

“Humanitarian Civil Military Coordination as an enabler for the respect of and compliance with IHL”

Recommendations from the field consultations

Addressing CMCoord systemic and recurring issues should remain a priority. This would strengthen CMCoord potential to act as enabler for the respect of and compliance with IHL. In this respect, it is recommended that the EU and its MS:

- Hold the UN humanitarian leadership and OCHA accountable for their role in safeguarding humanitarian principles and supporting the humanitarian community in its dialogue with regular armed forces.
- Provide the adequate capacity for long-term and continuous engagement on CMCoord, notably in terms of human resources. Training for humanitarian actors on CMCoord should be made more available. Support for a specialised rosters of CMCoord trainers would allow for the timely mobilization of competent personnel.
- Use their diplomatic influence and advocate towards national governments to ensure armed escorts of humanitarian actors are only used as solutions of last resort.
- Ensure that EU forces deployed in settings where humanitarian actors intervene lead by example and respect distinction of mandates by refraining from engaging on Quick Impact Projects of humanitarian nature (education, health, direct assistance) or at least by clearly distinguishing those from humanitarian action.

How can CMCoord play a role of enabler for the respect of and compliance with IHL?

- Ensure that CMCoord includes protection issues as part of the dialogue with a view of reinforcing compliance with IHL.
- Ensure that accountability-responsibility mechanisms, centered on specific obligations are required by EU MS upon engagement in bilateral military cooperation, particularly in relation to equipment provision.

International humanitarian law requires states to instruct their armed forces on the norms applicable to armed conflicts. In practice, national curricula are often supplemented by trainings provided by external actors, in particular the International Committee of the Red Cross with a specific mandate for setting IHL training standards and the UN CMCoord as a large provider of training in countries with peace keeping missions.

- Ensure that trainings delivered to armed forces include awareness on humanitarian action, humanitarian principles and humanitarian protection and that those training are extended to field-commanding officers and do not remain limited to high-ranking officers, including all EU troops deployed.
- Ensure that the number of actors providing those trainings remain limited and coordinate, to maintain high standards and avoid forces turning towards the “least demanding” provider.

Deconfliction between humanitarian and stabilisation actions is needed for the protection of population and the safeguarding of humanitarian space, with a focus on the protection of civilians and the respect of the “do no harm” principle. The CMCoord could play a role in this respect.

- Ensure that stabilisation and nexus strategies, including EU ones, are implemented with a do no harm approach vis a vis the protection of population and the humanitarian space.

Consideration: Enhancing Civil military coordination with armed non-state actors also remains key. Coordinating with armed non-state actors (ANSAs) is just as critical as with regular armed forces to ensure deconfliction and protect humanitarian aid workers, and to promote International Humanitarian Law. While coordination with ANSAs cannot take place within the existing mechanisms that include regular armed forces, EU and its MS should support such dialogue through alternative mechanisms, by using their diplomatic influence to ensure EU and national governments legal frameworks, especially counterterrorist regulations, support such engagement.