

## Chapter 3

# Working with Military Actors

## 1. Introduction

Humanitarian action must be guided by the core principles of humanity, impartiality and neutrality at all times. This requires a clear distinction and division of labour between humanitarian action on one hand, and military or military-related activity on the other. Legitimate armed forces, which respect international humanitarian and human rights law, play a vital role in ensuring a safe and secure environment for all civilians, including the internally displaced. Humanitarian actors often have to interact and liaise with military actors, especially when working in situations of armed conflict and complex emergencies.

More detailed guidance is provided in 'Civil military Relationship in Complex Emergencies' (IASC, 2004), available from [www.reliefweb.int](http://www.reliefweb.int)

The nature and scope of such interaction will depend on the circumstances. It can range from mere co-existence with civilian and military actors trying to avoid disrupting each other's activities, to closer coordination to ensure the effectiveness of combined humanitarian efforts. While some form of interaction will usually be necessary, coordination with a party to a conflict must proceed with caution and should in principle only take place in exceptional circumstances and as a last resort. A failure to maintain an actual or perceived distinction between humanitarian and military activities can undermine the independence, neutrality and impartiality of humanitarian action and place persons of concern and humanitarian staff at risk.

Provided that the key principles of humanitarian action are preserved, several forms of interaction with military actors can be envisaged:

- Advocacy with military actors to prevent or put a stop to violations and ensure respect for relevant bodies of law, in particular humanitarian and human rights law, as applicable.
- Training and awareness-raising among military actors on the principles of humanitarian, human rights and refugee law and the mandates and activities of humanitarian actors.
- Sharing of necessary information, such as relating to the security situation.
- Provision of logistical, technical or military support to humanitarian operations by military actors, for instance to facilitate safe and rapid access to individuals and communities in need of assistance.
- Military support for the physical security of IDPs and affected populations, in displacement or upon return.

## 2. Practical considerations for civil-military coordination

Regardless of what level of co-operation is foreseen with the military, the principles of humanity, neutrality and impartiality should never be jeopardized or subordinated to military or political objectives. There must be a clear distinction between civilians and combatants/fighters at all times; humanitarian operations must act, and be perceived to act, independent from the military. What follows are some practical considerations for humanitarian workers engaged in civil-military coordination:

### 2.1 Gain an understanding of the military actors

Learn about the type, objectives and structure of the different military actors operating in the area and understand how they are perceived by both the displaced and host community.

- **Type:** Armed forces can be affiliated to a country, a group of countries or international bodies. Non-State actors, or armed groups, have no such affiliation, although they can be supported by a national Government.
- **Objective:** Armed forces and groups may be parties to a conflict or armed forces can be part of a peace-keeping operation, which in some cases are mandated to support humanitarian operations.
- **Structure:** Humanitarian and military actors have different institutional structures, culture and even language. Armed forces usually have clear hierarchical structures and a strict chain of command, while armed groups may be more decentralized. Understanding the structure will help to identify the best interlocutor, the appropriate channel of communication and to facilitate interaction, as required.

### 2.2 Be aware of liaison arrangements and levels of interaction

Liaison arrangements and clear lines of communication should be established at the earliest possible stage and at all relevant levels between the military forces and the humanitarian community, to guarantee timely and regular exchange of relevant information.

- Before engaging with armed groups, determine your agency's general and specific position in relation to the armed actors in your area of operation. Be well aware from the start on the nature and scope of such arrangements, including at what level takes place, whether it will be formal or *ad hoc*, whether it will be transparent or confidential, etc.
- Interaction with armed forces can take place at various levels:
  - At the **senior level**, between senior military officials and the Humanitarian Coordinator/heads of agencies. All negotiations that affect the relationship and interaction between the two parties, including information exchanges, procedures at checkpoints and training, should be conducted at this level.
  - At the **working level** (CIMIC or civil affairs office), based on the agreements reached by the senior staff. These include day-to-day interaction between humanitarian agencies and the military, such as reporting vehicle movements, security clearances, airlifts, etc. Humanitarian staff with the appropriate profile for civil-military co-ordination should be available for liaison tasks.
  - Forces representing the United Nations, including integrated missions, AU or NATO may appoint a civilian-military liaison officer (CIMIC officer) and establish a CIMIC centre where the military and humanitarian community can work together on common issues.
  - At the **field level**, the United Nations will usually be represented by the UN focal point/area security coordinator. NGOs may also decide to appoint a representative to relay communications.
  - At the **security level**, field security officers frequently maintain their own contacts with the military for staff safety purposes.
  - **On the road**, interaction with armed forces can occur while passing checkpoints and other military installations. At this level, all staff need to follow the agreed procedures. Soldiers at this level usually have no authority to discuss substantial issues, and any disagreement on procedure or other issues should be discussed with higher-level offices.
- If in doubt, it is best to **seek clarification** from the agency, the protection-cluster/working-group coordinator or the Humanitarian Coordinator.



<b>2.3 Information Sharing</b>	<ul style="list-style-type: none"> <li>• As a general principle, information gathered by humanitarian actors should not be shared with military actors, except if and to the extent necessary to protect the lives and well-being of persons of concern. Even in such cases care must be taken to safeguard privacy and confidentiality to avoid placing individuals or communities at risk or jeopardizing the principles of neutrality and impartiality.</li> <li>• Certain level of information sharing may however be necessary, for instance relating to security information; location, movement or activities of humanitarian staff; ongoing population movement; and relief activities of the military.</li> <li>• Decide and give guidance to staff on what information can or cannot be shared.</li> <li>• Establish a clear, simple and effective information sharing structure.</li> </ul>
<b>2.4 Use of military escorts for humanitarian convoys</b>	<ul style="list-style-type: none"> <li>• The use of military or armed escorts for humanitarian convoys or operations is an extreme precautionary measure that should be taken only in exceptional circumstances and on a case-by-case basis.</li> <li>• The decision to request or accept the use of military or armed escorts must be made by humanitarian organizations, not political or military authorities, based solely on humanitarian criteria.</li> <li>• Detailed guidance in this regard is provided in a discussion paper and non-binding guidelines on the <i>Use of Military or Armed Escorts for Humanitarian Convoys (UN, 2002)</i>.</li> </ul>
<b>2.5 Joint civil-military relief operations</b>	<ul style="list-style-type: none"> <li>• Operations undertaken jointly by humanitarian agencies and military forces can have a negative impact on the actual or perceived impartiality and neutrality of humanitarian action.</li> <li>• Any joint civil-military cooperation should be determined by a thorough assessment of the actual needs on the ground and a review of civilian humanitarian capacities to respond to them in a timely manner.</li> <li>• To the extent that joint operations with the military cannot be avoided, they may be employed only as a means of last resort.</li> </ul>
<b>2.6 Use of Military Assets for Humanitarian Operations</b>	<ul style="list-style-type: none"> <li>• In general, the use of military assets in support of humanitarian operations in complex emergencies should only take place on exceptional basis and <i>as a last resort</i>.</li> <li>• Where civilian/humanitarian capacities are not adequate or cannot be obtained in a timely manner to meet urgent humanitarian needs, military and civil defence assets, such as aircraft or vehicles, can however be deployed. A decision to that effect must be taken at the highest level within an organisation and in consultation with the HC.</li> <li>• In addition to the principle of 'last resort', key criteria include: <ul style="list-style-type: none"> <li>– <i>unique capability</i> – no appropriate alternative civilian resources exist;</li> <li>– <i>timeliness</i> – the urgency of the task at hand demands immediate action;</li> <li>– <i>clear humanitarian direction</i> – civilian control over the use of military assets;</li> <li>– <i>time-limited</i> – the use of military assets to support humanitarian activities is clearly limited in time and scale.</li> </ul> </li> <li>• Further guidance in this regard is available in the <i>Guidelines on the Use Of Military and Civil Defence Assets to Support United Nations Humanitarian Activities in Complex Emergencies (UN, 2003)</i>.</li> </ul>
<b>2.7 Military Operations for Relief Purposes</b>	<ul style="list-style-type: none"> <li>• Relief operations by military actors, even when purely 'humanitarian' in nature, may have a detrimental effect on humanitarian efforts by blurring the distinction between humanitarian and military action. This may jeopardize the neutrality of humanitarian action, result in limited access to areas under the control of other parties to the conflict, and place persons of concern as well as humanitarian staff at risk.</li> </ul>



	<ul style="list-style-type: none"> <li>• Military forces should be strongly discouraged from playing the role of the humanitarian aid providers.</li> <li>• Diplomatic efforts may prove helpful in this regard.</li> </ul>
<p><b>2.8 Conduct of Humanitarian Staff</b></p>	<ul style="list-style-type: none"> <li>• Humanitarian staff should interact with military personnel in a tactful manner on every occasion.</li> <li>• Humanitarian staff should be able to convey in a clear manner the independent and civilian nature of humanitarian assistance.</li> <li>• A clear distinction must be retained between the identities, functions and roles of humanitarian personnel and those of military forces, i.e. travel in clearly marked vehicles, clearly marked offices and relief supplies, etc.</li> <li>• Weapons should not be allowed on the premises or transportation facilities of humanitarian organizations.</li> <li>• Humanitarian personnel should not travel in military vehicles, aircraft, etc., except as a last resort or for security reasons.</li> <li>• Humanitarian personnel should at no time collect military intelligence or military strategic information.</li> <li>• Humanitarian workers should not wear any military-like clothing.</li> </ul>
<p><b>2.9 Training and awareness-raising</b></p>	<ul style="list-style-type: none"> <li>• States have an obligation to ensure respect for relevant bodies of law, in particular humanitarian and human rights law, including by raising awareness of and providing training on humanitarian law and principles to their armed forces and any other armed groups under their control.</li> <li>• Humanitarian actors can play an important role in supporting, facilitating or even providing such training. Such efforts should be undertaken in consultation with relevant actors, such as the ICRC.</li> </ul>