



UNHCR
The UN Refugee Agency

UNHCR and the military
A FIELD GUIDE

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Foreword

In 1999, as Under-Secretary General for Humanitarian Affairs and former UNHCR colleague Sergio Vieira De Mello observed, there were two main developments that accounted for the expansion in collaboration between the military and humanitarian agencies: first was the end of the Cold War which led to more concentrated collaboration among States in resolving conflicts; then second, and more ironically, the subsequent eruption of a series of bloody internal wars with devastating humanitarian consequences. In today's complex global environment, UNHCR increasingly finds itself in operational areas where military forces are present and active. This fact can have a critical impact on the well-being of populations of concern to the High Commissioner and on humanitarian workers.

Legitimately recognized armed forces operating within the boundaries of international humanitarian law play a vital role in ensuring a safe and secure environment for all civilians, including UNHCR beneficiaries and staff. At the same time, experiences have highlighted associated challenges such as distinguishing humanitarian activities delivered by civilian organisations from assistance delivered by military actors; and safeguarding a distinct humanitarian identity founded upon the principles of humanity, neutrality and impartiality is a key issue for UNHCR. Meanwhile, the operational-level relationship and inter-action between humanitarian organisations and military forces usually managed in the form of civil-military coordination (CMCoord) has become one of the most debated topics both within and outside the humanitarian community. This is particularly the case with recent man-made conflicts and natural disasters where military forces have increasingly undertaken humanitarian relief activities as part of their operations. In some cases, military and humanitarians have conflicting objectives and operating procedures while evidently sharing the same "space".

The purpose of the Field Guide is to provide practical guidance to UNHCR staff in determining when it is appropriate and how best to interact with the military, and in doing so seeks to complement existing civil-military reference documents endorsed by the Inter-Agency Standing Committee (IASC). Equally, it serves to alert staff where the relationship can be problematic, focusing the reader's attention on questions that must be examined when evaluating the nature and level of interaction.

Where cooperation has yielded benefits, UNHCR must learn; so accordingly the Field Guide draws from operational experiences gained in Cambodia, northern Iraq, Somalia, Rwanda, the former Yugoslavia, East Timor, Afghanistan, Liberia, Ivory Coast, and elsewhere. The evolving character of civil-military coordination does not lend itself to absolute prescriptions, and few are contained in this Field Guide. The main goal is simply to facilitate coordination, cooperation and operational interaction with military forces that in the end will assist UNHCR achieve its goals in a manner consistent with its Mandate; and ultimately, such interaction must serve refugees and other populations of concern to the High Commissioner.

Finally, the Division of Operational Services (DOS) is UNHCR global focal point for civil-military issues, and remains at your disposal for any advice or support that you may require in this matter.

A handwritten signature in blue ink, appearing to read 'Arnauld Akodjènou', is written over a horizontal line.

Arnauld Akodjènou
Director
Division of Operational Services

Introduction

1

United Nations Civil-Military Policy and Guidelines

Introduction

As a staff member, you may be required to undertake assignments or missions to areas of the world affected by armed conflict. In such circumstances, you may need to interact with military forces and armed elements in order to gain access to persons of concern to UNHCR to meet the responsibilities entrusted to the Office. This safe access will be a vital enabler, allowing you to assess the situation of refugees and other populations of concern and then, if necessary, plan and deliver required humanitarian assistance.

Encounters with the military can also involve UNHCR staff in the context of a response to natural, technological, and industrial disasters (where governments may delegate coordination and delivery of relief efforts to the national military), as well as deployments related to complex emergencies¹, or a mix of both.

In addition to this interaction in an area of operations, UNHCR staff may be tasked to represent the Organisation at civil-military seminars, conferences and exercises.

This Field Guide is intended to assist UNHCR staff in their interaction with various types of military forces, including national militaries, UN military peacekeepers, as well as regionally and internationally mandated military forces². It does not consider dealings with armed non-state actors, militias or other elements that are not part of recognised national forces.

Information on how militaries are organised and guidance on how UNHCR can interface with them is provided, and practical suggestions on how to avoid or resolve some of the difficult issues which may arise is offered. UNHCR's approach to dealing with the military is above all a practical one as it relates to ensuring its mandated goals and additional responsibilities it has assumed. In the end, an effective and legitimate interaction with the military - within the parameters of the core humanitarian principles - must assist UNHCR in meeting its responsibilities.

¹ A complex emergency 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 agency and/or the ongoing United Nations country program." (UN Interagency Standing Committee - IASC, December 1994).

² Due to their nature and capabilities, UNHCR also includes national and international para-military forces, for example formed police units, as being "military".

Within this overall practical approach staff should be cognizant that:

- Not all militaries are the same. They vary significantly in such areas as structure, capabilities, attitude to humanitarian actors, and adherence to international humanitarian law. This has an impact on the relationship with humanitarian actors. It also makes it difficult to generalise about the relationship with the military.
- Context is important. The mandate, mission, legitimacy, and local acceptance of a military presence, for example, can have an impact on the humanitarian community's relations with a military force.
- Generic guidance on dealing with military actors is contained in this Field Guide. In some instances the humanitarian community may issue specific guidance relating to a particular area or military. Ensure you are aware of any specific guidance.

As well as being of use to UNHCR staff, it is hoped that this Field Guide will also be of use to militaries in understanding UNHCR's perspective.

United Nations Civil-Military Policy and Guidelines

This Field Guide should be read in conjunction with wider humanitarian community policy and guidelines on the civil-military relationship, particularly that approved by the Interagency Standing Committee (IASC).

The custodian of United Nations humanitarian policy on interaction between humanitarian and military actors is the Under-Secretary General for Humanitarian Affairs, who is also the Emergency Relief Coordinator (ERC). Key documents issued by the IASC and the ERC are listed at Annex C, together with a synopsis of their main points. Three are of particular note, as they provide broad generic guidance covering many of the situations the humanitarian community faces:

- Guidelines on the Use of Military and Civil Defence Assets in Disaster Relief 1994 (covering natural, technological and environmental emergencies)
- Guidelines on the Use of Military and Civil Defence Assets to Support United Nations Humanitarian Activities in Complex Emergencies 2003
- Civil-Military Relationship in Complex Emergencies - IASC Reference Paper 2004.

The abovementioned IASC Reference Paper is particularly useful as it highlights the sensitivities involved in the relationship. As a non-binding reference the paper attempts to highlight, in a generic manner, the nature and character of civil-military relations in complex emergencies, and it reviews the fundamental humanitarian principles and concepts that must be upheld when coordinating with the military.

In some situations the relationship with the military will be especially sensitive, particularly where the military is undertaking combat operations. This can result in a policy of limited contact. In complex humanitarian emergencies, the Humanitarian Coordinator or the Resident Coordinator at the country or regional level, after consultation with the UN Country Team (UNCT) and the ERC, will determine the circumstances and the extent to which UN humanitarian agencies will interact and coordinate their activities with military forces. In certain operations, specific guidance may also be provided by the United Nations to its staff (current examples are Afghanistan, Iraq, Haiti and Liberia).

If there is any doubt as to the policy in force staff should refer to the Country Representative. Guidance can also be sought from the Division of Operational Services in addition to accessing UN coordination policy promulgated at the country and global level through the Civil-Military Coordination Section (CMCS) of the UN Office for the Coordination of Humanitarian Affairs (OCHA).

Interacting with the military - understand, communicate and negotiate

2

Understand the Military

Communicate with the Military

Information Sharing

Briefings

Negotiate with the Military

Requesting Military Assistance

Non-Operational Activities

A Note on Military Checkpoints

Interacting With The Military

Understand, Communicate and Negotiate

Humanitarian agencies do not operate in isolation. The presence of a military force and other armed elements is fairly common in a situation defined as being a complex humanitarian emergency, and most especially in areas of armed conflict. Militaries can also be deployed in support of the response to a natural, technological or environmental disaster. Military presence may include the local or national military, multi-national forces, UN peacekeeping troops, international military observers, foreign occupying forces, regional troops or other officially organized troops.

In most situations, a UNHCR officer may be required to establish a level of communication with military elements so as to ensure that different roles and responsibilities are fully understood, effectively coordinated and appropriately undertaken. The levels of interaction between UNHCR staff and military staff will vary, to a large degree dictated by the nature and complexity of the operational environment, the structure of the military command, and UNHCR policy within the country. And, ensuring an effective interaction with the military that serves the protection goals of UNHCR will require a clear understanding of the military context within a specific situation.

Understand the Military

Like the humanitarian community the military is far from being homogenous. Militaries encountered by UNHCR staff will vary in international legitimacy, function, task, and level of training, use of technology, doctrine, procedures, understanding of humanitarian issues, observance of international humanitarian and human rights law, and delegation of authority. An appreciation of this diversity is particularly important. To the uninitiated, interaction with the military can present a bewildering array of acronyms, structures, and ranks.

For this reason basic information is provided on these topics within Annexes E to H.

The different mandates, characteristics and nature of these diverse military actors may necessitate that UNHCR relate to different groups with varying degrees of sensitivity or even with fundamentally different approaches. Of particular importance in situations in which there is, or has been armed conflict, is understanding as to who are, or were, the parties to the conflict.

Another key factor informing UNHCR's relationship with the military, in particular UN peacekeeping troops, is whether there is a UN integrated mission. While the degree of integration in a UN peacekeeping mission may vary, the aim of integration is to have all UN actors in a country working together towards the shared goal of restoring peace and security and creating the conditions for sustainable development and good governance. It is UNHCR policy to actively support the concept and development of integrated missions.

In some situations, the political leadership may assign the military the task of providing assistance to a population or, as in the case of United Nations peacekeeping missions, to directly support the work of humanitarian agencies. In other instances the mission statement of national and coalition forces is usually classified information. This makes it difficult to gauge the degree of involvement by the military in support of humanitarian objectives. Therefore, clear and effective communication is necessary at the earliest stages so that misunderstandings are avoided and that the best possible delivery of humanitarian assistance is ensured.

For UNHCR the primary objective of such communication is to facilitate implementation of its mandate – to safeguard the rights of refugees (i.e. their legal, social/material and physical protection), internally displaced persons (IDP's) and returnees, and to ensure full and unhindered access to them, together with the delivery of essential humanitarian assistance.

The level of interaction between humanitarian actors and military forces may depend upon a number of factors including the nature of their intervention, the degree of force which the military is authorised to use, and the extent and seriousness of the emergency. In some situations, particularly those where the military lacks international legitimacy and/or where it is not accepted or poorly perceived by the local population, interaction by humanitarian staff may be negligible or carefully controlled.

Some attempt has been made to categorise military deployments in terms of the activities of the overall force, in order to determine the degree of interaction that is permissible from a humanitarian perspective. This has significant drawbacks, particularly as far as the military's use of force is concerned. Contemporary military doctrine in many militaries, even for so-called "peace operations" or "peace support operations" emphasises a need to rapidly vary "stance" or "force posture". In one sector forces might be engaged in intense combat operations, whilst in another the same military might be seeking to win the "hearts and minds" of a population. In addition, these forces might be asked to quickly switch from one stance to another in one sector. It will be difficult for the humanitarian community to keep up with this fluid situation.

Types of Military Deployment. The types and the level of military intervention that a UNHCR staff member may encounter in the field include (further detail is at Annex D):

- Deployment in Response to a Natural, Technological or Environmental Disaster.
- United Nations Commanded Military Forces.

Traditional peacekeeping

e.g. UNMEE – Ethiopia / Eritrea

Complex peacekeeping

e.g. MONUC – Democratic Republic of Congo

- United Nations Authorised Regional or Coalition Forces:

e.g. ECOMIL – ECOWAS forces in Liberia

e.g. INTERFET – pre-UNTAET force in East Timor

e.g. EU forces in Bosnia

e.g. NATO forces in Afghanistan

- National and International Military Forces and Armed Groups Operating in a Complex Emergency without a UN Mandate.

Internal conflict involving national and invited foreign forces

e.g. Coalition Force in Iraq

Situations involving interstate conflict where the UN Security Council does not authorise a deployment

e.g. Ethiopian/Eritrean war before the peace agreement Peace Agreement

It is important when working alongside military forces that you are aware of their mission objectives, roles, responsibilities, and the authority under which they operate. This will determine the extent to which you may seek to coordinate your efforts with the military. Similarly, you should be aware of the military organisational structure. Understanding this structure is important as it will help you appreciate how decisions are made and how the military responds to changing situations.

You should also understand military operating procedures. These differ among military forces and depend on the size of the force, its background, its access to operational assets, the experience of its troops and their level of training, national/cultural characteristics, and the command/leadership structure. Military forces are hierarchical in their organisation and have generally well defined command and control structures (although command in many multinational forces can be somewhat ambiguous – relying on significant political and technical military negotiation).

Military organisational characteristics can include:

- **Management by Objectives.** The objectives of a military campaign are generally defined by political direction and resulting commander's intent and "mission statement". These objectives are included in a mission plan with a desired end-state. Completion of a military mission may not require a resolution of all aspects of a political, social or military problem.
- **Systematic Planning Processes and Problem Solving.** Most militaries have a developed systematic planning processes that include reconnaissance, thorough consideration of a situation (through use of tools such as the "Appreciation" or Staff Estimate" that attempt to think logically through an issue to consider all relevant factors and arrive at the best possible course and a plan). This can be somewhat different to planning in the humanitarian community.
- **Delegation.** The level of delegation of authority can vary widely between national militaries. Some have adopted doctrines that allow significant freedom of movement to lower commanders, who are basically given the outcome and any known constraints. Others have highly centralised methods of control.

The size of the military organisation directly correlates to the degree of specialisation in tasks and attention to procedure. While the above features are not specific to the military alone, some of these organisational issues are very specific to military institutions. In addition, military units, offices and teams may develop operational codes and modalities applicable to a given situation.

UNHCR staff should try to understand and respect how the military hierarchy and their reporting lines (the so-called “command and control” structure) work:

- Determine how the various levels in the military structure relate to the structure in UNHCR’s presence.
- Make sure that the person you deal with has the authority to decide on issues that you are discussing or negotiating.
- Make use of liaison structures offered by the military. Designated CIMIC officers are often your first and most relevant ‘port of call’. Keep them informed once you have developed direct contacts with commanders and specialists.
- Military officers may object to civilians who “insist on dealing exclusively with the commander, colonel, brigadier, two-star, etc.” Unimpeded access to senior officers is a diminishing phenomenon in some militaries. Expect to work through CIMIC/CA officers and established liaison structures.
- Develop and maintain the trust of your military counterparts. If difficulties arise, try to resolve these within the framework of the established relationship.
- If necessary, seek review of military decisions through the appropriate military “chain of command”.
- Remember that a soldier works to fulfil the commander’s mission. This is the soldier’s formal motivation when interacting with others, including dealings with UNHCR staff and counterparts.
- Finally, bring misconduct to the attention of your supervisor. Disciplinary issues are taken very seriously in most military forces. This is particularly true in highly visible international operations.

Communicate with the Military

You should seek to establish appropriate communication channels between yourself and your military counterparts. Make the effort to meet the most senior military officer responsible for your mission area. You should make the military familiar with UNHCR's mandate, global objectives and current operations, and any concerns in dealing with the military. Background information is provided at Annex A.

You should also try to determine:

- Who are your military counterparts with complementary responsibilities?
- Who within the military do you need to meet and brief?
- At what level of the military organisation are decisions made?
- What coordination mechanisms have been established by the humanitarian agencies and NGO's, military, national authorities and others?
- Are there any applicable guidelines or Standard Operating Procedures (SOPs) for UN humanitarian coordination and the military? If so, find out how they are applied locally.
- What formal and informal meetings need to be conducted between UNHCR and the military?

Information Sharing

Information sharing may be critical to the safety and security of refugees, returnees, UN staff and the overall relief effort. It enables you to properly assess the risks associated with carrying out particular activities, and of course may help avoid any misunderstandings between the military and humanitarian actors. Military forces are careful in their management of information, particularly if its release compromises operational security. It may not always be possible for you

to gain free access to information which you consider relevant. Unless a military document is specifically listed as UNCLASSIFIED and authorised for public release, its distribution is selective and may only be provided on a 'need-to-know' basis. In such cases, request sanitised versions of the classified document.

If deployed, contact the UNHCR Military Liaison Officer where appropriate. Sometimes it may be helpful to ask the military to "tell me what you can't tell me" to better define the limits of information sharing. From the humanitarian side, you need to be tactful and discreet when deciding what information you should share, and what should remain confidential to those who receive it. Strict guidance³ would be provided by the most senior UNHCR officer, but as a general rule it is prohibited to share:

- Information gained during protection interviews, especially specific information from individual protection cases.
- Information that has direct military utility, for example information on the movements of other military elements. (Note: this does not remove a requirement to share information related to staff security and safety within the UN security system as in some instances this information will need to be shared with the appropriate security forces).

It may be appropriate to share:

- UNHCR's work in the field and the objectives you are seeking to achieve.
- Information posted in the public domain: press statements and briefings, reliefweb.org, unjlc.org, unhcr.org, etc.
- Local security conditions, population movements and the prevailing humanitarian situation.
- Information on humanitarian assistance, transport and distribution activities, conditions of airfields.

³ See UNHCR Confidentiality Guidelines - IOM/71/FOM/68/01 of 24 August 2001.

- General estimates about the scope of the emergency.

Briefings

Briefing military forces will provide a good opportunity to establish contact. Explain UNHCR's role and responsibilities, and articulate your needs and expectations. Briefings will also allow you to become familiar with key military decision-makers as well as technical counterparts. Briefing sessions will help to build mutual understanding and create confidence.

- Prepare your briefing well. Be clear, well structured and concise. Use schematic maps and UNHCR handouts, including the information at Annex A, to support your presentation. A briefing to military forces should cover:
 - Role, mandate and relationship to other UN agencies and humanitarian actors.
 - Mission objectives with respect to the specific operation. UNHCR's protection goals should always be emphasized.
 - Humanitarian principles and operational norms.
 - Humanitarian coordination structures.
 - Operating parameters, what we can and cannot do, and why.
 - Caseload, magnitude of operations, volume of relief items.
 - UNHCR organisation-chart in the region, sub-office boundaries, etc.
 - Counterparts and implementing partners.
- Skills and aptitude that UNHCR brings to a mission area. For example:

- o Expertise in refugee law and related issues
- o Local knowledge
- o Long-term involvement in the region.
- o Network of counterparts in government and local authorities.
- o Capacity and flexibility in responses.

Negotiate with the Military

- Ask yourself what needs to be achieved and under what conditions (both negotiable and non-negotiable)?
- Ask yourself *where, when, why, by whom?*
- Agree on action points and communicate any subsequent changes.
- Write down agreed issues, share and compare notes. This approach will save time, resources and reduce misunderstanding. In an uncertain situation, these may be important for your security.
- When negotiating with military personnel make them aware of your value to their mission; this may even be derived from the initiative you propose.
- Inform all aspects of the relief operation that UNHCR, implementing partners or beneficiaries will implement, and where military forces could assist.
- Ensure understanding on functional areas of responsibility. Different agencies and military forces have different definitions of operations, logistics, medical and engineering needs.

- Exceptionally - if necessary and appropriate - negotiate Standard Operating Procedures with military forces that define responsibilities and activities.
- For these arrangements to be fully effective, you must seek endorsement at the highest levels within the military command structure and UNHCR.

Requesting Military Assistance

The UN humanitarian community has agreed to guidelines for use of military assets in providing assistance (There are separate guidelines for natural disasters and the complex emergencies- see Annex C). The following factors should be considered when requesting military assistance:

- Are they the option of last resort; indispensable and appropriate?
- Is the requested military or civil defence element capable of the task?
- For how long will they be required in order to complete the task?
- How will a transition back to civilian responsibility be achieved?
- Can they be deployed without weapons or additional security forces?
- Are the military force offering assets or support party to the conflict?
- How will this association likely impact the security of UNHCR personnel and other humanitarian workers?
- How will this association likely impact the perceptions of humanitarian neutrality and impartiality?
- What are the likely consequences for the beneficiaries, other humanitarian actors, and humanitarian operations in the medium to long term?

- What control and coordination arrangements will be required?

Remember, if your office requests and/or makes use of any military assets you should duly inform the Humanitarian Coordinator through the UN CM-Coord structure.

A military operation is focussed on achieving the stated objective, the “end-state”, completing the mission, and “going home”. Part of their mission will be to hand-over certain functions to another military force, a government structure and civilian authorities. The military plans for this transition, establishes criteria and monitors developments towards such a hand-over. Try to seek opportunities to contribute to the development of military transition plans, and ensure their planning assumptions remain valid.

Non-Operational Activities

Finally, your interaction with the military may extend beyond the circumstances already described:

- **Invitations to peacetime military exercises, programmes and seminars.** UNHCR regularly receives invitations from the military to participate in simulation exercises, seminars and training programmes dealing with military responses to complex humanitarian emergencies and natural disasters. The exercises primarily fall into three categories: Field Exercises (FTX), Command Post Exercises (CPX) and Computer Assisted Exercises (CAX). UNHCR participants should ensure that the humanitarian scenario is realistically planned and portrayed and that refugee and returnee “incidents and events” are injected into the exercise. A post-exercise report should be prepared and copied to the country office, the respective Bureau and DOS.
- **Invitations to medal ceremonies parades, receptions and other civil events.** Military forces have a tradition of hospitality and ceremonies. In the field, invitations are often extended to local dignitaries, counterparts

and humanitarian workers. Events include national day celebrations, public holidays, medal award ceremonies, farewells, visits of delegations – as well as informal and semi-formal dinners, “esprit-de-corps”, cocktails, etc. Accepting invitations from military forces with which we have working relations is not normally controversial, but the Head of Office should be informed.

- **Military honours, memorabilia and plaques.** The UN Code of Conduct restricts civilian staff from accepting military distinctions such as medals. Plaques and similar paraphernalia presented by military forces after visits, courses and joint civil-military operations are acceptable. Likewise, UNHCR publicity items make welcome gifts to the military force and its soldiers. Exchanging insignia, patches and personal items is a favourite pastime of some soldiers. Do not accept controlled equipment or government issued material. Never use or display military items that compromise your humanitarian role and profile.
- **Utilising military post-exchange (PX), commissaries and other welfare facilities.** Some peacekeeping contingents allow UN agency staff access to their shops, postal service and other welfare services. However, the military are not obliged to grant this access and in some cases their use may be restricted by host-government agreements. If you are granted access to such facilities, make sure that you do not abuse the privilege.

A Note on Military Checkpoints

Checkpoints manned by the military often exist throughout an area of conflict. You may also encounter them in non-conflict zones. Checkpoints may be erected temporarily or permanently to control movement or to enforce freedom of movement. Checkpoints also guard access to compounds and facilities. Expect soldiers at checkpoints to be exceptionally vigilant.

Militia and other irregular forces will often set-up roadblocks. These armed elements may be more nervous, abusive, drugged, drunk and sometimes

“trigger-happy.” Armed child soldiers sometimes operate roadblocks. Approaching and passing such ad-hoc roadblocks requires special care and attention, for example:

- Know agreed procedures when approaching checkpoints or roadblocks. Remain in the vehicle unless ordered to get out. If required to stop, do so. Protest the surrender of documents but hand them over if required.
- Be patient, invest time and goodwill in talking to soldiers and other armed elements at checkpoints, particularly when entering tense or conflict areas. The sentry manning a checkpoint or roadblock may need to or want to seek authority for your passages from his/her higher command.
- Bear in mind that sentries often assume extraordinary control over anything happening at or around their checkpoint. If difficulties arise, insist on speaking to the most senior officer or person in charge. Be assertive, not aggressive. Alert your base station if you encounter problems at a checkpoint or roadblock.
- Never give gifts (including cigarettes and alcohol) or bribes at checkpoints.

Military involvement in humanitarian aspects of complex emergencies

3

Contributing to Refugee Security

Contributing to Security of the Wider Civilian Population

Contributing to Security of Humanitarian Operations

Contributing to Security of United Nations Staff

Contributing to the Humanitarian Situation in Areas other than Security

Policy and Doctrine

Military Involvement In Humanitarian Aspects Of Emergencies

While UNHCR brings specific expertise to humanitarian emergencies, the military also has expertise on issues that have potential humanitarian implications. Military involvement in humanitarian issues is not a new phenomenon, pre-dating the establishment of the Organisation, so these skills and their applications may have an important bearing on UNHCR's work.

In the case of an occupying military force, for example, the respective roles and responsibilities are further blurred. Under the Fourth Geneva Convention of 1949 the occupying power takes over all responsibilities of the previous government. The occupying power is obliged to supply food and medicine (Article 55), maintain hospitals, and public health and hygiene (Article 56). This should not be considered as "humanitarian work" but rather as the fulfilment of humanitarian obligations, which fall upon the military as a result of international humanitarian law.

Contributing to Refugee Security

Providing the physical security of refugees is the prime responsibility of the government of the country of asylum. This is mostly achieved through the national police forces or other relevant authorities. In some situations military forces may be employed. In addition to use of national military forces, there may be circumstances where the government may request or accept international military or civilian police forces being assigned duties to protect refugees. It may even be an integral part of the mandated tasks of a UN or coalition force. During periods of cross-border or internal armed conflict, the presence of a UN mandated military and police force has proven to be a critical element in the physical protection of refugees.

Whatever the case, UNHCR expects international military forces to always consult national authorities and UNHCR in any matters of refugee and IDP

security, unless human lives are in immediate danger and no time must be lost.

The contribution of military forces in refugee security may include:

- Ensuring safe access to refugee and IDP populations and securing the delivery of critical assistance by the humanitarian agencies.
- Providing security of refugee and IDP camps and settlements.
- Identifying, disarming and separating armed elements from refugee communities, and demobilising combatants.
- Ensuring weapons-free zones and/or weapons confiscation.
- Monitoring security through surveillance and reporting.
- Liaison by international forces with national forces to provide appropriate training and capacity-building in refugee and IDP security. The physical security of refugees and other populations of concern, including assessment of threats, is covered in further detail in the UNHCR Handbook for Emergencies.

Contributing to Security of the Wider Civilian Population

In more general terms, some measures that can be taken by the military to reduce the vulnerability of a civilian population may include:

- Maintaining a strong presence in areas of armed conflict to allow for the freedom of movement of civilian populations, including the freedom to access.
- Maintaining checkpoints and controlling movement in areas of conflict.

- Maintaining a presence near infrastructure which is essential to the well-being of the community, including schools and other public utilities.
- Ensuring access of local populations to medical care, including escorting medical practitioners into and within areas of conflict, ensuring the security of medical facilities and providing assets necessary for medical evacuation.
- Maintaining a presence in rural communities in order to facilitate agricultural activities and ensure food security.
- Maintaining a presence or guarding areas of cultural value and importance such as museums, monuments and places of worship.
- Undertaking security assessments in areas of return and reintegration, and ensuring the safe disposal of land mines and other unexploded ordnance.

Contributing to Security of Humanitarian Operations

Military forces can perform a variety of tasks to provide security to humanitarian operations in conflict and post-conflict environments, which may include:

- Ensuring freedom of movement and the overall security of civilian populations and humanitarian workers.
- Providing for the security of essential public infrastructures and installations in order to ensure the provision of public services.
- Clearing landmines and unexploded ordnance from routes and locations that are to be used for the delivery of humanitarian assistance (the military normally perform this task when it meets their operational goals and requirements).

- Securing UN agency physical assets, offices, warehouses and supplies.
- Escorting humanitarian aid convoys.⁴
- Providing information on the security situation.

Contributing to Security of United Nations Staff

The government, through its national police and military agencies, has a responsibility to protect UN staff working in their country. In some situations, international military forces operating under a UN mandate may also be given a specific task of ensuring the security of UN civilian staff, or assisting national authorities to meet their obligations in this respect. This may include evacuation measures at times of crisis or sudden emergency. All UNHCR country offices have staff security and evacuation plans for emergency situations and may require military assistance as a last resort.

The military may also provide UN agencies and their staff with advice, training and technical support in areas such as medical first aid, mine awareness, unexploded ordnance awareness and nuclear, biological and chemical weapons threats.

Contributing to the Humanitarian Situation in Areas other than Security

Military forces might contribute to the humanitarian situation in areas other than security. This may be on their initiative, at the request of the local population or national authorities, or at the request of the humanitarian community. Coordination of this contribution is discussed at Chapter 4.⁵

The military contribution outside the realm of security can take three broad forms:

- Support outside the immediate area of humanitarian operations to enhance and enable the activity of the humanitarian community.

⁴ There is UN humanitarian guidance on this specific issue. See Chapter 4.

⁵ The humanitarian Inter Agency Standing Committee has issued specific guidance on requests issued by the humanitarian community and on broader aspects of the humanitarian-military relationship. See Chapter 4.

- Support to the humanitarian community in the area of operations.
- Direct delivery of assistance to a population.

Within these broad forms activities may include:

- Providing information to the humanitarian community. This could include information on affected populations, on infrastructure.
- Providing health and medical support to humanitarian staff and beneficiaries, such as medical evacuation, vaccination and decontamination.
- Providing ad-hoc engineering support for the repair or maintenance of essential utilities and services such as electricity and water supplies.
- Providing machinery and transportation assets such as trucks, construction equipment, electrical generators, lighting systems, communications hardware and other essential machinery.
- Tasking planners, engineers, loadmasters, logisticians, analysts, and intelligence officers and other specialists to assist the humanitarian operational planning and implementation processes.
- Delivering and distributing humanitarian relief supplies and providing necessary logistical support.

Policy and Doctrine

Various organisations with military capability, including Member States, have developed policy and doctrine for involvement by the military with humanitarian actors. Given the broad range of military actors involved this effort is not standardised at the international level, but it is constantly evolving.

The following is a representative selection of existing policies and doctrines:

- **UN Department of Peacekeeping Operations (DPKO).**

- o As far as interaction between military actors and the humanitarian community is concerned, UN peacekeeping uses the IASC definition for civil military coordination as the basis of its approach, with two amplifications:

- In addition to the civilian actors delivering a response to humanitarian emergencies dialogue and interaction also includes that between the UN military and development actors as well as the local civilian population.

- In UN peacekeeping the dialogue and interaction always seeks to achieve agreed objectives of all UN actors.

- o DPKO policy is that any involvement by UN commanded military forces in activities that could be construed as humanitarian or developmental must be approved and coordinated by the UN humanitarian Coordinator or Resident Coordinator – depending on the nature of the task. This includes so called “hearts and minds” activities often undertaken by contingents with their own funding and UN Quick Impact Projects (QIPs) that are funded through the UN peacekeeping mission’s budget.

- o The DPKO Policy, issued as a Directive to its missions, also uses the Civil-Military Liaison function to affect an interface between military and civilian actors in relation to protection of civilians.

- **NATO.** For NATO Civil-Military Cooperation (CIMIC) is “the coordination and cooperation, in support of the mission, between the NATO Commander and civil actors, including national populations and local authori-

ties, national and non-governmental organisations and agencies.” (NATO, AJP-9 Draft Nov 2001).

- **European Union.** Given the composition of its membership, the EU has adopted a similar definition and approach to that taken by NATO.
- **United States.** For the US military, Civil-Military Operations (CMO) are: “The activities of a commander that establish, maintain, influence, or exploit relations between military forces, governmental and nongovernmental civilian organizations and authorities, and the civilian populace in a friendly, neutral, or hostile operational area in order to facilitate military operations, to consolidate and achieve operational US objectives. Civil-military operations may include performance by military forces of activities and functions normally the responsibility of the local, regional, or national government. These activities may occur prior to, during, or subsequent to other military actions. They may also occur, if directed, in the absence of other military operations. Civil-military operations may be performed by designated civil affairs, by other military forces, or by a combination of civil affairs and other forces.” JP 1-02, DOD Dictionary of Military and Associated Terms, 12 April 2001, as Amended through 30 November 2004. Also for the US, civil affairs activities are: “Activities performed or supported by civil affairs that (1) enhance the relationship between military forces and civil authorities in areas where military forces are present; and (2) involve application of civil affairs functional specialty skills, in areas normally the responsibility of civil government, to enhance conduct of civil-military operations.” (JP 1-02).
- **United Kingdom.** The UK approach, as articulated in UK CIMIC Policy, is that CIMIC allows military operations to make a coherent contribution to UK and international political objectives. The UK emphasises the need for a more comprehensive and long-term view of the strategic environment. Collaboration across government and beyond will harmonise all contributions, enabling better identification and achievement of desired outcomes.

This approach is supported at the operational level by integrating CIMIC staff and the CIMIC process into the chain of command. (JDP 3-90)

- **France.** For France, Civil-military cooperation (CIMIC) indicates the operational function intended to improve integration of the force in its human environment in order to facilitate the achievement of its mission, the re-establishment of a normal security situation and the management of the crisis by the civil authorities (administration, humanitarian action, economic revival...). (Concept et doctrine interarmées de la coopération civilo-militaire, PIA 09.100, Etat-Major des Armées, March 2005). (Unofficial translation⁶).

With the exception of DPKO, the key theme running through most politico-military policy and doctrine related to involvement between military and humanitarian actors is that the involvement primarily seeks to support the military commander's mission. In most instances this will be related to a peace and security, not purely delivery of emergency humanitarian relief.

⁶ La coopération civilo-militaire (CIMIC) désigne la fonction opérationnelle destinée à améliorer l'intégration de la force dans son environnement humain afin de faciliter l'accomplissement de sa mission, le rétablissement d'une situation sécuritaire normale et la gestion de la crise par les autorités civiles (administration, action humanitaire, reprise économique, ...).

Coordination mechanisms

4

Humanitarian Coordination Structures and Mechanisms

Military Coordination Mechanisms

Specialised Humanitarian Staff Positions

Specialised Military Staff Positions

Humanitarian – Military Coordination Mechanisms

Humanitarian Coordination Structures and Mechanisms

The UN humanitarian system defines interaction with the military as Civil-Military Coordination or **CMCoord**. The IASC defines CMCoord as: “The essential dialogue and interaction between civilian and military actors in humanitarian emergencies that is necessary to protect and promote humanitarian principles, avoid competition, minimise inconsistency, and when appropriate, pursue common goals. Basic strategies range from coexistence to cooperation facilitated by liaison and common training.”

United Nations humanitarian coordination structures have greatly improved the quality of inter-agency dialogue, information sharing, joint planning and operational management. They cover a range of issues that relate directly or indirectly to the operational relationship with the military such as information sharing, security briefings as well as coordination where military assets are used.

At the headquarters level the following structures and mechanisms are in place:

- At the UN system level integration is the guiding principle for the design and implementation of complex UN operations in post-conflict situations and for linking the different dimensions of peace building (political, development, humanitarian, human rights, rule of law, social and security) into a coherent support strategy. In this context interaction between the humanitarian community and politico-military actors takes place at Secretariat level in planning and management of field operations. In some cases the relationship with military actors will be decided in the Secretary-General’s Policy Committee.

- OCHA's Civil Military Coordination Section (CMCS) in Geneva is tasked with advising on policy and developing guidelines and training on CM-Coord for all UN humanitarian staff. CMCS also provides a strategic level interface with Member States to obtain military and civil defence assets for use in humanitarian emergencies. CMCS can deploy a capacity for limited duration to assist in coordination with military and civil defence actors responding to large scale emergencies. CMCS interfaces with relevant partners on a regular basis and has established annual consultative and advisory mechanisms to permit input to its strategic work plan by the IASC members and others, including DPKO and Member States.
- Within UNHCR the lead for policy development and advice on the interface with the military is the Office of the Director of the Division of Operational Services (DOS).

At the field level the guiding principle of integration can result in various mechanisms to insure coordination, especially where a Special Representative of the Secretary-General has been appointed. The norm in UN integrated missions is that the UN Humanitarian Coordinator/Resident Coordinator is a Deputy Special Representative of the Secretary-General (HC/RC)⁷. The following UN structures under the overall lead of the UN Humanitarian Coordinator, and which have relevance to coordination, may be established in relation to a humanitarian emergency:

- Office of the Humanitarian Coordinator/Resident Coordinator (HC/RC)
- UN Country Team (UNCT)
- UN Security Management Team (SMT)⁸
- UN Civil-Military Coordination Office (CMCoord)
- UN Humanitarian Operations Centre (HOC)

⁷ The Secretary-General has issued a Note of Guidance on Integrated Missions to describe the relationship between SRSGs and Humanitarian Coordinators/Resident Coordinators.

⁸ The HC will only head the SMT if he/she has been appointed the UN Designated Official (DO) for Security. In UN integrated missions where the SRSG is appointed as the DO, the Deputy SRSG/HC/RC will normally be appointed as the Deputy DO.

- UN Humanitarian Information Centre (HIC)
- UN Joint Logistics Centre (UNJLC)
- UN Humanitarian Air Service (UNHAS)
- UN Mine Action Centre (UNMAC)

The UN agencies and NGO's will normally organise a series of cluster co-ordination groups, chaired by an Agency that has been allocated led in the cluster. These may include nutrition, water and sanitation, health, camp coordination and management, emergency shelter, protection, early recovery, logistics, telecommunications. As well as a mandated responsibility for refugees UNHCR is cluster lead for protection, emergency shelter, and camp coordination & management for conflict generated IDPs and affected populations. Such meetings organised, chaired or attended by UNHCR can help improve coordination with military forces and avoid any duplication of effort. Military attendance in a number of these meetings will provide the opportunity to:

- Ensure familiarity with the programmes of other agencies.
- Present plans, indicate progress and provide an analysis of activities.
- Coordinate activities and share key information and resources.
- Ensure appropriate strategies in respect of any common goals.

Military Coordination Mechanisms

Military coordination mechanisms can vary according to varying doctrines in use. There are two very broad approaches by the military in their interface structures with civilian actors.

- Specialised structures and staff, leaving the “warfighters” (and most commanders) to concentrate on the primary peace and security function. The US military often uses this approach. The exception is instances where the military’s primary mission is related to emergency humanitarian relief, e.g. in a large scale natural disaster.
- Mainstreamed interface where all levels of the military command structure will be required to be able to deal with civilian actors, including the humanitarian community.

Despite this broad doctrinal difference, in most emergencies where the military is deployed in any significant strength they will establish a contact point to assist their interface with the surrounding civilian environment. This can have various titles, but most commonly it is called a **Civil Military Operations Centre (CMOC)**. CMOCs are often located outside military compounds to facilitate access and the exchange of information between military personnel, civilian organisations, local authorities and the local population. The decision making authority of the staff of these Centres can vary according to the broad approach indicated above. Some have limited authority. None will have the ability to direct military units; this being a function of commanders. The main functions of CMOCs and CMOC-like structures are to:

- Provide initial point of contact.
- Provide a focal point for liaison.
- Facilitate the exchange of information.
- Provide advice on military assistance to civilian organisations.
- Re-enforce the legitimacy of the force in the eyes of the civil authorities and the local population.
- Validate and coordinate requests for military support.

The CMOC will generally focus on coordinating military functions that are related to specific operational events. These may include: the conduct of elections, the return of refugees, major economic initiatives, repair of infrastructure, and visits by major figures in the international community, etc. The CMOC will arrange meetings with local authorities, politicians and representatives from the community and other interested groups. International agencies are only one of their many contact points.

Specialised Humanitarian Staff Positions

Various UN organisations deploy staff to fulfil functions that are specifically related to the interface with the military. The main types of positions are as follows:

- **UN CMCoord Officers.** OCHA can deploy UN CMCoord Officers to some humanitarian emergencies to provide a UN Humanitarian or Resident Co-ordinator specialised advice and liaison. In large emergencies, particularly where a Humanitarian Coordinator appoints Area Coordinators, UN CMCoord Officers can be appointed at the Area or Sector level. This is particularly applicable to humanitarian operations deployed alongside or large UN peacekeeping missions. UN CMCoord Officers can be OCHA HQ staff (particularly in the early phase of an operation), individuals provided on standby from Member States, or staff recruited for a particular emergency. They can also be used to provide advice on humanitarian issues to Force Commanders in UN peacekeeping missions.
- **UNHCR Military Liaison Officers.** UNHCR views interaction with the military as a task that may need to be undertaken by all staff, particularly those in the field. There may be occasions, particularly those where there is a very large military presence and a significant humanitarian operation, when the UNHCR may assign a staff member to focus specifically on civil-military interaction. UNHCR terms these individuals as Military Liaison Officers (MLOs). An MLO can be an excellent way of facilitating exchange of information and effective coordination of activities. He/she should have

well defined Terms of Reference and have the confidence of both UNHCR and the military. An example Terms of Reference is at Annex B. In most instances he/she will have undertaken specific training, such as the OCHA CMCoord Course.

- WFP, UNICEF and other agencies may deploy Military Liaison Officers.

In addition to the UN, other humanitarian entities, e.g. the Red Cross family and some NGOs appoint individuals to specifically deal with the military.

Specialised Military Staff Positions

Various military organisations deploy officers whose primary task it is to interface with non-military, including humanitarian, actors. The main types of positions are as follows:

- **Civil-Military Cooperation (CIMIC) Officers and Civil Affairs (CA) Officers.**

- o CIMIC and CA officers are military and sometimes national civilian staff attached to military forces. They can be trained in the workings of international and non-governmental humanitarian and development agencies. In some cases they are reservists with experience and background in civil administration, civilian infrastructure, humanitarian aid, economic and commercial structures and cultural affairs. CIMIC officers work in the CMOC (if it has been formed) and in military headquarters advising commanders and planners. They also work in mobile CIMIC teams and could be seconded to humanitarian coordination structures. CIMIC officers participate actively in coordination meetings. The task of CIMIC officers is to provide the appropriate - and often the direct - conduit to their respective military commander and military components, which aims to support humanitarian action (e.g. engineering, logistics and medical).

- o Sometimes, CIMIC officers are provided a limited operational fund, which they may allocate to activities such as “Quick Impact Projects” either through humanitarian agencies or directly. They might also be assigned to distribute relief items which they receive from national sources.
- o CA officers may also interact with government representatives and local administrators. Their role relates to the broader socio-political environment, but their functions sometimes overlap with the task of CIMIC officers and Political Affairs Officers.

- **UN Peacekeeping**

- o **Civil-Military Liaison Officers.** UN military staffs at the HQ of a peacekeeping mission and at sector HQ can have military officers who are titled Civil Military Liaison Officers (CMLOs). These have a similar function to CIMIC and CA officers mentioned above, except they work within the concept used for civil-military coordination in UN peacekeeping. While these individuals work for the Force Commander, in some instances they may be collocated with civilian UN CMCoord Officers.
- o **National Contingents.** At the level of national contingents in UN peacekeeping, national doctrine is applied to the titles of individual staff.

- Annex A:** Background on the UNHCR Mandate, Core Humanitarian Principles and Humanitarian Concerns
- Annex B:** Example Terms of Reference for a UNHCR MLO
- Annex C:** Relevant Guidelines and Guidance
- Annex D:** Types of Military Deployments
- Annex E:** Typical Military Organisations and Levels of Command
- Annex F:** Typical Military Rank Insignia
- Annex G:** Military Staff Functions
- Annex H:** Selected United Nations and Military Abbreviations in Common Use
- Annex I:** Useful Internet References

Annexes

Background on the UNHCR Mandate, Core Humanitarian Principles and Humanitarian Concerns

Legal Mandate

UNHCR was created to provide international protection for refugees and to find durable solutions to their plight. In certain circumstances, UNHCR is also expected to protect and assist other groups of people in a refugee-like situation including internally displaced persons (Dips), asylum-seekers and Returnees.

The basis for UNHCR's work is the UNHCR Statute and the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. These are the legal milestones which, to this day, set the standards for the treatment of refugees. The Convention and its Protocol serve as the most comprehensive instruments at the international level for the safeguard of the fundamental rights of refugees and the regulation of their status in the countries of asylum and continue to provide the basis for UNHCR work.

Humanitarian Principles

In addition to this legal basis, there are key principles which inform UNHCR's work, and therefore must be taken into account in UNHCR's relations with the military. The following paragraphs identify these key principles and concepts.

- **UN Resolutions.** UN General Assembly Resolution 46/182 states humanitarian assistance must be provided in accordance with the principles of humanity, neutrality and impartiality. These are defined as follows:
 - **Humanity:** Human suffering must be addressed wherever it is found, with particular attention to the most vulnerable in the population, such as children, women and the elderly. The dignity and rights of all victims must be respected and protected.

- **Neutrality:** Humanitarian assistance must be provided without engaging in hostilities or taking sides in controversies of a political, religious or ideological nature.
- **Impartiality:** Humanitarian assistance must be provided without discriminating as to ethnic origin, gender, nationality, political opinions, race or religion. Relief of the suffering must be guided solely by needs and priority must be given to the most urgent cases of distress.

In addition to these three humanitarian principles, the United Nations seeks to provide humanitarian assistance with full respect for the sovereignty of States. As also stated in General Assembly Resolution 46/182:

“The sovereignty, territorial integrity and national unity of States must be fully respected in accordance with the Charter of the United Nations. In this context, humanitarian assistance should be provided with the consent of the affected country and in principle on the basis of an appeal by the affected country.”

Related Concerns, Concepts, and Issues

- **Independence** - In any civil-military coordination humanitarian actors must retain the lead role and direction of humanitarian activities. The independence of humanitarian action must be reserved both at the operational and policy levels at all times. Humanitarian organisations 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 agencies as well as with the media, must be guaranteed.

- **Humanitarian Access to Vulnerable Populations** - Humanitarian agencies must maintain their ability to obtain and sustain access to all vulnerable populations in all areas of the complex emergency in question and to negotiate such access with all parties to the conflict. Coordination with the military should be considered to the extent that it facilitates and secures, not hinders, humanitarian access.
- **Needs-Based Assistance Free of Discrimination** - Humanitarian assistance must be provided on the basis of needs of those affected by the particular complex emergency as well as the local capacity already in place to meet those needs, without outside interference with the assessment of such needs. The assistance must be given without adverse discrimination of any kind, regardless of the race, ethnicity, sex/gender, religion, social status or nationality of the recipients, in an equitable manner to all populations in need.
- **Civil-Military Distinction in Humanitarian Action** - At all times, a clear distinction must be maintained between combatants and non-combatants – i.e., between those actively engaged in hostilities, and civilians and others who do not or no longer directly participate in the armed conflict (including the sick, wounded and prisoners of war). International humanitarian law protects non-combatants by providing immunity from attack. Thus, humanitarian workers must never present themselves or their work as part of a military operation, and military personnel must refrain from presenting themselves as civilian humanitarian workers.
- **Security of Humanitarian Personnel** - Too close an affiliation with the military or even the perception of such an affiliation may impact negatively on the security environment for humanitarian staff as well as on the ability of humanitarian actors to access and assist vulnerable populations.
- **Do No Harm** - Considerations on civil-military coordination must be guided by a commitment to 'do no harm'. Humanitarian agencies must ensure that

any potential civil-military coordination will not contribute to further the conflict nor harm or endanger the beneficiaries of humanitarian assistance.

- **Respect for International Law** - Both humanitarian and military actors must respect international humanitarian law as well as other international norms and regulations, including human rights instruments.
- **Respect for Culture and Custom** - Respect and sensitivities must be maintained for the culture, structures and customs of the communities and countries where humanitarian activities are carried out. Where possible and to the extent feasible, ways shall be found to involve the intended beneficiaries of humanitarian assistance and/or the local personnel in the design, management and implementation of assistance, including in civil-military coordination.
- **Avoid Reliance on the Military** - Humanitarian agencies must avoid becoming dependent on resources or support provided by the military. These resources are often only temporarily available and when higher priority military missions emerge, this support may be recalled.

Maintaining Humanitarian Space

The so-called “humanitarian space” is more than a physical area, it is a concept in and through which impartiality and non-partisanship govern the whole humanitarian action. This document does not seek to add to this debate but provides you with some background. Military actors must be made aware that the debate exists within the humanitarian community, and should be aware that some civilian humanitarians will:

- Argue reservation of the use of the term “humanitarian” and “humanitarian space” for their programmes of work.
- Advocate, plan and appeal for such work undertaken by humanitarians.
- Guard their mandated role(s) within the “humanitarian space”.

In areas of armed conflict humanitarian actors expect the military to provide a safe working environment and ensure their freedom of movement. On the other hand, military involvement in ensuring the delivery of humanitarian assistance is often criticised by humanitarian agencies. This is because the mission and operations of military contingents are often based on political decisions or motives. These may or may not coincide with stated humanitarian principles.

In many operations soldiers can best contribute to humanitarian objectives by providing access to, and security of, civilian populations and humanitarian agency staff. In some situations the military can also provide valuable and appropriate support to the tasks of humanitarian agencies. At times, military forces may initiate projects to assist beneficiaries directly. Such activities have sometimes sparked controversy among the humanitarian community; especially if the advice of the humanitarian community is not sought or is ignored.

The safety and security of UNHCR staff may depend on the perception by the local community of how well the organisation adheres to its humanitarian principles. How UNHCR cooperates, both at the individual and the institutional level with military forces may affect this perception. Additionally, UNHCR's ability to effectively work in an environment of armed conflict may depend on how the military are perceived by the population. Meanwhile, considerable debate remains within and outside the United Nations concerning use of military forces and resources by humanitarian agencies.

Example Terms of Reference for a UNHCR MLO

Terms of Reference

Senior Military Liaison Officer

UNHCR Liberia

On 1 August 2003 the UN Security Council authorised a Multinational Force to support the implementation of the 17 June cease-fire agreement in Liberia using “all necessary measures”. It declared its readiness to deploy a UN peacekeeping force by 1 October to assist in reaching a comprehensive peace agreement. Adopting resolution 1497 (2003), and acting under Chapter VII of the UN Charter, the Council also authorised UNAMSIL to extend logistical support for up to 30 days to the forward elements of the ECOWAS led Multinational Force (ECOMIL).

An essential component of the Multinational Force’s mandate will be “securing the environment for the delivery of humanitarian assistance” and “facilitating the delivery of humanitarian assistance, and protecting civilians facing violence in the areas of immediate deployment” (S-G’s letter to the Council President dated 29 July ... S/2003/769). Given the dramatic conflict situation and the unpredictable nature of the operational environment, it is likely that the Multinational Force will primarily focus their attention on core force protection to the detriment of the urgent delivery of humanitarian assistance.

With this above in-mind, and in order to ensure an immediate and effective communication and coordination mechanism with the Multinational Force and other military actors, UNHCR will deploy a Senior Military Liaison Officer (SMLO) to Liberia. The SMLO will be in a position and authority to directly inter-face with the military and communicate UNHCR’s priority operational policy and strategic objectives so that they are appropriately considered and understood by military commanders at all stages. Should UNHCR require and receive the direct or indirect support of the military in Liberia, and/or use of any military assets, it is imperative that the humanitarian operation and activities retain a civilian nature and character.

Role and Responsibility

Reporting to the UNHCR Country Director, the SMLO will perform a countrywide function that may involve travel both within in the country and to the sub-region as required. The SMLO will be responsible for the following tasks:

- Liaise with the UN mandated Multinational Force, the US Military Support Mission (Joint Task Force) and relevant components of the DPKO mission (e.g. the OSRSG in Monrovia) at the planning and implementation levels so as to ensure UNHCR's operational priorities and plans as they concern civil-military cooperation are communicated and appropriately considered.
- Ensure the essential dialogue and interaction between UNHCR and the military actors that is required to protect, promote and ensure that humanitarian principles are applied and humanitarian operational goals achieved, and in doing so, deconflicting and/or minimizing any inconsistency in the pursuit of appropriate common goals.
- Contribute to the UN interagency coordination process and share relevant information with all actors, providing specialist assistance to other agencies as and if requested.
- Coordinate with UNHCR and other UN actors in the sub-region regarding the civil-military cooperation in Liberia with the Multinational Force.
- Advocate that the Multinational Force apply a 'Code of Conduct' (referring to existing UNDPKO policy) and facilitate awareness training on the mandate of UNHCR and the rights of refugees, IDP's and others of UNHCR concern in Liberia.

- As required, advocate that the mentioned forces provide all urgent and essential assistance to the UNHCR humanitarian operations as per the UN policy and guidelines on 'The Use of Military and Civil Defence Assets (MCDA) to Support UN Humanitarian Activities in Complex Emergencies'. This may include:
 - Static security to locations which will allow the presence of the humanitarian organisations and the delivery of such assistance; and protecting refugees and IDPs in camps and transit centres.
 - GIS specific information on operational environment security. This information will contribute to the overall UN country-level information mechanism shared with all humanitarian organisations.
 - Providing logistical support when the operational capacity of the UN/HCR is incapable (i.e. as a "last resort" case by case basis).
 - Ensuring an acceptable means for distinguishing humanitarian assets and any MCDA provided by the military have the markings of the UN humanitarian agency. When and if such military assets are provided, the appropriate white markings and UN symbols should be used.
 - Promoting the deployment and use of civil-military cooperation officers (CIMIC) to strategic locations throughout Liberia where humanitarian organisations are engaged in their activities.
 - Formalising and developing a formal agreement regarding support intervention forces in the case of emergency medical and security evacuation of UN staff, if required.

Relevant Guidelines and Guidance

The following current guidelines are of relevance and should be sought from the relevant website:

OCHA and IASC

(Details at <http://ochaonline.un.org>)

- Civil-Military Relationship in complex Emergencies – An IASC Reference Paper 2004
 - o Non Binding
 - o Discusses application of principles and concepts, e.g. humanity, impartiality, and neutrality
 - o Provides practical information on establishing liaison, information sharing use of military assets, and use of armed escorts and conduct of humanitarian staff.
- Guidelines on Use of Military and Civil Defence Assets in Disaster Relief 1994 (covering natural, technological and environmental emergencies)
 - o Non binding
 - o Provides basic definitions
 - o Discusses principles, and legal status, and response mechanisms
- Guidelines on the Use of Military and Civil Defence Assets to Support United Nations Humanitarian Activities in Complex Emergencies 2003
 - o Non binding

- o Provides more comprehensive definitions
- o Examines concepts such as “last resort” in use of military assets
- o General tone is avoid use of military

DPKO

- The Secretary General has issued a Note of Guidance on Integrated Missions dated 9 February 2006 (clarifying the Role, Responsibility and Authority of the Special Representative of the Secretary-General and dated the Deputy Special Representative of the Secretary-General/Resident Coordinator/Humanitarian Coordinator. (Details at <http://www.reliefweb.int/rw/lib.nsf/db900SID/OCHA-6MHKSR?OpenDocument>)
- DPKO Policy on military in support to humanitarian and development activities (Details at www.un.org/Depts/dpko/milad/oma/DPKO_CML_Directive.pdf)
 - o Stresses that primary task for military is related to security
 - o If militaries become involve in humanitarian and development tasks, activity must be approved and coordinated by the Humanitarian or Resident Coordinator. This includes so-called Quick Action Projects (QIPs) and hearts and minds activities.

Use of Military Escorts

In 2001, the UN IASC issued non-binding guidelines⁹ for the use of armed escorts by the humanitarians. As a general rule, UN humanitarian convoys travel without military or police escorts, but when working within a known area of armed conflict exceptions may need to be made. Before commencing any military escorted convoy, all involved personnel must be fully briefed

⁹(Details at <http://ochaonline.un.org/webpage.asp?MenuID=5111&Page=774>)

of the convoy rules and must strictly adhere to command and communications procedures. If armed convoy escorts are requested, then the relationship between UNHCR and the military force must be based on the following principles:

- The primacy of the organisation in humanitarian work.
- The primacy of humanitarian principles and criteria in deciding on a convoy with a military escort.
- The humanitarian identity of the convoy.
- That armed personnel remain in separate vehicles and that humanitarian vehicles are clearly marked as such.

Under no circumstances should a humanitarian convoy proceed if the security situation is considered too dangerous. Before resorting to military escorts (including for any organised voluntary refugee or returnee movements) the following possible counter-productive factors must be considered:

- Escorted convoys move slowly.
- Potential attackers do not differentiate between the military and the humanitarian component of the escorted convoy.
- The use of escorts may compromise the perception of the impartiality of the humanitarian agency.
- In situations of internal conflict where non-state armed elements offer to escort relief convoys, this humanitarian act may exacerbate the nature of the conflict with other belligerent forces.

Alternatives to Military Escorts:

- Negotiation and agreement of humanitarian safe-corridors.
- Having military forces secure the route and undertake regular patrols.
- Providing advance notice of any convoy movement to the relevant authorities and coordinating the activity with them.
- Applying public information strategies so that the purpose of the humanitarian operation is well known and understood by regional and local authorities and the general population.
- Ensuring staff members wear visibility items and carry appropriate ID card, and that humanitarian vehicles are visibly fitted with UN or organisational logos and antenna flags.
- Identify alternate routes as part of contingency planning.

Types of Military Deployments

The types and the level of military intervention that a UNHCR staff member may encounter in the field include:

- **Deployment in Response to a Natural, Technological or Environmental Disaster.** National and international military forces commonly provide assistance at times of major flooding, devastating earthquakes, large-scale industrial accidents and similar calamities. The effected country may use its military structures to coordinate response and/or to directly deliver assistance. It may also request external assistance and if so may also coordinate the request through the UN Civil-Military Coordination Section (CMCS – part of OCHA Geneva). Military forces may work alongside national and international civil-defence units and humanitarian actors in providing relief and rescue-services. In some instances these types of disasters can take place in a complex emergency.
- **International Military Forces Operating Under a UN Mandate.** Use of Chapters of the UN Charter as a determinate regarding interaction the military has become blurred, particularly as far as complex peacekeeping is concerned. It is confusing is to seek to categorise interaction with a force as to whether it is deployed under Chapter VI (Pacific Settlement of Disputes), or Chapter VII (Enforcement) provisions of the UN Charter. The currently norm for UN “peacekeeping” is that Mandates will include a Chapter VII (enforcement) element. This makes the distinction in some quarters between “peacekeeping” and so-called “peace enforcement” rather academic. Use of Chapter VII as part of a Mission’s Mandate in part seeks to facilitate delivery of humanitarian assistance and to protect civilians. Of relevance to UNHCR, different national contingents may have different interpretations on use of force to protect civilians.

o **United Nations Commanded Military Forces.**

Military troops, staff officers, civilian police and military observers are deployed as part of UN operations from their national structures, but work under UN command. Essentially this means UN peacekeeping operations. You may recognise UN peacekeepers by their insignia, blue helmet or blue beret. The deployment of peacekeepers is authorised by the UN Security Council. The Secretary-General is responsible to the UN Security Council for the organisation, conduct and direction of the operation. A civilian Special Representative of the Secretary-General (SRSG) is often appointed to head such peacekeeping operations. There are two broad types of UN peacekeeping operations.

- Firstly, traditional peacekeeping which tends to deploy as a result of inter-state conflict and the composition of the mission is essentially military.
- Secondly, complex peacekeeping which often deploys in situations involving intra-state conflict and seeks to provide a multidimensional response. The military component of a UN peacekeeping mission can include formed units of troops, as well as military observers and military staff officers. A typical complex mission can also include civilian components, both of a substantive (e.g. human rights or political) and support (e.g. administrative and logistic) nature. In some missions a Deputy Special Representative of the Secretary General may be appointed who also performs the function of UN Humanitarian Coordinator and/or Resident Coordinator. Complex peacekeeping is plagued by wavering consent of the parties to the conflict and sometimes is confronted by armed elements that are only loosely controlled or whose actions are deniable by signatories to peace agreements – so called “spoilers”. This can result a need for a robust use of force by UN troops.

- The degree of UNHCR interaction with peacekeepers varies from mission to mission. The humanitarian response may be completely separate from the peacekeeping operation or it may be “integrated” within a mission under the so-called humanitarian pillar. In the majority of situations, communities welcome the presence of peacekeepers and consider them as a part of the international response. However, this perception can change quickly. Should any group or community grow suspicious of peacekeepers, in their white vehicles with black UN markings, they may also turn hostile towards the UN humanitarian agencies in their white vehicles with blue UN markings!

- o **United Nations Authorised Regional or Coalition Forces:**

The UN may authorise the deployment of military forces to intervene in a crisis and delegate the lead role to a nation or organisation that will exercise control over the coalition of forces (“coalition of the willing”). A coalition force, particularly if based on a standing arrangement, e.g. NATO or the EU, may be able to respond to a particular crisis more expeditiously and with more coherence than ad-hoc UN military forces. In some circumstances the one or both of the parties to a conflict may not accept UN forces, but may accept a regional force. In these circumstances, just as with UN peacekeeping troops, the military’s authority is established by a UN Security Council mandate. In a coalition force, the contingents are placed under the control of a multinational Force Commander. However, the contingents remain - to a large degree - under their own national command. As a result, as in UN peacekeeping operations, the Force Commander may have limitations to his authority over the contingents.

- **National and International Military Forces and Armed Groups Operating in a Complex Emergency Without a UN Mandate.** UNHCR staff may encounter forces that have been deployed into a situation involving a complex emergency where the forces do not have UN mandate. This can include:

- o Internal conflict involving national and invited foreign forces. This is quite a common situation in areas where UNHCR staff are deployed. Includes regular military forces, civilian police, customs and border officials and gendarmerie. These entities may be involved in a coordinated response to natural disasters, industrial catastrophes, internal strife and any resulting population movements including any influx of refugees across the border. In some cases, UNHCR may have established agreements or procedures with the national authorities to assist in the fulfilment of their responsibilities in refugee and IDP protection and physical safety, and to provide unhindered passage for staff and relief convoys and protection of office premises and other physical assets. This interaction may include engineering and logistical support as well as search and rescue arrangements.

- o Situations involving interstate conflict where the UN Security Council does not authorise a deployment. Clearly, UN agencies will have difficulty in relations with militaries on this type of deployment.











Types of Military Organisations and Levels of Command

Organisation	Commander	Commander's Experience (Years)	Equivalent UN Grade	Personnel
UN Force	Major General or Lieutenant General	30-40	D2/ASG	Varies
Division	Major General	30-35	D2	15000+
Brigade or Task Force	Brigadier or Colonel	25-30	D1/P5	1500-4000
Battalion, Regiment, or Battle Group	Lieutenant Colonel	20-25	P4	600-1000
Company or Squadron (3-4 per Battalion)	Major or Captain	7-15	P3	80-120
Platoon or Troop (3-4 per Company)	Lieutenant	1-4	P2	25-35
Section or Squad (3-4 per Platoon)	Corporal or Sergeant	3-5	P1/G7	8-12











Typical Military Rank Insignia

Military rank insignia vary across various national militaries. The following pages provide a fairly representative selection.

British Army Officer's Rank Insignia

Rank	Insignia
Second Lieutenant	 A dark blue rank pipette with a single silver pip.
Lieutenant	 A dark blue rank pipette with two silver pips.
Captain	 A dark blue rank pipette with three silver pips.
Major	 A dark blue rank pipette with a silver pip and a silver crossed-sabres emblem.
Lieutenant Colonel	 A dark blue rank pipette with two silver pips and a silver crossed-sabres emblem.
Colonel	 A dark blue rank pipette with three silver pips and a silver crossed-sabres emblem.
Brigadier	 A dark blue rank pipette with four silver pips and a silver crossed-sabres emblem.
Major-General	 A dark blue rank pipette with a silver crossed-sabres emblem and a silver pip.
Lieutenant-General	 A dark blue rank pipette with a silver crossed-sabres emblem and two silver pips.
General	 A dark blue rank pipette with a silver crossed-sabres emblem and three silver pips.

US Army Officer's Rank Insignia

Rank	Insignia
Second Lieutenant	
Lieutenant	
Captain	
Major	
Lieutenant Colonel	
Colonel	
Brigadier-General	
Major-General	
Lieutenant-General	
General	

FRENCH Army Officer's Rank Insignia

Rank	Insignia
Sous-lieutenant	
Lieutenant	
Capitaine	
Commandant	
Lieutenant Colonel	
Colonel	
Général de brigade	
Général de division	
Général de corps d'armée	
Général d'armée	

Military Staff Functions

The table below provides an indication of what functions are performed by military staff at different levels. These may not be used by all militaries, but are in fairly wide use. The letters before various functions indicate whether they are Army (G), Joint (J - mixed Army, Navy, Air Force) or Combined (C – multinational).

Staff Branch	Army Division Level Designation G	Joint / Combined Designation J/C	Function
Personnel	1	1	Coordinates and administers military and civilian personnel matters.
Intelligence	2	2	Collects, analyses and disseminates intelligence and security information to force and headquarters.
Operations	3	3	Fights wars: implements military action with support from other branches.
Logistics	4	4	Plans, implements and coordinates logistics including medical support, material and services, movement, transportation, and civil engineering.
Strategy, Plans and Policy		5	Develops strategies, policies, procedures, plans and guidance.

Staff Branch	Army Division Level Designation G	Joint / Combined Designation J/C	Function
CIMIC	5	9	Liaises with civilian authorities and organisations, including United Nations agencies. Advises the commander on CIMIC. Controls specialised CIMIC assets.
Communications		6	Provides effective and secure communications and information systems.
Training	3	7	Provides training, exercises and evaluation.
Budget		8	Manages finances, contracting and budgets.
Public Affairs	Specialist Staff	Specialist Staff	Deals with external media, produces public information, disseminates public information to troops.
Legal	Specialist Staff	Specialist Staff	Provides legal guidance to the commander and troops on all matters, including on the Law of Armed Conflicts and International Humanitarian Law.
Political Advisor		Specialist Staff	Provides political guidance to commander.
Deputy Chief of Staff	DCOS	DCOS	Coordinates staff, often in charge of headquarters administrative staff.
Chief of Staff	COS	COS	Coordinates staff, generally in charge of all G/J codes.

Selected United Nations and Military Abbreviations in Common Use

AOR	Area of Responsibility
APC	Armoured Personnel Carrier
BDE	Brigade
BN	Battalion
C3	Command, Control and Communications
CA	Civil Affairs
CDR	Commander
CIMIC	Civil Military Cooperation
CMA	Civil Military Affairs
CMOC	Civil Military Operations Centre
CO	Commanding Officer
CP	Command Post/Checkpoint/Contact Point
DPRE	Displaced Persons Refugees Evacuees
DS	Direct Support
EVAC	Evacuation
EW	Electronic Warfare/Early Warning
GPS	Global Positioning System
HA	Higher Authority
HAST	Humanitarian Assistance Survey Team
HE	Humanitarian Evacuation
HRO/HUMRO	Humanitarian Relief Operations
INTEL	Intelligence
JOC	Joint Operations Centre
LO or LNO	Liaison Officer
LOGBASE	Logistics Base
LZ	Landing Zone
MRE	Meals Ready to Eat
NBC	Nuclear, Biological and Chemical

OC	Officer Commanding
OPCOM	Operational Command
OPORD	Operation Order
OPLAN	Operation Plan
POL	Petrol Oil Lubricants
PSO	Peace Support Operations
RECCE	Reconnaissance
ROE	Rules of Engagement
RORO	Roll-on, Roll-off
RV	Rendezvous
Sect	Section
SOP	Standard Operating Procedure
TACOM	Tactical Command
TF	Task Force
TOC	Tactical Operations Centre
WMD	Weapons of Mass Destruction
UXO	Unexploded Ordnance
XO	Executive Officer
2IC	Second-in-Command

Useful Internet References

<http://www.unhcr.org>

<http://intranet.hcrnet.org>

<http://ochaonline.un.org/cmcs>

CMCS a specialised unit of OCHA that acts as a focal point in the humanitarian community for relations with the military and mobilises of military and civil defence assets to assist in the delivery of humanitarian assistance.

<http://www.alertnet.org>

Internet service for the relief community and anyone interested in the world of aid agencies.

<http://www.cmc.gov.za/pht/DMISA.htm>

DMSIA - Disaster Management Institute of South Africa

<http://www.cooperationcenter.org>

Centre for Humanitarian Cooperation

<http://dmc.engr.wisc.edu/about/educationalresources.html>

DMC - The Disaster Management Center, University of Wisconsin/Madison

<http://www.icrc.org/eng/icrc>

The International Committee of the Red Cross and Red Crescent

<http://www.gcsp.ch/e/index.htm>

Geneva Centre for Security Policy

<http://www.idrmhome.org>

International Institute for Disaster Risk Management (IDRM)

<http://coe-dmha.org/civmilcoop.htm>

The Center of Excellence in Disaster Management & Humanitarian Assistance in Hawaii

<http://www.accord.org.za/cimic/intro.htm>

African Civil-Military Coordination programme at the African Centre for the Constructive Resolution of Disputes

<http://www.international-alert.org/publications.htm>

Focus on generating greater international and regional political awareness of the deep-seated causes of modern violent conflict.

<http://www.jha.ac/articles/a068.htm>

Priorities of Civil-Military Cooperation (July 2001), Journal of Humanitarian Assistance

<http://www.odi.org.uk/about.html>

Overseas Development Institute, think-tank on development and humanitarian issues

<http://www.pims.org>

Partnership for Peace Information Management System

<http://www.sipri.se>

The Stockholm International Peace Research Institute (SIPRI) studies Conflict and Peace Enforcement and the Conflict Prevention.

<http://www.the-ecentre.net>

The e-centre provides distance learning and material for the Asia Region, and has extensive UNHCR documentation.

