

P 132126Z AUG 07
FM SECSTATE WASHDC TO ALL DIPLOMATIC AND CONSULAR POSTS COLLECTIVE
PRIORITY
RUEHTRO/AMEMBASSY TRIPOLI PRIORITY 5042
BT
UNCLAS SECTION 01 OF 03 STATE 113433

E.O. 12958: N/A
TAGS: PREF, PHUM, PREL, MOPS, EAID, KCRS, XX
SUBJECT: NEW GUIDELINES FOR OPERATIONAL RELATIONS BETWEEN U.S. MILITARY
AND NGOS IN CONFLICT AREAS

1. Summary: Recently released guidelines provide practical "rules of the road" for interaction between U.S. military forces and non-governmental organizations (NGOs) in hostile or potentially hostile environments. Principles in the guidelines include ensuring that U.S. military personnel wear uniforms when conducting relief activities to avoid being mistaken for NGOs. Conversely, it recommends that NGO representatives avoid traveling in U.S. military vehicles with the exception of liaison personnel. These guidelines have been agreed between the U.S. Department of Defense and InterAction, a consortium of the largest US-based development and humanitarian NGOs, and are also supported by the Department of State and USAID. Wide dissemination to our military and humanitarian partners is encouraged. End summary.

2. After more than two years of discussion, on July 24, 2007, leaders of the U.S. military and the U.S.-based NGO community officially released new guidelines for relations between the two entities in conflict areas. The guidelines seek to mitigate frictions between military and NGO personnel over the preservation of humanitarian space in places like Afghanistan, Iraq, and the Horn of Africa. Military and NGO leaders intend to promulgate the guidelines throughout their communities via various media and education channels: NGOs will publish the guidelines in their newsletters and literature; the military will incorporate the guidelines into joint military doctrine, publications, and training. Mechanisms for monitoring the implementation of these guidelines in the field have not yet been established. These guidelines are complementary to the non-binding Reference Paper on Civil-Military Relationship in Complex Emergencies endorsed by the Interagency Standing Committee on Humanitarian Affairs with respect to international organizations (and their implementing partners that are often NGOs) and military forces of any nation.

3. In order to ensure the widest, earliest possible dissemination of the new guidelines, posts in countries where there are or are likely to be complementary activities by U.S. military personnel and NGO personnel, are requested to share the new guidelines with humanitarian partners and with other diplomatic missions as may be appropriate.

4. The guidelines are summarized below. For the full text of the guidelines, go to:
http://www.usip.org/pubs/Guidelines_handout.pdf

GUIDELINES FOR RELATIONS BETWEEN U.S. MILITARY AND NON- GOVERNMENTAL
HUMANITARIAN ORGANIZATIONS IN HOSTILE OR POTENTIALLY HOSTILE
ENVIRONMENTS

FOR U.S. MILITARY:

For the U.S. Armed Forces, the following guidelines should be observed consistent with military force protection, mission accomplishment, and operational requirements.

- A. When conducting relief activities, U.S. military personnel should wear uniforms or other distinctive clothing to avoid being mistaken for NGO representatives. U.S. military personnel and units should not display NGO logos on any military clothing, vehicles, or equipment.
- B. U.S. military personnel visits to NGO sites should be by prior arrangement.
- C. U.S. military should respect NGO views on the bearing of arms within NGO sites.
- D. U.S. military should give NGOs the option of meeting with U.S. military personnel outside military installations for information exchanges.
- E. U.S. military should not describe NGOs as "force multipliers" or "partners," or in any manner that may compromise NGOs' goal to be perceived by the population as independent.
- F. U.S. military personnel should avoid interfering with NGO relief efforts directed toward segments of the civilian population that the military may regard as unfriendly.
- G. U.S. military personnel and units should respect the desire of individual NGOs not to serve as implementing partners for the military in conducting relief activities. Some NGOs, however, may seek to cooperate with the military, in which case such cooperation will be carried out with due regard to avoiding compromise of the security, safety, and independence of the NGO community at large, NGO representatives, or public perceptions of their independence.

FOR NGOS:

- A. NGO personnel should not wear military-style clothing (not to preclude protective gear, such as helmets and protective vests, provided that such items are distinguishable in color/appearance from U.S. military issue items).
- B. NGO travel in U.S. military vehicles should be limited to liaison personnel to the extent practical.
- C. NGOs should not have facilities co-located with U.S. military facilities.
- D. NGOs should use their own logos on clothing, vehicles, and buildings when security conditions permit.
- E. NGO personnel visits to military facilities/sites should be by prior arrangement.
- F. Except for liaison personnel, NGOs should minimize their activities at military bases and with U.S. military personnel.
- G. As a last resort, NGOs may request military protection for convoys delivering humanitarian assistance, take advantage of essential logistics support, or accept evacuation assistance for medical treatment or to evacuate from a hostile environment. Provision of such military support rests solely within the discretion of the military forces and generally will be provided on a reimbursable basis.

RECOMMENDATIONS ON COORDINATION:

- A. NGO liaison officers may participate in unclassified security briefings conducted by the U.S. Military.

B. The U.S. Military may share unclassified information with NGO liaison officers on security conditions, operational sites, location of mines and unexploded ordnance, humanitarian activities, population movements, and other activities of mutual concern as appropriate.

C. NGOs and the U.S. military should have liaison arrangements prior to and during military operations to deconflict military and relief activities.

D. The U.S. military may provide assistance to NGOs for humanitarian relief activities in extremis when civilian providers are unavailable or unable to do so and if it does not interfere with higher priority military activities. Such assistance generally will be provided on a reimbursable basis.

RECOMMENDED PROCESSES:

A. NGOs engaged in humanitarian relief send a small number of liaison officers to the relevant combatant command for discussions with the contingency planners responsible for designing relief operations.

B. NGOs engaged in humanitarian relief assign a small number of liaison officers to the relevant combatant command during the course of relief operations.

C. The relevant military planners meet with humanitarian relief NGO liaison officers at a mutually agreed location.

D. U.S. military and NGO representatives should explore the following regarding access to humanitarian needs assessments:

- Access to NGO and military assessments directly from a DOD or other U.S. Government web site.
- Access to NGO and military assessments through an NGO serving in a coordination role and identifying a common web site.
- Access to NGO and military assessments through a U.S. Government or United Nations (UN) web site.

E. Procedures for NGO liaison relationships with combatant commands that are engaged in planning for military operations in hostile or potentially hostile environments:

- The NGO liaison officer should not be physically located within the military headquarters.
- The NGO liaison officer should have appropriate access to senior-level officers within the combatant commands.
- There should be a two-way information flow: The NGO liaison officer should provide details on NGO capabilities, infrastructure, if any, plans, concerns, etc. The military should provide appropriate details regarding minefields, unexploded ordnance, other hazards to NGOs, access to medical facilities, evacuation plans, etc.

F. Joint briefings: The NGO liaison officer should have the opportunity to brief military commanders on NGO objectives, "The Code of Conduct of the International Federation of Red Cross and Red Crescent Societies (IFRC) and NGOs Engaged in Disaster Relief," the United Nations Inter-Agency Standing Committee (IASC) Guidelines, "The Sphere Project Humanitarian Charter and Minimum Standards in Disaster Response," and similar guidelines. U.S. military personnel should have the opportunity to brief NGOs, to the extent appropriate, on U.S. Government and coalition goals and policies, monitoring principles, applicable laws and rules of engagement, etc.

G. The NGO liaison officer could continue as a liaison at higher headquarters even after a Civil-Military Operations Center (CMOC) or similar mechanism is established in-country. Once this occurs, liaison officers of individual NGOs could begin coordination in country through the CMOC.

H. Possible organizations that could serve as a bridge between NGOs and U.S. military in the field include the U.S. Agency for International Development's (USAID's) Office of Military Affairs, State Department's Office of the Coordinator for Reconstruction and Stabilization (S/CRS), and the UN's Humanitarian Coordinator.

End Guidelines

5. Minimize Considered. RICE BT #3433