

Guidance

THE USE OF MILITARY AND CIVIL DEFENSE ASSETS IN SUPPORT OF HUMANITARIAN OPERATIONS

IASC Task Force on the Use of Military and
Civil Defense Assets in Support of
Humanitarian Operations

1995

Endorsed by IASC Principals

REPORT OF THE TASK FORCE ON THE USE OF MILITARY AND CIVIL DEFENSE (M/CD) ASSETS IN SUPPORT OF HUMANITARIAN OPERATIONS

1. SUMMARY

1.1 The Task Force was established in March 1995. It met on four occasions. On 8 May 1995, an interim Information Note was submitted to the XVIIIth meeting of the Inter-Agency Standing Committee Working Group (IASC-WG) (Annex III).

1.2 The Task Force has concluded its work. A summary report on outlining the objective, tasks and conclusions follows.

1.3 The Working Group is requested to endorse the Task Force's two main recommendations for submission to the Inter-Agency Standing Committee: the adoption of the Guiding and Operating Principles (Annex I) and the establishment within DHA - Geneva of the management support system focal point, the Military and Civil Defense Support Unit (MCDU) (Annex II).

2. GENERAL BACKGROUND

Information Note - see Annex III

3. OBJECTIVE

The objective of the Task Force was to increase the effectiveness in the delivery of humanitarian assistance in emergency situations not covered by existing arrangements on the use of military and civilian assets (e.g. UNHCR Service Packages for refugee crisis and DHA-MCDA Project for peace-time emergencies, notably natural, technological and environmental disasters). To that end, the Task Force was to develop a common framework and Standard Operating Procedures, including a management system, for the use of these resources. The Task Force was also to identify and assess existing assets, resource requirements, gaps and therefore strategies to meet shortfalls. As part of its work, the Task Force was to cover all emergency phases from contingency planning to phasing out of any assets mobilized and/or deployed.

4. TASKS COMPLETED

- (i) Elaboration of Guiding and Operating Principles;
 - (ii) Review of Current Use of M/CD Assets by Humanitarian Organizations, Including Impact of the Use of these Assets on the Operations of the Agencies;
 - (iii) Review of Requirements, Resources, Gaps and Identification of Ways of Meeting Shortfalls;
 - (iv) Elaborating Management Principles and a Management Support System.
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5. CONCLUSIONS

5.1 The conclusions of the Task Force reflect the participating agencies' positions on these issues.

- (i) **Guiding and Operating Principles:**
The paper (Annex I) drafted by UNHCR was reviewed by the members and endorsed at the 3rd Task Force meeting on 18 May.
- (ii)/(iii) **Review of Current Use of M/CD Assets by Humanitarian Organizations, Including Impact of the Use of these Assets on the Operations of the Agencies; Review of Requirements, Resources, Gaps and Identification of Ways of Meeting Shortfalls:**
Papers were submitted by DHA, UNHCR, UNICEF and WFP. Members concluded that the Task Force itself should undertake no further review of these papers but that they should provide the initial basis for the work of the management support system focal point.
- (iv) **Management Principles and a Management Support System:**
An options paper on management principles and systems was presented by DHA. On 15 June 1995, at its 4th meeting, the Task Force agreed on the establishment of a Focal Point within DHA - Geneva to support collective preparedness measures and to provide a point of access for Governments, regional organizations, military and civil defence institutions interested in planning and providing support to humanitarian agencies.

5.2 An Advisory Panel (AP) comprising members of the IASC-WG will be responsible for considering the overall work plan of the focal point~~in~~ advising on policy issues, levels of preparedness and training.

5.3 The attached outline of the focal point, the Military and Civil Defense Support Unit (MCDU), the Terms of Reference for the AP and Profile of Planning Officers have been reviewed by Task Force members.

**GUIDING AND OPERATING PRINCIPLES FOR THE USE OF
MILITARY AND CIVIL DEFENCE ASSETS
IN SUPPORT OF HUMANITARIAN OPERATIONS**

Introduction

1. This paper covers the use of military and civil defence (M/CD) assets to provide humanitarian assistance where this is requested by a humanitarian organization and where the assets requested are likely to be perceived as military in nature. The principles and guidelines covering cooperation with the military in integrated operations under the authority of the Security Council, including those where the military are providing protection to humanitarian assistance, are set out in the Oslo Guidelines and other documentation prepared within the framework of DHA's MCDA project.

2. A clear understanding of and respect for the principles that must govern the use of M/CD assets are essential because this use may heighten the risk of compromise of humanitarian principles. Indeed, some humanitarian organizations see this risk as inherent in any involvement with military assets.

Guiding Principles

3. The guiding principles of impartiality, neutrality, humanity and independence from political considerations are the same as those governing humanitarian action in general, for example, as summarized in the section on "Humanitarian Law and Principles" in the IASC paper. The military nature of the assets may, however, require increased attention to be paid to the need to ensure that humanitarian action is not only neutral and impartial in intent but also perceived to be so by the parties directly concerned.

4. Particular caution should be exercised in circumstances where there is a risk that either the motivation for the use of M/CD assets or its consequences may be perceived as reflecting political rather than humanitarian considerations. This risk is likely to be greatest in humanitarian actions in countries where military forces are operating under Chapter VII of the UN Charter, even if the two operations are not considered as integrated.

Operating Principles

5. The following principles are specific to the use of M/CD assets:

5.1 Decisions to request and accept M/CD assets must be made by humanitarian organizations, not political authorities, and based solely on humanitarian criteria. In other words, the use of M/CD assets must be exclusively humanitarian needs driven. (It is recognized that the decision of a government whether or not to respond to a request for M/CD assets will involve political considerations.);

5.2 M/CD assets should only be requested where there is no comparable civilian alternative and only the use of M/CD assets can meet a critical humanitarian need. The M/CD asset must therefore be unique in nature and/or timeliness of deployment, and its use should be a last resort;

5.3 A humanitarian operation using M/CD assets must retain its civilian nature and character. The operation must remain under the overall authority and control of the humanitarian organization responsible for that operation, whatever the specific command arrangements for the M/CD asset itself. (The relationship is broadly analogous to that between the Secretary-General and the troop contributing countries in a PKO.) To the extent possible, the M/CD assets should operate unarmed and be civilian in appearance;

5.4 Countries providing M/CD personnel to support humanitarian operations should ensure that they respect the code of conduct and principles of the humanitarian organization responsible for that deployment;

5.5 The large-scale involvement of military personnel in the direct delivery of humanitarian assistance should be avoided, particularly for victims of conflict or political actions. It is likely to compromise the guiding principles and is unlikely to be appropriate. (Such concerns may not be present in natural disasters.

5.6 Any use of M/CD assets should ensure that the humanitarian operation retains its international and multilateral character.