through the field offices' Senior Management Groups on Protection (SMGP). Other HAs, could be invited as deemed appropriate, upon prior consultation with OCHA.

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<sup>7</sup>IASC Reference Module for Cluster Coordination at the Country Level

## **2.5 MINUSCA Participation in Humanitarian Clusters**

- 25) As a general rule, humanitarian fora (such as clusters) take place without the participation of MINUSCA. The OCHA UN-CMCoord Officer should facilitate dialogue between the HAs and MINUSCA as and when required and may convene separate meetings between individual HAs and concerned MINUSCA components on any topic that is not being addressed in the CAR UN-CMCoord cell or the relevant UN-CMCoord sub-cell.
- 26) As an exception, some sections of MINUSCA's civilian component engage with humanitarian clusters, but in their own capacity, representing their core institution<sup>8</sup>. MINUSCA representatives that obtain new and sensitive information from participation in a humanitarian cluster may not share such information with other MINUSCA components, unless authorized by the originator.

## **2.6 Protection of Civilians (PoC)**

- 27) HAs and MINUSCA are equally concerned with the protection of the civilian population in situations of armed conflict and undertake activities that can complement each other. They may have different conceptual and operational approaches that can be built on, in order to maintain a clear distinction between the roles, mandates and activities of the various actors engaged in PoC. At the same time, coordination between HAs and MINUSCA on PoC issues is essential to ensure timely two-way information exchange, early warning and consultative analysis, particularly on contingency planning before military operations, prioritization of geographical and thematic issues, and distinction of activities in the field, taking into account different organizational approaches and mandates.
- 28) UNHCR, as the Protection Cluster lead, other protection-mandated HAs (including UNICEF for child-protection and child DDR related issues) and relevant MINUSCA components will ensure the coordination of responses to protection needs as per their respective mandates. However, Protection Cluster meetings may not be attended by MINUSCA military or police components. All matters involving military/police collaboration with the HAs are, therefore, referred by the Protection Cluster lead to the UN-CMCoord Officer and the MINUSCA/PoC-Unit as per the below.
- 29) Procedures to coordinate with MINUSCA on protection issues are inscribed in the MINUSCA Protection of Civilians Strategy<sup>9</sup>. Accordingly, engagement will be channeled through the primary and other coordination mechanisms, such as the PWG and the SMG-P, which in addition to relevant MINUSCA components, include representatives of OCHA, UNHCR and UNICEF. Issues specific to child protection or conflict-related sexual violence will be channeled through the Monitoring and Reporting Mechanism (MRM) Taskforce and the Conflict Related Sexual Violence (CRSV) Working Group, respectively.
- 30) In addition to these regular coordination mechanisms, ad-hoc meetings may be called by UNHCR as the Protection Cluster lead and OCHA. In that event, all concerned HAs shall send representatives with relevant delegation of authority to commit their respective entities. Relevant MINUSCA components (civilian, police and military) may send participants to such ad-hoc meetings as deemed appropriate, and related decisions will be channeled through the MINUSCA SMG-P.
- 31) MINUSCA and the Protection Cluster will ensure regular consultation on their respective protection strategies<sup>10</sup>, as well as on policies and thematic guidelines on issues of mutual relevance, and will share information on protection concerns and analyses. UNHCR, as the Protection Cluster lead, and OCHA will ensure that protection priorities are transmitted to MINUSCA.

## **2.7 Assessments**

- 32) Assessments should be conducted independently, using agreed needs assessment frameworks and monitoring/evaluation modalities. Joint assessments between HAs and MINUSCA should

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<sup>8</sup> For example, the Director of the Human Rights Division of MINUSCA is a standing member of the Protection Cluster in his capacity as representative of the Office of the High Commissioner on Human Rights (OHCHR).

<sup>9</sup> See MINUSCA Mission-wide Protection of Civilians Strategy

<sup>10</sup> Namely the MINUSCA Mission-wide Protection of Civilians Strategy and the HCT Protection Strategy 2016.



only be undertaken on an exceptional basis and require prior approval by the HC. HAs may share results of their assessments with MINUSCA and *vice versa*, in line with the provisions and principles of the Guidelines.

## **2.8 Information Sharing**

- 33) The sharing of appropriate information between HAs and MINUSCA should occur in a transparent, consistent, timely and efficient manner, in full respect of these Guidelines. This will ensure a proper flow of information on relief and humanitarian activities, as well as security matters amongst all relevant stakeholders.
- 34) Considering the complex operational environment, and provided that conditions mentioned below are met, HAs and MINUSCA may, for instance, exchange information on the following:
- Information relevant to the security situation in the area, both for the population and for HAs;
  - Estimated military operating theatre as well as estimated time for the start of military operations, especially when they are of a nature to put HAs at risk (deconfliction);
  - HAs' personnel, vehicle movement and premises locations;
  - Mine action activities including hazardous areas and types of mines/unexploded ordnance found, response to mine victims, and mine risk education;
  - Population movements; and
  - Post-strike information: information on strike locations and explosive munitions used during military campaigns; etc.
- 35) Sharing of sensitive information concerning individual cases will be done in compliance with principles of confidentiality, free and informed consent of the persons involved, the principles of 'Do No Harm' and duty of care. The responsibility to classify information as sensitive and to handle it accordingly remains with the originator of the information concerned, or its recipient if the information is received from an outside source. Where information is received with prior sensitivity markings and/or redactions, it shall retain those markings or shall be assigned a classification that provides a degree of protection greater than or equal to that of the entity that furnished the information<sup>11</sup>.
- 36) HAs may have reservations in sharing information of a nature that may compromise, when transmitted, their independence, neutrality, impartiality or their security in the field<sup>12</sup>. In order to protect the identity of a source and in order to avoid exposing individuals to unnecessary risk, it is understood that such information may not be made available for wide dissemination.
- 37) For the purpose of the monitoring and reporting, mechanisms, such as the Monitoring, Analysis and Reporting Arrangements (MARA) and the MRM, information on names of perpetrators, as well as case data including names of victims and witnesses, or any other potentially identifying information will be shared on a need-to-know basis and only with members with verification responsibilities within the respective taskforces.

## **2.9 Distinction of Activities and Assets**

- 38) Global civil-military coordination guidance generally discourages the co-location of military and HAs in complex emergencies. Since the behavior of one HA may have an impact on the perception of other HAs and the broader humanitarian community, it is important to ensure all such considerations are reviewed prior to decisions being made and their implementation.
- 39) An effective civil-military coordination, upholding humanitarian principles, requires a clear distinction of the identities, functions and roles of HAs and those of MINUSCA, in order to prevent of 'blurring the lines'. A distinction of activities, roles and mandates is to be ensured at all levels by respecting the following:

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<sup>11</sup> For MINUSCA see Secretary-General's bulletin ST/SGB/2007/6 on Information sensitivity, classification and handling of 12 February 2007.

<sup>12</sup> For instance, certain information relating to political or military positions of non-state armed actors that could be used to inform military tactics, or locations of civilian populations if such information might be used by non-state armed actors

- Arms must not be carried in humanitarian premises or transport. UNSMS security personnel authorized to carry a firearm, must not carry their weapon when accompanying their personnel, entering humanitarian premises or utilizing their assets. Particularly if doing so would violate their organizational policies or would harm an organization's ability to deliver its programmes or fulfil its mandates.
- Actors shall maintain an appropriate and distinct dress that clearly indicates military, police or civilian status when on duty, and should do so when in public.
- Military and police personnel shall wear the uniforms and insignia specified by their country of nationality and DPKO policies, when on duty. Close Protection Officers and authorized armed Security Officers can operate in a civil outfit, but they shall wear a Security Officer badge. Arms must not be carried in humanitarian premises or transport.
- Identification of relief supplies, premises, vehicles, boats, aircraft and dual use assets (e.g. Unmanned Aerial Vehicles) should promote distinction of respective identities.
- Communication materials and strategies as well as public statements should be distinct and ensure clarity of purpose and/or mandate.<sup>13</sup>

## **2.10 Use of Civil and/or Military Assets<sup>14</sup>**

- 40) As a general rule and to ensure an appropriate civil-military distinction, HAs should not use MINUSCA assets (neither civil nor military). Their use should only be as a 'Last Resort'<sup>15</sup>. Any decision by MINUSCA to respond to requests by HAs will be taken 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 HAs).
- 41) Requests for use of MINUSCA's assets for purposes related to POC (including provision of transport to IDP/refugees, deployment of protection teams, etc.) will be channeled through the UN-CMCoord Officer to PWG/SMG-P.

### **A. Use of MINUSCA Civilian Assets<sup>16</sup>**

- 42) Unless otherwise specified in the Guidelines, HAs' engagement with MINUSCA for the use of civilian assets takes place through OCHA, who will be responsible to contact MINUSCA.
- 43) In order to solicit the use of civilian assets from MINUSCA, OCHA engages the HC. Where the use of MINUSCA civilian assets does not concern more than one prefecture (for an operation at the **prefectural level**), HAs' engagement with MINUSCA may take place at the prefectural level, *i.e.*, OCHA can engage the respective MINUSCA Head of Field Office where and as approved by the former.

### **B. Use of MINUSCA military assets, including escorts**

- 44) HAs should only consider the use of military assets under exceptional circumstances and as a Last Resort, with a view to 'Avoid Reliance on the Military', and in line with all of the following guiding principles and criteria<sup>17</sup>:
- The objective of the mission is humanitarian, and it clearly maintains its humanitarian and civilian character;
  - There is an urgent and immediate humanitarian need (representing a priority agreed upon by HAs);
  - There is no comparable civilian alternative;

<sup>13</sup> The HCT position on distinct communications states that in order to preserve the principle of distinction, communications materials from MINUSCA should not contain reference or images of humanitarian activities conducted by UN agencies e.g. school material distribution.

<sup>14</sup> The request for MCDA has to be submitted through the Civil-Military Coordination Officer

<sup>15</sup> Concept of Last Resort and the Fundamental Principles and Operational Modalities of Humanitarian Convoys in CAR for the Humanitarian NGO Community (CCO Guidelines).

<sup>16</sup> For example, a MINUSCA chartered white helicopter piloted by civilians.

<sup>17</sup> For more details, also see flowchart in paragraph 1 of Annex 5, and the revised IASC Non-Binding Guidelines on the Use of Armed Escorts for Humanitarian Convoys, 27 February 2013.

- A decision to request the use of Armed Escorts must be made by humanitarian organizations, not political or military authorities, and must be based on humanitarian criteria and security risk management (applicable to UN agencies);
  - 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 military asset does not compromise HAs' longer-term capacity to operate safely and effectively.<sup>18</sup>
- 45) In order to determine whether or not a request can be considered a "Last Resort", HAs are responsible to engage the HC either through bilateral exchange with OCHA or through the HCT.
- 46) In the event that the HC validates a request for use of military assets as the last resort, OCHA will contact the MINUSCA/Force Chief of Staff in conjunction with the MINUSCA/ Force UN-CIMIC and the MINUSCA/Chief MOC in Bangui. The latter will act as the primary focal point who then passes any approved request for assistance to the MINUSCA/Force U3.
- 47) Where the use of military assets does not concern more than one prefecture (for an operation at the **prefectural level**), HAs' engagement with MINUSCA to solicit the use of military assets may take place at the prefectural level, *i.e.*, OCHA can engage the respective ground commander (depending of the location: Sector, Battalion or Company commander), but must keep the FHQ U3 and U9 informed of all exchanges. Nevertheless, no request may be made without HC validation that the request for use of military assets is the last resort.
- 48) In the event that MINUSCA provides the requested escort, armed personnel must remain in their own separate vehicles, and other than the personnel providing the escorts, including their vehicles and weapons, the convoy must remain exclusively humanitarian. In order to give visibility to the civilian character of humanitarian convoys, vehicles other than the ones used to transport armed personnel should be clearly labeled with "No Weapons" markings.

## 2.11 Use of Humanitarian assets by MINUSCA

- 49) As a general rule, to ensure distinction between MINUSCA on one side and HAs at the other, MINUSCA should not use humanitarian assets (vehicles, boats, aircraft or installations). HAs may agree to allow MINUSCA to request humanitarian assets on a case-by-case basis, if the use of the asset is considered to support humanitarian objectives. Under no circumstances may weapons, military equipment or uniformed personnel be transported on humanitarian assets (for the latter, except when uniformed personnel are afforded IHL protected status, for example for CASEVAC purposes, see chapter 2.15 below). The exceptional use of humanitarian assets by MINUSCA should be channeled through the HC and OCHA (HoO or designated and CMCoord Officer).

## 2.12 Quick Impact Projects (QIPs)

- 50) In line with DPKO and MINUSCA internal guidance on Quick Impact Projects (QIPs), "QIPs are not intended as humanitarian or long-term development assistance". "Close coordination through the HC is required to ensure that approved projects do not duplicate or undermine the humanitarian activities." Nonetheless, the use of QIPs for identified infrastructure needs may be appropriate under conditions outlined in the above referenced guidance.
- 51) In order to represent HAs' and the relevant clusters' interests and views, the Humanitarian Coordinator or the UN-CMCoord Officer (at the **national level**) and OCHA heads of sub-offices (at the **prefectural level**), participate in QIPs Project Review Committee meetings.

## 2.13 CIMIC operations – Contingent Own Money Activities

- 52) Military contingents can conduct CIMIC activities under specific conditions. These need to be in line with the DPKO Policy on "Civil Military Coordination in UN Integrated Peacekeeping Missions (UN-CIMIC)" and the "IASC Civil Military Guidelines and Reference for Complex Emergencies". "This applies regardless of the source of funding or the objective of the activity.

<sup>18</sup> Where the use of an MINUSCA asset or armed escort could have a negative impact on the neutral perception of humanitarian workers, the agency making the request will be asked to develop appropriate mitigating measures.

The primary aim is to ensure that proposals contributed to an overall strategy and plan to meet the real priority needs of the population and does not negatively impact on the local population or the activities of the humanitarian and development entities.” These activities (e.g. donations of medicines, supplies or materials to schools, free medical care, tree plantation, film screenings, language courses) aim at promoting force acceptance through winning hearts and minds, and providing an assessment of the Civil Situation Picture.

- 53) The objective is to have the Force accepted thus facilitating and supporting military operations; hence, it shall not be confused with humanitarian assistance. These activities should be outlined, notified and closely coordinated with HAs through the existing UN-CMCoord mechanisms.

#### **2.14 Direct Relief and Natural Disasters**

- 54) In the first instance, humanitarian work should be performed by HAs. Insofar as the MINUSCA military component may have a role to play in supporting humanitarian work it should be primarily focused on helping to create a safe and secure environment to enable humanitarian action and the protection of civilians. When asked by the civilian population about humanitarian issues, MINUSCA should direct such enquiries to OCHA or the most relevant aid agency present, keeping OCHA informed for a correct follow-up.
- 55) In line with DPKO’s global Civil-Military Coordination Policy MINUSCA should avoid engaging in direct relief<sup>19</sup> efforts and should only engage in the provision of relief assistance in exceptional circumstances and at the request of HAs through the HC. Any direct relief assistance must be based on needs and gaps identified by HAs and in consultation and coordination with the HAs through the UN-CMCoord Officer. The MINUSCA military component may only be engaged as a ‘Last Resort’ and upon clearance through the HC and in close coordination with the UN-CMCoord Officer.
- 56) Even in the event of a natural disaster occurring in CAR, the use of MINUSCA military assets, such as armed escorts to provide security for humanitarian activities, remains an option of ‘Last Resort’. Where ‘Last Resort’ applies, however, consideration may also be given to include the involvement of the FSI, which remains subject to Government contingency plans and UN guidance, as applicable, for example the Human Rights Due Diligence Policy (HRDDP).

#### **2.15 Casualty and Medical Evacuation**

- 57) As a general rule, MINUSCA personnel will not be evacuated in humanitarian assets. In the event that MINUSCA assets are not available, and in case of a life threatening emergency, however, MINUSCA may exceptionally request HAs’ assistance for casualty and medical evacuation of MINUSCA personnel. In that case, MINUSCA will comply with the HAs’ security protocols, especially regarding the principle that arms may not be carried on humanitarian assets.
- 58) Casualty and medical evacuations for humanitarian purposes involving non-UN personnel are effected and coordinated by HAs. In circumstances where the HAs cannot support due to conflict with their mandate or operational principles, or in case of a lack of operational capacity, HAs may request MINUSCA assistance for evacuation of non-UN personnel from the prefectures to Bangui.
- 59) The OCHA heads of sub-offices or a selected representative of the HAs, nominated by the Humanitarian Coordinator for the concerned prefecture of origin should engage the DSRSG-HC-RC through OCHA. The HC may seize the Director of Mission Support (DMS) for approval. No non-UN personnel may be transported on MINUSCA air assets without prior DMS approval.

#### **2.16 Training**

- 60) Training on UN-CMCoord is critical to familiarize all stakeholders, including HAs and MINUSCA personnel, with the existence and application of civil-military coordination principles, and humanitarian guiding documents such as the Sphere Humanitarian Charter and Minimum

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<sup>19</sup> Direct relief assistance is the face-to-face distribution of goods and/or through local organizations/contractors.

Standards in Disaster Response, and the 'MCDA Guidelines', and to develop mutual respect for these principles. Training further provides the foundation for effective dialogue between the HAs and MINUSCA, and is vital to increase the understanding of respective mandates, roles, activities, ways of working, and organizational cultures.

- 61) In order to promote a coherent interpretation and application of civil-military coordination principles, HAs and MINUSCA should ensure an effective dissemination of the Guidelines and other relevant unclassified reference materials among their respective personnel and guide them in their practical application. Moreover, OCHA, through its UN-CMCoord Officer and with support from OCHA/CMCS, will be in charge of developing a training strategy and calendar on CMCoord issues for training of the different stakeholders.
- 62) Training and awareness raising activities on UN-CMCoord in CAR include:
- OCHA Humanitarian Civil-Military Coordination trainings<sup>20</sup>.
  - Humanitarian UN-CMCoord workshops.
  - Induction briefings to concerned MINUSCA personnel that include information on UN-CMCoord, humanitarian coordination and humanitarian principles. All trainings targeting MINUSCA civilians, military and police will be coordinated through the Integrated Mission Training Centre, while all trainings targeting external audience (for instance FSI) and related to POC will be coordinated through the MINUSCA POC Unit and the MINUSCA/UNPOL/FPU.
  - Updates on UN-CMCoord at OCHA's weekly Humanitarian Information Forum.
  - Induction briefings of HAs by MINUSCA components on their mandate and modus operandi are coordinated through the UN-CMCoord Officer.
- 63) OCHA, through its UN-CMCoord Officer and MINUSCA, through its POC Unit, will coordinate additional specialized trainings in areas of common interest, such as protection of civilians, human rights and international humanitarian law.

### **2.17 Outreach Strategy**

- 64) OCHA, through its UN-CMCoord Officer and with support of OCHA/CMCS, in close coordination with relevant stakeholders will develop a two-pager document synthesizing the key elements of the Guidelines for outreach purposes. A dissemination strategy will be developed, paying special attention to briefings for the senior leadership of MINUSCA and the Humanitarian Country Team. Regular induction briefings will also be organized for all relevant stakeholders with the focus on new Force deployments and humanitarian staff in the field.

### **2.18 Implementation/Monitoring and Resolution of Issues**

- 65) All stakeholders are responsible in ensuring the correct implementation of these Guidelines. The application of the Guidelines is monitored individually and collectively through the UN-CMCoord cells. Perceived issues shall be raised with the UN-CMCoord Officer and in the UN-CMCoord cell meetings as early as possible by all concerned actors. Remedial actions should be decided upon, ideally with consensus. Useful information on the occurrence and lessons learned, including the remedy, should be disseminated among the HAs and concerned MINUSCA components, in order to avoid repetition or recurrence.
- 66) Incidents in which the Guidelines appear to have been disregarded or deviated from and any incidents of a reported breach of fundamental principles referenced therein, shall be documented by the OCHA HoO and/or designated with support of the UN-CMCoord Officer, when the report initiates from HAs. Where the report initiates from the Force and/or any other MINUSCA component, it shall be documented by the Force Chief of Staff. These focal points shall inform the HC with appropriate detail, as soon as possible, but no later than 48 hours after the initial report. The HC will then obtain the views and comments from the entity or person, who was

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<sup>20</sup> CMCoord e-course, available online at: <https://www.usipglobalcampus.org/training-overview/uncmcoord/> [last visited in June 2017]

implicated in the report, decide on necessary inquiries and issue recommendations to the SRSG, as necessary and deemed appropriate.

- 67) The UN-CMCoord Officer shall receive appropriate information in order to track and identify similar occurrences, trends or areas that require improvement and shall present a quarterly report in the weekly CAR UN-CMCoord cell.

## 2.19 References/Applicable Global Guidance

- 68) For agreed IASC/UN/DPKO definitions and concepts as well as roles and responsibilities of key actors, please consult the following global reference documents:

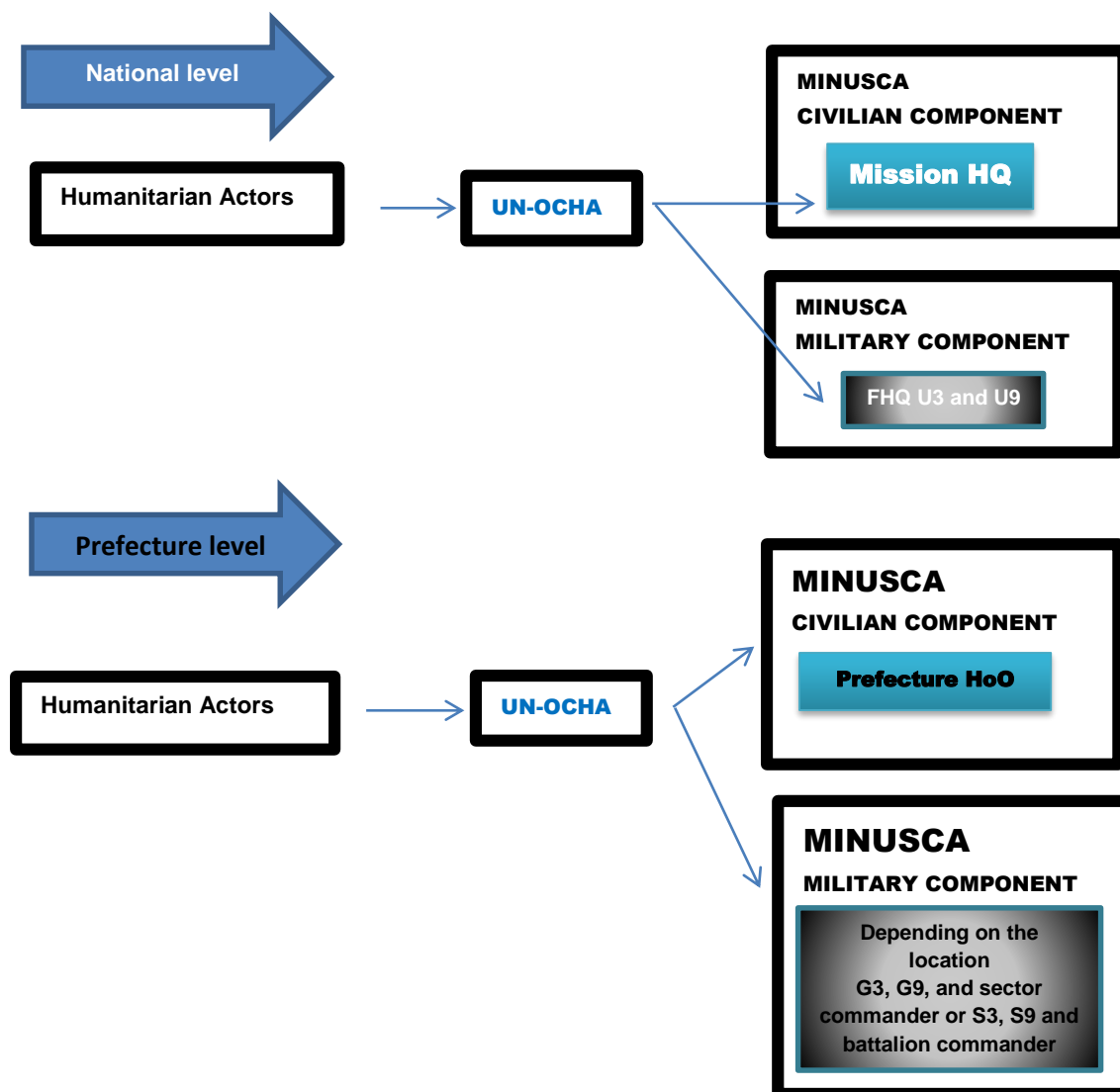
- CMCoord e-course, available online at: <https://www.usipglobalcampus.org/training-overview/uncmcoord/> [last visited in June 2017]
- Concept of Last Resort, available online at [https://docs.unocha.org/sites/dms/Documents/Last%20Resort%20Pamphlet%20-%20FINAL%20April%202012\\_5.3.pdf](https://docs.unocha.org/sites/dms/Documents/Last%20Resort%20Pamphlet%20-%20FINAL%20April%202012_5.3.pdf) [Last visited June 2017].
- DPKO/DFS Civil-Military Coordination in UN Integrated Peacekeeping Missions (2010), available online at <http://dag.un.org/bitstream/handle/11176/89511/2010.02UNCIMICPolicy.pdf?sequence=1&isAllowed=y> [last visited in June 2017]
- DPKO and DFS Protection of Civilians Policy (2015), available online at: <http://www.futurepeaceops.org/wp-content/uploads/2016/01/2015-07-Policy-on-PoC-in-Peacekeeping-Operations.pdf> [last visited June 2017]
- DPKO Policy Directives on Quick Impact Projects Amended Standard Operating Procedures on Quick Impact Projects (revised 2013), available online at: [https://docs.unocha.org/sites/dms/documents/dpko\\_dfs\\_revised\\_qips\\_2013.pdf](https://docs.unocha.org/sites/dms/documents/dpko_dfs_revised_qips_2013.pdf) [last visited in June 2017]
- Guidelines on the Use of Civil and Military Defence Assets to Support United Nations Humanitarian Activities in Complex Emergencies (revised 2006), available online at: [https://www.unocha.org/sites/unocha/files/01.%20MCDA%20Guidelines%20March%2003%20Rev1%20Jan06\\_0.pdf](https://www.unocha.org/sites/unocha/files/01.%20MCDA%20Guidelines%20March%2003%20Rev1%20Jan06_0.pdf) [last visited June 2017]
- Guidelines on the Use of Foreign Military and Civil Defense Assets in Disaster Relief November 2007 ('Oslo' Guidelines), available online at: [https://docs.unocha.org/sites/dms/Documents/Oslo%20Guidelines%20ENGLISH%20\(November%202007\).pdf](https://docs.unocha.org/sites/dms/Documents/Oslo%20Guidelines%20ENGLISH%20(November%202007).pdf) [last visited in June 2017]
- Human Rights Due Diligence Policy (HRDDP): more information available online at: [https://www.pksoi.org/document\\_repository/Lessons/Human-Rights-Due-Diligence-Policy-on-UN-Support-to-Non-UN-Security-Forces-LMS-2417.pdf](https://www.pksoi.org/document_repository/Lessons/Human-Rights-Due-Diligence-Policy-on-UN-Support-to-Non-UN-Security-Forces-LMS-2417.pdf)
- IASC United Nations Humanitarian Civil-Military Coordination Concept paper, 2005, available online at [https://interagencystandingcommittee.org/system/files/legacy\\_files/CMCoord%20-%20revised.pdf](https://interagencystandingcommittee.org/system/files/legacy_files/CMCoord%20-%20revised.pdf) [last visited in June 2017]
- IASC Civil Military Guidelines and Reference for Complex Emergencies (2008), available online at: <https://docs.unocha.org/sites/dms/Documents/ENGLISH%20VERSION%20Guidelines%20for%20Complex%20Emergencies.pdf> [last visited in June 2017],
- IASC Non-Binding Guidelines on the Use of Armed Escorts for Humanitarian Convoys (Revised 2013), available online at <https://docs.unocha.org/sites/dms/Documents/Armed%20Escort%20Guidelines%20-%20Final.pdf> [last visited in June 2017]
- IASC Reference Paper on Civil-Military Relationship in Complex Emergencies (2004), available online at <https://www.humanitarianresponse.info/system/files/documents/files/IASC%20Reference%20Paper%2028%20June%202004.pdf> [last visited in June 2017]
- IASC Reference Module for Cluster Coordination at the Country Level (revised July 2015), available online at [https://www.humanitarianresponse.info/system/files/documents/files/cluster\\_coordination\\_reference\\_module\\_2015\\_final.pdf](https://www.humanitarianresponse.info/system/files/documents/files/cluster_coordination_reference_module_2015_final.pdf) [last visited June 2017]
- Monitoring and Reporting Mechanism (MRM), information available online at <http://www.unicefinemergencies.com/downloads/eresource/docs/2.6%20Child%20Protection/MRM%20Guidelines%20English.pdf> [last visited June 2017]
- Monitoring, Analysis and Reporting Arrangements (MARA), information available online at: <http://www.endvawnow.org/en/articles/1526-monitoring-analysis-and-reporting-arrangements-on-conflict-related-sexual-violence.html> [last visited June 2017]

- OCHA on Message: Civil-Military Coordination; available online at [http://www.unocha.org/sites/unocha/files/120524\\_oom\\_civil\\_military\\_coordination\\_eng.pdf](http://www.unocha.org/sites/unocha/files/120524_oom_civil_military_coordination_eng.pdf) [last visited in June 2017]
- Programme Criticality Framework, more information online at: <http://www.unsystem.org/tags-hlcm/programme-criticality-framework> [last visited June 2017]
- Sphere Standards, available online at <http://www.sphereproject.org/> [last visited June 2017] and [http://postconflict.unep.ch/liberia/displacement/documents/Sphere\\_Project\\_Humanitarian\\_Charter\\_Minimum\\_Standards.pdf](http://postconflict.unep.ch/liberia/displacement/documents/Sphere_Project_Humanitarian_Charter_Minimum_Standards.pdf) [last visited June 2017]
- United Nations General Assembly Resolution 46/182 (1991), available online at: <http://www.un.org/documents/ga/res/46/a46r182.htm> [last visited June 2017]
- United Nations General Assembly Resolution 58/114 (2004): available online at [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/RES/58/114](http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/58/114) [last visited in June 2017]
- UNSMS Security Policy Manual, available online at <http://www.ohchr.org/Documents/Issues/Mercenaries/WG/StudyPMSC/UNSecurityPolicyManual.pdf> [last visit June 2017]
- Women, Girls, Boys and Men Different Needs – Equal Opportunities: IASC Handbook for Gender equality in Humanitarian Action: [https://interagencystandingcommittee.org/system/files/legacy\\_files/IASC%20Gender%20Handbook%20%28Feb%202007%29.pdf](https://interagencystandingcommittee.org/system/files/legacy_files/IASC%20Gender%20Handbook%20%28Feb%202007%29.pdf) [last visited June 2017]

### 3 ANNEXES

<i>Annex 1:</i>	National and Prefectural Coordination Structure
<i>Annex 2:</i>	CAR UN-CMCoord cell
<i>Annex 3:</i>	CMCoord Structures in the Field
<i>Annex 4:</i>	Key Definitions
<i>Annex 5:</i>	Humanitarian Principles
<i>Annex 6:</i>	The Use of Armed Escorts
<i>Annex 7:</i>	Fundamental Principles and Operational Modalities of Humanitarian Convoys in CAR for the Humanitarian NGO Community (CCO Guidelines)
<i>Annex 8:</i>	OCHA focal points at national/prefectural level for CMCoord

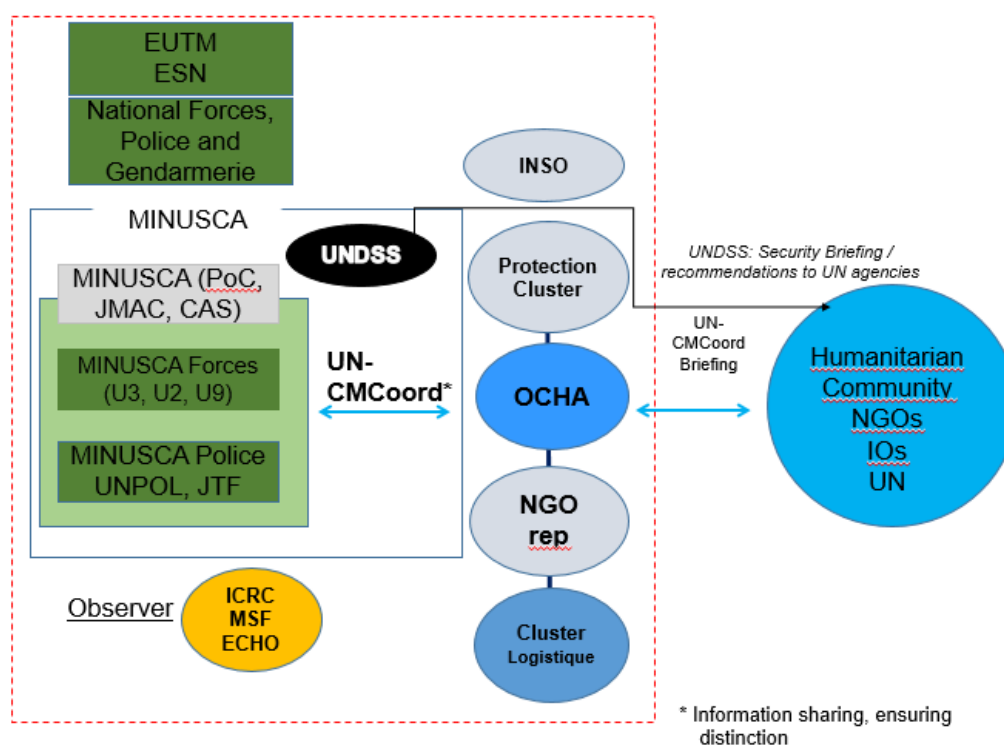
#### 3.1 ANNEX 1: COORDINATION STRUCTURE



**NB:** there may be circumstances, such as a rapidly deteriorating security situation, where local coordination between humanitarians and the COB/TOB commanders is necessary which will not follow the structure above. UNDSS should be kept informed at all times.



### 3.2 ANNEX 2 : CAR UN-CMCOORD CELL



### 3.3 ANNEX 3: CMCOORD STRUCTURES IN THE FIELD

<b>National level</b>	National CMCoord Cell Bangui
<b>Prefectural level</b>	Sub-Office - West Bouar
	Sub-Office - Center Kaga-Bandoro
	Sub-Office - East Bambari
<b>Sub-Prefectural Level</b>	Field-Office - West Paoua
	Field Office - West Berberati
	Field Office - Center Batangafo
	Field Office - East Bria

### 3.4 ANNEX 3: KEY DEFINITIONS

**AFFECTED PEOPLE:** People who are adversely affected by a crisis or a disaster and who are in need of urgent humanitarian assistance

**ARMED ESCORT:** A security measure that serves as a visible deterrent to a potential (armed) attack and, if necessary, acts in self-defence against an attack. Armed escorts can be provided by military as well as non-military actors, such as, police, private security companies or non-State actors. In addition, UNSMS officers are also authorized to provide armed escorts.

**AVOID RELIANCE ON THE MILITARY:** 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.

**CHAPTER VI and VII<sup>21</sup>:** Chapters VI and VII provide a legal basis for the deployment of peacekeeping missions. Chapter VI addresses actions that may be taken to peacefully address disputes, whereas Chapter VII allows for the use of all actions that may be necessary to maintain and restore international peace and security. While all DPKO operations are bound by the overarching principles of peacekeeping operations, i.e. consent of the parties, impartiality, and the non-use of force except in self-defence or defence of the mandate, mandating a peacekeeping mission under Chapter VII is a clear statement by the Security Council of its expectation that robust action may be required to successfully execute the task. In particular, Chapter VII operations are authorized to use all necessary means, up to and including the use of lethal force, to implement their mandate to protect civilians under threat of physical violence.

**CIVILIAN CONTROL:** A humanitarian operation using military assets must retain its civilian nature and character. While military assets will remain under military control, the 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.

**CMCOORD COORDINATION STRATEGIES:**

(i) **CO-EXISTENCE:** strategy characterized by circumstances where there are no common goals to pursue and actors merely operate side by side due to the context where they operate and the direct involvement of the Force in the conflict. In this instance, Civil-Military coordination should focus on minimizing competition and conflict in order to enable the different actors to work in the same geographical area with minimum disruption to each other's activities.

(ii) **COORDINATION:** essential dialogue and interaction between civilian and military actors that is necessary to protect and promote humanitarian principles, avoid competition, minimize inconsistency and, when appropriate, pursue common goals.

This strategy is a shared responsibility of the humanitarian and military actors, and it may take place in various levels of intensity and form.

(ii) **COOPERATION:** strategy that can be pursued when there is a common goal and agreed strategy between humanitarian and military actors, and all parties accept to work together. In this instance, coordination should focus on improving the effectiveness and efficiency of the combined efforts to serve humanitarian objectives.

**COMPLEMENTARITY:** Military and civil defence assets should be seen as a tool complementing existing relief mechanisms in order to provide specific support to specific requirements, in response to the acknowledged "humanitarian gap" between the disaster needs that the relief community is being asked to satisfy and the resources available to meet them.

**COMPLEX EMERGENCY:** 1. A complex emergency, as defined by the IASC, is "a humanitarian crisis in a country, region or society where there is total or considerable breakdown of authority resulting from internal or external conflict and which requires an international response that goes beyond the mandate or capacity of any single and/or ongoing UN country programme" (Oxford Pocket Dictionary, 1992). 2. Complex political emergency: A situation with complex social, political and economic origins which involves the breakdown of state structures, the disputed legitimacy of host authorities, the abuse of human rights and possibly armed conflict that creates humanitarian needs. The term is generally used to differentiate humanitarian needs arising from conflict and instability from those that arise from natural disasters (ALNAP).

**DISASTER:** A serious disruption of the functioning of society, which poses a significant widespread threat to human life, health, property or the environment, whether arising from accident, nature or human activity, whether developing suddenly or as the result of long-term processes, but excluding armed conflict.

**DISTINCTION:** The principle establishing the need for clear distinction between military activity and humanitarian assistance. Its absence can hamper aid delivery, create access problems and threaten the security of humanitarian personnel. Effective coordination ensures humanitarian action is seen as distinct while also identifying areas where civil military interaction is possible<sup>22</sup>.

**DO NO HARM<sup>23</sup>:** Considerations on Civil-Military coordination must be guided by a commitment to "do no harm". Humanitarian Actors must ensure at the policy and operational levels that any potential Civil-Military coordination will not contribute to furthering conflict or injustice, nor harm or endanger the civilian population.

**HUMANITARIAN ACCESS TO VULNERABLE POPULATIONS:** Humanitarian Actors must retain their ability to obtain access to all vulnerable populations in all crisis-affected areas and to negotiate such access and affected-

<sup>21</sup> Charter of the United Nations, 26 June 1945

<sup>22</sup> OCHA on Message: Civil-Military Coordination, November 2013, available online at [http://www.unocha.org/sites/unocha/files/120524\\_oom\\_civil\\_military\\_coordination\\_eng.pdf](http://www.unocha.org/sites/unocha/files/120524_oom_civil_military_coordination_eng.pdf) [last visited in June 2017]

<sup>23</sup> IASC Reference Paper on Civil-Military Relationship in Complex Emergencies (2004), pg. 10

populations must be able to reach assistance and services. Particular care must also be taken to ensure the sustainability of access. Coordination with the military should be considered to the extent that it facilitates, secures and sustains, not hinders, humanitarian access. UN General Assembly Resolution 46/182 calls upon States 'to facilitate the work of [humanitarian] organizations in implementing humanitarian assistance, in particular the supply of food, medicines, shelter and health care, for which access to victims is essential.'

**HUMANITARIAN ACTOR<sup>24</sup>:** Humanitarian Actors are civilian organizations, whether national or international, UN or non-UN, which have a commitment to humanitarian principles and are engaged in humanitarian activities.

**HUMANITARIAN ASSISTANCE<sup>25</sup>:** Aid to affected people that seeks save lives and alleviate suffering of crisis-affected people. Humanitarian assistance must be provided in accordance with the humanitarian principles of humanity, impartiality, operational independence and neutrality. Assistance can be divided into three categories based on the degree of contact with the affected people. These categories are important as they help define which types of humanitarian activities are appropriate to support with military resources under different conditions, where ample consultation has been conducted with all concerned to explain the nature and necessity of assistance. They are:

- Direct assistance: The face to face distribution of goods and services.
- Indirect assistance: At least one step removed from the affected population, usually involving activities such as transporting relief goods and personnel.
- Infrastructure support: Involves providing general services, such a road repair, air space management and power generation that facilitates relief, but not necessarily visible to or solely for the benefit of the affected population.

**HUMANITARIAN CONVOY:** The movement by road of humanitarian supplies, goods and assets, including humanitarian personnel using humanitarian visibility. A convoy consists of at least two vehicles traveling together. Humanitarian convoys do not use armed protection and do not follow or drive along with armed convoys.

**HUMANITARIAN SPACE:** A conducive humanitarian operating environment where the receipt of humanitarian assistance is not conditional upon the allegiance to or support to parties involved in a conflict but is a right, independent of military and political action (MCDA Guidelines).

**LAST RESORT:** The principle establishing that the use of military assets, armed escorts, joint humanitarian-military activities and any other actions involving visible interaction with the military must be options of last resort. Such actions may take place only where there is no comparable civilian alternative and only the use of military support can meet a critical humanitarian need. Use of armed protection, including armed escorts, should be a measure of last resort defined as "No other option is available to facilitate the safety of humanitarian personnel in lifesaving circumstances or required to meet critical humanitarian needs. All other options to reduce risks are exhaustively explored and determined not viable".

**MARA:** Established by Security Council Resolution 1960 (2010), the Monitoring, Analysis, and Reporting Arrangements (MARA) provides systematic, timely, reliable, and objective information on conflict-related sexual violence to the Security Council that will help reduce the risk of sexual violence and improve assistance to survivors. At the country-level, a variety of sources will inform the MARA, including information gathered from UN Country Team (UNCT) actors, local and international NGOs, civil society organizations, and other health and psychosocial service organizations.

**MILITARY AND CIVIL DEFENCE ASSETS:** MCDA, as defined in the 1994 "Oslo Guidelines", comprise relief personnel, equipment, supplies and services provided by foreign military and civil defence organizations for international humanitarian assistance. Furthermore, civil defence organization means any organization that, under the control of a government, performs the functions contained in Article 61, paragraph (1) of Additional Protocol I to the Geneva Conventions of 1949.

**MRM:** Established by Security Council Resolution 1612 (2005), the Monitoring and Reporting Mechanism (MRM) collects information on grave violations committed against children to share with the UN Security Council and to develop appropriate responses to respond to children's needs. MRM is managed by country-based task forces co-led by UNICEF and the highest UN representative in the country.

**OPERATIONAL INDEPENDENCE OF HUMANITARIAN ACTION:** In Civil-Military Coordination Humanitarian Actors must retain the lead role in undertaking and directing humanitarian activities. The independence of humanitarian action and decision-making must be preserved both at the operational and policy levels at all times.

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<sup>24</sup> Ibid., pg. 5

<sup>25</sup> Guidelines on the Use of Civil and Military Defense Assets to Support United Nations Humanitarian Activities in Complex Emergencies (revised 2006), pg. 3

Humanitarian organizations must not implement tasks on behalf of the military nor represent or implement their policies. Basic requisites such as freedom of movement for humanitarian staff, freedom to conduct independent assessments, freedom of selection of staff, freedom to identify beneficiaries of assistance based on their needs, or free flow of communications between Humanitarian Actors as well as with the media, must not be impeded.

**PERCEPTION OF HUMANITARIAN ACTION:** The delivery of humanitarian assistance to all populations in need must be neutral and impartial – it must come without political or military conditions and humanitarian staff must not take sides in dispute or political positions. This will have a bearing on the credibility and independence of humanitarian efforts in general. Civil military coordination arrangements must not jeopardize longstanding local networks and trust that Humanitarian Actors have created and maintained.

**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. However, Humanitarian Actors operating within an emergency situation must identify the most expeditious, effective and secure approach to ensure the delivery of vital assistance to vulnerable target populations. This approach must be balanced against the primary concern for ensuring staff safety, and therein a consideration of any real or perceived affiliation with the military. The decision to seek military-based security for humanitarian workers should be viewed as a last resort option when other staff security mechanisms are unavailable, inadequate or inappropriate.

**UN CIVIL MILITARY COORDINATION (UN-CIMIC):** Civil-Military Cooperation (CIMIC) is “the coordination and cooperation, in support of the mission, between a NATO Commander and civil actors, including national populations and local authorities, national and non-governmental organizations and agencies.” Because it is a NATO term, the term “CIMIC” alone is not to be used by UN missions to describe the staff function and processes that are covered by UN-CIMIC.

UN–CIMIC, therefore, is a military staff function in UN integrated missions that facilitates the interface between the military and civilian components of the mission, as well as with the humanitarian, development actors in the mission area, in order to support UN mission objectives.

Civil Assistance is a support function that includes two types of related activities undertaken by the military component of a UN integrated mission:

- a. Support to civilian humanitarian and development actors, which is the preferred steady state of UN-CIMIC;
- b. Support to the local civilian population and authorities, or Community Support Projects. Community Support Projects, which are often related to physical infrastructure repair/rehabilitation, are designed to help fill gaps in partner or local capacity that would otherwise risk de-stabilization of the local population or government through loss of public confidence in the peace process. UN-CIMIC ensures these supporting projects take place within joint and collaborative frameworks and processes, e.g., Quick Impact Projects (QIPs).

**UN HUMANITARIAN CIVIL MILITARY COORDINATION (UN-CMCOORD):** This 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. Basic strategies range from coexistence to cooperation;

- Strategies of coexistence are characterized by circumstances where there are no common goals to pursue and actors merely operate side by side. In this instance, humanitarian Civil-Military coordination should focus on minimizing competition and conflict in order to enable the different actors to work in the same geographical area with minimum disruption to the other's activities.
- Strategies of cooperation can be pursued when there is a common goal and agreed strategy between humanitarian and military actors, and all parties accept to work together. In this instance, coordination should focus on improving the effectiveness and efficiency of the combined efforts to serve humanitarian objectives.

Coordination is a shared responsibility facilitated by liaison and common training. UN-CMCoord Officers are deployed by OCHA and hold civilian status.

### 3.5 ANNEX 4: HUMANITARIAN PRINCIPLES

Humanitarian Organizations adhere to the following core principles and have generally adopted the "Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations (NGOs) in Disaster Relief":

**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

**Neutrality:** Humanitarian Actors must not take sides in hostilities or engage in controversies of a political, racial, religious or ideological nature

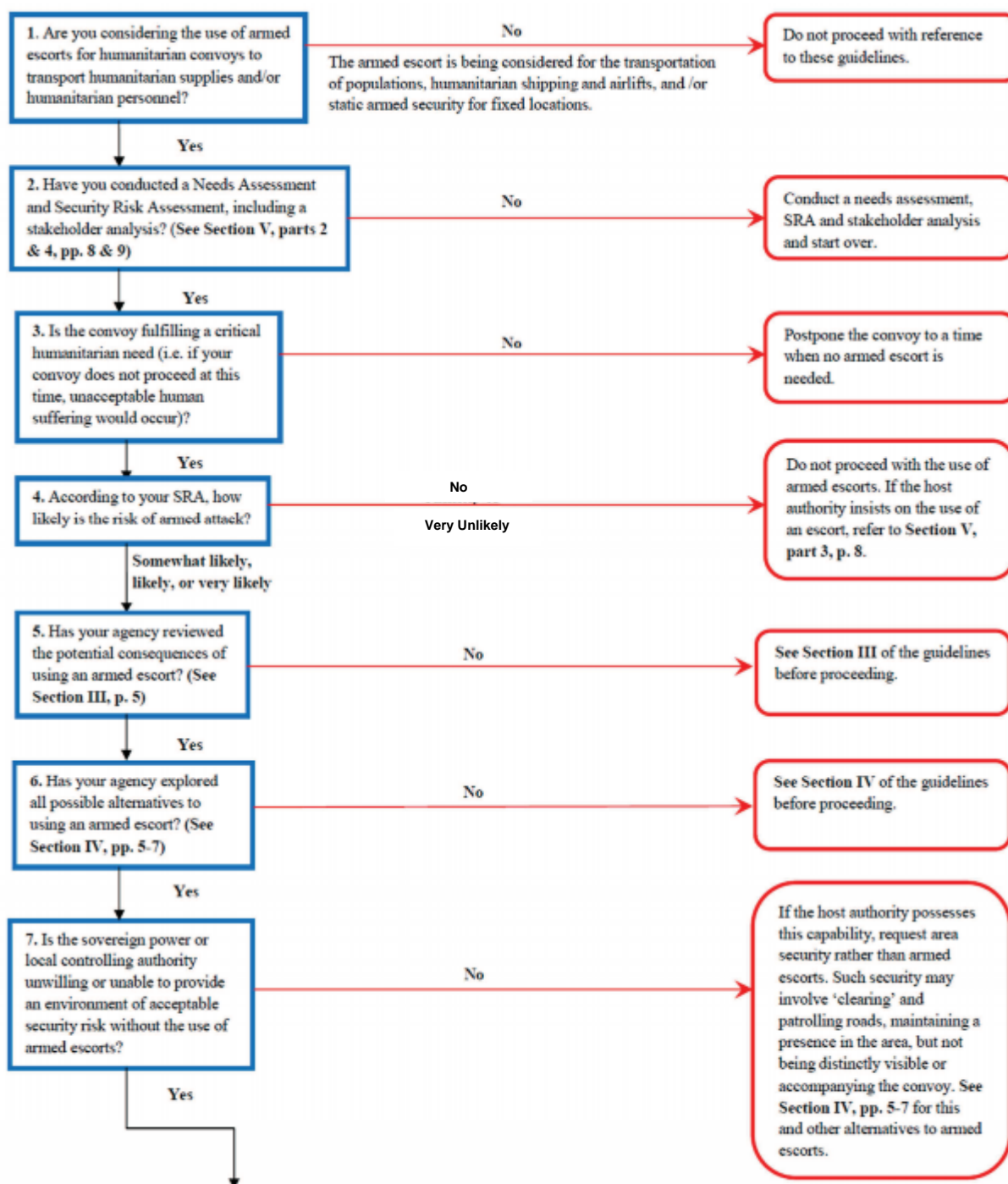
**Impartiality:** Humanitarian action must be carried on the basis of need alone, giving priority to the most urgent cases of distress and making no distinctions on the basis of nationality, race, gender, religious belief, class or political opinions

**Operational Independence:** Humanitarian action must be autonomous from the political, economic, military or other objectives that any actor may hold with regard to areas where humanitarian action is being implemented.

### 3.6 ANNEX 5: THE USE OF ARMED ESCORTS

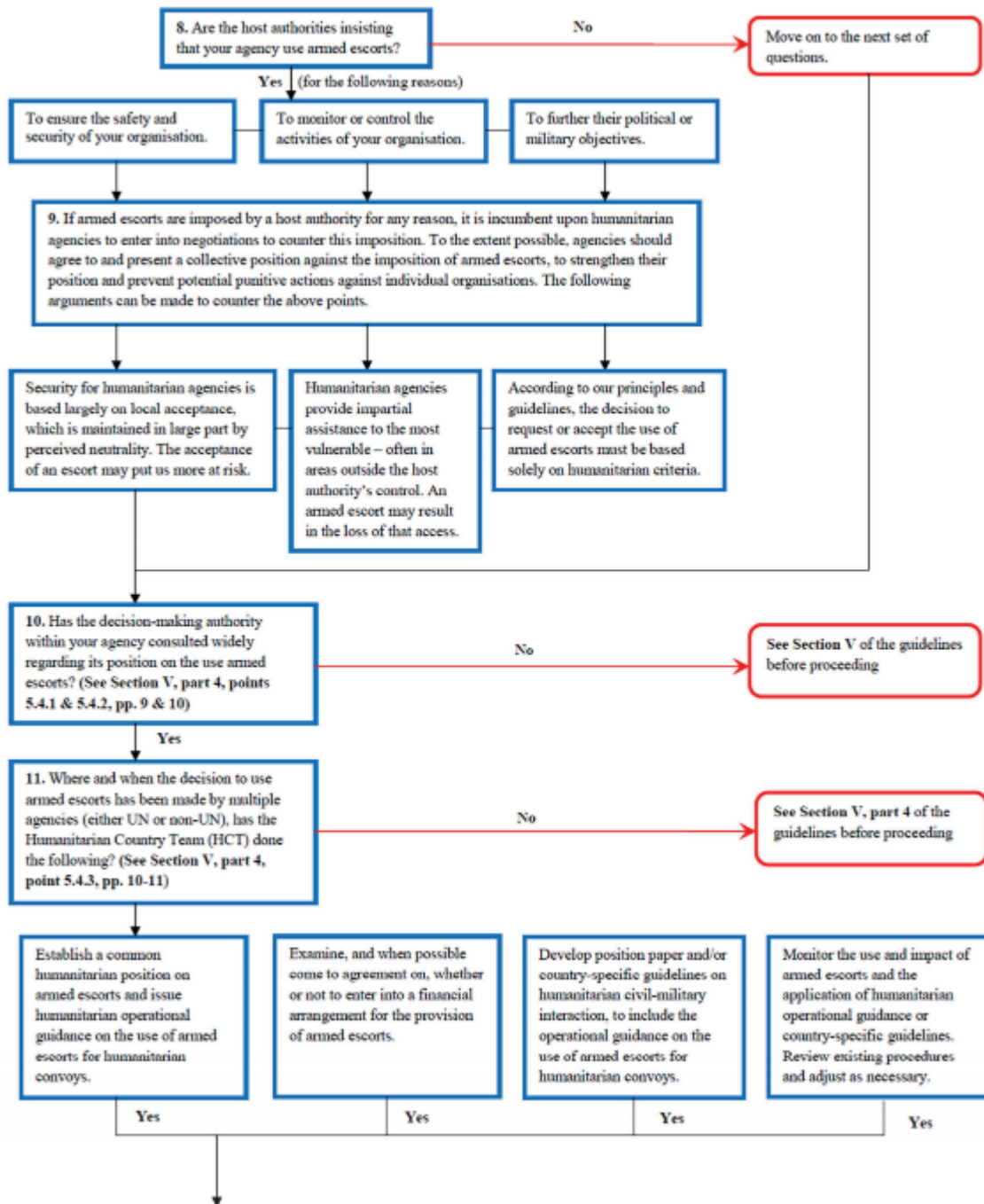
- To request the use of military escorts the below flowchart (Annex B of *“the IASC Non-Binding Guidelines on the Use of Armed Escorts for Humanitarian Convoys dated 27 February 2013”*) should be used in order to confirm that the Guidelines have been correctly applied. Should the flowchart confirm the use of a convoy, see paragraph 2 further below.

FLOW CHART ON THE USE OF ARMED ESCORTS FOR HUMANITARIAN CONVOYS

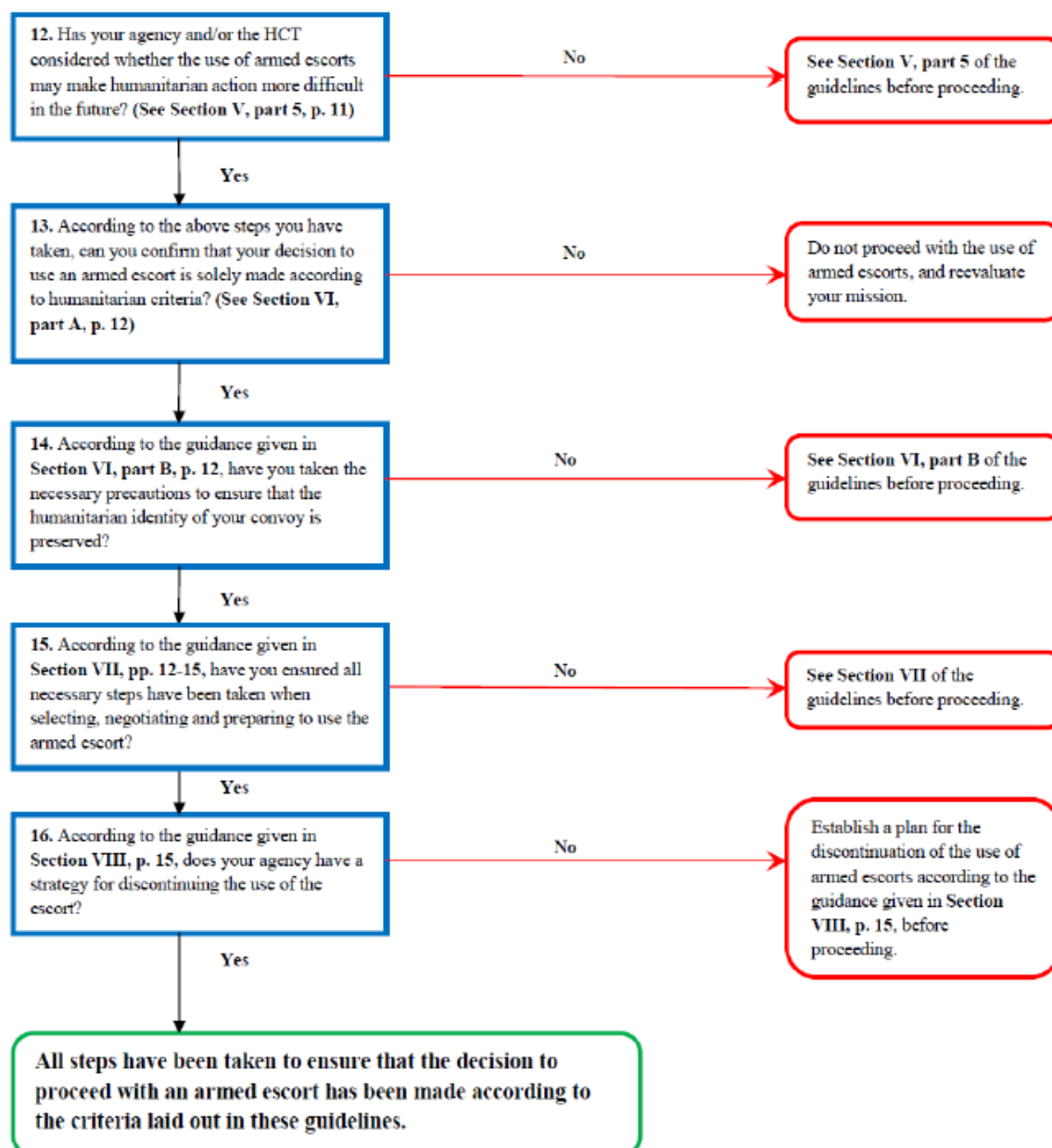




Country Specific Guidelines between Humanitarian Actors and MINUSCA and Foreign Military Forces.  
for Civil-Military Coordination in CAR



Country Specific Guidelines between Humanitarian Actors and MINUSCA and Foreign Military Forces.  
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2. Should the flowchart confirm the use of a convoy then the minimum detail required in order to request an escort is:

- All requests must be routed through OCHA UN-CMCoord Section for review and processing to the HC. The HC is the sole approver of any requests for Armed Escorts.
- To facilitate timely and proper planning all requests must be submitted no later than 7 days before the departure of the convoy. The request shall include the following:
  - Organization requesting Escort and any other partners involved
  - Date and time of Departure
  - Point of Departure
  - Route of convoy
  - Person Responsible/Point of Contact for Convoy
  - Details of convoy:
    - Humanitarian Convoy: No. of Persons transported, No. of trucks,
    - Logistical Convoy: No. of trucks, Type of Cargo,

- **Delineation of responsibility:**

**Military/UNDSS:**

- All matters pertaining to safety and security are the responsibility of the Agencies' Head of Offices, with the support of UNDSS and their respective security officers, in line with the programme criticality framework. The uniformed personnel (MINUSCA/Force and/or FPU) detailed will provide the Armed Escort.
- Military forces will require verification that all trucks are pre-packed and that all vehicles are serviceable 24 hours prior to departure.
- . The primary responsibility for the security and protection of UN personnel and other individuals covered by UNSMS rests with the Host-Government. However, circumstances may arise where it may be mandated or otherwise necessary to supplement existing Host-Government capacity with, inter alia, United Nations peacekeepers, including United Nations Guard Units provided by member states, or private security services.

**Humanitarian Organizations:**

- The humanitarian organization(s) requesting the Armed Escort whether it is a convoy transporting persons or materiel is responsible for the cargo or persons being transported.
  - Humanitarian organizations should as a minimum, have a duty of care to persons being transported and conditions should meet best practice (Sphere Standards).
  - In relation to transporting of persons the organization(s) concerned should factor in sick, pregnant or injured persons and provide suitable first aid for their transport.
  - A proper wet weather plan should also be factored for, *i.e.*: coverage/rain jackets for persons, proper recovery vehicles.
  - In the event of breakdowns, verification that all trucks are pre-packed and that all vehicles are serviceable 24 hours prior to departure.
- Points of Contact/Focal Points Responsibilities:
    - Designated Points of Contact should liaise regularly with UN-CMCoord Point of Contacts.
    - In the event of problems encountered the Point of Contact should be proactive and liaise and contact UN-CMCoord ASAP.
    - Points of Contact will have to verify to UN-CMCoord and the military force 24 hours to departure that all vehicles are serviceable and have been pre-packed.
    - Points of Contact will have to be present at least 30 minutes before the departure of the convoy and liaise with the Military Commander in charge of the Armed Escort in relation to the route and the role the military will assume in securing the convoy.
    - Points of Contact will endeavor to inform UN-CMCoord staff of their progress on any armed escorts.
    - Convoy commanders and escort commanders must be able to communicate in the same language.

UN-CMCoord may attend the departure of a convoy to verify with all of the above mentioned points are in compliance.

### **3.7 ANNEX 6: FUNDAMENTAL PRINCIPLES AND OPERATIONAL MODALITIES OF HUMANITARIAN CONVOYS IN CAR FOR THE HUMANITARIAN NGO COMMUNITY (CCO GUIDELINES)<sup>26</sup>**

*1. Use of armed escorts of humanitarian convoys in CAR*

As a rule, humanitarian NGO's in CAR should not use armed protection or deterrent force against those tempted to use violence or any type of duress. This basic principle concerns above all the use of armed escorts of humanitarian convoys consisting of the transport of humanitarian personnel.

*2. Exceptional use of armed protection*

- **Last Resort:** No other option is available to facilitate the safety of humanitarian personnel in case of lifesaving circumstances or required to meet critical humanitarian needs. All other options to reduce risks are exhaustively explored and determined not viable. In this case, it is suggested that the convoy is taken while all visibility material is removed from the NGO vehicles in order to safeguard humanitarian space and avoid confusion.
- **Humanitarian goods transported by commercial companies:** In CAR most NGO's make use of commercial truck rental companies for transport of humanitarian goods. These 'commercial' convoys can be accompanied

<sup>26</sup> The 'Fundamental Principles and Operational Modalities of Humanitarian Convoys in CAR' of 18 November 2014 have been approved by the members of the CCO on 27 November 2014 (See Annex 6).



by armed escort but without use of humanitarian visibility (logos, flags, stickers, etc.). They are not humanitarian convoys as such.

### 3.8 ANNEX 7: OCHA FOCAL POINTS AT NATIONAL/PREFECTURAL LEVELS FOR CMCOORD

National level	OCHA HoO or designated (e.g. Deputy HoO) OCHA CMCoord officer(s)
Prefectural level	OCHA Head of sub-office OCHA humanitarian affairs officer in antenna (when antenna deployed within prefecture)