

The Use of Military and Civil Defence Assets (MCDA)

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Key points

- Internationally accepted, UN system-wide policies and guidelines exist, as well as a dedicated UNHCR CM-Coord Focal Point, to support UNHCR emergency operations in making decisions on the use of Military and Civil Defence Assets (MCDA)
- The use of MCDA in the humanitarian context can only be considered as a means of last resort
- In this context, last resort means an urgent need for live-saving intervention that cannot be met with regular/non-MCDA options to support the delivery of humanitarian aid
- The deployment of MCDA must always be complementary to civilian (humanitarian) capacities, specific, and limited in time and scope, to avoid dependence
- The request for deployment of MCDA must be routed through the RC/HC and supported by HCT member organizations because it will affect all humanitarian actors
- The decision to use MCDA carries the risk of negative impact on the perception of neutrality, impartiality and operational independence of humanitarian actors if not managed carefully
- Give particular attention to issues related with arrangements for the use of military and/or armed escorts and provision of security (static or patrol) by military and/or armed actors. This is still use of MCDA

1. Overview

Military and Civil Defence Assets (MCDA), as defined in the 1994 “Oslo Guidelines”, “comprises relief personnel, equipment, supplies and services provided by foreign military and civil defence organizations for international humanitarian assistance. Furthermore, civil defence* organization means any organization that, under the control of a Government, performs the functions

enumerated in Article 61, paragraph (1), of Additional Protocol I to the Geneva Conventions of 1949". When these assets are under UN control they are referred to as UN MCDA.

In the past, there has been a distinction between the military and the non-military domains in complex emergencies. In recent history, however, military forces have become increasingly involved in operations other than war, including provision of relief and services to the local population. At the same time, due to the changing nature of modern complex emergencies, the humanitarian community has faced increased operational challenges as well as greater risks and threats for their workers in the field, which at times have compelled some of them to seek the support or protection by military forces on a case-by-case basis. Thus, practical realities on the ground have gradually necessitated various forms of civil-military coordination for humanitarian operations.

2. Relevance for emergency operations

Complex emergencies generally involve high levels of insecurity, damage to critical infrastructure, absence of basic services, and a high level of humanitarian needs. As in any emergency operating environment there are multiple actors who may be asked to assist or offer their support, military forces and other armed actors may be the only option in providing support in conflict or natural disaster areas where traditional civilian providers, such as government authorities and humanitarian actors, may be unable to operate.

It is important to note that if both humanitarian and military are operating to provide the same assistance and it is not properly managed can erode humanitarian space and compromise principled humanitarian action. This can result in humanitarians, including UNHCR becoming direct targets of the belligerents and being denied access to the affected population and it could also affect other humanitarian operations and result in the affected population becoming direct targets of the belligerents.

Factors such as perception, security for both humanitarian workers and persons we care for, in addition to immediate lifesaving support must be carefully considered before engaging in the military or using military and civil defence assets. Ultimately, decisionmakers must weigh the risk to humanitarians and their ability to operate effectively at the moment and in the future, against the immediacy of the needs of the affected population and the need to use MCDA.

3. Main guidance

Underlying policies, principles and/or standards to guide decision-making

The international community through the Consultative Group on the Use of Military and Civil Defence Assets (MCDA) and IASC have agreed on the following key guiding documents for interaction between the humanitarian and military communities:

1. [*"Oslo Guidelines: Guidelines on The Use of Foreign Military and Civil Defence Assets In Disaster Relief, November 2007"*](#): for use of MCDA in providing support to humanitarian response where natural, technological or environmental emergencies occur in times of

peace.

2. [*"Guidelines On The Use of Military and Civil Defence Assets To Support United Nations Humanitarian Activities in Complex Emergencies, March 2003"*](#): for the use of MCDA in armed conflict contexts or complex emergencies.
3. [*"IASC Non-Binding Guidelines on the Use of Armed Escorts for Humanitarian Convoys, February 2013"*](#): applicable in disasters and complex emergencies respectively, to assist humanitarian actors in fully considering the implications of using armed escorts to facilitate humanitarian operations, providing a framework for determining if and when to use armed escorts and, how to do so effectively.
4. [*"IASC Guiding & Operating Principles on Civil-Military Relationship & Use of Military Assets, June 2004"*](#): reference paper to highlight nature and character of civil-military relations in complex emergencies, principles and concepts that must be upheld for humanitarians dealing with military actors, and practical considerations.

It is important to understand how and when these guidelines should be applied and how they are to be implemented before seeking support and or engaging with military actors to ensure delivery of humanitarian assistance in an emergency or disaster setting.

Considerations regarding the use of military or civil defence assets

- Review policies, principles and or standards related to the context (either disaster or complex emergency setting)
- Consideration should be made in accordance with the principles of **humanity, neutrality and impartiality** per UN General Assembly Resolution 46/182. As such, the military and civil defence assets of belligerent forces or of units that find themselves actively engaged in combat shall not be used to support humanitarian activities.
- Requests for military assets must be made by the Humanitarian/Resident Coordinator in consultation with the Humanitarian Country Team (HCT) and with the consent of the host government, not political authorities, and based solely on humanitarian criteria.
- Use of MCDA by humanitarian agencies should be as a **last resort**, i.e. only in the absence of any other available civilian alternative to support urgent humanitarian needs in the time required.
- A humanitarian operation using military assets must retain its civilian nature and character. While military assets will remain under military control, the operation as a whole, must remain under the overall authority and control of the responsible humanitarian organization with the overall control and authority of the Humanitarian Coordinator.
- Humanitarian work should be performed by humanitarian organizations. Insofar as military organizations have a role to play in supporting humanitarian work, it should, to the extent possible, not encompass direct assistance, in order to retain a clear distinction between the normal functions and roles of humanitarian and military stakeholders.
- Any use of MCDA should be, at its onset, clearly limited in time and scale and present an exit strategy element that defines clearly how the function it undertakes could, in the future, be undertaken by civilian personnel.
- Countries providing military personnel to support humanitarian operations should ensure that they respect the UN Codes of Conduct and the humanitarian principles.
- The role of humanitarian civil-military coordination (UN-CMCoord) rests with OCHA which ensures the appropriate and effective use of Military and Civil Defence Assets (MCDA) in

disaster relief and humanitarian assistance operations. To do so, it must establish UN-CMCoord mechanisms to facilitate interaction and cooperation at the field level, whilst upholding [humanitarian principles](#) and protecting humanitarian space in support of the Humanitarian Coordinator (HC) in coordination with the UNCT.

MCDA may be requested through OCHA Civil-Military Coordination (CMCS) by a United Nations agency, including UNHCR or the government of an affected country, usually through the Resident/Humanitarian Coordinator, when all other sources have proved to be insufficient, exhausted, or unavailable. In locations where OCHA is not present, UNHCR offices are requested to contact the UNHCR CM-Coord Focal Point/s in the Field Security Service.

If UN member states are offering MCDA assistance, this must be carefully thought through in consultation with the Resident/ Humanitarian Coordinator, as - while consequences in the short time may be positive - the impact and perception of working alongside military actors could have long term damaging effects, especially in complex emergencies in which actors may be a party to the conflict.

It is equally important to understand the concept of Last Resort, which has been defined by the consultative group on MCDA. Foreign military and civil defence assets should be requested only where there is no comparable civilian alternative and only the use of military or civil defence assets can meet a critical humanitarian need. The military or civil defence assets must therefore be unique in capability and availability. Military and civil defence assets should be seen as tools complementing existing relief mechanisms; it should be provided at the request or with the consent of the affected state and, in principle, on the basis of an appeal for international assistance.

The question whether to use MCDA must consider if the request is for direct or indirect humanitarian services that may be provided by the military, which have different levels of risks associated regarding the perception of humanitarian neutrality, impartiality and humanity:

- **Direct assistance** is the direct face-to-face distribution of goods and services to affected persons and is prominently visible and thus directly associated with delivering humanitarian aid, carrying high reputational risk for humanitarian actors.
- **Indirect assistance** is at least one step removed from the population and therefore less visible but can still be associated with the humanitarian effort (e.g. transportation of relief goods or personnel in military vehicles) which needs to be managed carefully.
- **Infrastructure Support** through MCDA can facilitate relief efforts in a way that is hardly visible or associated with humanitarian action because others (for example the host population) benefit as well, e.g. road repair, airspace management, water treatment.

Many emergencies may already have military deployed and the humanitarian community may be seen to be working alongside military forces particularly in a UN peacekeeping operation. In locations where the military may be deployed already, the Humanitarian Coordinator must clearly define country operational guidelines for Civil Military Coordination. These will be developed in consultation with the UNCT/HCT. Where possible the establishment of a CMCoord Cell can resolve and defuse questions where the military indeed may already be present and supporting the population.

Foreign MCDA assistance should be provided at no cost to the affected state or receiving agency unless otherwise agreed between concerned States or regulated by international agreements. In principle, the costs involved in using MCDA on disaster relief missions abroad should be covered by funds other than those available for international humanitarian or development activities.

Key questions to help guide the decision to use MCDA in general:

- Are the countries/entities offering MCDA also parties to the conflict?
- Based on the need, is a military or civil defence unit capable of the task?
- How long will the MCDA be needed?
- Can MCDA be deployed without weapons or additional security forces?
- How will this association impact the security of UN personnel and other humanitarian workers?
- How will this impact the perceptions of UN neutrality and/or impartiality?
- What control and coordination arrangements are necessary?
- How and when will transition back to civilian responsibility be achieved?
- What are the consequences for the persons we care for, other humanitarian actors, and humanitarian operations in the mid to long term?

Considerations regarding the use of armed escorts in support of humanitarian convoys.

The 2013 IASC Non-Binding Guidelines on the Use of Armed Escorts for Humanitarian Convoys are intended to assist on when and how to use military or other forms of armed escorts to accompany humanitarian convoys using [security risk management](#) procedures within the UN and non-UN organisations. They take into consideration the increase of actors present in humanitarian operating environments, and the increasing complexities of undertaking principled humanitarian action. The use of armed escorts should be discussed by the UN Security Management Team and UNCT/HCT and again look at both the short term and longer term implications of using armed escorts.

These guidelines on the "Use of Armed Escorts for Humanitarian Convoys" are solely with respect to humanitarian convoys and are not intended to determine the requirements for security at camps, settlements or for protection of civilians.

In respect of use of Armed Escorts, the following must be considered, and a security risk management process should be conducted to determine this:

- Is the programme critical?
- Will the escort provide appropriate security or perhaps compromise the security of humanitarians?
- Is it sustainable?
- Are there alternatives to the use of armed escorts?

UN humanitarian agencies must avoid becoming dependent on military resources. Decision-makers must weigh the risk to humanitarian workers and their ability to operate effectively at the moment and in the future, against the immediacy of the needs of the affected population when considering the use of military and civil defence assets.

Use of MCDAs

- Understand the operating environment: natural disaster in peacetime, insecure environment, and/or complex emergency setting?
- Complete the Programme Criticality review and note PC1 level activities.
- Understand the concept of Last Resort regarding use of MCDA and analyse whether the given situation merits the definition.
- Define the specific aim, scope and time frame of MCDA deployment and whether MCDA assistance is direct or indirect.
- Review which MCDA are offered, what is their unique advantage and the risk involved.
- Assess how the neutrality, impartiality and independence of humanitarian aid can be preserved when cooperating with entities that provide MCDA.
- Consult all agencies in the operation/area due to the reputational risk to all humanitarian actors.
- If UNCT and/or HCT agree on the use of MCDA in a particular situation, route the request through the RC/HC.
- Involve CIMIC structures for communication and coordination with the MCDA-providing entity, ensuring commitment to UN values and humanitarian principles.
- Complete a review and lessons learned report after MCDA use and share with HCT and UNHCR FSS CM Coord Focal Point/s.

4. Links

[OCHA CMCoord](#)

5. Main contacts

Senior Field Security Officer, UNHCR Field Security Service (FSS, DESS)
or contact the OCHA CMCoord Officer in-country