巻末参考資料４

「スーダンにおける民軍調整に関する国連ガイドライン (United Nations Civil Military-Coordination Guidelines for Sudan)」

United Nations
Civil Military-Coordination
Guidelines for Sudan
Khartoum, 23 April 2008

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Introduction

1.   These guidelines have been developed for the **UN Resident Coordinator/Humanitarian Coordinator (RC/HC** - see also Terms and Definitions attached as Annex A) in Sudan, with the advice of the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), and in consultation and collaboration with a wide range of stakeholders working in Sudan, including representatives from UN Agencies, other International Organisations, Non-Governmental Organisations (NGOs), the donor community, UNMIS, AMIS and UNAMID.

2.   The purpose of this document is to address civil-military relations for humanitarian action in the context of present-day Sudan, and to provide non-binding practical guidance to humanitarian organisations and military, police and other security actors (hereafter referred to as **military/security actors** – see also Annex A) operating within the country. To this end they focus on a number of areas and topics that often require coordination between humanitarian, military and other security actors, presenting possible approaches and necessary considerations. Although not an instrument of advocacy per-se, this paper also addresses the need for advocacy. Standard Operating Procedures (SOPs) will be developed by both UNMIS and UNAMID, based on these guidelines and in close consultation with the humanitarian community, detailing activities that require regular and close coordination. In addition, it is envisaged that the office of the RC/HC will be promulgating an 'Action Plan', which will operationalise the various recommendations of these guidelines on the humanitarian side. This will be augmented by a series of training initiatives, targeting both humanitarian and mission personnel.

3.   These guidelines replace all pre-existing United Nations guidance on civil-military relations for humanitarian action in Sudan. These guidelines will be reviewed and updated periodically. Where the guidance provided in this document does not cover a given situation such a case will be referred to the RC/HC.

Background

4.   International Humanitarian Law stipulates a clear distinction between the military and non-military domains, and between combatants and non-combatants, with a view to protecting the latter from attacks by the former. Conflicts in the last decades have shown an increasing 'blurring of lines' between the military and non-military domains, and an increased targeting of non-combatants, including both **humanitarian workers** (see also Annex A) and beneficiaries. It is evident that these two tendencies are interrelated.

5.   On the one hand, national and multinational military doctrines increasingly encourage the military to support **civil assistance** (see also Annex A), known as CIMIC or "goodwill" activities, normally in order to facilitate the commander's military mission. Similarly, mandated tasks for the military component of UN peacekeeping operations increasingly include elements that relate to facilitation of operations by the humanitarian and development communities, or even to direct support to the local civilian population and authorities. This can be interpreted as meaning facilitation that goes beyond establishing and maintaining a secure environment. On the other hand, parties to the conflict and beneficiaries appear to be increasingly unwilling or unable to differentiate between the military and humanitarian agencies, especially if they engage in the same kind of activities.

6.   The role of humanitarian agencies is to provide assistance wherever there is need, regardless of who controls the territory, or who are the people in need. For this, humanitarian agencies must have unimpeded access to all affected civilian populations. They must be regarded by all parties to a conflict as neutral/impartial agents of assistance, not associated with any military or political force. Perceptions are often as important as reality, how warring parties perceive humanitarian agencies can lead to violent consequences. Populations may not want to accept their assistance, because that might make them targets of one side's violence, or one group of combatants may deny a humanitarian agency access to

certain areas and people in need, or may even attack the agency's staff, forcing it to withdraw. In all these cases, the end result is similar: that men, women and children may not get the life-saving assistance that they urgently need.

7.   Military forces on the other hand provide assistance to populations for various reasons, not simply to meet humanitarian needs. From crisis to crisis, military objectives vary from winning the trust of the local population ("hearts and minds") to providing legitimacy for the military mission, thus helping the force protect itself. In addition, emergency assistance provided by the armed forces, especially when it is primarily aiming to win the confidence of communities, maintain international publicity, or increase the morale of the troops, often takes the form of rapid impact activities. These activities therefore fundamentally differ from the needs-based activities conducted by the humanitarian community.

8.   Notwithstanding the above, military/security actors, especially elements of a UN mandated force, have a vital part to play in establishing and maintaining a secure environment in order to allow for the timely and effective delivery of humanitarian assistance and to help ensure the **protection of civilians** (see also Annex A). It is furthermore recognized that these forces have assets and capabilities at their disposal which at times might be required to address immediate and urgent relief and/or reconstruction needs which are beyond the capabilities of the humanitarian community. This requires close coordination between humanitarian actors and military/security actors, and consequently **civil military liaison** (see also Annex A) has become an integral part of UN Peacekeeping operations. Similarly, **civil military coordination** as conducted by UN OCHA (**UN-CMCoord** - see also Annex A) has become an integral part of humanitarian assistance in **complex emergencies** (see also Annex A).

9.   In Sudan, humanitarian actors often interact with several military forces/security actors. These include military and police components of UNMIS, UNAMID, local military and police forces and a variety of armed groups, both signatories and non-signatories to the respective peace and/or ceasefire agreements, which in turn are monitored and/or implemented by the respective UN-mandated mission. Especially in Darfur, some or all of these military/security actors are perceived as parties to the conflict by at least some elements of the population, or at least as not neutral. It is therefore imperative that the lines between these security actors and the humanitarian community are not blurred. This in turn requires that a set of guidelines be established and agreed upon between humanitarian and military/security actors to ensure that humanitarian assistance is provided based on the fundamental principles enshrined in Reference A to E and summarized below.

Mandates & Roles

10.   UNMIS: As per Reference F UNMIS is mandated to *support implementation of the Comprehensive Peace Agreement* by performing a number of tasks, including *monitoring and verifying the implementation of the Ceasefire Agreement;, liaising with bilateral donors on the formation of Joint Integrated Units; monitoring movement of armed groups and redeployment of forces; assisting in the establishment of the disarmament, demobilization and reintegration programme; promoting understanding of the peace process and the role of UNMIS; assisting the parties to the CPA in addressing the need for a national inclusive approach towards reconciliation and peacebuilding; in restructuring the police service in Sudan, consistent with democratic policing; in promoting the rule of law, including an independent judiciary; in developing and consolidating the national legal framework;* and *providing guidance and technical assistance to the parties to support the preparations for and conduct of elections and referenda provided for by the CPA.* UNMIS is furthermore mandated *to facilitate and coordinate, within its capabilities and in its areas of deployment, the voluntary return of refugees and internally displaced persons, and humanitarian assistance, inter alia, by helping to establish the necessary security conditions; to assist the parties to the Comprehensive Peace Agreement in cooperation with other international partners in the mine action sector; to contribute towards international efforts to protect and promote human rights in Sudan, as well as to coordinate international efforts towards the protection of civilians with particular*

attention to vulnerable groups, within UNMIS' capabilities and in close cooperation with other United Nations agencies, related organizations, and non-governmental organizations.

11.   UNAMID: As per Reference G UNAMID is mandated *to contribute to the restoration of necessary security conditions for the safe provision of humanitarian assistance and to facilitate full humanitarian access throughout Darfur; to contribute to the protection of civilian populations under imminent threat of physical violence and prevent attacks against civilians, within its capability and areas of deployment (without prejudice to the responsibility of the Government of the Sudan); to monitor, observe compliance with and verify the implementation of various ceasefire agreements, as well as assist with the implementation of the Darfur Peace Agreement and any subsequent agreements; to assist the political process in order to ensure that it is inclusive, and to support the African Union-United Nations joint mediation in its efforts to broaden and deepen commitment to the peace process; to contribute to a secure environment for economic reconstruction and development, as well as the sustainable return of internally displaced persons and refugees to their homes; to contribute to the promotion of respect for and protection of human rights and fundamental freedoms in Darfur; to assist in the promotion of the rule of law in Darfur, including through support for strengthening an independent judiciary and the prison system, and assistance in the development and consolidation of the legal framework, in consultation with relevant Sudanese authorities; and to monitor and report on the security situation at the Sudan's borders with Chad and the Central African Republic.*

12.   Humanitarian/Development Actors: The humanitarian community's mandate/role includes the delivery of life saving services to those most in need, including inter alia the provision of healthcare, water, sanitation, food and non food items and primary education.   Coordinated by the RC/HC in his/her capacity as Humanitarian Coordinator these activities are usually grouped into sectors, with UN Agencies taking the lead and implementing partners - the NGOs - normally performing the delivery. This is augmented by foundational activities for early recovery and, circumstances allowing, more general development activities, paramount to long term peace and stability.   These activities are performed by Recovery and Development organisations, including UN Agencies and NGOs, coordinated under the auspices of the Resident Coordinator (RC).

Guiding Principles

13.   Any interaction between humanitarian and military/security actors should be guided by the following principles:

a) ***Mutual Respect:*** Notwithstanding any differences in mandate, approach or culture, all civil military interaction should be based on mutual respect for each other.

b) ***Interdependence/Need for complementarity:*** To be successful the UN mission's mandated activities and the work of the humanitarian community have to be complementary. Furthermore, and not withstanding the differences in mandate and approach, it has to be recognized that both the humanitarian community and the respective mission, including its military and police components, will benefit from each others success, i.e. humanitarian action will benefit from the mission establishing a secure environment while the mission will benefit, at least indirectly, from the successful delivery of humanitarian aid and reconstruction assistance.

c) ***The primacy of the humanitarian organisations in humanitarian work:*** Humanitarian work should be performed by humanitarian organisations.   Military organisations have an immediate role to play in supporting humanitarian work, in the provision of a secure environment and/or in the provision of logistics support.   The decision to request or accept the use of military for security or logistical support is made by humanitarian organisations, not political or military authorities, based solely on humanitarian criteria.

d) ***Clear Separation between Humanitarian and Political/Military Operations:*** Military assets and personnel belonging to either UNMIS or UNAMID should be focused on physical protection

activities. The civilian components of the respective missions should be primarily focused on mandated activities. Relief and reconstruction activities are carried out by the humanitarian community under the overall guidance of the RC/HC. The perception of the independent and civilian nature of humanitarian assistance and a clear distinction between the identities, functions and roles of humanitarian personnel and those of the military and other security actors, together with the impartiality of aid (see below), provide the main protection for humanitarian workers and operations in respect of armed groups and the population. This division of labor has also been clearly recognized in the Mandates of UNMIS and UNAMID (see also References F and G and paragraphs 10 and 11 immediately above). In line with this principle, military personnel and assets must be easily distinguishable from humanitarian personnel and are therefore to be clearly marked as such.

e) **Operational independence of humanitarian action:** Humanitarian actors must retain full control of their humanitarian operations, under the overall coordination of the RC/HC. Agencies must ensure that their operational independence is guaranteed at all times, including but not limited to issues involving freedom of movement, recruitment of national and international staff, non-integration into military planning and action, use of assets, access to communications, etc. Humanitarian action must be conducted separately and clearly distinguished from military-led operations.

f) **Access to all vulnerable populations:** The principle of humanity requires that suffering must be addressed wherever it is encountered. Humanitarian actors must maintain their ability to obtain access to all vulnerable populations in all parts of the country and to negotiate such access directly with all parties to the conflict. Particular care must be taken to ensure the sustainability of access.

g) **Neutral and impartial aid distribution:** Humanitarian assistance must be provided without discrimination, on the basis of "needs only", without outside interference in humanitarian needs assessments and responses. Humanitarian actors must ensure that all vulnerable populations receive aid in an equitable, neutral and impartial manner and without any political or other conditions attached.

h) **Do No Harm:** Humanitarian and civil assistance must be guided by a commitment to "do no harm." It must ensure at policy and operational level that it will not contribute to further the conflict, nor harm or endanger the beneficiaries of humanitarian assistance. It must therefore be delivered with an in-depth awareness of the local context, and local protection concerns, including who controls resources, in order to resolve rather than exacerbate local conflicts and power struggles.

i) **Sustainability:** Humanitarian assistance/relief must be tailored to local circumstances and must aim to enhance, not supplant, locally available resources and mechanisms. In line with the principle strengthening local capacities to prevent future crises and emergencies must be an integral part of humanitarian programming.

j) **Respect for international legal instruments, local cultures and customs:** Both humanitarians and military/security actors must respect international humanitarian law, as well as other international norms and regulations, including human rights instruments. In addition, respect and sensitivities must be maintained for the culture, structures and customs of the communities and countries where operations are carried out.

k) **Approval and Coordination of Humanitarian, Reconstruction and Development Activities:** The Secretary-General in his Note of Guidance on Integrated Missions dated 9 February 2006, directed that all civil assistance activities including **Quick Impact Projects** (QIPs – see also Annex A) are to be coordinated and approved under arrangements established by the RC/HC. This applies regardless of the source of funding for the activity. The primary

aim is to ensure that all projects contribute to an overall strategy and plan that meets the real priority needs of the population and does not negatively impact on activities of the humanitarian and development entities that he/she coordinates. Although wider than civil assistance, this requirement for approval and coordination also includes military involvement in disarmament, demobilization and reintegration (DDR) programmes.

l) **Coordination as a Shared Responsibility:** Humanitarian and military actors are equally responsible to ensure that their activities are coordinated to the extent necessary in order to allow for the timely and effective delivery of humanitarian assistance and to help ensure the protection of civilians.

Practical Guidance on Interaction between Humanitarian, Military and other Security Actors in Sudan

14.   Humanitarian organisations that interact and/or coordinate with the military and/or other security actors in Sudan need to be aware of the challenges they may face. Their and the military/security actor's adherence to the key humanitarian principles mentioned above is crucial for their credibility as humanitarian actors. It has immediate and practical relevance for the security of their staff and operations on the ground, e.g. in obtaining access across combat lines, to insecure areas, or along insecure routes, and being able to guarantee equitable aid distribution to all vulnerable populations throughout the theatre of operations. Inappropriate interaction with and by military forces and humanitarian actors can compromise these principles and may thus have a negative impact on the overall activities of the humanitarian community, and on the mandated activities of the mission itself. In this context it should be noted that strategies and procedures adopted by one organisation might have implications for all the others, i.e. if one organisation is perceived as violating these principles the same might also be assumed of all the others by the local population.

15.   While this document focuses primarily on the interaction between humanitarian actors and military/security actors it should nevertheless be recognized that both the beneficiaries and the general population in the area of operations are both privy to and affected by these interactions (or the absence thereof), and that therefore, and to the extent possible, transparency needs to be maintained vis-à-vis them with regards to the principles and concepts underlying these interactions. In this context, the role of national staff can be paramount. Similarly, these principles and concepts need to be communicated to local authorities, including the Government of Sudan (GoS) and the Government of South Sudan (GoSS), and to the respective mission's Troop Contributing Countries (TCCs). Responsibility for coordination with local and state authorities rests with the respective OCHA or RC Office, while coordination with national authorities, GoS and GoSS, rests with the RC/HC. Coordination with respective TCCs will be conducted by UNMIS and UNAMID, through DPKO.

16.   While coordination is essential across the board a number of activities and/or topical areas require particular attention. These include but are not limited to proposed coordination and liaison arrangements, security of humanitarian personnel and operations, information sharing, the use of military assets and personnel in support of humanitarian operations, and training. These topics are covered in Annexes B to F, which lay out the issues that must be addressed by humanitarian and military/security actors before, during, and after such interactions, presenting possible approaches and necessary considerations.

17.   As needed, Standard Operating Procedures (SOPs) for respective activities will be jointly developed by the mission military and/or police components in close consultation with the humanitarian community (i.e. at the level of the regional/area **OCHA/RC Office** – see also reference to RC/HC in Annex A) and other stakeholders. These SOPs should outline in detail which kinds of assistance/services the humanitarian community can request from the respective military forces, how that should be requested, who has the approving authority, what kind of activity the military is expected

to conduct with regards to humanitarian assistance, how this should be coordinated, and what kind of information is to be shared and how. Topics covered in these SOPs may include:

a) Firewood Collection Escorts/Harvest Escorts

b) Security Support for Humanitarian Activities including Escorts

c) Medevac

d) Requests for Military Assets in Support of Humanitarian/Reconstruction Activities

e) Reporting of Humanitarian Needs

f) Community Policing

g) Protection of Civilians

h) Return of IDPs and Refugees

18.   On the humanitarian side, the office of the RC/HC will be promulgating an 'Action Plan', which will operationalise the various recommendations of these guidelines. This will be augmented by a series of training initiatives, targeting both humanitarian and mission personnel.

Review of the Guidelines

19.   These guidelines will be reviewed and updated periodically, in consultation with all stakeholders. In this context the establishment of a country-wide UN-CMCoord working-group, to include representation from both UN missions, preferably including the respective COS (FC), and the humanitarian community (including UN Agencies and NGOs) and chaired by the RC/HC (or his/her delegate), is proposed. This working-group would meet monthly, via teleconference, to address issues arising as well as reviewing this document as needed.

20.   The focal point for these guidelines is the OCHA UN-CMCoord Officer for Sudan.

Ameerah Haq

Sudan UN Resident / Humanitarian Coordinator

Khartoum, ...

Rodolphe Adada   Ashraf Jehangir Qazi

Joint AU-UN Special Representative   Special Representative of the Secretary-General

UNAMID   UNMIS

El Fasher, ...   Khartoum, ...

Annexes:

Annex A – Key Terms and Definitions

Annex B – Proposed Coordination and Liaison Arrangements

Appendix 1 to Annex B – Chart of Humanitarian Reporting and Coordination Channels in Sudan

Appendix 2 to Annex B – Contact Details of Regional/Area OCHA, RC, UNMIS and UNAMID Offices

Annex C – Security of Humanitarian Personnel and Operations

Annex D – Information Sharing

Annex E – Use of Military Assets and Personnel in Support of Humanitarian Operations

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Annex F – Training

Annex G – Key Reference Documents

Annex H – UN-CMCoord Aide Memoire

Key Terms and Definitions

In this document, the following terms and definitions will apply:

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

    a) Support responding to requests for assistance from humanitarian and development actors; and

    b) Support to the local civilian population and authorities. These are referred to as Community Support Projects. Community Support Projects, which are normally related to physical infrastructure repair/rehabilitation, can be requested by the local civilian population, or initiated by elements of the military component.

Both types of activity may be implemented as a Quick Impact Project (QIP) or Troop Contributing Country (TCC) Self Help Project by the military.

Civil-Military Coordination: As per Reference A, UN Humanitarian Civil-Military Coordination (UN-CMCoord) is defined as *the essential dialogue and interaction between civilian and military actors in humanitarian emergencies necessary to protect and promote humanitarian principles, avoid competition, minimize inconsistency, and when appropriate pursue common goals.* The key elements are <u>information sharing</u>, <u>task division</u>, and <u>planning</u>. Basic strategies range from coexistence to cooperation. Coordination is a <u>shared responsibility</u> facilitated by liaison and common training. A variety of personnel/units are tasked with civil-military coordination in the context of Sudan, including:

    a) OCHA UN-CMCoord personnel, whose primary role is to advise the humanitarian community on and represent the humanitarian community in its interactions with military/security actors;

    b) Mission appointed Humanitarian Affairs/Civil-Military Liaison personnel, who act as the mission's interface to the humanitarian community while at the same time providing advice, policy guidance and training to the mission's respective military and police components. These are incorporated into the Humanitarian, Recovery and Development (HRD) Liaison Section in UNAMID and into the Humanitarian Affairs Liaison Unit (HALU) in UNMIS; and finally

    c) Military appointed CIMIC personnel and Civil Military Liaison Officers (CMLOs), who act as the military's interface with the local authorities and the humanitarian community, as well as dedicated Police Liaison Officers, who act as the police's interface.

Complex Emergency: A complex emergency, as per Reference A, *is a humanitarian crisis in a country, region or society where there is total or considerable breakdown of authority resulting from internal or external conflict and which requires an international response that goes beyond the mandate or capacity of any single and/or ongoing UN country programme.*

Humanitarian Actor/Worker: The term 'humanitarian' is often applied loosely to a wide group of actors and activities, whereas many in the humanitarian community take a more restricted interpretation to embrace only those delivering life-saving assistance delivered in accordance with the Humanitarian principles. For the purpose of this document humanitarian actor refers to any civilian individual or organisation, whether national or international, UN or non-UN, governmental or non-governmental, engaged in relief, reconstruction and development.

Resident Coordinator/Humanitarian Coordinator: The overall responsibility for humanitarian, reconstruction and development activities throughout Sudan rests with the Resident Coordinator (RC)/Humanitarian Coordinator (HC), also appointed as a Deputy Special Representative of the Secretary General (DSRSG) of UNMIS, throughout this document referred to as RC/HC. In the capacity as RC/HC he/she is supported by two deputies (hereafter referred to as DRC/HC, one based in

Juba and responsible for the South and one in Khartoum, who is also responsible for Darfur. Local area coordination in the UNAMID area of operations (i.e. Darfur) is carried out by UN OCHA, through local/state-based offices, while local area coordination in the UNMIS area of operation is primarily carried out by the RC's Office, again through state-based offices, with the support of other UN entities. A list of these offices is attached as Appendix 2 to Annex B. The RC/HC, in close consultation with the Inter Agency Standing Committee (IASC), is also the humanitarian arbiter with UNMIS, UNAMID, the local authorities and other military forces when problems arise in any aspect of humanitarian involvement with these forces.

Military/Security Actor: For the purpose of this document military/security actor refers to a structured military or police presence, armed or unarmed, whether national or international. This may include a wide spectrum of actors such as the national or local military forces, civilian representatives of armed forces, multi-national forces, UN peacekeeping troops, military observers and other officially organized foreign troops.

Protection of Civilians: As per Reference E, the Protection of Civilians in Armed Conflict is defined as: *structures and policies developed by the UN, States and other humanitarian actors, and based on international humanitarian law, human rights and refugee law, to protect vulnerable populations from the effects of armed conflict.* Protection is defined *as all activities aimed at ensuring full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law (i.e. human rights law, international humanitarian law and refugee law).*

Quick Impact Projects (QIPs): As per Reference D, QIPs are projects *implemented by UN peacekeeping operations to establish and build confidence in the mission, its mandate, and the peace process, thereby improving the environment for effective mandate implementation.* QIPs are *low-cost, of a non-recurrent nature, planned and implemented within a short-time frame and usually visible and of benefit to the population.* They are *not intended as humanitarian or long-term development assistance or for use as programmable resources to implement mandated tasks.* As per Reference H, *coordination and consultation with humanitarian actors in regard to the administration of QIPs is essential to help alleviate humanitarian concerns regarding the danger of conflating political-military activities with their humanitarian operations.*

Annex B

Proposed Coordination and Liaison Arrangements

Liaison arrangements and clear lines of communication should be established at all relevant levels to guarantee the timely and regular exchange of information, where appropriate and feasible. Relevant fora, lines of communication and coordination need to be established and formalized to facilitate frequent and effective interaction between the military and humanitarian community.

It is recommended that:

a) regular liaison with military and/or other security actors, at the local (i.e. state), regional and national level, should be conducted through coordinating bodies such as OCHA (i.e. in Darfur), and the RC's offices in the north and south of Sudan (in the case of UNMIS – for a list of OCHA and RC Offices throughout Sudan see also Appendix 2 to this Annex);

b) the liaison/coordination interface on the side of UNAMID and UNMIS is the Humanitarian, Recovery and Development Liaison Section (HRD - for UNAMID) and the Humanitarian Affairs Liaison Unit (HALU - for UNMIS), in addition to the CIMIC focal points from within the respective military unit (for a list of these see also Appendix 2 to this Annex);

c) as a general rule no meetings are to be conducted at an individual humanitarian agency's/organisation's premises, unless specifically requested by the agency/organisation in question (the same also applies to visits by military/police personnel unless in extremis in order to save lives);

d) liaison with local armed actors may be conducted through UNMIS and UNAMID. This does however not restrict an agency's/organisation's right to conduct direct liaison wherever deemed necessary and appropriate;

e) Only designated persons (e.g. Focal Points) should liaise on behalf of an agency or a group of agencies on a regular basis;

f) liaison meetings should be held at 'neutral' venues, such as the local OCHA/RC office, in order to reduce the exposure of humanitarian actors;

g) no humanitarian staff (other than mission appointed staff) should be physically permanently co-located within military/mission facilities;

h) transparency should be maintained towards national staff on why liaison is conducted and who is conducting it;

i) wherever appropriate, transparency should also be maintained towards local interlocutors on why liaison is conducted and who is conducting it;

j) depending on the nature of the activity military/police representatives may either be an integral part of meetings, i.e. in the case of firewood patrol coordination meetings or community policing meetings, may attend specific parts of regular meeting or may be invited on an ad hoc basis as observers/as necessary, e.g. protection or return working-group meetings;

k) consideration should be given to the involvement of female military personnel in order to address issues of cultural sensitivity and effectiveness of assistance; and

l) complaints should be addressed in a constructive manner to the person/unit concerned in order for issues and concerns to be resolved.

Additional considerations include:

a) The military is hierarchical. The higher a person is within the military hierarchy, the more likely he/she will be able to make a decision. Issues such as access should therefore be taken up with the respective commander on the ground rather than with the soldier manning a checkpoint. However, it is equally important for humanitarians to ask the military that decisions taken at the higher level be filtered down to lower ranking levels within the military in order to avoid contradictory orders and action;

b) Major decisions are usually made at the policy level. This does however not exclude the possibility for improvement on the ground as long as both sides can see some benefit;

c) Liaison and coordination are also tools for conflict resolution/prevention. As such they rely primarily on personal skills, resources, willingness and relationships;

d) While it is understood that humanitarian advocacy is most effective at the policy level, coordination meetings at the working level can and should be used to address a range of advocacy issues. These may include:

   ➤ The need to preserve humanitarian space;

   ➤ Access to vulnerable populations;

   ➤ The right of humanitarian agencies and the military's duties and responsibilities under international humanitarian and human rights laws; and

   ➤ Joint strategies vis-à-vis government policies/initiatives on issues such as return and protection.

Appendix I to Annex B

Chart of Humanitarian Reporting and Coordination Channels in Sudan
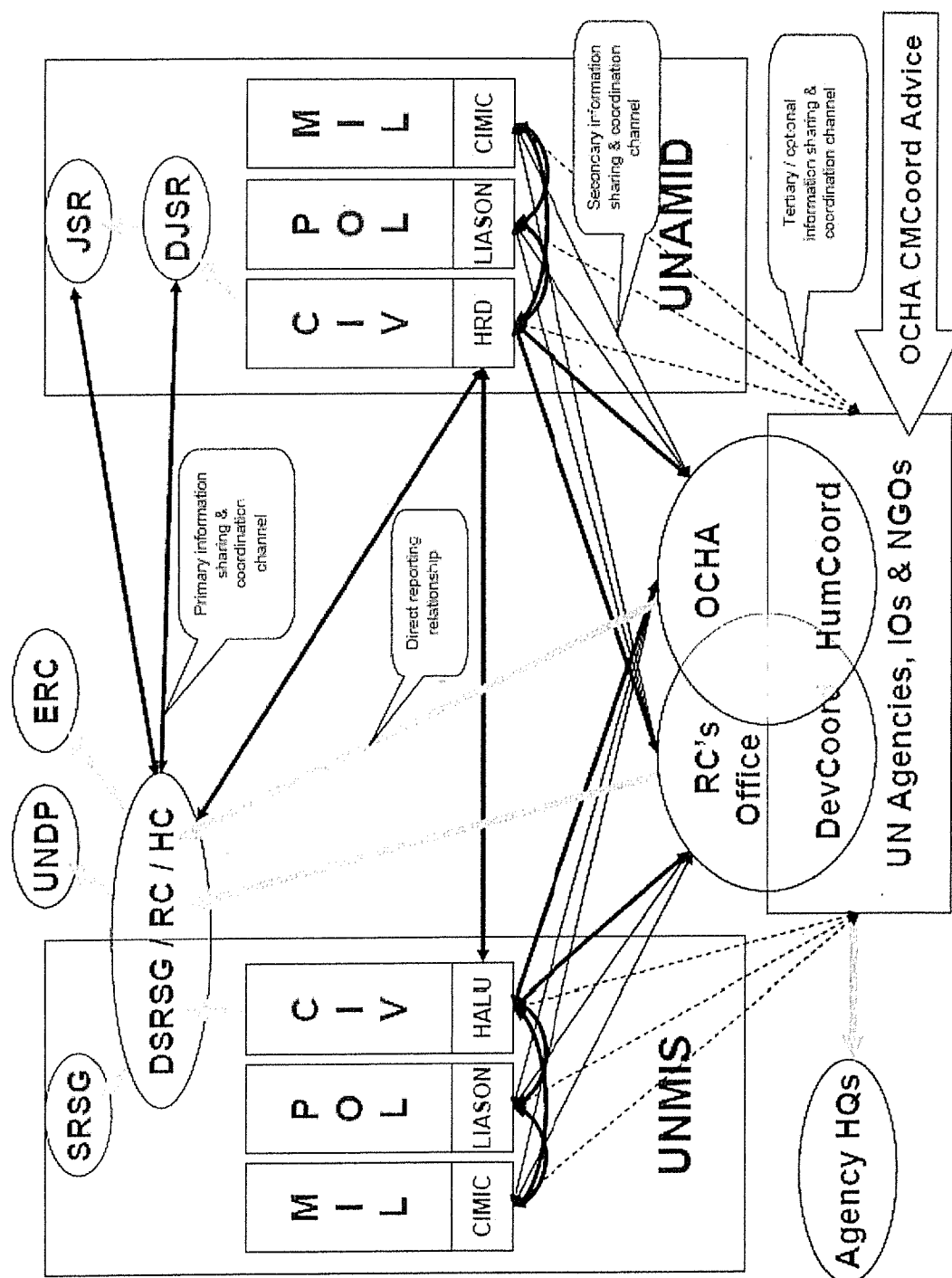
Appendix 2 to Annex B

Contact Details of Regional/Area OCHA, RC, UNMIS & UNAMID Offices

National Level

	Name of contact / focal point	email	phone
RC Office			
alternate			
OCHA			
alternate			

UNAMID HQ

	Name of contact / focal point	email	phone
HRD			
alternate			
CIMIC			
alternate			
CIVPOL Liaison			
alternate			
UN Security contact			
alternate			

UNMIS HQ

	Name of contact / focal point	email	phone
HALU			
alternate			
CIMIC			
alternate			
CIVPOL Liaison			
alternate			
UN Security contact			
alternate			

State Level (in alphabetical order)

Al Jazirah	Name of contact / focal point	email	phone
RC Office			
OCHA			
UNMIS HALU			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

Al Qadarif	Name of contact / focal point .	email	phone
RC Office			
OCHA			
UNMIS HALU			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

Blue Nile	Name of contact / focal point	email	phone
RC Office			
OCHA			
UNMIS HALU			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

Central Equatoria	Name of contact / focal point	email	phone
RC Office			
OCHA			
UNMIS HALU			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

East Equatoria	Name of contact / focal point	email	phone
RC Office			
OCHA			
UNMIS HALU			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

Junqali	Name of contact / focal point	email	phone
RC Office			
OCHA			
UNMIS HALU			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

Kassala	Name of contact / focal point	email	phone
RC Office			
OCHA			
UNMIS HALU			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

Khartoum	Name of contact / focal point	email	phone
RC Office			
OCHA			
UNMIS HALU			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

Lakes	Name of contact / focal point	email	phone
RC Office			
OCHA			
UNMIS HALU			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

N Bahr al Ghazal	Name of contact / focal point	email	phone
RC Office			
OCHA			
UNMIS HALU			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

North Darfur	Name of contact / focal point	email	phone
RC Office			
OCHA			
UNAMID HRD			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

North Kordofan	Name of contact / focal point	email	phone
RC Office			
OCHA			
UNMIS HALU			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

Northern	Name of contact / focal point	email	phone
RC Office			
OCHA			
UNMIS HALU			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

Red Sea	Name of contact / focal point	email	phone
RC Office			
OCHA			
UNMIS HALU			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

River Nile	Name of contact / focal point	email	phone
RC Office			
OCHA			
UNMIS HALU			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

Sennar	Name of contact / focal point	email	phone
RC Office			
OCHA			
UNMIS HALU			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

South Darfur	Name of contact / focal point	email	phone
RC Office			
OCHA			
UNAMID HRD			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

South Kordofan	Name of contact / focal point	email	phone
RC Office			
OCHA			
UNMIS HALU			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

Unity	Name of contact / focal point	email	phone
RC Office			
OCHA			
UNMIS HALU			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

Upper Nile	Name of contact / focal point	email	phone
RC Office			
OCHA			
UNMIS HALU			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

Warab	Name of contact / focal point	email	phone
RC Office			
OCHA			
UNMIS HALU			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

W Bahr al Ghazal	Name of contact / focal point	email	phone
RC Office			
OCHA			
UNMIS HALU			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

West Darfur	Name of contact / focal point	email	phone
RC Office			
OCHA			
UNAMID HRD			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

West Equatoria	Name of contact / focal point	email	phone
RC Office			
OCHA			
UNMIS HALU			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

West Kordofan	Name of contact / focal point	email	phone
RC Office			
OCHA			
UNMIS HALU			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

White Nile	Name of contact / focal point	email	phone
RC Office			
OCHA			
UNMIS HALU			
CIMIC			
CIVPOL Liaison			
UN Security contact			
alternate			

Safety and Security of Humanitarian Personnel and Operations

Humanitarian organisations have adopted a security protocol which includes each of the three elements of the security triangle; acceptance, protection and deterrence. Acceptance means that the host and beneficiary communities both understand and support the presence and activities of a particular organisation. Protection refers to physical and procedural measures like access and movement control. Deterrence refers to the use of armed escorts or guards, the threat to impose sanctions or other more proactive measures of (law) enforcement. An effective protocol must balance all three elements.

Typically military forces and governmental actors rely more on protective and deterrence strategies while humanitarian actors put more emphasis on a strong acceptance strategy supported by protection and, to a lesser extent, deterrence elements. Being associated with one of the political/security actors on the ground, or being perceived as such, especially in the context of an ongoing conflict like Darfur, even if it is a UN-mandated force, can have a detrimental effect on a humanitarian organisation's acceptance within the host and/or beneficiary population, and can thus jeopardize the security of their staff and operations.

As per Reference C, <u>the use of military or armed protection for humanitarian agencies or for specific humanitarian activities is an extreme precautionary measure that should be taken only in exceptional circumstances and on a case-by-case basis. The decision to request or accept military or armed protection must be made by humanitarian organisations based solely on humanitarian needs and not by political or military authorities.</u>

Notwithstanding the above and irrespective of their mandate, the establishment and maintenance of a secure environment that allows for safe access by humanitarian organisations is considered to be of vital importance to both UNMIS and UNAMID.

It is recommended that:

a) an Area Security Management Team (ASMT) be established in each area/region that the UNCT operates in, as an advisory body to the respective Area Security Coordinator (ASC)/area representative of the respective Designated Official (DO);

b) both the SMTs and ASMTs include NGO representation, preferably in the form of 3 representatives to be chosen by the respective NGO steering committee/forum;

c) as a general rule, requests for and the provision of security assistance be relayed through and coordinated by UN security (i.e. the respective security focal points of UNMIS, UNAMID, the offices of the respective Department of Safety and Security (DSS), Chief Security Advisors (CSAs) and the Area Security Coordinators) either directly or through the local OCHA or RC Office;

d) notwithstanding the above, routine requests for military security support, e.g. military escorts for returnee convoys, may be requested directly from the military through its respective CIMIC structure, or through the respective HRD or HALU office;

e) as a general rule, requests for host government military support for routine humanitarian activities should be channeled through/facilitated by the respective mission CIMIC structure, in line with the mission's mandate to monitor host government military activities and to assist in capacity building and training;

f) in extremis, humanitarian organisations may request assistance directly from the responsible local military unit, preferably keeping UN security appraised of the situation. Response modalities should be worked out beforehand, in coordination with UN security, and

consideration should be given to providing such outlying/remote military units with a means of communication compatible with the system used by the humanitarian community; and

g) approval authority from within the humanitarian community for the request of security support, be established and communicated to the appropriate military structures. In line with Reference C requests for security support for routine humanitarian operations must be approved by the respective DRC/HC. Requests for direct security support to humanitarian actors other than in extremis must be approved by the Area Security Coordinator, based on a recommendation from the local UN security focal point; and

h) that security support be provided according to the respective mission's mandate and within its capability. It will be the military's responsibility to determine the best course of action, in close coordination with the requesting humanitarian organisation and in line with the principles outlined in this document. Military units performing security support for humanitarian organisations will remain under command and control of their respective parent units/mission.

Additional considerations include:

a) For security support to humanitarian agencies, and not withstanding the above, the focus should be on providing broad area and route security, rather than military escorts for individual aid agencies;

b) For security support to IDP camps the focus should be on providing perimeter security, rather than an armed presence within the camps;

c) Security for rural populations should include patrols on main routes and through/to key villages and could also envision escorts, e.g. for firewood collection, harvesting, water collection – depending on the specific need;

d) As a general rule, weapons are forbidden on humanitarian premises, facilities and vehicles. Only in exceptional circumstances may this rule be waived, e.g. in the case of military personnel providing security support on the specific request of the humanitarian organisation. Such circumstances must be reported to the RC/HC; and

e) Irrespective of their legal/technical status, the mission's military/police components may (now or in the future) be perceived as belligerents by at least some of the actors on the ground and may therefore be targeted themselves. Similarly, GoS and GoSS forces may also be perceived as belligerents by certain elements and may therefore also be a target themselves. Thus direct protection provided by these entities for humanitarian activities should only be considered at the request of the humanitarian agency, based on a risk analysis with security expertise, after consultation with other humanitarian actors (i.e. through the ASMT) and on an exceptional basis, to meet critical humanitarian needs.

Annex D

Information Sharing

Information-sharing is a two-way street, however, sensitivities, principles and operational requirements may mean that at times the humanitarian community and the military/security actors may be unable to share particular kinds of information. In principle, any information gathered by humanitarian agencies in fulfillment of their mandate that might endanger human lives or compromise the impartiality and neutrality of humanitarian actors should not be shared with military/security actors. Similarly, military/security actors will not be sharing information that might endanger their operations or staff.

However, to provide protection and humanitarian assistance to populations in need, such information sharing may at times become necessary. Accordingly, information thus provided by the humanitarian community to the military/security actors may include:

a) Security information: information relevant to the security of civilians and humanitarian staff including the coordinates of humanitarian staff and facilities in the military operating theatre;

b) Humanitarian and relief activities: plans and information on humanitarian and relief activities, including routes and timing of humanitarian convoys and airlifts in order to avoid accidental strikes on humanitarian operations or to warn of any conflicting activities;

c) Mine-action activities: information relevant to mine-action activities; and

d) Population movements: information on major movements of civilians.

Information provided by the military to the humanitarian community may include:

a) Any information that might have a direct impact on the security of humanitarian personnel or operations, including planned military operations to the extent feasible;

b) Post-strike information: information on strike locations and explosive munitions used during military campaigns to assist with the planning of humanitarian relief and mine-action/UXO activities;

c) Relief needs: observed by the military or other security actors to be communicated to OCHA or the RC's office via the respective HRD or HALU office;

d) Population movements: information on major movements of civilians; and

e) Planned relief activities of the military and/or other security actors: to be coordinated at the planning stage with the humanitarian community (see also Annex E below).

NOTE: Any information received by either the humanitarian community or military/security actors should be treated with the utmost confidentiality. Whenever possible information provided by the humanitarian community to the military should be treated as 'anonymous' once received, i.e. without referring to individual names of staff members and/or organisations.

As a general rule, information should be shared with the military/security actors at the level of the state/local area OCHA or RC's Office. This does however not restrict an agency's or organisation's right to share relevant information directly with the military/security actors where appropriate, e.g. in the case of joint activities like DDR and returns;

Assessments: Humanitarian assessments should be conducted by humanitarian organisations while military/security assessments should be conducted by the military or other appropriate entities. Considerations may include:

a) When appropriate, military and/or security actors may share the results of their own needs assessments with humanitarian agencies. Humanitarian agencies may benefit from the findings of

these assessments, however, using them may undermine perceptions of humanitarian agencies' neutrality and impartiality.

b) When appropriate, humanitarian organisations may also share the results of their own needs assessments with the military and/or other security actors.

c) Notwithstanding the above, when appropriate and with the approval of the DRC/HC and the respective Force Commander joint humanitarian-military assessment and monitoring missions may be undertaken.

<u>Reporting of Humanitarian Needs by the Military</u>: It is recognized that military/security actors constantly come across information that may be relevant to the humanitarian community. In order to maximize the usefulness of the observed/collected information, the humanitarian community through the local OCHA Office (in Darfur) and the RC's Office (in north-south Sudan), in consultation with the respective HRD/HALU office, will provide the military with a template of relevant information and parameters/a system of classification. Military/security actors are encouraged to share such information with humanitarian agencies via OCHA and/or RC, who will also provide feedback to the military as appropriate.

Considerations should include:

a) Care should be taken to avoid raising expectations amongst populations that humanitarian assistance will be provided, especially since the capacity to help might not actually exist;

b) Data should not be collected in an inappropriate manner that could result in harm or humiliation to beneficiaries: for example, men collecting information from vulnerable women;

c) Care should be taken not to create confusion over the security-related role of military and police and independent humanitarian role of humanitarian authorities/agencies;

d) Reporting should be factual and not emotional;

e) Reporting with statistics should be sex disaggregated; and

f) Sensitive/confidential information (e.g. names of individuals/organisations or information that might too closely identify victims) should not be mentioned.

<u>Reports/Complaints:</u> A mechanism for the local population and/or the humanitarian community to report grievances and complaints about civilian and military mission staff to the respective mission, including mechanisms for follow-up and feedback, should be established.

<div align="right">**Annex E**</div>

Use of Military Assets and Personnel in Support of Humanitarian Operations

The use of military assets in support of humanitarian operations must be exceptional and employed only when these assets are unique in terms of capability and availability. However, where civilian capacities are not adequate or cannot be obtained in a timely manner to meet urgent and life threatening humanitarian needs, military and civil defence assets, including military aircraft, may be deployed in accordance with Reference B, the guidelines on 'The Use of Military and Civil Defence Assets to Support UN Humanitarian Activities in Complex Emergencies.'
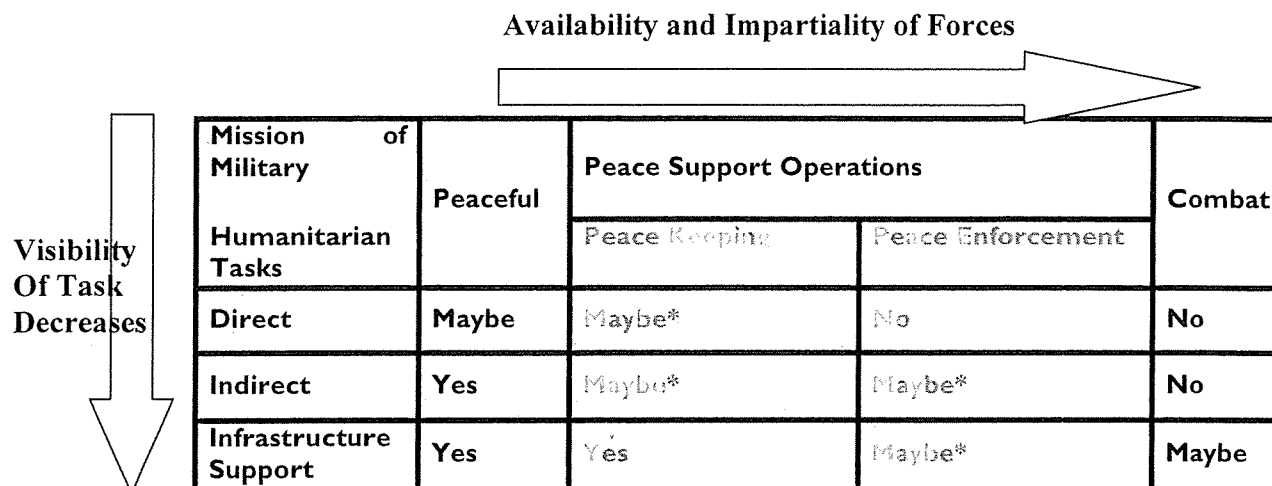
As per Reference B:

a)   Decisions to use military and civil defence assets must be made by humanitarian organisations in partnership with affected communities, <u>not</u> political authorities, and <u>based solely on humanitarian criteria</u>.

b)   Military assets should only be used where there is no civilian alternative and only the use of military assets can meet a critical humanitarian need. Key criteria include:

- Timeliness: the urgency of the task at hand demands immediate action;

- Clear humanitarian direction: military assets in support of humanitarian operations will be under the direction of the requesting agency/organisation (NOTE: This does however not interfere with command and control as understood by the military); and

- Time-limited: the use of military assets to support humanitarian activities is clearly limited in time and scale.

c)   Military and civil defence assets that have been placed under the direction of the humanitarian agencies and <u>deployed purely for humanitarian purposes</u> (i.e. based on a request from/through OCHA Geneva) must be unarmed and visibly identified in a manner that clearly differentiates them from military assets being used for military purposes (NOTE: This <u>does not</u> apply to military personnel and assets belonging to the respective mission, i.e. UNMIS or UNAMID, that have been temporarily tasked in support of humanitarian operations. While taking all practicable measures to avoid compromising the neutrality and impartiality of the respective humanitarian organizations, these personnel and assets will continue to operate under their respective Rules of Engagement).

Humanitarian activities can be broadly categorized as follows:

a)   <u>Direct Assistance:</u> Face-to face distribution of goods and services – e.g. handing out relief goods, providing first aid, transporting victims, counseling IDPs/refugees, locating families, etc.

b)   <u>Indirect Assistance:</u> One or more steps removed from the population – e.g. transporting relief goods, building camps and shelters, providing water sources, clearing mines and ordnance, etc.

c)   <u>Infrastructure Support:</u> General services that facilitate relief, but are not necessarily visible to or solely for the benefit of the affected population – e.g. repairing infrastructure, operating airfields, providing weather info, ensuring access to communications networks, etc.

The diagram below illustrates the suitability of each category (above) vis-à-vis a given military force's status within a particular conflict. In this context, and for the purpose of these guidelines, UNMIS is presently understood as a 'Peace Keeping' Operation, while UNAMID is understood as a 'Peace Enforcement' Operation.

Availability and Impartiality of Forces

Mission of Military Humanitarian Tasks	Peaceful	Peace Support Operations		Combat
		Peace Keeping	Peace Enforcement	
Direct	Maybe	Maybe*	No	No
Indirect	Yes	Maybe*	Maybe*	No
Infrastructure Support	Yes	Yes	Maybe*	Maybe

Visibility Of Task Decreases

* The extent to which a military force should be engaged in these activities, and under which circumstances, is outlined below.

In addition, and for the purpose of these guidelines, the involvement of military assets and personnel in humanitarian activities can be further divided into the following:

a) Requests for Military Assets in Support of Humanitarian Operations;

b) Joint Relief Operations with Military and Other Security Actors; and

c) Separate Relief/Reconstruction Activities of Military and Other Security Actors, i.e. 'civil assistance' including QIPs.

The above diagram applies to each of these categories with the implications further elaborated below.

Requests for Military Assets in Support of Humanitarian Operations: Other than for urgent life saving measures in the absence of a civilian alternative, military assets and resources should only be used for indirect assistance (transportation of relief goods or personnel) or infrastructure support (funding or providing general services, such as road, bridge and airfield repair, airspace management and power generation that facilitate relief). Requests should be made in consultation with the local Interagency Management Group (IAMG – i.e. the IASC/UNCT at the local/state level), through the head of the local OCHA Office (i.e. in Darfur) or the RC's Office (across north-south Sudan) and to the RC/HC for approval. Approved requests will then be forwarded to UNMIS or UNAMID for action. Military assets that have been placed under the direction of the humanitarian agencies must be visibly identified as such. When military assets have been tasked with the provision of humanitarian assistance (either in terms of static security for facilities, armed escorts for humanitarian convoys, indirect assistance, or infrastructure support) all practicable measures should be taken to avoid compromising the neutrality and impartiality of the respective humanitarian organisations. This will require prior consultation between the military and humanitarian agencies to resolve in advance any contentious issues.

While it is recognized that the military's capabilities and resources are limited, the importance of timely humanitarian relief and reconstruction activities as a complement to strengthening the overall security situation, irrespective of the mission's mandate, must be stressed. The military and the mission may wish to consider ways of improving the provision of such assistance, on demand and in line with the provisions outlined above, preferably at no/low cost. This would assist the humanitarian community in their efforts and provide the military with added opportunities to 'win hearts and minds'.

A related issue is the use of military/mission air assets, for routine movements of humanitarian staff and for specific tasks like assessment missions and evacuations as required. Similar to the use military engineering assets, access to these services is of vital importance for the timely delivery of relief and reconstruction personnel and equipment, the absence of which could have an immediate and negative impact on the overall security situation. The decision to request the use of military/mission air assets for routine flights rests primarily with the respective humanitarian organisation/agency. For special flights, e.g. field missions, preference should be given to UNHAS/WFP assets wherever possible. Where UNHAS/WFP assets are not available, the decision to request the use of mission assets is to be made on a case by case basis in consultation with other humanitarian organisations, i.e. at the level of the local OCHA or RC office, with the support of the DRC/HC.

Joint Relief Operations with Military and Other Security Actors: As outlined throughout this document any operation undertaken jointly by humanitarian agencies with military/security actors may have a negative impact on the perception of the humanitarian agencies' impartiality and neutrality as well as on their security, hence, any joint civil-military operation should be seen as a last resort in order to save lives. If joint relief operations are the only possibility to respond to urgent humanitarian needs, they must only be undertaken with the approval of the RC/HC and adhere to the principles and guidelines mentioned above. This is different from information sharing and the conduct of joint assessment missions, the details of which are outlined in the respective sections above.

Separate Relief/Reconstruction Activities of Military and Other Security Actors: Relief and/or reconstruction operations carried out by military/security actors other than indirect assistance and infrastructure support as outlined above, even when the intention is humanitarian, may jeopardize or undermine the overall humanitarian efforts and the security of humanitarian agencies. Even indirect assistance or infrastructure support provided by the military can have a detrimental effect on the overall humanitarian/reconstruction effort, if it is not coordinated and executed properly.

To this end, the following considerations must be taken into account:

a) There should be a clear division of labor, with humanitarian agencies providing humanitarian assistance and the military providing security (e.g. for the protection of IDPs/refugees), and if necessary, basic infrastructure and urgent reconstruction assistance as a gap-filling measure until civilian organisations are able to take-over. In cases where humanitarian agencies and the military forces are engaged in achieving similar objectives through different actions, such as protection of civilians in areas of return, partnership agreements and/or SOPs should be established/agreed upon to differentiate the respective roles and establish parameters to guide the activities of humanitarian and military agencies respectively;

b) To the extent that they are within these guidelines and in line with Reference E and the principles outlined above, civil assistance activities of the military and the civilian components of UNMIS and UNAMID are to be coordinated and approved under arrangements established by the RC/HC. This guarantees adherence to key humanitarian principles, and ensures that well-intentioned activities do not end up entrenching conflict gains or setting up new conflict axes, while at the same time avoiding duplication.

c) Where appropriate, consideration should be given to the involvement of female military personnel in order to address issues of cultural sensitivity and effectiveness of assistance.

d) As per Reference D, the above also applies to QIPs, whether they are implemented by a military contingent or directly by the mission itself. Furthermore:

   ✓ Recognizing the distinction between QIPs and other humanitarian and development activities, QIPs should be coordinated from within the respective mission (i.e. through the QIP steering committee) and to the extent possible with the humanitarian community operating in the immediate area (i.e. through the state-based RC or OCHA

office).   Details of QIP processes should be promulgated using mission specific QIP guidance, based on DPKO's Policy Directive (Reference D) and in line with the provisions below; and

✓ QIPs should be either directly related to mandated activities, or be of an infrastructure support nature, i.e. the repair and refurbishment of roads, bridges and other critical infrastructure, preferably using heavy machinery or assets otherwise not available to the humanitarian community. Alternatively, the mission might want to consider funding a humanitarian organisation which will in turn implement the/a project.

For details on additional considerations and a list of possible QIP activities for UNAMID see also Appendix I to the Annex immediately below.

Appendix I to Annex E

<u>Additional QIP Guidance for UNAMID</u>

<u>General considerations:</u>

a) As per the UNAMID mandate the emphasis should be as much as possible on "pre-emptive protection" and "protection" related activities.

b) No direct "service provision", i.e. health clinics, mobile clinics, provision of inputs/NFIs, running hospitals, etc. should be considered in areas where humanitarian organisations are providing such services. However, the provision of ad hoc, one-off, emergency services when there is an attack in an area, or a sudden shock, is considered valuable, responsive to the communities and needed.

c) The focus should be on activities that the humanitarian community is not doing, or cannot do, i.e. reconstruction of civilian infrastructure like jails, court houses, etc.

d) Careful consideration needs to be given if engaging in urban campaigns in areas (under GoS or non-GoS control/influence) that they are done in response to the local authorities request so as not to be perceived as reflecting badly on the authorities' service provision. Preference should be given to indirect support to agencies engaged in service provision.

e) Projects should avoid targeting population groups that the humanitarian community is also undertaking the same activities with.

f) Target groups should be selected in accordance with their level of need.

g) When targeting population groups that the humanitarian community is servicing, i.e. IDPs in camps, or specific villages NGOs are working in, then coordination with, and agreement from those agencies is required prior to the proposed activities.

h) All activities must be coordinated through the existing, relevant humanitarian coordination mechanisms, and must adhere to guidelines set by these mechanisms. Coordination of QIPS and other activities is a time consuming undertaking and needs dedicated staff time on the part of OCHA and UNAMID.

i) Need to develop a good understanding of the local context – historical, socio-economic-cultural, livelihoods and livelihood groups – in order to ensure that the proposed activities are appropriate for the local context

j) When providing funds for QIPs to local and international NGOs/agencies/institutions the following needs to be taken into account: a) the creation of a 'pull factor' in certain areas, b) that this may attract a skewed pool of NGOs, c) consequently that there will be need for a balanced, informed selection process and procedures ensuring the right NGOs are selected for the right activity, which in turn necessitates that d) the coordination needed to support these initiatives is adequately resourced by UNAMID.

k) In order to raise the awareness of all concerned, particularly the UNAMID structure, on what QIPs are and on the guidelines framing them, etc., it is recommended that this topic be incorporated into the UNAMID induction training for both uniformed and civilian personnel.

<u>List of key categories and activities to consider for UNAMID support</u>, from the point of view of humanitarian organisations and in order of priority, assuming that the above general considerations have been taken into account:

Protection related (in addition to mandated tasks):

- ✓ creating fire breaks for range pasture to prevent conflict
- ✓ fire prevention in camps

Logistical support/repair/maintenance of civil infrastructure:

- ✓ flood prevention requiring earth moving equipment
- ✓ filling holes left by brick works, or fencing these holes
- ✓ earth works for hafirs, dams, etc.
- ✓ providing ad hoc, gap filling, emergency response i.e. water tinkering
- ✓ repair and maintenance of roads, bridges along key market routes, to create access in inaccessible areas or flash points, i.e. wadi crossings
- ✓ repair and maintenance of buildings, i.e. courts, jails

Urban campaigns:

- ✓ urban clean up campaigns
- ✓ fumigation, spraying in urban centres
- ✓ road safety campaigns
- ✓ fire prevention campaigns and physical measures to prevent fire in towns
- ✓ put a fire extinguisher system in place in large IDP concentrations

Sports activities

Emergency, Ad Hoc Access to established AMIS/UNAMID medical services

Funding of humanitarian organisations to implement projects

Training

The concept of UN-CMCoord is optimised only when staff have the correct knowledge, skills and attitudes. These guidelines are only a first step in this direction, to be followed by SOPs and continuous training, both for humanitarian and military/security actors, including local military and police. This may take the form of short lectures, briefings and/or joint workshops, both in-country and outside.

Due to troop rotation and relatively frequent staff turn-over in the humanitarian community, regular awareness-raising activities and trainings should be conducted, not merely at headquarters or sector headquarters levels, but also at group and team sites. As well as general principles, training needs to cover issues specific to the shared context (e.g. urban/camp environments v rural areas, etc.), in addition to international humanitarian law and humanitarian principles

As a minimum it is suggested that military CIMIC/Civil-Military Liaison (CML) staff will undertake the following training:

- ✓ The Senior Civil Military Liaison (CML)/coordination staff at Force HQs should complete UN-CMCoord Basic and Staff Courses as well as the UN peacekeeping Standard Training Modules (STM) on CML.

- ✓ Senior CML/coordination staff should also undertake training in Human Rights/Protection for Peacekeepers developed by the Office of the High Commissioner for Human Rights (OHCHR) and computer based international protection induction training provided by UNHCR.

- ✓ Other CML/coordination staff should complete the STM on CML and computer based international protection induction training provided by UNHCR. Completion of the UN-CMCoord Basic Course and training in Human Rights/Protection for Peacekeepers are also strongly recommended.

- ✓ National contingent staff involved in this issue should complete the STM on CML and, if possible, the UN-CMCoord Basic Course and training in Human Rights/Protection for Peacekeepers.

- ✓ UN Military Observers should undertake training in Human Rights/Protection for Peacekeepers.

Training should preferably take place prior to deployment to the mission. DPKO's Integrated Training Service (ITS) encourages participation of current CML/coordination staff and OCHA UN-CMCoord Officers in national contingent pre-deployment training.

Where required, all CML/coordination staff and selected other staff should also undergo additional in-mission training on specific CML and UN-CMCoord issues. These trainings include a 1-hour humanitarian/UN-CMCoord induction presentation for UNMOs and selected military and police (staff) officers and participation of selected staff members in 2-day civil-military coordination workshops, organized by the respective mission in coordination with OCHA Sudan and facilitated by OCHA Sudan UN-CMCoord officers.

Training activities should be held as close as possible/in accordance with the UN-CMCoord Training Programme Gender Action Plan.

Annex G

Key References Documents

A) Civil-Military Relationship in Complex Emergencies – IASC Reference Paper, 28 June 2004
   (http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docid=1001219)

B) The Use of Military and Civil Defence Assets to Support United Nations Humanitarian Activities
   in Complex Emergencies – OCHA Guidelines, March 2003
   (http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docid=1004858)

C) Use of Military or Armed Escorts for Humanitarian Convoys – Discussion paper and Non-
   Binding Guidelines, September 2001
   (http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docid=100872)

D) DPKO Policy Directive on QIPs, February 2007

E) Draft DPKO Policy Directive on Civil-Military Liaison in UN Integrated Missions (version 7),
   September 2006

F) UNMIS Mandate, UN Security Council Resolution 1590, 24 March 2005 (http://daccess-
   ods.un.org/access.nsf/Get?Open&DS=S/RES/1590%20(2005)&Lang=E&Area=UNDOC)

G) UNAMID Mandate, UN Security Council Resolution 1769, 31 July 2007 (http://daccess-
   ods.un.org/access.nsf/Get?Open&DS=S/RES/1769%20(2007)&Lang=E&Area=UNDOC)

H) United Nations Peacekeeping Operations: Principles and Guideline, 18 January 2008

UN-CMCoord Aide Memoire

PURPOSE - The CMCoord guidelines have been developed for the UN Resident Coordinator/Humanitarian Coordinator (RC/HC) in Sudan, in consultation & collaboration with a wide range of stakeholders, including representatives from UN Agencies, other International Organisations, Non-Governmental Organisations (NGOs), the donor community, UNMIS, AMIS & UNAMID.

Their purpose is to address civil-military relations for humanitarian action in the context of present-day Sudan, & to provide non-binding practical guidance to all involved.

It is envisaged that an Action Plan & Standard Operating Procedures (SOPs) based on these guidelines will be developed, detailing activities that require regular & close coordination. These will be augmented by training in the form of briefings & workshops.

BACKGROUND - International Humanitarian Law stipulates a clear distinction between the military & non-military domains. Humanitarians are to provide assistance wherever there is need, & for this they must be regarded by all parties as neutral/impartial agents of assistance.

Military forces on the other hand are often associated with political objectives. When providing assistance their objectives vary, from winning the trust of the population ('hearts and minds') to providing legitimacy for the mission, helping the force protect itself.

Nevertheless, military/security actors, especially elements of a UN force, have a vital part to play in establishing & maintaining a secure environment to facilitate humanitarian assistance. This in turn requires close coordination between humanitarian actors & military/security actors.

UN-CMCOORD - The essential dialogue & interaction necessary to *protect* and *promote* humanitarian principles, *avoid competition, minimize inconsistency, and when appropriate pursue common goals*. The key elements: <u>information sharing</u>, <u>task division</u>, & <u>planning</u>. Facilitated by liaison and common training.	**GUIDING PRINICPLES** Mutual Respect Interdependence/Complementarity
KEY REFERENCE DOCUMENTS Civil-Military Relationship in Complex Emergencies – IASC Reference Paper, 28 June 2004 The Use of MCDA to Support UN Humanitarian Activities – OCHA Guidelines, March 2003. Use of Military or Armed Escorts for Humanitarian Convoys – September 2001. DPKO Policy Directive on QIPs – February 2007 Draft DPKO Policy Directive on Civil-Military Liaison – September 2006 UNMIS Mandate, UN SCR 1590 – 24 March 2005 UNAMID Mandate, UN SCR 1769 – 31 July 2007 UN Peacekeeping Operations: Principles & Guideline – 18 January 2008	Primacy in Humanitarian Work Division of Labor Operational Independence Access to Vulnerable Populations Neutral and Impartial Aid 'Do No Harm' Sustainability Respect for Legal Instruments & Local Culture Approval & Coordination of Activities by RC/HC Coordination as a Shared Responsibility
KEY PERSONNEL OCHA UN-CMCoord personnel, as the humanitarian community's interface. Mission appointed Humanitarian Affairs/Civil-Military Liaison personnel (HALU & HRD), as the mission's interface. Military CIMIC personnel & Civil Military Liaison Officers (CMLOs), as the military's interface, as well as dedicated Police Liaison Officers as the police's interface. Resident Coordinator/Humanitarian Coordinator (RC/HC): Responsibility for coordination & approval of humanitarian and development activities throughout Sudan, also appointed as a DSRSG of UNMIS. Supported by 2 deputies, 1 in Juba responsible for the South & 1 in Khartoum, also responsible for Darfur.	**PRACTICAL GUIDANCE** ✓ Transparency vis-à-vis national staff & local interlocutors ✓ Coordination with local authorities through RC/HC
COORDINATION & LIAISON ARRANGEMENTS ✓ regular coordination through coordinating bodies such as the OCHA offices (i.e. in Darfur), & the RC's offices in the north and south of Sudan; ✓ no meetings to be conducted at an individual humanitarian agency's premises, unless specifically requested by the agency; ✓ liaison with local armed actors may be conducted through UNMIS and UNAMID; ✓ liaison Focal Points should be appointed; ✓ liaison meetings should be held at "neutral" venues; ✓ military/police representatives should be invited as appropriate; and ✓ complaints should be addressed in a constructive manner to the person/unit concerned.	<u>Advocacy</u> ✓ to preserve humanitarian space; ✓ to preserve access; ✓ rights & duties and responsibilities under international humanitarian and human rights laws; and ✓ strategies on issues such as return and protection.

UN-CMCoord Aide Memoire

SAFETY & SECURITY OF HUMANITARIAN PERSONNEL & OPERATIONS

Both UNMIS & UNAMID are associated with political agreements & therefore not necessarily *perceived* as 'neutral' or 'impartial' by everybody.

Use of military or armed protection for humanitarian agencies or activities is an extreme precautionary measure that should be taken <u>only</u> in exceptional circumstances.
- ✓ ASMT to be established in each area/region, to include NGO representation;
- ✓ security assistance to be requested through & coordinated by UN security either directly or through the local OCHA or RC Office;
- ✓ routine requests for military security support may be requested directly from the military through its respective CIMIC structure;
- ✓ host government military support for routine humanitarian activities may be requested through/facilitated by the respective mission CIMIC structure;
- ✓ in extremis humanitarian organisations may request assistance directly from the responsible local military unit;
- ✓ approval authority for security support for humanitarian operations – DRC/HC;
- ✓ approval authority for direct security support to humanitarian agencies – ASC; and
- ✓ security support to be provided according to the respective mission's mandate & within its capability.

Additional security considerations:
- ✓ focus on providing broad area and route security, rather than military escorts for individual aid agencies;
- ✓ for IDP camps focus on providing perimeter security, rather than an armed presence within the camps;
- ✓ for rural areas focus on main routes plus escorts, e.g. for firewood collection, harvesting; and
- ✓ weapons are forbidden on humanitarian premises, facilities and vehicles.

INFORMATION SHARING

Ideally a two-way street, however any information that might endanger human lives or compromise the impartiality & neutrality of humanitarian actors should not be shared.

Info to be shared by the humanitarian community with the military/security actors:
- ✓ information relevant to the security of civilians and humanitarian staff including the coordinates of humanitarian staff and facilities;
- ✓ plans and information on humanitarian and relief activities, including routes and timing to avoid accidental strikes or to warn of conflicting activities;
- ✓ information relevant to mine-action activities; and
- ✓ information on major movements of civilians.

Info to be shared by the military with the humanitarian community:
- ✓ info that might have a direct impact on the security of humanitarian personnel or operations, including planned military operations;
- ✓ information on strike locations and explosive munitions;
- ✓ relief needs observed by the military;
- ✓ information on major movements of civilians; and
- ✓ information on relief efforts planned by the military.

All information should be treated with the utmost confidentiality. Whenever possible information should be treated as 'anonymous' once received, i.e. without referring to individual names of staff and/or organisations.

Ideally, information should be shared at the level of the regional OCHA or RC's Office.

<u>Assessments:</u> As a general rule, humanitarian assessments should be conducted by humanitarian organisations while military/security assessments should be conducted by the military or other appropriate entities. Where appropriate joint assessment missions may be undertaken, and the results of individual assessments may be shared.

<u>Reporting of Humanitarian Needs by the Military:</u>
- ✓ Report observed relief needs to the nearest OCHA and/or RC office, i.e. through HALU;
- ✓ Avoid raising expectations;
- ✓ Avoid harming or humiliating beneficiaries through inappropriate data collection;
- ✓ Avoid creating confusion between the roles of the military & the humanitarian agencies; and
- ✓ Reporting should be factual & not emotional.

USE OF MILITARY ASSETS & PERSONNEL IN SUPPORT OF HUMANITARIAN OPERATIONS
- ✓ Use of military assets in support of humanitarian operations must be exceptional, only when these assets are unique in terms of capability & availability in order to meet urgent and life threatening needs.
- ✓ Decision to use these assets must be made by humanitarian organisations in partnership with affected communities, not political authorities, & based solely on humanitarian criteria.
- ✓ Civilian direction albeit under military command & control.
- ✓ Use of assets must be clearly limited in time and scale.
- ✓ Assets placed under the control of humanitarian agencies must be visibly identified as such.

<u>Direct Assistance:</u> i.e. handing out relief goods, providing first aid
<u>Indirect Assistance:</u> i.e. transporting relief goods, building camps, providing water sources
<u>Infrastructure Support:</u> General services that facilitate relief, i.e. repairing roads & bridges

Visibility of Tasks	Availability and Impartiality of Forces			
	Peaceful	Peacekeeping i.e. UNMIS	Peace Enfrcmnt i.e. UNAMID	Combat
Direct	Maybe	Maybe	No	No
Indirect	Yes	Maybe	Maybe	No
Infrastructure	Yes	Yes	Maybe	Maybe

<u>Requests for Military Assets in Support of Humanitarian Operations:</u> in consultation with the local IAMG, through local OCHA Office or the RC's Office for RC/HC approval. Prior consultation between military & humanitarian agencies to ensure that neutrality & impartiality is not compromised.

The decision to request use of mission air assets for routine flights rests with the respective humanitarian organisation. For special flights, e.g. field missions, the decision rests with the local IAMG. For special flights, UNHAS/WFP should be given preference.

While it is recognized that the military's capabilities and resources are limited, the importance of timely relief and reconstruction activities for the overall security situation, irrespective of the mission's mandate, has to be stressed.

<u>Joint Relief Operations with Military and Other Security Actors:</u> As a last resort, if they are the only possibility to respond to urgent humanitarian needs. Must be approved by RC/HC.

<u>Separate Relief/Reconstruction Activities of Military/Security Actors:</u>
- ✓ Only basic infrastructure and urgent reconstruction assistance as a gap-filling measure until civilian organisations are able to take-over.
- ✓ To be coordinated and approved under arrangements established by the RC/HC.
- ✓ This also applies to QIPs, which should be either directly related to mandated activities, or be of an infrastructure support nature. Alternatively funding of humanitarian organisations.

These guidelines will be reviewed and updated periodically. The guidance provided in this document may not cover all situations involving this interaction, in which case it should be referred to the RC/HC.