

UNHCR Draft for Discussion: Standard Operating Procedures Facilitated Onward Movements in the Central African Republic

The situation in CAR continues to erode despite ongoing efforts, supported by humanitarian actors, at reconciliation and mediation by the local and national authorities and religious and community leaders. Inter communal violence has increased in particular in the west of the country. Protection monitors in this part of CAR report a rise in attacks on civilians by armed groups as well as by angry mobs and bandits in areas where law and order cannot be restored. In some locations, entire communities have fled only to find themselves stranded at anti-Balaka check-points. Unable to reach a safer part of the country, scores of civilians have sought shelter in churches, transit centers or private residences where they struggle to survive. Some individuals have fled into the bush, where conditions are dire.

On 21 January, 58 persons stranded in a transit center in northwestern CAR were evacuated to Bangui when international military forces (French "Sangaris" and African-led peacekeeping mission MISCA) and humanitarian actors determined no other solution could be found to ensure their physical protection. This group, comprised mostly of Muslim women and children, was hiding out in a transit center that had been temporarily secured by the French Sangaris. The humanitarian evacuation to Bangui was approved by the Humanitarian Coordinator as a measure of last resort.

Since the evacuation on 21 January, humanitarian actors have continued to receive reports of countless other CAR citizens, mostly Muslims, in similar life threatening situations. The UN's first priority has been to intensify mediation and reconciliation in these locations. When coupled with a presence of international forces, peace building initiatives have been effective. The 6,000 international troops deployed to CAR by the French and the African Union, however, are not sufficient to ensure a country-wide presence.

Through the protection cluster, the UN is monitoring areas where communities face the greatest risk to their lives. A mapping of "communities at risk" is ongoing, to help focus mediation efforts as well as the inter-positioning of international military forces. At the same time, this map can also be used by humanitarian actors and international military forces to facilitate the onward movement of persons who are already in flight and face an immediate life threatening situation that cannot be overcome through mediation or other measures. The purpose of these standard operating procedures is therefore to ensure that any such facilitated onward movements follow a clear and agreed set of criteria in conformity with sound protection principles and harmonized procedures. This document also considers the risks associated with facilitated onward movements, and the measures necessary to mitigate these risks.

These SOPs imply a multi-sectoral response and hence close coordination between clusters. It will thus be important from the outset to define a coordinating mechanism that can ensure an effective implementation of these SOPs

CRITERIA

- **Lifesaving:** Facilitated onward movements are being undertaken as a measure of "last resort" to save lives. As such, it is necessary to prioritize individuals and groups facing an immediate threat of physical harm, where mediation efforts have not had the desired impact and where international forces are either not present, unable to guarantee a sustained presence or unable to ensure the physical protection of civilians through their presence.
- **Voluntary:** Facilitated onward movements will be strictly voluntary, with the expressed consent of the individuals identified as being in need of this assistance. To this effect, dialogue with the individuals in need of this assistance will be essential in determining intentions, needs and expectations, which will also feed into the design of the modalities of the movement and selection/preparation of a safe location for the final destination of the movements. At the time of

the movements and prior to departure, individuals will likewise need to receive as much information as possible, through verbal and written communication in a language that can be understood, on the decided modalities of the movements, the intended destination and the services available during the movement and at the intended destination (including who will provide these services).

- **Civilian:** Preserving the civilian character of facilitated onward movements will be paramount. To this end, a basic screening will be used to ensure that individuals benefiting from this assistance are unarmed and that no weapons, arms or ammunition are boarded on the civilian trucks used for the movements. Safety and security of the movements will be provided through escorts by the international military forces who have been given a protection of civilians mandate in CAR (namely MISCA and the French Sangaris). Interaction with international military forces will in turn be facilitated by the UN civil-military coordination mechanism in full compliance with international humanitarian law (?). The use of non-UN forces should be a measure of last resort and shall be preceded by appropriate measures intended to mitigate risks resulting from association or support to non-UN forces with a record of human rights violations.
- **Humanitarian:** Humanitarian actors will ensure a physical presence at the point of departure and on arrival (and if feasible, during the movement itself) with the aim of ensuring adherence to these SOPs as well as ongoing protection monitoring and on the spot responses/intervention.

PROTECTION PRINCIPLES

- **Family unity preserved:** Facilitated onward movements will, to the extent possible, preserve family unity. All efforts will be made to move entire families in the same vehicles or grouped vehicles. If any separation becomes necessary, efforts will be made to keep children and minors with their parents or guardians.
- **Responsive to basic needs:** The majority of persons in need of facilitated onward movements are in dire conditions, having fled their places of origin following physical attacks or in anticipation of an imminent attack. Access to water, food and sanitation facilities has been either non-existent or limited. Some individuals have suffered physical attacks, including sexual violence, and require immediate medical attention. Others have lost family members and/or have witnessed atrocities before or during flight. As such, to the extent possible, basic humanitarian and medical assistance will need to reach these individuals prior departures as well as during the movements and on arrival.
- **Responsive to persons with special needs:** Persons on the move will include those with special needs, including survivors of violence, unaccompanied and separated children, women, persons with disabilities and elderly. Humanitarian actors organizing and monitoring movements will need to have the expertise to identify these persons with special needs, as well as to ensure measures are in place at the time of departure, during the journey and on arrival to prevent their exposure to sexual or gender based violence or mistreatment.
- **Aligned with intended destinations to secure areas:** Selection of the final destination for the facilitated onward movements will, to the extent possible, be aligned with the intended destinations of the individuals concerned as well as the current location of immediate family members and members of the community who may have already fled and reached safety.

Humanitarian assistance, including medical care, will need to be pre-positioned in these locations. Humanitarian actors will need to determine shelter needs in advance, i.e. host families, established IDP sites, transit centers. Intended destinations will likewise need to be secure and at a safe distance from hostile or besieged areas with sufficient presence of international military forces.

- **Information gathering and registration:** Onward facilitated movements need to be well informed and based on the needs and profile of the persons concerns. As such, interviews and protection monitoring will be used to gather as much information on age, gender, religion, ethnicity, places of origin, reasons for flight (including approximate timing), family composition and unity, intended final destination. Basic registration will be undertaken and whether to issue documents will be decided based on the needs/expectations of the persons being assisted.

RISKS and MITIGATION MEASURES

In situations of armed conflict and civil unrest, uprooted communities face a particular risk of sexual and gender based violence, exploitation, trafficking and smuggling. In facilitating onward movements, humanitarian actors will need to design measures that can mitigate these risks, as well as the risk of infiltration and attack by armed elements, individuals seeking to undermine the movements or criminals seeking to profit from the movements.

As already noted, the presence of humanitarian actors, especially those with expertise in SGBV prevention and response as well as child protection, is essential before, during and after the movements. “Protection by presence” can serve to deter persons seeking to cause harm while also allowing for closer monitoring and immediate intervention. At the same time, protection interviews with persons considered to be in need of facilitated onward movements will help to determine whether onward movements are indeed voluntary as well as to detect protection concerns and needs. Equally important, through dialogue, humanitarian actors can raise awareness on risks associated with trafficking and smuggling, as well as SGBV, and to advise communities and individuals on self-protection mechanisms.

Preserving family unity, to the extent possible, will likewise be a key mitigating measure. In cases where families are already split, family tracing will need to be immediately undertaken.

Movements will need to be organized in such a way as to prevent exposure to the risk of SGBV, including the type of vehicles used and provisioned. It will likewise be necessary to ensure an age, gender and diversity approach with food and NFI distribution, access to sanitation facilities and shelter.

While security of the movements will be the responsibility of the international military forces, negotiations with hostile and besieged areas prior to organizing movements will be necessary. Outreach with concerned communities will be essential.

PROCEDURES

1. Seek agreement for facilitated onward movements with the transitional government as well as with the Humanitarian Country Team, Senior Humanitarian Coordinator and SRSG.
2. Ensure inter cluster coordination led by the HC to develop a division of labour as per these SOPs, design the modalities for the movements, draw up an action plan and ensure civil-military liaison through the UN’s civil military coordination mechanism.

3. Pre-position civilian vehicles (non-UN assets), sufficiently provisioned and equipped to transport persons with special needs as well as persons with serious injuries or medical conditions. These civilian vehicles will also need to be visible distinguishable from military vehicles.
4. Pre-position humanitarian (including food, water and non-food items) and medical assistance for pre-departure distribution as well as during the movement (giving consideration to materials and provisions that can minimize exposure during a long overland journey).
5. Identify humanitarian actors to be involved in the movements and ensure sufficient training and preparation.
6. Identify and train drivers/staff to facilitate the movements of persons, giving consideration to the need for impartiality, medical expertise (first aid) as well as expertise in protection (e.g. child protection and victims of SGBV).
7. Map areas where individuals and groups face an immediate physical protection risk, indicating the scale of the risk and potential for other measures (e.g. mediation and inter-positioning of international military forces).
8. For areas with the highest risk, obtain basic information on the individuals and groups requiring facilitated onward movement, including:
 - Number of persons requiring assistance broken down by gender, age, ethnicity, religious affiliation and civil status;
 - Whether individuals are accompanied by or have been separated from immediate family members;
 - Place of origin of individuals as well as duration of and reasons for displacement;
 - Physical condition of persons requiring assistance and whether urgent humanitarian and/or health assistance is required;
 - Whether persons requiring assistance are traveling with personal effects or livestock.
 - Basic civilian profile of the individuals.
9. To the extent possible, seek to involve communities affected by the exercise, including those identified for the actual movements, to reach agreement and understanding on the modalities of the movements, final destinations, needs required throughout the journey, modalities of communication and information sharing.
10. Using the collected data and inputs from the communities, determine final destination for the movements and pre-position humanitarian assistance, including shelter, NFIs, food, water and medical care while also ensuring sufficient presence of international forces, a safe distance for hostile or besieged areas.

11. Determine the number of civilian vehicles and escorts required for the movement, including specialized arrangements for persons with disabilities, elderly, pregnant women, children

12. Prepare written and verbal communication for individuals identified as being in need of facilitated onward movement that explains modalities of the movements, risks associated with the movements, conditions in place during the movement and the intended destination, including the services available in the final destination.

13. Prepare written and verbal communication for communities where the individuals will depart from as well as their future host communities and their places of origin, outlining the reasons for the movements as well as the overarching intentions for reconciliation and return. The humanitarian and civilian character of the movements also needs to be explained clearly.

14. Undertake reconciliation and mediation in areas of origin to lay the groundwork for eventual return.

UNHCR Division for International Protection

Protection Operational Support

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References:

IASC Civil-Military Relationship in Complex Emergencies, 28 June 2004,

IASC Non-Binding Guidelines on the Use of Armed Escorts for Humanitarian Convoys, 27 February 2013