



CONSIDERATIONS FOR PLANNING MASS EVACUATIONS OF CIVILIANS IN CONFLICT SETTINGS

GUIDANCE DOCUMENT



NORWEGIAN
REFUGEE COUNCIL

DISCLAIMER

The contents of this document are intended to provide considerations for NRC staff that are faced with an impending or on-going evacuation. It does not aim to establish an interagency standard.

In recognising that every context is different, this document in no way attempts to provide definitive guidance, but rather seeks to offer suggestions and considerations. NRC cannot make any guarantee that the content offered here will lead to an improved outcome, but hopes that it can aid NRC staff to think through some of the most critical and pressing issues.

ABBREVIATIONS

CMCoord:	Civil Military Coordination
GBV:	Gender-Based Violence
HC:	Humanitarian Coordinator
HCT:	Humanitarian Country Team
IASC:	Inter-Agency Standing Committee
ICLA:	Information, Counselling and Legal Assistance
ICRC:	International Committee of the Red Cross
IHL:	International Humanitarian Law
NFI:	Non-Food Items
RoEs:	Rules of Engagement
RRM:	Rapid Response Mechanism
SOP:	Standard Operating Procedures
UNHCR:	United Nations High Commissioner for Refugees

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Note: This is a field-testing version, and additional feedback on this document is welcome. Please send any comments to nrcgeneva.policy@nrc.no

Cover

Front: *Displaced people from Bor, South Sudan, arriving at Minkamman refugee site by boat. NRC/Christian Jepsen, 2014.*

Back: *Debaga Camp in Iraq hosts over 6'000 families who have fled their homes in Mosul, surrounding cities and elsewhere. Elias Abu Ata/NRC, 2016.*

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INTRODUCTION

Evacuations are one of the most delicate operations in a crisis environment. While an evacuation can provide an immediate, lifesaving intervention in the face of an imminent threat, evacuations also carry substantial risks and the dilemmas they evoke can be significant. If humanitarians are faced with implementing an evacuation it means all other options have failed. Siege environments (where evacuations are most likely to be needed) are one of the most difficult operating contexts for humanitarian agencies and the process of evacuating can pose dangers for the affected population and humanitarians alike.

Despite the relative frequency with which evacuations have occurred over the past two decades, humanitarians are still too often ill prepared, underequipped and inadequately supported, as they undertake the daunting task of evacuating civilians from an endangered area. Humanitarian actors in almost any evacuation will encounter dilemmas and operational challenges that they are insufficiently prepared to manage.

The purpose of this guide is to help provide a starting point. The chapters that follow are not designed to be binding or definitive, but rather are meant to offer considerations that can help Norwegian Refugee Council (NRC) staff make decisions, ensure adequate planning and minimise the risks to the affected population.

1.1 TARGET AUDIENCE

This guide is designed for NRC staff. The content is based on existing NRC principles, policies and guidelines. While there has been external consultation in the drafting, this document does not aim to establish an interagency standard. NRC does, however, believe that the contents of this guide may be relevant to a broad range of humanitarian organisations, and so despite the NRC orientation, it may nevertheless be a useful resource for others.

Within NRC, this guidance may be helpful for both field and head office staff. The document has been developed primarily for Country Offices that need practical guidance, rather than extensive theory or legal backgrounds, and so focuses first and foremost on operational considerations. Where relevant, though, footnotes with the applicable legal frameworks¹ are provided that may be useful for advocacy.

Certain aspects of this guide go beyond typical areas of NRC operational engagement. Recognising that NRC may be involved in strategic decision making about an evacuation, through their role in the Protection Cluster, Humanitarian Country Team, or other interagency forum, these broader elements have been included to support Country Directors, Protection and Advocacy Advisors and other staff who may represent NRC in these discussions.

¹ Where footnotes make reference to International Humanitarian Law (IHL), both the relevant article in the Geneva Conventions and Additional Protocols, as well as the applicable rule in Customary International Humanitarian Law are included. Aside from Additional Protocol II and Common Article 3, the Geneva Conventions and Protocols apply only to state parties, whereas Customary International Humanitarian Law applies to all parties to a conflict.

1.2 WHAT THIS GUIDE COVERS (AND WHAT IT DOES NOT)

As a starting point it is important to clarify what we mean by “evacuations.” The term has been used to describe a wide range of humanitarian interventions, from individual medical evacuations, to evacuations of humanitarian staff, to evacuations of communities in advance of a natural disaster. This review focuses on one particular type of evacuation, namely:

A mass relocation of civilians who are under significant threat in a conflict setting, to secondary locations where they can be more effectively protected

Depending on the context, evacuations may be called relocations, transfers or facilitated onward movement. Regardless of the label applied, the content of this guide can hopefully offer considerations that can be useful in planning and implementing the movement. While these same terms are also sometimes used to describe forcible transfers or relocations for military purposes, this document relates only to those evacuations that are carried out for humanitarian reasons, by humanitarian actors, and with the consent of the affected persons.

1.2.1 THE ROLE OF HUMANITARIANS IN MASS EVACUATIONS

In every situation, the primary responsibility for the protection of civilians lies with the state. This is equally true in times of conflict as in times of peace and in areas where a non-state actor is the controlling authority they too are bound to uphold minimum protection standards.² But in situations where a state or authority is unable or unwilling to protect civilians, the humanitarian imperative compels humanitarian organisations to provide impartial, neutral and independent assistance wherever it is needed.

In some extreme situations, humanitarians may determine that in order to provide assistance and protection to the civilian population, it is necessary to relocate them to an area of greater safety. Some organisations, most notably the International Committee of the Red Cross, have a specific mandate for evacuating civilians, however in recent years, a broader range of humanitarian organisations have been involved in these types of responses.

At a general level, humanitarians are typically engaged in four stages of an evacuation:

- Assisting the besieged population before an evacuation and negotiating the terms of their relocation
- Ensuring the safety, dignity and well-being of evacuees during the evacuation itself, through the provision of assistance and protection by presence
- Providing follow up support and care at the destination location, including facilitating returns where possible
- Supporting protection and assistance for those persons who stayed behind

During these four stages, humanitarians will need to liaise closely with other organisations that have roles and areas of expertise beyond that of humanitarians. Most notably, this includes human rights organisations and/or monitors, peacekeeping forces and directly with the parties to the conflict. These engagements will be discussed in greater detail in Chapter 3, but in all cases, it is of paramount importance that humanitarians adhere strictly to humanitarian principles.

1.2.2 CONTENTS AND STRUCTURE OF THE GUIDE

As highlighted above, this document is a point of reference and not a binding policy for how evacuations should be planned or implemented, much

2 Common Article 3 of the 1949 Geneva Conventions.

less how dilemmas should be managed. Each context must be analysed independently and the response tailored to fit the particular environment. What we do hope is that NRC staff will use this guide to help expand their thinking as they formulate an approach to engaging in an evacuation.

The main body of this guide is broken into five Chapters:

- Deciding to evacuate
- Operational considerations
- Common dilemmas
- Suggested SOPs
- Additional resources

Chapter 2 proposes a two-step approach to deciding whether an evacuation should be pursued: first, assessing whether the proposed key criteria have been met³ and second, carrying out a risk analysis to determine whether the benefits of the evacuation outweigh the potential risks to the affected persons. The chapter closes by offering considerations to help NRC to decide whether to engage and how to do so most responsibly.

Chapter 3 focuses on operational considerations for planning evacuations. The content of this chapter can be useful in developing Standard Operating Procedures (SOPs) at the country level and can offer further background information for the suggested SOPs included in Chapter 5.

Chapter 4 examines some of the common dilemmas that can occur in evacuations. While this guide cannot offer definitive advice on how to manage the dilemmas, it tries to offer questions and areas for exploration.

Chapter 5 provides suggested SOPs that can be adapted for use at the country level.

Chapter 6 provides links to additional resources that humanitarians can consult for further information and guidance.

The best chance for an effective evacuation is to start planning early. Waiting to begin preparations until the days immediately before the relocation is a guaranteed way to run into problems. As such, we encourage all NRC Country Directors, Programme Directors, Emergency Response Team members and Protection and Advocacy Advisors, to familiarise themselves with these guidelines so that if they see signs that an evacuation may be needed, they can begin work on planning.

The chapters have been designed to stand independently and where relevant there are links to other sections of the document to allow for quick cross-referencing.

1.2.3 LIMITATIONS

The list of issues not covered in this guide is extensive. In developing this document, efforts were made to keep the scope as narrow as possible to allow for a detailed examination of one particular set of issues: mass evacuations of civilians in conflict settings. All other types of evacuations (namely, spontaneous movements or self-evacuations, facilitated evacuations of individuals, staff, diplomatic personnel, family reunifications, or evacuations in non-conflict settings) are not addressed.

This guide does not address the many related humanitarian interventions, which can be a precursor to, or occur in conjunction with, evacuations, such as humanitarian pauses, humanitarian corridors, buffer zones or safe areas. Each of these issues is of critical importance, however they are too big to cover in one practical guide. For more information on these areas, we encourage NRC staff to consult InterAction's on-going research on Safe Areas.

³ Desire of the affected persons to evacuate; imminent threat and/or sustained blockage from accessing critical services; and an exhaustion of all other options for resolving the situation. See Chapter 2 for more details.

Evacuations can employ a number of different modes of transport, but given that by far the most common means is through the use of a convoy of land vehicles, this text focuses on that approach and does not address considerations that are particular to other methods of transportation.

Methodologically, this document also has limitations. The main lessons learned for this document have been drawn from evacuations that took place at a minimum of six months prior to writing, and in some cases, over two decades previously. As such, recollections will have suffered from adaptation over time. Although the research attempted to include inputs from as many relevant experts as possible, it was developed over a relatively short period of time and therefore did not benefit from a thorough scientific research process and only included a limited number of interviews. The Guide is not intended to be a legal document and does not delve into all of the relevant aspects of international and regional legal frameworks.

DECIDING TO EVACUATE

This section covers three key areas: general conditions in which an evacuation should be considered, assessing risks and suggestions for deciding whether NRC should engage.

2.1 WHEN TO CONSIDER AN EVACUATION: KEY CRITERIA

Evacuations should always be used as a last resort, to be pursued only in exceptional circumstances when all other options have been exhausted. This section is designed to help you identify when you may need to consider an evacuation. **It is the first of two equally important parts in deciding when to evacuate, the second half being the risk analysis** (see Section 2.2).

There are four critical questions when considering an evacuation:

1. Do the affected persons want to evacuate and do they have enough information to make an informed choice?
2. Is there an imminent threat of violence to the affected persons?
3. Has there been a long-term suspension of access to lifesaving services and protection?
4. Have all other potential alternatives for improving protection and/or access to lifesaving assistance been exhausted?

Where NRC sits on the Protection Cluster, it may want to encourage a discussion of the four issues above if they have not already been raised by the Cluster Coordinators. The following paragraphs offer a more detailed discussion of these four questions.

Question 1: Does the population want to evacuate and do they have enough information to make an informed choice?

To the greatest extent possible, the will of affected persons should always be respected. Humanitarians should ensure that the affected persons have enough information to enable them to make an informed choice about their futures, which should include, at a minimum:

- Information about the process of evacuating and risks and support *en route*
- Perceptions of the parties to the conflict about the evacuation
- Information about the destination, including risks, conditions and services available
- Risks to people, property and goods left behind
- Protection and assistance people can expect if they stay behind
- Possibilities to periodically return home to check on property and persons left behind
- The likelihood of future evacuations, and

- The potential for assisted returns after an evacuation, including whether there are official policies on return.

Communities are rarely a homogenous group and individuals will often have different preferences about whether to stay or go. It is important to keep in mind that not all evacuations must evacuate the entire population – some people may prefer to stay behind, while others want to evacuate as soon as possible. Humanitarians should also be aware of the potential for members of the community to try to influence others or pressure them into taking a decision. To avoid this, it can be useful try to meet with people separately and ensure public information sharing so as to avoid rumours and misunderstandings that could impact on decision-making.

Where access to the affected persons is limited, it may only be possible to fully assess the views of the community on the day of the evacuation. This situation can be very challenging and humanitarians should consider there are ways to learn the view of the people beforehand (for example, through the use of mobile phones). In the absence of that, humanitarians will have to use the information available to them to make a best estimate of whether the population wants to evacuate and then verify this on the day of departure.

A request from the affected persons to evacuate should always be carefully evaluated and humanitarians should give this significant weight in their decision-making. It is not, however, a given that if a community wants to evacuate, humanitarians can (or should) support this. There are a number of risks that need to be assessed before deciding to go through with an evacuation.⁴ If humanitarians decide not to proceed, the rationale should be communicated as much as possible to the affected persons so that there can be a two-way discussion about alternatives.

Another possibility, although somewhat rarer, is that the affected population does not want to

evacuate even when the humanitarian community feels an evacuation is needed. In these cases, it is important to clearly articulate to the affected persons why humanitarians are suggesting an evacuation (and particularly to explain the protective limitations of humanitarians, peacekeepers, and/or other perceived sources of protection) to ensure that they have enough information to make an informed decision. If after receiving all the information, the affected persons still do not want to evacuate, humanitarians should respect this decision and support them with alternative protection methods where possible.

The most likely body to facilitate the discussions with the community would be the Protection Cluster, but depending on NRC's role in the evacuation, its participation in the Cluster, and its relationships with the local community, NRC may be able to support the discussion process. It will also be important for the Cluster to engage with the humanitarian leadership early on in the process to ensure coordination and buy in.

Question 2: Is there an imminent threat of violence?

An immediate threat of attack is the most common reason for an evacuation. This can be either a deliberate and targeted attack on the civilian population, or a situation where a besieged population is trapped in an area where they are caught in the crossfire. While a risk assessment is still crucial, humanitarians should be prepared to move ahead quickly if the risk analysis deems it necessary to proceed with the evacuation.

Question 3: Has there been a long-term suspension of access to lifesaving services and protection?

Over the past two decades, humanitarians have repeatedly witnessed parties to conflict lay siege to civilian areas – effectively preventing populations from accessing essential services and meaningful protection. The parties may delib-

⁴ See Section 2.2 for more on this.

Do the affected persons want to evacuate, and do they have enough information to make an informed decision?

NO ▶

Does the population understand the limitations of the protective abilities of humanitarian and/or peacekeepers?

NO ▶

Clearly explain protective limitations and see if community still wishes to remain

YES



YES



Support community with alternative protection methods

Is there an imminent threat of attack?

NO ▶

Has there been a long term suspension of access to lifesaving services and protection?

NO ▶

Assess other reasons for wanting to evacuate and pursue alternatives

YES



YES



Have all other options for improving protection and access to lifesaving services been exhausted?

YES



Do risk analysis, and depending on outcome, proceed with planning

NOTE

Evacuations are not a permanent solution. While an evacuation can provide immediate, lifesaving assistance, it should not be conflated with an actual resolution to a crisis. Evacuations should be one part of a broader protection strategy, and even once an evacuation has been completed, further work is needed to find a sustainable solution that will enable all persons to live in safety and dignity and exercise their rights.

erately put in place blockades and cut off access to lifesaving items like food and water or they may confine the affected persons to a small area where they are vulnerable to attack. While there is generally more time for negotiations in this situation than in cases of imminent threats, there may reach a point in which negotiations and alternative measures fail and an evacuation should be considered.

If sustained lack of access to essential services in a besieged area is the primary reason for an evacuation, the risk/benefit analysis may need to be considered especially carefully. In particular, it is important to assess which services are being denied, how long they have been suspended and how they factor against the risks associated with the evacuation. If, for example, food and water are being withheld, the risk tolerance may be much lower on day one than on day 40, when stocks of food and water are likely to be exhausted.

Question 4: Have all other potential alternatives been exhausted?

Regardless of whether the motivation for an evacuation is an imminent threat of attack or blocked access to lifesaving services, given the high degree of risks in evacuations, it is important to pursue all other options first. Prior to moving forward with an evacuation, humanitarians should consult with the affected persons and analyse the conflict dynamics to determine whether there

are possible alternatives that should be explored. These could include:

- Negotiations with the parties to the conflict at the political or local level to allow for an opening of humanitarian space and a decreased threat to the besieged population
- Promoting community-to-community reconciliation and conflict resolution to broaden the support network and decrease the potential for attacks or impunity
- Possibilities for increasing the services and humanitarian assistance available to the besieged population. If international humanitarian representatives do not have direct access, this could be pursued through local civil society groups, Red Cross or Red Crescent societies or local religious organisations
- Placing human rights observers, international monitors or humanitarian staff within the besieged area to provide a degree of protection by presence (if it is deemed that such a presence would have a protective value)
- Agreements with the parties to the conflict on the establishment of humanitarian corridors that allow for regular delivery of goods and extractions of the most critical cases
- Potential for regular humanitarian pauses, freezes, or days of tranquillity in which wounded civilians can be transferred for medical care and when the population can move around to access services

Not all of the points listed above are within NRC's mandate (or even necessarily the mandate of other humanitarian organisations), however NRC and other humanitarians can alert political leaders, peacebuilding representatives and states about the need for their engagement. It is important that in deciding whether to consider an evacuation, a broad range of representatives be involved in the discussion about whether there are alternatives that can or should be pursued first. Unless there is general agreement that the evacuation is the only



Maryam lives with her husband and children in the IDP Bakasi camp, Nigeria. NRC/Ingrid Prestetun, 2016.

option remaining, the relocation may not receive the buy in and support necessary to enable it to be effective.

Today, evacuations are often considered only at a very late stage of a crisis, when conditions have become so desperate that there is little time for planning and little room to seek alternative solutions. **While evacuations should always be a measure of last resort, considerations and planning should not wait until the last minute.** It is important for NRC staff and other humanitarians to be aware of warning signs that could suggest that an evacuation may be needed in the future, or that delaying an evacuation could lead to greater risks. These indicators could include increased threats to a besieged population or a worsening relationship with a local party to the

conflict that might make them less likely to allow a future evacuation. Early identification of the potential need for an evacuation provides additional time for humanitarians to plan support, negotiate access and pursue alternative options.

2.2 ASSESSING RISKS

Once it is established that an evacuation is the preferred response to a particular crisis, the next step is to conduct a thorough risk analysis. Like the initial assessment, the Protection Cluster or comparable structure often completes the risk analysis, however there are a broad range of stakeholders who need to be included in order for the analysis to be effective. Most important, is the participation of the affected

persons themselves, who will have invaluable insights into risks, mitigation strategies and at what point the risks are too high to proceed. It is likewise important to involve the humanitarian leadership and the Inter-Cluster Coordination Mechanism to ensure a shared understanding and agreed approach.

The follow section outlines a two-phase approach to risk analysis: mapping risks and using a risk analysis matrix as a tool. The section on the matrix is further broken down into identifying the likelihood and impact of each risk, doing a risk/benefit analysis, identifying mitigation measures and deciding how to proceed.

2.2.1 MAPPING RISKS

Because no two contexts are the same, it is difficult to develop a generic list of all the risks associated with evacuations. Rather, as a first step in the risk analysis, it is important to conduct a mapping of the risks that could be present in your particular context. Humanitarians should convene a discussion with the affected persons and use their inputs to feed into a brainstorming with other humanitarian organisations. As a starting point, NRC may want to consider the following potential risks and highlight them to other partners:

Potential Risks:

- Evacuations can inadvertently facilitate ethnic cleansing or contribute to a minority group losing access or rights in an area
- Parties to the conflict may try to deliberately provoke an evacuation as a political or military tactic
- The parties to the conflict can use evacuations as a bargaining chip (i.e.: you can evacuate the civilians, if in return...)
- Evacuations can provide an excuse for people to avoid seeking a more sustainable solution to the crisis

- An evacuation can raise expectations for evacuations elsewhere or at a later stage
- If not everyone evacuates, those left behind can be made more vulnerable
- If parties to the conflict are opposed to the evacuation, they could retaliate against civilians, humanitarians, or assets in other parts of the country
- Convening people for an evacuation can make them more visible and expose them to new risks of targeting
- Convoys are easy targets and even if consent of the parties to the conflict is obtained, there is no guarantee of safety *en route*
- Even when evacuees have land and property documents, homes may be destroyed or occupied, assets taken and livelihoods compromised, making it difficult for evacuees to achieve an eventual return

Section 4 on Common Dilemmas presents additional risks and provides more information on how they can be managed.

During this mapping, it can also be helpful to outline the risks that may occur if an evacuation is not initiated. While the risks in an evacuation may be significant, at times the risk of not evacuating can be even more severe. These risks will be entirely dependent on the context, and as such are difficult to list here, however in many cases the worst-case scenario might be the widespread loss of life due to either an attack, lack of access to essential lifesaving items such as food and water, or the detention of a portion of the population. This will be discussed in greater detail below.

2.2.2 USING A RISK ANALYSIS MATRIX

Once a list of potential risks is developed, it is important to do a thorough risk analysis. There are a number of ways to do this, but the most important factor is to involve the right people. Critically, this

Table 1

Risk that the evacuation will raise expectations for further evacuations elsewhere	Likelihood	Impact on affected persons					
			Negligible	Minor	Moderate	Severe	Critical
		Very likely					
		Likely					
		Mod. likely					
		Unlikely					
V. unlikely							
Risk/benefit analysis:							
Mitigation strategies:							
Agreed approach:							

includes the affected persons, protection bodies and the humanitarian leadership. To help frame the discussion, it can be useful to employ a matrix. See Table 1.

understandings of what constitutes a moderate or severe impact for example, so it is important to engage a wide group in assigning the classifications for these criteria.

Looking first at the top section, it is useful to begin by plotting the likelihood and potential impact of the risk to determine its severity. Given that this can be quite a subjective process, it can be helpful to clearly define each of the levels of likelihood and impact. One option for quantifying likelihood is to use the method outlined in NRC’s Security Risk Management Guide, see Table 2.

Once these categories have been agreed upon, it can then be helpful to identify what actions are necessary alongside each risk and what thresholds exist. For example, the group undertaking the exercise may decide that in the presence of a very low risk, little mitigation activity is needed, whereas with the most severe risks, they may decide that even with mitigation activities, they are not willing to tolerate the risk. Establishing these baseline agreements will help in the next stages of the risk analysis process. Consider the Table 3 as an example.

Quantifying impact is more difficult and should be done in a case-by-case basis. Humanitarians and community members may have markedly different

Table 2

Likelihood Descriptor		
Descriptor	Event Probability	Guideline Using a % Scale
Very likely	Expected to occur	Over 90 % chance (more than 9 in 10)
Likely	High	Between 60 – 90 % chance
Moderately likely	Reasonable	Between 30 – 60 % chance
Unlikely	Improbable/doubtful	Between 10 – 30 % chance
Very Unlikely	Unrealistic	Less than 10 % chance (less than 1 in 10)

Table 3

Very Low Risk	Acceptable risk, proceed with planning but continue to monitor situation for changes
Low Risk	Risks likely manageable, plan basic mitigation measures
Medium Risk	Assess means to reduce likelihood or impact, implement mitigation measures
High Risk	Avoid if possible, implement robust mitigation measures
Very High Risk	Avoid at all costs, implement significant mitigation measures and only proceed if risk/benefit analysis overwhelmingly requires immediate action

In most contexts there will be many different risks, so it is important to assess the likelihood and impacts of **all** the risks identified during the initial mapping in order to gain a consolidated picture of the level of risk. If even one “very high” risk is identified, humanitarians may need to reconsider proceeding with the evacuation.

The risk/benefit analysis

While there are risks involved in every evacuation, there are also risks of **not** proceeding with an evacuation when a population is at threat and under siege. As time goes by, the risk of massacres of people in an enclave may grow, or the impacts of lack of access to food and water may become increasingly damaging.

For an effective risk/benefit analysis, it is necessary to have a comprehensive understanding of the current risks and threats to the besieged population. The same model used above to analyse impact and likelihood of threats during an evacuation can be used to assess threats in an enclave. These threats may be more easily identifiable, but it can nevertheless be beneficial to do a full analysis to develop a more detailed picture of the severity and imminence of the threat.

The key to finding the risk/benefit balance is to identify the point at which the risks of **not** evacuating begin to exceed the risks associated **with** evacuating. For a very high-risk evacuation, it may be difficult to justify the risks until there are clear signs that a threat is imminent, or indications that the window to evacuate is closing. Conversely, if it is a low risk evacuation, it may be possible to

evacuate people while the threat is still more distant, as a preventive measure. In thinking through these issues, consider the following questions:

What are the anticipated benefits of doing **this** evacuation, at **this** time and with **this** population? What risks do they face in their current situation, and how do these compare against the risks associated with evacuating?

One additional factor to consider in making this assessment is whether the ability to evacuate civilians is likely to improve or worsen over time. Are there negotiations underway that could facilitate easier movement? Or are the parties becoming more hostile and threatening to block roads? If humanitarians know that at some point an evacuation is likely to be necessary, but suspect that access will worsen, it may be worth tolerating a higher level of risk now to avoid greater risks in the future.

Mitigation strategies

For each of the risks identified, the Protection Cluster or group undertaking the analysis should consider what strategies could be put in place to minimise the likelihood and/or impact of the threat. Because the affected persons may have dealt with many of these risks before, they will likely have invaluable insights as to what will work best (or what should be avoided). The humanitarian leadership should similarly be closely involved in this process, as their buy in to the strategies will be critical and they will likely need to support the process with either resources or politically.

In recognising that the severity of different risks may change, it can be worthwhile to develop mitigation plans even when the risk is still low. Doing this means that if and when the severity increases, the preliminary work in identifying a strategy has already been done. During the planning process, the participants should agree on the threshold at which the various mitigation plans will be implemented.

Deciding on a way forward

Once the severity has been assessed, the risk/benefit balance analysed and mitigation strategies developed, the final step in the risk analysis is to decide on a way forward.

As with each of these steps, the involvement of members of the affected community, the Protection Cluster and the humanitarian leadership is crucial. In both cases, their engagement will ensure that the rationale for each decision is understood and agreed upon and there is buy in for the approach. This will also offer a degree of protection to the organisations directly implementing the evacuation. If NRC is involved, it should insist on an inclusive process throughout all stages of planning the evacuation.

In determining the way forward, the group may set various conditions that must be in place prior to proceeding. Detailing these conditions provides greater accountability for all parties that decisions are taken in a systematic and agreed upon manner and will help in doing the after action review to assess whether organisations followed the pre-defined standards.

In siege environments or contexts where evacuations are likely to be necessary, the risks analysis should be updated regularly to reflect situational changes. If the interagency group is not doing this, NRC may want to develop its own risk analysis so that it is prepared if and when the issue does arise.

2.3 DECIDING WHETHER NRC SHOULD ENGAGE

Separate from NRC's engagement in the Protection Cluster and discussions about the evacuation at a strategic level, NRC will need to decide whether to become operationally involved in implementing the evacuation. Given the high level of sensitivities in this, it is not a decision to be taken lightly. Below are a few **suggested minimum standards for engaging in an evacuation**:

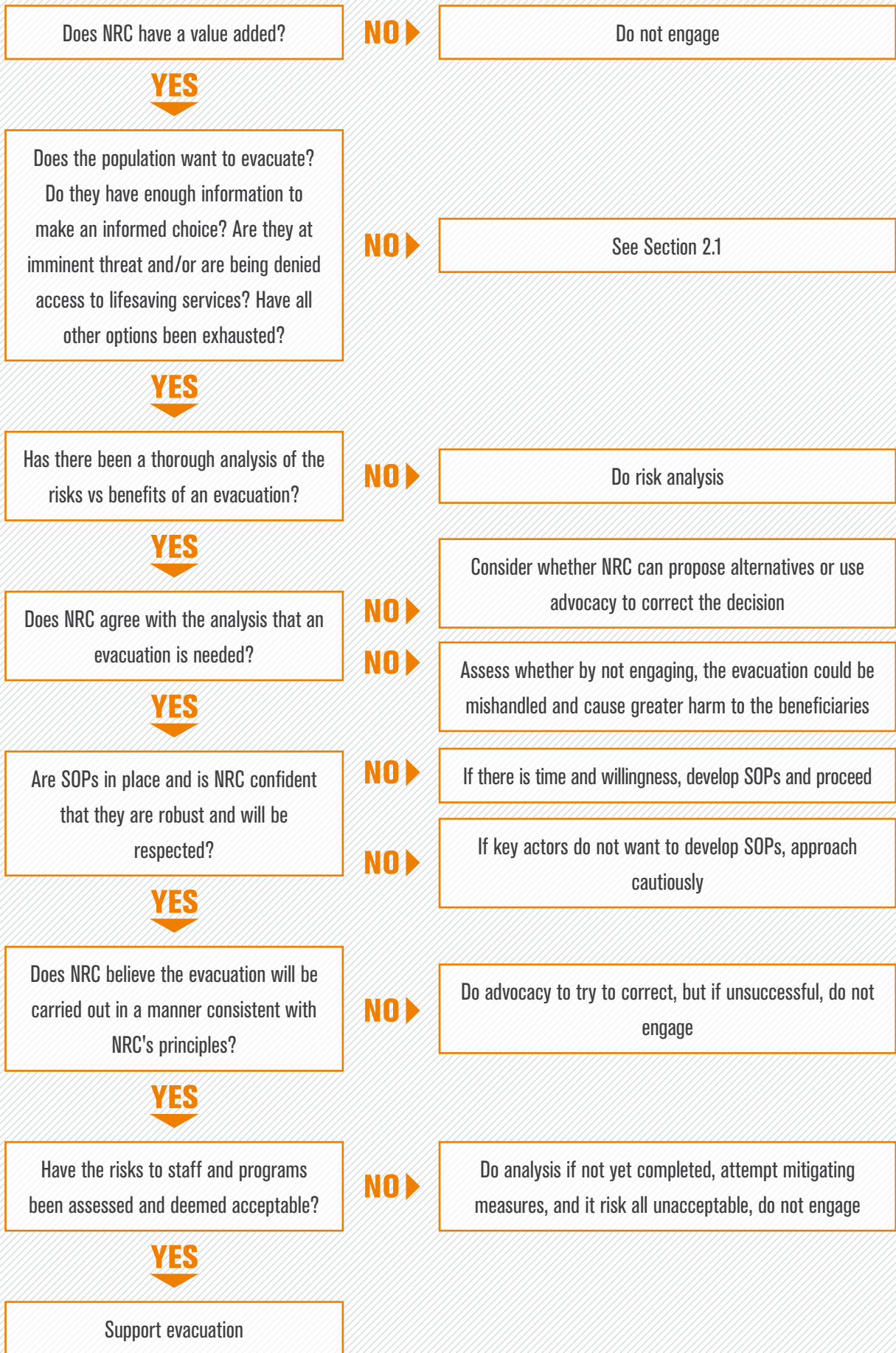
1. NRC has a clear added value.
2. The population wants to evacuate and has enough information to make an informed choice; there is an imminent threat and/or blocked access to lifesaving services; all other options have been exhausted.
3. Risks to the affected persons have been assessed and NRC agrees that the immediate imperative to save lives outweighs the potential risks to the beneficiaries.⁵
4. SOPs (or equivalent) have been developed and NRC feels they are robust and will be respected.⁶
5. NRC is confident that the evacuation will be conducted in a manner that is consistent with NRC's core values and principles.⁷
6. The risk to staff and programming has been assessed and the imperative to evacuate is believed to outweigh potential risks. This has been discussed with staff and senior management respectively and they agree.

It may be helpful for NRC to discuss the evacuation with other partners to get their views. If other organisations have decided not to engage, understanding the rationale can be important in making sure that NRC has considered all relevant issues. This is particularly true if an organisation like ICRC has made a decision not to be involved.

5 See Section 2.2.

6 See Chapters 3 and 5.

7 See in particular, NRC Programme Policy, Protection Policy, CivMil Policy, Policy Paper and Code of Conduct.



Does NRC have a value added?

NO ▶

Do not engage

YES

Does the population want to evacuate?
Do they have enough information to make an informed choice? Are they at imminent threat and/or are being denied access to lifesaving services? Have all other options been exhausted?

NO ▶

See Section 2.1

YES

Has there been a thorough analysis of the risks vs benefits of an evacuation?

NO ▶

Do risk analysis

YES

Does NRC agree with the analysis that an evacuation is needed?

NO ▶

Consider whether NRC can propose alternatives or use advocacy to correct the decision

NO ▶

Assess whether by not engaging, the evacuation could be mishandled and cause greater harm to the beneficiaries

YES

Are SOPs in place and is NRC confident that they are robust and will be respected?

NO ▶

If there is time and willingness, develop SOPs and proceed

NO ▶

If key actors do not want to develop SOPs, approach cautiously

YES

Does NRC believe the evacuation will be carried out in a manner consistent with NRC's principles?

NO ▶

Do advocacy to try to correct, but if unsuccessful, do not engage

YES

Have the risks to staff and programs been assessed and deemed acceptable?

NO ▶

Do analysis if not yet completed, attempt mitigating measures, and if risk all unacceptable, do not engage

YES

Support evacuation

OPERATIONAL CONSIDERATIONS: PLANNING AN EVACUATION

Once there is a decision to evacuate a population the next step is to ensure that robust Standard Operating Procedures (SOPs) are in place. Given that evacuations can at times occur with little warning, it is important to plan SOPs as far in advance as possible so that they can be quickly implemented in the event of an evacuation.

This section can be used to assist in the development of SOPs for the evacuation or can offer additional considerations where SOPs already exist. While even the best preparation cannot mitigate every issue, careful consideration of needs and risks can prevent avoidable mistakes.

3.1 ENDORSEMENT FROM THE HC AND HCT

Once a risk assessment has been completed and it is determined that an evacuation is needed, the analysis and recommendation should generally be presented to the Inter-Cluster Coordination Group, and then shared with the Humanitarian Country Team (HCT) and Humanitarian Coordinator (HC) for endorsement. While at the time of writing there is no set policy about the need for HC/HCT endorsement, it is crucial to gain their support and buy in. An evacuation will likely need engagement from many Clusters and may have political implications that require high level liaising, so broad support and endorsement for the process will be critical.

Humanitarians should also seek input and consent from local authorities and parties to the conflict.

Given the sensitivities around this, it is discussed in greater detail in Section 3.6.

Once a final decision to evacuate is reached, this should be communicated to the broader affected community. This communication should also outline how affected persons have been engaged in the process thus far.

While it is hoped that by clearly explaining the rationale for the evacuation it will be possible to gain endorsement from the humanitarian leadership, they may be reluctant – particularly if there is no consent from the government or parties to the conflict, or if there are significant risks to the beneficiaries or to humanitarian operating space. In these situations, on-going dialogue is necessary and NRC staff should inform Senior Management of the discussions. The NRC Oslo, Regional and Representation offices may also be able to

TIP

Start planning early – well before an evacuation is deemed necessary. To avoid last minute panic or a situation in which there is seemingly no time to develop SOPs, start planning as soon as enclaves or besieged areas begin to form. The process of developing the SOPs will help establish agreement on when evacuations will be considered and how they will be implemented, if they do take place.



Fallujah camp preparation for distribution to new arrivals. NRC/Karl Schembri 2016

offer assistance, particularly in regards to advocacy with UN organisations. Other organisations should similarly be encouraged to contact their head offices.⁸

Conversely, if there is a decision by humanitarian leadership to proceed with an evacuation and NRC disagrees with the decision, NRC Oslo, Regional and Presentation offices may also be able to assist or suggest possible approaches.

3.2 MANAGEMENT AND COORDINATION

Once endorsement is obtained from the humanitarian leadership, the typical next step is to agree upon the management and coordination structures that will oversee the evacuation. This will likely need to be discussed on a preliminary level

during the discussions about whether to proceed with an evacuation in the first place, but once the evacuation is agreed upon, the management and coordination structures will need to be formalised. The following next steps are recommended at an interagency level:

- **Agree upon lead agency** that will work with the Protection Cluster and Inter-Cluster Coordination Mechanism, relevant humanitarian agencies and the peacekeeping force (where appropriate and applicable) to lead planning and implementation of the evacuation.
- **Establish an Evacuation Working Group of all stakeholders** (lead agency, key protection bodies, logistics, the force) to develop SOPs (if not already in place) and coordinate preparations.

⁸ If NRC feels strongly that an evacuation is needed, there are two tools that may be helpful to recall in advocacy: The IASC Principals Statement on the Centrality of Protection, which reaffirms that at the core of humanitarian action is “the imperative for the United Nations to protect people, wherever they may be,” and the Human Rights Up Front process whose purpose is to “ensure the UN system takes early and effective action, as mandated by the Charter and UN resolutions, to prevent or respond to large-scale violations of human rights or international humanitarian law.”

- **Agree who will be responsible for negotiations with the government and parties to conflict** to obtain consent for the evacuation. OCHA is often the preferred actor to fill this role, but it should be assessed depending on the dynamics and relationships in the particular context.
- **Designate a chief of convoy** to manage physical movement. Where possible, plan to designate one humanitarian focal point on each truck in convoy and depending on the total number of trucks, place an additional caretaker every three to six cars. Each convoy should also have at least one child protection and gender based violence (GBV) expert.
- Where an armed escort is necessary,⁹ **identify a focal point in the peacekeeping mission or force**. This is often someone from the civil military coordination (CMCoord) section or civil affairs.

At this time, NRC should also begin thinking about its own engagement modalities (if indeed it chooses to engage). This can be in one of the above profiles, or through one of the following:

- Direct operational support at the point of origin, during the convoy, or at arrival, in the areas of NRC’s core competencies and thematic areas of expertise
- Expert deployments to partner organisations that have a more direct role in the evacuation
- Advocacy and policy engagement at the local, national, and global levels

3.3 FINANCING AND RESOURCING

Early on in the planning process, it is important that actors involved in the evacuation begin thinking about how to obtain the necessary resources. While cost may not be the first thing that comes

to mind when planning for an evacuation, without adequate assets and materials, an evacuation cannot take place. Potential resources needed include the following:

Transportation
Trucks, buses or other vehicles; extra fuel, oil, and spare parts; backup vehicles in case of breakdown
Communications equipment
Radios, satellite phones, microphones/loudspeakers
Personnel
Drivers, including at least one with mechanical expertise; humanitarian focal points for each truck; medical team(s); social workers/caretakers; human rights monitors; child protection and GBV expert(s); translators; personnel to receive convoy at point of arrival and carry out initial registration
Services en route
Food, water, shelter materials/NFIs, waste receptacles, medical supplies, context appropriate special materials (blankets in winter, dehydration salts in summer etc.) ¹⁰ ;
Services on arrival
Food, water, sanitation facilities, emergency shelter materials, support for medical centres and schools ¹¹

Ideally, most of these resources can be borrowed from different partners already operating on the ground. Where there are gaps, however, NRC and other humanitarian agencies may need to seek emergency funds from donors or bring in extra resources from regional hubs. While it is important to ensure adequate services during the relocation, NRC and the broader humanitarian community

⁹ See Section 3.1.5 below for considerations in making this decision.

¹⁰ See Section 3.8 for more detailed list.

¹¹ See Section 3.10 for phased list of needs at destination.

should also be careful not to compromise essential services to other parts of the population. Doing so can not only lead to worsening humanitarian conditions in the other areas, but it can also lead to perceptions of loss of impartiality by humanitarian organisations, as well as further increase tensions between the evacuees and the other communities. If, for example, a food warehouse is emptied to provide food for an evacuating convoy, the population that would have otherwise benefited from those supplies may feel that humanitarians are offering preferential treatment to the evacuees at the expense of their own community. There is a risk of retribution not only against the evacuees in such a scenario, but also against humanitarians.

By drawing up a list of financial and resource needs early in the planning, humanitarians can establish what materials can be sourced locally, and where they will need to seek either supplemental funding or supplies from elsewhere. If there is an urgent need to redirect goods that have been prepositioned for other purposes, humanitarians should include the replenishment of this stock in their budgeting. It is also important to carefully check the clauses in grant agreements to ensure that a reallocation of supplies would be permitted. Grants may only cover a certain country or geographic area, for example, so if the evacuation crosses an international border, you may find that this is outside the jurisdiction of the donor and is not allowed in the contract. NRC may want to flag this issue to other organisations if it is not already being discussed. Donors may be willing to make amendments or discuss creative ways to allocate the funding, but these conversations need to happen as early as possible to ensure that NRC and others are not left trying to justify a change after the fact, only to find out it is non-negotiable.

3.4 IDENTIFICATION OF DESTINATION

Identifying a suitable destination for the evacuees is critically important in ensuring the overall success of an evacuation and needs to happen as early as possible in the planning process (and may in fact feed into the decision to evacuate in

the first place). **There are three main groups that should be consulted in deciding on a destination:**

- **The evacuees.** Where do they want to go? It is important to meet with different segments of the evacuee population separately to ensure a comprehensive understanding of needs and perspectives. As a general rule, efforts should always be made to hold separate meetings with men, women, traditional leaders and any minority groups. Care should also be taken to reach out to individuals who might not be able to gather for joint meetings, such as elderly persons or those with disabilities. Given that the first preferred location might not be possible, the evacuees should generally be asked to provide their top three choices. It is important to consult the evacuees first before moving on to other groups or suggesting options to them.
- **Authorities in the potential destination site.** Local leadership and authority structures in the reception site should be consulted on whether they are willing and able to accept the evacuees, what support they would need, any concerns they may have and what resources they would be able to offer. If a camp is to be established (although this should be avoided if possible), authorities will need to be involved in identifying land. Ideally the site should be public or municipal land so as to minimise the risks of land dispute issues.
- **Local communities in the proposed location.** Even if local authorities in an area agree to receive the evacuees, it is still important to consult the local community directly. Some questions that humanitarians should be prepared to answer include the following:
 - Who are the evacuees?
 - How long are they going to stay?
 - Taking in evacuees inevitably places a strain on resources in the local community, what support will be available for the host population? If a majority of the local population (or key segments of it) are opposed to receiving the evacuees, a different location should be sought. Moving evacuees to an area where they are

not wanted creates a high risk of conflict that will further exacerbate the protection threats to the evacuee population.

Depending on NRC's presence and relationships in the different areas, as well as NRC's engagement in the evacuation, NRC may be able to facilitate some of these discussions.

There are a few additional questions humanitarians should also consider:

- Do humanitarians have any reason to be concerned about security in the new site? Are there armed elements known to operate in the area?
- Is there likely to be social cohesion between the host population and the evacuees?
- Will the evacuees be expected to integrate into host families, or will they be housed in a camp? If the former, is there adequate absorption capacity? If the latter, have a camp management organisation and resources been identified?

If humanitarians have concerns about any of the points above, they should communicate these issues to the affected populations and request their inputs on potential alternative locations. Besieged populations may not always have the most current information about conditions in other parts of the country, so while humanitarians should endeavour to respect the wishes of the affected persons as much as possible, humanitarian actors (often through the Protection Cluster) should also make their own assessments about the safety and suitability of the proposed destinations. Any decision not to proceed with a location preferred by the evacuees should be clearly discussed with them and explained.

One of the most contentious issues that can arise in an evacuation is when the preferred destination is across an international border. Given the significant legal and protection risks

associated with international relocations, every effort possible should be made to find a suitable destination that is within the affected persons' country of origin. States have legal obligations to provide for their own citizens, and as soon as an individual crosses a border, these protections can be reduced or lost. While a receiving country has the duty to not forcibly return the individual, they do not have the same obligations to provide for their care. Movements across international borders also increase the risk of regionalisation of the crisis and can have implications in destabilising the economy and social services if the evacuees place a strain on the host country's system.

Prior to agreeing to an evacuation across an international border, humanitarians should also ascertain what status the evacuees will have in the destination country and what rights and limitations they are likely to experience. Will the evacuees be able to move freely, or will they be confined to a specific area? Will they have the right to work? Will they have access to state-run medical and education facilities? This information may factor heavily into the evacuees' decisions about whether to move forward with the evacuation. Care should be taken in regard to civil documentation, as the risk of statelessness in such contexts may be high. If NRC has an (Information, Counselling and Legal Assistance) ICLA presence, they may be able to support or offer advice in this process.

While recognising that evacuations across international borders are not the ideal option, NRC supports and recognises that Refugee Law and Customary International Humanitarian Law (IHL) permits¹² the movement of displaced persons across international borders if adequate protection and assistance is unavailable in the country of origin, and believes that facilitating this movement should not be excluded from the potential options available to humanitarians. In such a situation, consent is needed both from the government in the receiving country and the local population living in the reception area. Although the state has an

¹² See Section 2.2 for more on this.

obligation to receive the refugees,¹³ if the state or the local population does not agree to accept the affected persons, the risks are likely to be unacceptably high and the Lead Agency may want to pursue alternative destinations. Coordination among humanitarians similarly must bridge the international border and the Lead Agency may need to consider whether adequate humanitarian coordination structures are present to enable sustained follow up care. Likewise, the lead agency should assess whether there are adequate mechanisms in place to support the security of the new arrivals.

3.5 DECIDING ON THE USE OF ARMED ESCORTS

In particularly dangerous environments, humanitarians may feel that there is a need for armed escorts to accompany an evacuation convoy. The use of armed escorts can carry significant risks however, and at times can actually increase the dangers to the convoy if the escorts are not perceived as neutral. Humanitarians should make every effort to negotiate safe passage so as to avoid having to use an escort and should only resort to an escort when all other alternatives have been ruled out. The Evacuation Working Group may find it helpful to consult the 2013 IASC Non-Binding Guidelines on the Use of Armed Escorts for Humanitarian Convoys.¹⁴ While these Guidelines do not address evacuations specifically, they can nonetheless offer useful considerations. The decision-making flow chart in Annex B may be of particular help.

NRC's Civil Military Policy¹⁵ outlines its principles for the use of military assets and armed escorts, namely that, "NRC will as a general rule not use military armed guards or military escorts to protect NRC offices, staff houses or humanitarian convoys. However, in extreme cases and as a last resort, NRC may consider using military escorts

NOTE

In deciding whether to use an armed escort, it is important to understand the peacekeeping force's mandate and how they would respond in the event of an attack. While the force is often reluctant to share their Rules of Engagement (RoEs), at minimum the Lead Agency or Chief of Convoy should request a confidential conversation with the force to understand their protective capacities and limitations.

to accompany humanitarian convoys to provide life-saving assistance." If NRC is operationally engaged in an evacuation, the movement must adhere to these principles.

If an armed escort will be used, NRC staff and other humanitarian organisations involved in the evacuation should take precautions to maintain as much distinction as possible from the armed escorts. Traveling alongside an armed individual will already create difficult perception issues on the lack of independence and impartiality. Humanitarians should put in place extra procedures to ensure that the escorts do not participate in the delivery of assistance during the convoy or take any other action which could cause further blurring of lines.

3.6 CONSENT FROM THE GOVERNMENT AND PARTIES TO THE CONFLICT

In every evacuation, efforts should be made to obtain the consent of the government and parties to the conflict for the relocation. While NRC may not be managing these negotiations directly, it is

¹³ See Section 2.2 for more on this.

¹⁴ The '2013 IASC Non-Binding Guidelines on the Use of Armed Escorts for Humanitarian Convoys' can be found at: <http://www.refworld.org/pdfid/523189ab4.pdf> (accessed September 2016).

¹⁵ NRC's Civil Military Policy can be found at: <https://www.nrc.no/globalassets/pdf/policy-documents/nrc-civil-military-policy.pdf> (accessed September 2016).

important that NRC advocates for and provides any support necessary to enable robust negotiations to take place. As such, NRC staff should be aware of the purpose and key requirements in these types of negotiations.

As recommended in Section 3.2, a focal point should be appointed to manage negotiations with the state and parties to the conflict, who **should seek to achieve the following:**

- Agreement on safe passage, and assurances of the safety of civilians and humanitarians on the convoy
- Agreement that all affected civilians will be allowed to evacuate without barriers
- Acceptance on the use of armed escorts, if relevant
- Agreement on the use of independent monitors to observe the evacuation
- Assurances of the security of people, land and property left behind
- Agreements on how problems will be managed should they arise *en route* (i.e.: how the party will respond or intervene)
- Agreement on the ability of evacuees to return

Before beginning the discussion, the organisation managing the negotiations may find it helpful to consult Section 4.1.4, which outlines potential reasons why a party to the conflict would oppose an evacuation and how these concerns can be mitigated. If the focal point has not seen this document, NRC may want to share the relevant parts.

During the discussions, it can also be worthwhile for the humanitarian focal point to try to get clear commitments from parties on how they will

NOTE

Do not assume that just because consent has been obtained from key leaders or dominant parties to the conflict, that this agreement is shared by individual troops or factions. In some contexts, there may be dozens of armed elements operating in an area and sometimes multiple commanders within the same armed groups that have different affiliations and allegiances.

share information before and during the evacuation about safe passage within their chain of command, including to different units and local commanders along the evacuation route. Getting concrete commitments on how the leader will share information directly will make it more difficult for them to make excuses that they can not guarantee the activities of all of their troops. It may be useful to remind parties to the conflict of their obligations under humanitarian law to facilitate unhindered humanitarian access,¹⁶ and allow civilian evacuations.¹⁷

If after trying to achieve consent from the state or parties to the conflict, an agreement still cannot be reached, humanitarians may want to try to negotiate for parties to at least release the most vulnerable of the affected persons (for example, the elderly, child headed households etc.). While this is not ideal, in some cases it may be the last option. If that too fails, humanitarians will need to consider whether to move forward without consent. This is a very high-risk approach, however, and should only be considered in extreme circumstances. Humanitarians (namely, the Evacuations Working Group and Protection Cluster) should weigh the risks of proceeding without consent.¹⁸

¹⁶ IHL: Article 70(2) of Additional Protocol 1 to the Geneva Conventions, 1977; Customary IHL: Rule 55, ICRC Customary IHL Database.

¹⁷ Article 49, Geneva Convention IV, 1949.

¹⁸ See Section 4.1.4.

3.7 IDENTIFICATION AND REGISTRATION OF EVACUEES

All evacuees should be registered before departure. Before beginning the registration, there are two questions that should be assessed:

- **Can everyone be evacuated at once, or will multiple trips be necessary?** There are a number of factors that may feed into this, including the availability of trucks, resources, and staff to support the convoy, but also, where armed escorts are needed, the maximum size of the convoy that can be safely protected.
- **If multiple trips are needed, how should the group be divided to maximise security of both those on the convoy and those staying behind?**

The Evacuation Working Group should consider both of these questions and propose an ap-

NOTE

To reduce the risk of bribery and exploitation, humanitarians should carry out awareness raising campaigns to make clear that the evacuation is free and no one can “get your name on the list.” Humanitarians may want to reiterate that the list is based on pre-established criteria and methodology, not individual affiliations.

proach. This recommendation should be validated with the affected persons and once there is a decision on how the group should be split (if necessary), any specific criteria should be built into the vulnerability information collected during registration.

In addition to any specialised vulnerability criteria or registration approach developed through the process above, there is also standard vulnerability

Khaled Saleh Musleh lives in the blockaded Al Thawra neighbourhood in Sana'a. NRC/Karl Schembri, 2016.



information, which should be collected during registrations, including identifying:

- Unaccompanied minors
- Child headed households
- Heavily pregnant and lactating women
- Female headed households with young children
- Elderly persons
- Persons with disabilities
- Persons with medical needs such as injuries or illnesses (disaggregated by type if possible)
- Highly traumatised individuals
- Persons from minority groups that are known to be particularly vulnerable
- High profile individuals that may be at greater risk of targeting
- In some situations, men and boys of “fighting age”

Basic information (number of evacuees disaggregated by age, gender, and any vulnerabilities) from the registration should be shared with agencies providing services *en route* and at arrival so that they can plan appropriate amounts and types of services. In particular, information about vulnerabilities will play an important part in identifying the type and scale of specialised services that are needed. For example, if 40 heavily pregnant women are registered, more than one doctor or midwife may be needed on the convoy. In this light, while NRC may not be directly involved in the registration, it may still be of benefit for NRC to track the registration process closely to ensure it meets NRC’s operational needs. Sections 3.8, 3.9 and 3.10 will go into greater detail about how to ensure adequate support *en route* and at arrival.

Registration data should also flag individuals who are seen to be at high risk of being unable to travel on the day of departure (for example, pregnant women nearing their due dates or critically ill patients).

While more difficult to capture through traditional registration approaches, care should also be taken to preserve family units and community support systems. In some cultures, the support provided by the community is as important as the support provided by one’s own relatives. Particularly for unaccompanied

REMEMBER

Evacuations must be **voluntary**. The lead agency should ensure that affected persons have enough information to be able to make an informed decision about whether to evacuate. This should include, at a minimum, information about the process of evacuating and risks *en route*, services that are (or are not) available at arrival, risks to property and goods left behind, protection and assistance they can expect if they stay behind, the likelihood of future evacuations and the potential for assisted returns after an evacuation.

children and female or child headed households, the maintenance of their support networks during the evacuation will be critical to their wellbeing.

Every member of the family should be issued a registration card, not just the head of household.

Other information that should ideally be collected during registration includes the following:

- The gender, age, ethnicity, religious affiliation and civil status of the evacuees
- Family members traveling with the evacuee and whether immediate family members have been left behind
- Place of origin and basic assets at area of origin (i.e.: land ownership)
- Intended destination (both short and long term)
- Possession of identification or other documents

Given that this information may be even more sensitive than usual in a siege environment, it is critical that the registration organisation put in place careful and thorough procedures to protect the confidentiality of the information. There may

be organisations on the ground that can advise on how best to do this, as the methodology will vary by context.

To prevent the separation of children, elderly and persons with disabilities from their families, the organisation doing the registration may want to consider designing supplemental identification means such as bracelets or necklaces that contain key identity information. If such methods are used however, they should be distributed as late as possible before the evacuation to minimise potential loss or theft and information campaigns should be carried out to explain the purpose of the items.

3.8 PLANNING FOR SUPPORT *EN ROUTE*

One of the most common problems in evacuations is lack of adequate planning for the materials that will be needed *en route*. **As a starting point, the Evacuation Working Group should consider the following questions:**

- How long is the convoy likely take? What will the conditions be like *en route*?
- Are there bad roads that could lead to delays? Weather conditions that could require the provision of blankets or extra water to prevent dehydration?
- How many people will be travelling?
- How many vulnerable people will travel and what special needs do they have? (See next Section for more on this.)

Will supplies be carried on the convoy or pre-positioned *en route*? Are there partner organisations along the evacuation route that can help?

It is particularly important that colleagues from the logistics sector be consulted on what is most feasible from their perspective. Once this has been done, the Working Group should identify parties for each of the critical sectors. At this stage, NRC should formalise whether it will engage operationally in any aspect of the evacuation.

As a general rule, it is important for the lead agency to not only plan for the total number of evacuees and the total number of days anticipated but also to budget for an ample contingency stock. Delays during convoys are common and every precaution should be taken to avoid a situation in which there are not adequate provisions for the evacuees. If there are humanitarian agencies along the evacuation route, it may be helpful to speak to them during planning to better understand the types of issues they frequently encounter and discuss whether they may be able to provide support.

Throughout the planning process, clear and regular communication with the affected population is necessary. This is particularly true if the evacuees are meant to provide their own food and supplies. Public information campaigns should be carried out multiple times with different segments of the affected population, to ensure that evacuees understand their expectations and can make arrangements accordingly. Such communications should also be clear about limits of what can be brought (i.e.: total baggage weight limits, prohibition of weapons or other dangerous materials, etc.)

One of the most challenging situations humanitarian organisations can face in preparing for an evacuation is to not have access to the affected

EVACUATIONS IN THE DIGITAL AGE

Depending on the context, evacuees may have access to a wide range of technology. While this can be an asset in sharing information (some organisations have used text messages to deliver updates), it can also create risks during a highly sensitive process like an evacuation. Organisations will need to decide how to manage things like posts to social media, sharing of photos and the presence of journalists, all of which can give away the location of a convoy and expose the group to unnecessary risk.

Table 4

At a minimum, preparations for the evacuation should include the following:

Item	Key Questions
Food	<ul style="list-style-type: none"> - Will evacuees bring their own food or will cash or food be distributed to them? - If there will be distributions, how will this take place? Will food be brought on the convoy, or prepositioned along the route? Are there organisations <i>en route</i> that could help? - If cash is provided so that people can purchase food <i>en route</i>, are there towns along the way where people will be able to make these purchases? Keep in mind the number of people and the likely stocks in the towns as well as the potential risks of stopping. - Are there foods available that do not require cooking, so as to allow for a faster process? Are these culturally appropriate?
Water	<ul style="list-style-type: none"> - Will a water truck accompany the convoy or will water be sourced <i>en route</i>? Keep in mind the potential for evacuees to deplete taps <i>en route</i> as well as risks of stopping. - If a water truck is used, what plans can be put in place in case of breakdowns?
Shelter Materials/ NFIs	<ul style="list-style-type: none"> - Where will the evacuees sleep? Is it safe to stop <i>en route</i>? Are there organisations on the way that could host the evacuees overnight? - What shelter materials are needed? (Tarpaulins, large tents) - Are there any special shelter materials needed for vulnerable persons? (i.e.: mattresses for persons who are ill or have injuries)
Waste Management	<ul style="list-style-type: none"> - Where will evacuees use the toilet? - How will trash and other rubbish be managed to avoid environmental pollution <i>en route</i>?
Medical supplies	<ul style="list-style-type: none"> - How many medical trucks and doctors and midwives are needed? - What common illnesses or injuries should be planned for? What medical supplies are needed to account for this?
Monitors/Social Workers	<ul style="list-style-type: none"> - How many protection/human rights monitors, caseworkers, child protection experts and gender-based violence experts are needed? Are there special issues that need to be planned for?

persons. Without being able to speak to them in advance, it is difficult to assess whether they want to evacuate, whether they have enough information to make an informed choice and what type of specialised support they may require. In such

situations, it is important for humanitarians to do everything possible to negotiate for access to the affected persons, but if that fails, humanitarians may need to be creative in finding ways to learn about the needs of the community. If mobile net-

works are still operational, it may be possible to contact individuals in the besieged area to get a general picture of conditions and necessary supplies. Once access is achieved (even if it is only on the day of the evacuation) it will be important to once again verify that the affected persons want to evacuate and have enough information to make an informed choice.

Finally, if the entire population of an area will not be evacuated, the Humanitarian Country Team should consider what measures can be put in place to support those who stay behind. Will the enclave continue to exist, or is it likely that these people will go elsewhere? If the individuals have made a choice not to evacuate and humanitarians are unable to continue working in the area, humanitarians could consider approaching local churches, mosques or other local leaders to see whether they can provide support. See Section 4.1.8 for more on how to manage this type of situation.

3.9 PLANNING FOR SUPPORT OF VULNERABLE INDIVIDUALS

It is common for there to be a higher density of vulnerable individuals in the evacuee population than the population at large, particularly if a siege or enclave has existed for an extended period. Individuals with resources have often already paid for transport or self-evacuated on their own, leaving behind the most vulnerable individuals who were not able to find a way to escape before the situation deteriorated.

During the pre-departure registration humanitarians hopefully developed a list of persons with identified vulnerabilities. If not, this should be done as soon as possible. The next phase is to plan for their care. It is important to note that different vulnerabilities will require different types of assistance. Consider the table 5.

The above matrix is not intended to provide definitive guidance, but rather offer some ideas of what potential precautions might be needed and how these may relate to different vulnerabilities.

The Protection Cluster should develop a plan that takes into consideration the particular needs and vulnerabilities that may be present in that context. Using a matrix similar to the one above and cross checking this against the registration data to determine the total number of individuals that require each kind of assistance, can help to ensure that planning is realistic and incorporates adequate provisions for those persons with specific needs.

There are a few considerations that may require extra time and planning:

- **Tracing of unaccompanied minors.** Everything possible should be done to avoid separating families during an evacuation. If there are unaccompanied minors on the registration list, humanitarians should try to determine the locations of their families to avoid further exacerbating the separation by moving the child to another unknown location. ICRC is often the organisation responsible for this.
- **Developing contingencies to manage last minute health changes that prevent travel.** There will invariably be heavily pregnant women and patients with illnesses on the evacuation list who, on the day of departure, are not well enough to travel. Where this is identified as a possibility during registration, decisions should be made with the families in advance about how the situation will be managed.
- **Preserving support systems.** As discussed in Section 3.7, humanitarians should work with the affected persons to identify and preserve community support networks. While this requires additional time and planning, it can be a deciding factor in the ability of evacuees to cope with the evacuation and maintain a degree of resilience and self-sufficiency. This is especially important for vulnerable individuals.

In order to ensure adequate support for vulnerable individuals at the destination location, information about vulnerabilities and needs should be shared with partners in the receiving location as soon as possible.

Table 5

	UAMs*	Child Headed HHs	Heavily Pregnant and Lactating Women	Female Headed HH with Young Children	Elderly Persons	Persons with Severe Disabilities or Medical Needs	Persons from Minority Groups	Men and boys of "fighting" age	Total #s
Load first into trucks			X		X	X			
Physical assistance getting into trucks			X		X	X			
Potential medical needs			X			X			
Caretaker possibly needed	X	X			X	X			
Assistance with bringing supplies	X	X			X	X			
Assistance with documentation	X	X		X	X	X			
Family tracing possibly needed	X	X			X	X			
Special protection safeguards							X	X	
Potential for last minute changes that prevent evacuation.			X			X		X	

* Unaccompanied minors



Displacement camps in Debaga hosting families displaced from Makhmour in Iraq. NRC/Becky Bakr Abdulla, 2016.

3.10 PLANNING FOR SUPPORT AT POINT OF ARRIVAL

Equally important to ensuring that services are in place on the convoy, is ensuring that services are in place at the point of arrival. In general, there are likely to be four overarching types of response required at the destination location:

- **Services needed immediately upon arrival.** While establishing a reception point or transit site creates the risk of the site becoming a camp, some type of reception facility may be needed to crosscheck the registration list, begin family reunification processes and provide emergency services. If a reception point is established, food, water, sanitation facilities,

medical support, emergency shelter materials and non-food items (NFIs) should be available at the site. Where a Rapid Response Mechanism (RRM) exists, this may be best managed through their pre-existing systems. Care should also be given to choosing a reception point that would not require relocation if it became used long term (for example, flood prone areas) and which is considerate to possible community or cultural tensions.

- **Short-term assistance to support new influx.** A sudden influx of a large number of evacuees is likely to overwhelm existing local capacities. To help ease the transition over the first few months, humanitarian assistance may need to provide traditional humanitarian assistance such as water and food distributions, emer-

gency shelter materials, supplement medical and psychosocial capacities and create additional educational and recreational spaces. These should benefit both the evacuee and host populations. Humanitarians should also support social cohesion activities.

- **Longer term infrastructure support.** Concurrent to the delivery of the basic humanitarian assistance, humanitarians should also work to build up the infrastructure in the evacuation destination. Ideally this would be done through the government and development partners, but where that is not possible, humanitarian actors should be prepared to support through resilience programming. While water trucking and food distributions may initially be unavoidable, drilling boreholes, providing livelihood support and building more permanent schools and medical facilities offers far more sustainable solutions and should be prioritised from the outset.

- **Planning for returns and access to rights.** In addition to material assistance, humanitarians should also consider what support could be provided to assist the evacuees to achieve an eventual return to their homes. Prior to the evacuation, evacuees should be encouraged to bring as much documentation with them as possible (anything relating to identification, civil status, land tenure, assets, education or employment histories, as well as medical documents and prescriptions). In areas where smart phones are common and there is still freedom of movement, evacuees may want to take pictures of their assets as additional proof of ownership and store them electronically (though this can carry risks if parties or authorities are known to use hacking). If the evacuees have brought documents with them, these should be registered and scanned as necessary. Where the documentation is not available, humanitarians can help to create unofficial records. It may also be worthwhile to document other family members who did not evacuate, so these can be tracked for future evacuations or for support in the area of origin.

Once the situation stabilises, humanitarians may want to arrange “go-and-see” visits back to the evacuees’ areas of origin. In some places, technology may allow for “virtual” go and see visits, or communications with community members who have stayed behind that can describe the current environment. Where possible, organisations or authorities should help facilitate transportation for returnees.

NRC should assess whether it is able to provide support in any of the above areas and should inform the Evacuation Working Group and coordination body at the point of arrival.

3.11 CONTINGENCY PLANNING

Every convoy will experience glitches. Two types of contingency planning are needed to ensure that when problems do arise they incur as little damage as possible:

- **Scenario planning.** The chief of convoy, lead agency, and the peacekeeping force (where applicable) should map potential issues that could arise *en route* and discuss how they will be managed. These potential risks should be discussed with the affected persons to assess whether there are others the humanitarians have missed and gather their inputs on how best to respond. At a minimum, plans should consider the following situations:

- The convoy learns of a roadblock or threat ahead
- The convoy is attacked
- Part of the convoy is stopped or diverted
- Attempts are made to remove people from the convoy
- One of the trucks breaks down
- There is a critical medical situation

- **Contingency stocks of material assistance.** In addition to the scenario planning, contingency stocks should be in place for all the essential items needed to support the convoy. This should include food, water, medicine, fuel, communications equipment and any other criti-

cal materials. The contingency planning should account for different potential reasons that the stocks could be needed, including theft, delays in the convoy, higher levels of use than anticipated or contamination. The planning should account for each of these different reasons (for example, if assistance is to be carried along with the convoy, some should perhaps be pre-positioned with other humanitarian actors *en route* in case of theft, and vice versa).

One approach to contingency planning is to analyse the best-case scenario, worst-case scenario and most likely scenario. Doing this as a collective process (including through consultations with the affected persons), humanitarians can develop a full picture and approach contingency planning in an informed and analytical manner. If NRC is involved in any aspect of the evacuation, it should be part of this process.

Like many aspects of planning an evacuation, it is important that the contingency planning be approached with the highest levels of confidentiality. If information becomes public about how an armed escort will respond in the event of an attack, the ability to deter an ambush may be significantly reduced. Likewise if local populations become aware of pre-positioned stockpiles for the evacuation, the risk of theft or destruction may become much higher. Here again it becomes important to think about the risks of social media and use of mobile phones by the evacuees.

3.12 PLANNING FOR DEPARTURE

The lead agency will need to develop a system for how the convoy will be boarded. Organisations who have experience with mass transit in the area should be consulted on whether they have used an approach in the past that has been successful. In general, any system will need to devise a way to separate the evacuees into more manageable groups that can be directed to certain sections of the convoy for boarding. The planning should also consider what is needed to ensure that the embarkation process can be done in such a way that it preserves the dignity and wellbeing of af-

ected persons. Ladders or other support materials may be necessary. Likewise, plans should also take into consideration the special needs of vulnerable individuals (refer back to Section 3.9 for more on this).

Where possible, the lead agency should plan to load baggage the day before departure. Beginning this process the day before the evacuation can be particularly useful if bags need to be searched for weapons. Bags may need to be tagged and numbered to ensure that the right bags go on the right bus, especially if there are multiple disembarkation locations.

Extra communication with the affected population is beneficial in the days leading up to departure. Remember that as stressful as it may be for the humanitarians in planning the evacuation, it is more stressful for the affected persons. They will undoubtedly have questions about how the evacuation will happen, what they can expect along the way and what their lives will be like at the destination location. Humanitarians should make time to talk to the affected persons to answer questions or discuss concerns.

The day of departure will be hectic. Humanitarians should plan to have additional personnel on site to facilitate boarding of the convoy and to respond to any last minute issues. Given that the environment may be tense, it is possible that there will be conflicts among the evacuees. Humanitarians should once again prioritise ample information sharing, particularly to explain why the evacuation is proceeding as it is. Likewise, there will undoubtedly be grieving family members who see members of their community left behind. Personnel trained in conflict mediation, psychosocial support, and protection (including child protection and GBV) should be on hand.

The lead agency should plan to begin boarding the convoy as early in the day as possible and should follow the pre-established procedures, including those for vulnerable individuals. If people are going to be searched for weapons, the humanitarians doing the searching should only search people of their own gender.

3.13 PLANNING FOR PROCEDURES *EN ROUTE*

The lead agency and chief of convoy should also establish the procedures to be followed during the evacuation, including at a minimum:

- How often will the convoy stop for breaks and where
- Communications plan (radio frequency, regularity, content, signals) with convoy trucks, armed escorts and base
- Addressing any new medical or protection needs that arise during the convoy
- What to do if the convoy is attacked, stopped, or individuals are pulled off trucks.
- This should also be discussed in advance with organisations along the evacuation route.

The evacuees should be informed of their communication options and points of contact. Ideally this will include caretakers on each truck, as outlined in Section 3.2. The evacuees should be instructed on what to do if a problem arises and they need help (including who the child protection and GBV specialists are), and they should once again be made aware of when and how food and water will be provided, how often there will be stops for toilet breaks and reminded that there is a medical truck in case of emergencies.

As the convoy proceeds, the focal point on each truck should keep track of individuals who have particular needs that may need attention upon arrival. In addition to the individuals who were previously registered as vulnerable, this may include people with newly deteriorating medical conditions, or who have suffered new protection issues *en route*. Shortly before arrival, information on these individuals should be shared with the Chief of Convoy so that they can be prioritised during disembarkation and referred immediately to services.

Disembarkation procedures should also be established, particularly on how vulnerable cases will be managed and to ensure that urgent cases are offloaded first.

3.14 FOLLOW UP AFTER AN EVACUATION

Once an evacuation is completed, it is important that there is an analysis of what worked well and what did not, particularly if future evacuations are anticipated. Lessons learned should be captured that provide an honest reflection of the successes and failures of the evacuation. The risk analysis matrix and the SOPs can provide a helpful starting point for crosschecking how well plans were implemented and where there were gaps.

Most importantly, SOPs should be updated to improve the planning and implementation of the next evacuation. Even if no evacuations are imminently anticipated, it is beneficial for the SOPs to be reviewed immediately following the evacuation while the learning is still fresh. The organisations involved should also be aware that the learning and SOPs from their operation will inevitably be used in other countries and so the benefit of capturing the lessons learned is not just for their operation alone.

At a minimum, the post-evacuation analysis or After-Action Review should include inputs from the evacuees and from the humanitarians involved in the relocation. This should be adapted based on the context however, and in some places it may also be appropriate to include the authorities. As a starting point, consider the following questions:

To the evacuees:

- Do you feel you had enough information prior to the evacuation to make an informed choice about whether to relocate? Is there other information that would have been useful?
- Were you told what to bring with you on the convoy and what would be provided to you? Did you have adequate supplies (food, water, shelter materials) to sustain you throughout the trip?
- Did you feel safe during the convoy? Are there other things that could have been done to make you feel more secure?

- Do you feel you received enough information during the convoy itself?
- Was the disembarkation at the point of arrival sufficiently organised and managed in a way that supported your safety and dignity?
- Is there anything else that could have been done differently?
- In light of any problems or dilemmas, do humanitarians still feel that the decision to evacuate was the right choice?

NRC staff involved in an evacuation should ideally write a short note afterwards that can be shared with head office and policy advisors to ensure sharing of lessons learned.

To humanitarian partners:

- Were the SOPs adequate in guiding the planning and implementation of the evacuation? What needs to be changed?
- Were there adequate supplies to support the entire evacuation (food, water, medical, social)? If not, what accounted for the gap? How can this be prevented next time?
- Did contingency planning cover all of the threats encountered *en route*? How would you update the planning to better address the threats?
- Did you encounter dilemmas you had not anticipated? Can you capture information on how the dilemmas were managed to provide advice for future evacuations?
- Were adequate efforts made to negotiate passage with the parties to conflict? If an agreement was reached, was it adhered to? How can negotiations be strengthened next time?
- Were adequate supplies in place at the point of arrival? If not, how can this be prevented next time?
- Were enough humanitarian personnel available for the evacuation?
- Was there adequate support from humanitarian leadership? Did the Protection Cluster and Evacuation Working Group feel supported in their analysis of the situation and needs for support?

COMMON DILEMMAS

Even with the best planning and procedures in place, humanitarians may encounter situations that force them to make difficult decisions and weigh the imperative to evacuate against potential risks and threats. The purpose of this chapter is to offer considerations and suggestions to help manage these dilemmas when they arise. While there are no definitive answers to how any given situation should be managed, it is hoped that the chapter will at least offer some ideas for consideration that can

expand the options available to the humanitarian community. Given that it is unlikely that NRC would ever be singlehandedly deciding how to manage one of these dilemmas, the following section refers to the humanitarian community collectively. As much as possible, it is good for the actors involved in the evacuation to discuss these issues in advance and have a common understanding of how they will respond should the issues arise. This section will cover the following potential dilemmas:

4.1 Dilemmas while deciding to evacuate

- Concerns that the evacuation would inadvertently facilitate ethnic cleansing, forcible transfer or contribute to a minority group losing access or rights in an area
- Parties to the conflict are deliberately provoking evacuations as a political or military tactic, and/or humanitarians are being manipulated and instrumentalised to facilitate the removal of a certain people from a territory
- Evacuation used as a bargaining chip by parties to the conflict (i.e.: you can evacuate the civilians, if in return...)
- Told by the government or party to conflict that evacuation not allowed
- Concerns that the evacuation would provide an excuse for actors to avoid seeking a more sustainable solution
- A humanitarian organisation, party to the conflict, state, or other stakeholder wants to evacuate civilians before basic criteria have been met, under problematic conditions, or for questionable motivations
- Concerns that an evacuation from one area will increase expectations of evacuations from other areas
- Potential for the evacuation to increase risks for those persons left behind
- Potential for the evacuation to lead to retaliation against civilians or civilian assets in other parts of the country
- Risk that by convening people for an evacuation, they can become more visible and susceptible to targeting

4.2 Dilemmas during planning for an evacuation

- Evacuation expedited or forced to take place by certain date due to threats of attack or new compelling circumstances
- Humanitarians are requested to give a list of evacuees to the authorities, party to the conflict or other non-humanitarian entity
- Told that men (or other segment of the population) are not allowed to be evacuated or must first subject themselves to “screening”
- Humanitarians lack access to affected persons before evacuation and are unable to assess willingness to evacuate and ensure adequate planning
- Civilians want to be evacuated across an international border, and stakeholders (governments, neighbouring mission, humanitarian agencies) not receptive

4.3 Dilemmas during an evacuation

- Part of convoy stopped or re-routed, or individuals detained by a party to the conflict
- Convoy attacked
- Documents confiscated from evacuees by authorities, party to the conflict, or other non-humanitarian entity

4.1 POTENTIAL DILEMMAS WHILE DECIDING TO EVACUATE

This section expands the risks humanitarians may encounter while making a decision to evacuate. As with the rest of this document, the points below are not intended to be definitive, but rather they offer considerations to NRC staff who are looking for ways to respond to dilemmas they encounter.

4.1.1 CONCERNS THAT THE EVACUATION WOULD INADVERTENTLY FACILITATE ETHNIC CLEANSING OR CONTRIBUTE TO A MINORITY GROUP LOSING ACCESS OR RIGHTS IN AN AREA

The issue of evacuations inadvertently feeding into the “ethnic cleansing” of an area or causing minority groups to lose their rights is an issue that

arises all too frequently in evacuations. As a first step in assessing how to manage this situation, it is useful to first analyse what situation you are in fact dealing with, namely:

- **Is there a deliberate attempt by the parties to the conflict to clear a minority group or segment of the population from an area?**

Although humanitarians frequently talk about the risk of evacuations feeding into “cleansing,” this term applies when there is a *deliberate intent* to clear a group from an area or prevent them from being able to live there in the future. Where a party to the conflict is fighting for control (but does not necessarily want to evict the population), the risk is less about inadvertently facilitating cleansing, as it is about facilitating a loss of access to rights or status in a given location. These are two very different scenarios, so it is important that there is a thorough analysis to determine the true nature of



Caption: Pinga, DRC. NRC/Vincent Tremeau, 2015.

the risk. Likewise, while the wording may seem to be a minor issue, overstating the situation means that there may be less attention paid if there is eventually deterioration into a context of true ethnic (or religious, racial or other) cleansing or forcible transfer.

The key difference between an evacuation contributing to a loss of access compared to feeding into a deliberate cleansing campaign is the long-term implications. Facilitating the relocation of individuals in a context where they are being intentionally driven from the area means that it is much less likely that they will be able to return and as such the risks and impact of the evacuation are more significant and need to be weighed much more carefully.

Despite this, as former UNHCR High Commissioner Sadako Ogata said of Bosnia, “If you take these people, you are an accomplice to ethnic cleansing. If you don’t, you are an accomplice to murder.”

Of these two options, it may be better to risk inadvertently feeding into cleansing rather than risk allowing the massacre of a population. Humanitarians and peacekeepers should do everything possible to avoid an evacuation under such circumstances, but ultimately, if the population is in imminent danger, wants to evacuate and all other options have been exhausted, humanitarians may need to prioritise helping people reach safety.

If concern about the evacuation feeding into cleansing or loss of access to an area is made by an external actor (such as the government, party to the conflict or a third country) humanitarians may want to consider the following:

- **Who is making the claim and what are their motivations?** Is it an independent party with little to gain? Or is it the state or party to the conflict who may have other motivations for not wanting the evacuation to proceed?

If humanitarians feel that the concerns about the evacuation facilitating cleansing or a loss of rights have more to do with a general opposition to the evacuation, see Section 4.1.4 on how to manage this type of scenario. If the concerns about the evacuation leading to a cleansing or loss of status appear genuine, the following points may be helpful in speaking to the concerned party:

- **If the population wants to evacuate, humanitarians are obligated to respect that wish as much as possible.** This is true even if there is a risk that doing so will feed into ethnic cleansing. There are exceptions to this (see Section 4.1.2), but in general, if the affected persons do not feel safe in their homes and there are no other options to provide protection, the humanitarian imperative compels us to try to help bring them to safety.
- **If a large percentage of the group has already fled, humanitarians cannot penalise the remaining few by refusing to help them evacuate on the grounds of wanting to avoid facilitating cleansing.** Often, many

people have already left on their own, and those in need of humanitarian evacuation are the most vulnerable who could not leave without support.

Humanitarians can also reassure the concerned party about the steps being taken to ensure that if and when access to the area is restored, the evacuees have the documentation and ability to return and reclaim their rights.

4.1.2 PARTIES TO THE CONFLICT ARE DELIBERATELY PROVOKING EVACUATIONS AS A POLITICAL OR MILITARY TACTIC, AND/OR HUMANITARIANS ARE BEING MANIPULATED AND INSTRUMENTALISED TO FACILITATE THE REMOVAL OF A CERTAIN PEOPLE FROM A TERRITORY

This dilemma is the more challenging relative of the issue listed immediately above. In this instance, humanitarians are concerned that the parties to the conflict are intentionally trying to force humanitarians to evacuate the civilian population. There are many ways the parties may do this, ranging from direct attacks on an

Muslim enclave in Carnot. NRC/Jose Cendon, 2015.



enclave, to the more subtle but equally effective tactic of blockading essential items such as food and medicine.¹⁹

These situations have to be managed extremely carefully. By evacuating the population, humanitarians are essentially confirming to the parties to the conflict that attacks or blockades are an effective method of driving people out (and in its worst form, forcing humanitarians to become complicit in the deliberate cleansing of an area). At the same time, not evacuating the population when there is an imminent threat can lead to an unacceptable loss of life.

There are few “good” options in this scenario. As a starting point, if there is even the slightest indication that parties to the conflict are purposefully manipulating evacuations to further their agendas, humanitarians should do a careful risk analysis. Is there a pattern of escalation (for example, bombings closer and closer to an enclave accompanied by direct threats) that indicates an imminent threat? The analysis should also include an assessment of short and long term implications of carrying out an evacuation. If humanitarians evacuate the civilians from one enclave, is there another enclave that is likely to be targeted?

In deciding how to respond, **it may be necessary to prioritise saving lives in the immediate term, even if it has the potential to increase attacks in the future.** *However*, alongside any movement to evacuate those in imminent threat, there must also be a strategy developed to avoid such a situation in the future. This may ultimately be a political conversation, but humanitarians have an important role to play in alerting humanitarian and political leaders of the context.

In these situations, humanitarians may also want to wait as long as possible before moving forward

with the evacuation. If, for example, a blockade has impacted the lives of the civilians but is not yet putting them in direct jeopardy, it may be possible to delay the evacuation to buy more time for political negotiations. Given the particularly high levels of risk of carrying out an evacuation under these circumstances, humanitarians need to truly exhaust all options before proceeding.

4.1.3 EVACUATION USED AS A BARGAINING CHIP BY PARTIES TO THE CONFLICT (I.E.: YOU CAN EVACUATE THE CIVILIANS, IF IN RETURN. . .)

Although similar, unlike the previous case this dilemma relates to a situation where an evacuation is not deliberately forced, but rather is manipulated for political or military gains. For example, a party to a conflict may agree to an evacuation, but only if the other side agrees to withdraw from a certain area. The danger with such a situation is that humanitarian assistance and protection becomes a pawn in a military strategy, rather than being recognised as a right afforded to all civilians in a conflict environment. **Likewise, if humanitarians concede, it can create incentives for parties to the conflict to besiege populations in other areas to use them as leverage.**

In such situations, it is important to engage in a dialogue with the parties to a conflict, and humanitarians may want to remind the parties to the conflict (be they state or otherwise) of their obligations under International Humanitarian Law and Customary IHL to “allow and facilitate rapid and unimpeded passage of all relief consignments, equipment and personnel...even if such assistance is destined for the civilian population of the adverse party.”²⁰

Given that facilitating an evacuation may mean installing a temporary ceasefire, however, these

19 IHL and Customary IHL (Articles 51(1) and (2) of Additional Protocol 1 to the Geneva Conventions and Rules 53-54 of ICRC’s Customary IHL Database, respectively) prohibit “starvation of civilians as a method of warfare” as well as “to attack, destroy, remove or render useless objects indispensable to the survival of the civilian population...whether in order to starve out civilians, to cause them to move away, or for any other motive.”

20 IHL: Article 70(2) of Additional Protocol 1 to the Geneva Conventions, 1977; Customary IHL: Rule 55, ICRC Customary IHL Database.



Captions: Khazar Camp, Iraq. NRC, 2016.

discussions are rarely simple. Humanitarians should avoid a situation in which they are forced to adhere to terms set by a party to the conflict, but where there is an opening, humanitarians may need to make use of a rare window to evacuate a besieged population.

4.1.4 TOLD BY THE GOVERNMENT OR PARTY TO THE CONFLICT THAT EVACUATION IS NOT ALLOWED

If the government or party to the conflict says an evacuation is not allowed, the first and most critical issue is to understand their reasons and motivation for opposing the relocation. There can be any number of factors driving an opposition to an evacuation and these reasons are likely to differ significantly depending on whether the party opposing the evacuation is aligned with the civilian

population in the area, or whether they are from the opposition group.

When the party to the conflict is aligned with civilians in an area, the following reasons may be likely for opposing the evacuation:

- Genuine concerns about their people being forcibly transferred or losing access and status in an area
- Fears that an evacuation could be perceived as a sign of weakness or defeat of the state or party to the conflict, or an inability to protect their own people
- A desire to use the population's suffering to gather public sympathy and garner support

Where the party to the conflict is in opposition with the civilians in the area, the following reasons are more likely to be present:

- Fears that the evacuation will, either intentionally or unintentionally, strengthen the opposing party at the destination location
- An interest in maintaining the civilian population enclave because it provides a level of power and control over the opposing party and can be used as a negotiating chip
- Plans to attack the besieged population and a desire to retain them in one location where they can be easily targeted

Some reasons may exist regardless of the party to the conflict, including:

- Worries about losing civilian cover or shield and concerns that without the civilian population present, the area will be more easily attacked and defeated
- An interest in maintaining affected persons in one area to be able to divert or benefit from the aid they attract
- A fear of being accused of causing or aiding cleansing

The response to this dilemma depends largely on the rationale for the opposition. It goes without saying that the stated reason for opposing the evacuation may not be the true motivation, so humanitarians should assess both the public statements as well as attempt to analyse any underlying factors that could be driving the position.

For options to address point 1, see Sections 4.1.1, but for the remaining points, see below:

- **Fears that an evacuation could be perceived as a sign of weakness or defeat of the state or party to the conflict, or an inability to protect their people.** This can be a delicate issue that may require creative thinking from humanitarians. At a minimum, humanitarians

can recognise the concerns of the party to the conflict, but nevertheless restate that when a controlling party is unable to adequately protect civilians in the area, humanitarians have the imperative to respond to suffering, including through an evacuation if necessary. Humanitarians can also try to explain that allowing the evacuation may be perceived positively by the humanitarian community, and showing concern for their people could be read as a sign of a conscientious authority, not a weak one.

- **Party wants to use the population's suffering to gather public sympathy and garner support.** This may be one of the easier justifications to overcome as there are many possible avenues to defeat this logic. One option is to highlight that if word spreads that the party is holding their own people hostage, it will have the opposite intended effect and cause their reputation to suffer. Conversely, if the party allows the evacuation, it can be spun as a success that they managed to help their people reach safety.
- **Fears that the evacuation will, either intentionally or unintentionally, strengthen the opposing party at the destination location.** If the party to the conflict argues that the evacuation will strengthen their opposition's capacity, humanitarians may want to try to reinforce the civilian nature of the convoy and explain the steps taken to ensure that the evacuees are not fighters and do not have weapons.
- **Party wants to maintain a civilian population enclave for the power, legitimacy and control this confers over the opposition party and for its utility in negotiations.** This can be a particularly dangerous situation to manage, as the controlling party may have little to lose by using force to prevent the evacuation from proceeding. The civilians, in this instance, are essentially hostages. If civilians are allowed to leave and the party loses their bargaining chip, the party may feel that they have nothing left to prevent their

own people from being targeted elsewhere. In such a situation, humanitarians may need to reconsider moving forward with the evacuation as the risks are likely to be intolerably high. It may be preferable to wait until the parties can come to an agreement on allowing evacuations of civilians simultaneously from both sides of the frontline. If all else fails and the evacuation must proceed, humanitarians should highlight to the parties to the conflict that showing restraint on the civilian population in this enclave could lead to better treatment of their own civilians by the opposition party.

- **Party to the conflict plans to attack the besieged population and wants to keep affected persons in a contained area where they can be more easily targeted.** If this appears to be the rationale for blocking the evacuation, humanitarians should move as quickly as possible to relocate the affected persons. While there will inevitably be high risks during the evacuation itself, if well planned, these are likely to be less grave than the potential massacre that could occur by leaving the besieged population in area where it appears they will be deliberately targeted for attack.
- **Party is worried about losing its civilian cover or shield, and is concerned that without the civilian population present, the area will be more easily attacked and defeated.** In its most extreme form, this logic can lead to the civilian population being used as a human shield. Where this appears to be the case, it is important to open a dialogue with parties to the conflict and appeal to their obligations under IHL to refrain from using civilians to “render certain points or areas immune from military operations, in particular in attempts to shield military objectives from attacks or to shield, favour or impede military operations.”²¹ If this advocacy fails, humanitarians should also alert humanitarian and political leaders of the situation so they can pursue a political solution to the crisis.
- **Parties to the conflict have an interest in keeping affected persons in the area to be able to divert or benefit from the aid they receive.** The best response for this type of situation is preventive action to avoid aid diversion in the first place. By minimising the opportunities for local parties to the conflict to benefit from the assistance provided to the besieged population, there is less incentive for them to block an evacuation for reasons of wanting to maintain access to humanitarian aid. Humanitarians should employ rigorous registration and verification procedures to ensure that aid reaches its intended beneficiaries. Organisations should also have strict procedures on how to manage demands at roadblocks or elsewhere for supplies. If convoys are regularly targeted or rub halls looted, humanitarians should consider meeting with the local authorities and commanders to impress the importance of respecting humanitarian operations and discuss ways to prevent future attacks. If the problems continue, humanitarians may have to consider withdrawing from the area or changing their operational approach.
- **The government or parties to the conflict may worry that if they allow an evacuation, they could be accused of causing or aiding cleansing of the population.** This concern is most often raised by governments or parties to the conflict that are trying to cultivate a reputation of being a legitimate political actor. They may worry that if they allow their country or an area to become ethnically, religiously, or politically divided, their chances of being recognised as a leader or being eligible for support could be called into question. In such situations, humanitarians may want to reassure the party that an evacuation on humanitarian grounds is sometimes the only option, and can in fact be a responsible choice by a leader. For more on this see Section 4.1.1.

21 IHL: Article 28 of the Fourth Geneva Convention, 1949; Article 51(7) of Additional Protocol 1 to the Geneva Conventions, 1977; Customary IHL: Rule 97, ICRC Customary IHL Database.

Even where opposition still exists, humanitarians may be able to negotiate for the evacuation of the most vulnerable persons (for example, child headed households, pregnant and lactating women, the elderly or persons with disabilities). While this may not be an ideal scenario, and it will be important to ensure that those persons have a support network at the point of arrival, it can be a last resort option when all other possibilities have failed.

If after repeated attempts to address the underlying opposing to the evacuation, or renegotiate the terms, humanitarians are still told that the evacuation cannot proceed then the next step is to assess the risk of proceeding without consent. Potential risks include the convoy being attacked, humanitarians losing authorisation to operate in an area or there being retaliation against humanitarian personnel or other civilians. The Evacuation Working Group and Protection Cluster may want to work jointly on developing a risk analysis matrix, such the one discussed in Section 2.2.

As a general note in assessing the likelihood of a negative repercussion, it is helpful to consider how much of an impact evacuating the affected persons would have on the parties to the conflict. If the besieged area is providing a critical source of aid to the soldiers or if the perceptions of weakness would have serious consequences on the standing of the warring party, they will be much more likely to use force or extreme measures to prevent the evacuation from proceeding. If the repercussions for the party to the conflict are more minimal, relations with humanitarian actors may become tenuous, but the party is probably less likely to attack the convoy or carry out other extreme measures.

In assessing the risk, it is also important to consider the alignment of the party opposing the evacuation. If the party is aligned with the civilians in the area, it is less likely that they will use force on their own people to prevent the evacuation from proceeding (although humanitarians should still assume that this is not entirely out of the question). If the controlling party is in opposition

Dozens of families were displaced from Fallujah in 2016 and hosted inside a mosque. NRC/Karl Schembri, 2016.



to the civilian population, they may have less motivation to refrain from using force to stop the evacuation, leading to much higher risks.

Where the risk of targeting is high, humanitarians may want to consider whether there are other states or stakeholders that could help persuade the party to the conflict to allow the evacuation to proceed.

4.1.5 CONCERNS THAT THE EVACUATION WOULD PROVIDE AN EXCUSE FOR ACTORS TO AVOID SEEKING A MORE SUSTAINABLE SOLUTION

As highlighted in the box on page 12, evacuations are not a permanent solution to a crisis – they can offer emergency, lifesaving assistance in a desperate situation, but they do not provide an actual resolution to the factors that forced the evacuation to occur in the first place.

When humanitarians are pursuing an evacuation, there should be concerted advocacy to inform the parties to the conflict, states (particularly UN Security Council members), donors, the media and the public at large that the evacuation is a short-term fix, and that unless a more permanent resolution to the crisis is found or parties agree to adhere to IHL, the emergency will only continue.

If humanitarians are worried that despite their advocacy, the evacuation will be used as an excuse for political inaction, humanitarians should weigh the imperative to provide lifesaving relocations against the broader risks of a continued lack of a political solution.

As with all of the dilemmas in this list, the response in this situation should be assessed on a case-by-case basis. **Evacuations and humanitarian assistance should never be seen as a substitute for a political solution to a crisis.** Neither offers the same benefit as an actual resolution but, if a political solution seems far off, an evacuation might be a necessary intermediary step (provided that it is accompanied by proactive advocacy pushing for better compliance with IHL and a more sustainable long-term solution).

4.1.6 A HUMANITARIAN ORGANISATION, PARTY TO THE CONFLICT, STATE, OR OTHER STAKEHOLDER WANTS TO EVACUATE CIVILIANS BEFORE BASIC CRITERIA HAVE BEEN MET, UNDER PROBLEMATIC CONDITIONS OR FOR QUESTIONABLE MOTIVATIONS

Given the complexities and risks of evacuations in crisis settings, it is important that there is a certain level of consensus in deciding to evacuate. If even one organisation raises concerns about the rationale for the evacuation, partners should take this seriously and review (even if only quickly), the logic demanding the evacuation. Critically, it is important to identify who is calling for the evacuation: is it the affected persons themselves? Humanitarians? The authority or state? Are there potential alternative motivations driving them? In some instances, humanitarians have seen stakeholders, who were not even present in the context, call for an evacuation. A few things to watch out for:

- As highlighted in the point above, some stakeholders may call for an evacuation (and even support it directly) in order to be seen to be doing something about a crisis. This desire to be seen to do something can lead actors to call for an evacuation before the evacuees or humanitarians have even decided an evacuation is necessary.
- A different problem, is the varying interpretations of the basic criteria for evacuating, namely the prerequisite that all other options to improve protection and access to lifesaving services have been exhausted. Some may argue that all other options have been considered while others feel there are still avenues that could be explored.
- On an operational level, implementing agencies may have different ideas of the level of preparation needed before an evacuation can proceed. Some may feel it is urgent to move people immediately, while others may feel that there is still time to put in place greater support.

For each of these three examples, as well as others not listed here, the ultimate buy in and approval of the HCT is critical. Having an interagency decision

at the leadership level will ensure that no agency proceeds on its own without it first being discussed and receiving support. In order for the leadership to be able to make an effective decision, however, the organisations involved in the planning need to clearly establish the preconditions for evacuation. At a broad level, these include the four criteria set out in Section 2.1, but more importantly, this will relate to the plans they have established in the risk analysis matrix and SOPs.

4.1.7 CONCERNS THAT AN EVACUATION FROM ONE AREA WILL INCREASE EXPECTATIONS OF EVACUATIONS FROM OTHER AREAS

Humanitarians should be aware of the risk that doing one evacuation will raise expectations of an evacuation elsewhere. Even if there are not currently indications that there is an interest in an evacuation in other locations, humanitarians should not underestimate the potential for information to spread between enclaves that humanitarians will rescue people if a situation becomes desperate

enough. These rumours can create unrealistic expectations about the capacities and roles of humanitarian actors, which can have damaging impacts on peoples' self-protection strategies. Rather than finding a way to evacuate on their own while security still permits, civilians may simply stay at home, assuming humanitarians will rescue them if necessary. These people may then find themselves trapped when the situation deteriorates and no evacuation materialises.

In deciding whether to proceed with an evacuation, humanitarians may once again want to make use of the risk analysis framework discussed in Section 2.2. They may want to assess the likelihood that expectations will be raised and cross-analyse this against the potential impacts. Likelihood, in this scenario, may be dependent on the number of other enclaves that exist in similar conditions and the chance that violence and conflict will continue to threaten individuals in those locations. Impact, or in this case the level of difficulty humanitarians would have in carrying out additional evacuations, may be both a factor of the resources available

Goma, DRC. NRC/Truls Brekke, 2008.



to the humanitarian community to carry out another evacuation, the willingness of the state and parties to the conflict to give consent and the agreement of the peacekeeping mission or force to provide an armed escort if necessary. In the absence of those three critical resources (among others), the impact of evacuations being expected elsewhere and humanitarians being unable to fulfil those demands could be severe. If affected persons do not self-evacuate or take measures to protect themselves because they believe humanitarians will evacuate them, the civilians could be massacred and humanitarians may be powerless to do anything to stop it.

If humanitarians do decide to move ahead with the evacuation, it will be critical that they provide clear information that helps create realistic expectations of what humanitarian actors will and will not do. While public dissemination of this information may not be recommended (for example, radio broadcasts saying “we will not evacuate you” could lead to further persecution by the parties to the conflict who know they can act unimpeded), targeted information campaigns should be pursued in enclaves and other areas where similar expectations could exist. Humanitarians should ensure that there is space for a two way flow of communication and it is not just aid organisations briefing the evacuees.

4.1.8 POTENTIAL FOR THE EVACUATION TO INCREASE RISKS FOR THOSE PERSONS LEFT BEHIND

There is a potential risk that by evacuating a segment of the civilian population from an area, the persons remaining behind can be placed in greater danger. Factors to consider include the following:

- **Those remaining behind after an evacuation may be those persons with the greatest pre-existing vulnerabilities**, such as those who were unable to evacuate due to health or protection concerns. **In the absence of**

a support system, these individuals may face greater challenges in sustaining and protecting themselves.

- Once an evacuation is completed, **parties to the conflict may take steps to eliminate those minority individuals remaining in an area.** This can occur quietly with little visible impact, or very publically with a party ordering all civilians to leave and announcing that those who stay behind will be presumed to be combatants.

Humanitarians should consider the likelihood and impact of both of these risks when considering an evacuation. In response to the first point above, humanitarians should consider providing direct assistance and protection as much as possible, but where this cannot be achieved they may want to consider exploring ways to create alternative support systems in the besieged areas. This could be done through establishing a new informal network of those who did not evacuate or by supporting local civil society or religious organisations to provide assistance. Alternatively, in some places people who have not evacuated may be able to move into another pre-existing enclave that offers better protection.

If humanitarians feel that the persons remaining behind after an evacuation could suffer direct targeting, there are a number of immediate steps that should be pursued prior to evacuating:

1. Place international human rights monitors and observers in the town to track any attacks against the civilian population
2. Inform the parties to the conflict that there will be civilians left behind who are in no way affiliated with the conflict and that attacks against them are a violation of IHL²²

It may also be worthwhile to remind parties to the conflict (and the international community) that IHL strictly prohibits giving an order to eliminate all survivors.²³

22 IHL: Articles 48, 51, 52, 57 of Additional Protocol I, and Articles 13-14 of Additional Protocol II to the Geneva Conventions, 1977; Customary IHL: Rule 1, ICRC Customary IHL Database.

23 Article 4(1) of Additional Protocol II to the Geneva Conventions, 1977.

If it nonetheless appears that parties to the conflict will move forward with a campaign to target the civilians left behind in an area, humanitarians may have little direct recourse. There are some steps that can be taken to decrease the likelihood of impunity, and therein hopefully make the parties think twice about their course of action. One such action is to make a list and create case files for all the civilians who will remain behind (or as many as possible). Ideally this can be done by the international monitors who can maintain direct contact with those individuals, but if they are in inaccessible locations or if contacting them would put them in greater danger, it may be possible to gather a substantial amount of information from the evacuees themselves about relatives or neighbours who have stayed behind. If Red Cross or Red Crescent personnel or human rights observers are in the area, they may be able to track those individuals to monitor their safety and wellbeing. Parties to the conflict should be informed that humanitarians have compiled a list of civilians and have transmitted this list to capital and that any attacks against the civilians will be documented.

4.1.9 POTENTIAL FOR THE EVACUATION TO LEAD TO RETALIATION AGAINST CIVILIANS OR CIVILIAN ASSETS IN OTHER PARTS OF THE COUNTRY

If a party to the conflict strongly disagrees with the decision to evacuate the population, it is possible that they may retaliate against civilians in other parts of the country.²⁴

In such situations, humanitarians should proceed very carefully. As with previous dilemmas, a thorough risk analysis should be completed, which as a starting point should include an assessment of whether there are other enclaves that would be susceptible to an attack or occupation by a party to the conflict. If this is the case, special precautions should be taken to increase protection for the other enclaves. This may mean increasing the number of humanitarian actors in the area to

promote “protection by presence,” or encouraging peacekeepers (where present) to consider a reallocation of troops to increase support to the most vulnerable areas.

Even if there are no other pre-existing enclaves, humanitarians should factor in the potential risks of retaliation to other towns and communities when deciding to evacuate. If the risk of retaliation is high, humanitarians should consider whether the evacuation is really imperative at this particular moment, or whether there are other measures that could be pursued until the risk of retaliation can be better mitigated.

4.1.10 RISK THAT BY CONVENING PEOPLE FOR AN EVACUATION, THEY CAN BECOME MORE VISIBLE AND SUSCEPTIBLE TO TARGETING

Prior to an evacuation, many of the affected persons may have survived either by maintaining a degree of anonymity or by physically hiding. During the process of beginning an evacuation, individuals are likely to convene at a departure point, which can jeopardise the security they had achieved by staying out of the view of the parties to the conflict.

These departure points are unfortunately often targeted by parties to the conflict who can take advantage of having such a high number of “opposition” individuals in one place. The parties may know that humavr conditions or demands on the evacuation. These can include things like humanitarians having to turn over a list of names of the evacuees (see Section 4.2.2), or men/other segment of the population not being allowed to travel (see Section 4.2.3).

Humanitarians should discuss this risk with the community and seek their advice on how to best manage this dilemma. One option is that where individuals are not already convened at a point of departure, humanitarians may want to encourage people not to relocate until immediately before

24 Section 4.1.4 provides a more thorough overview of reasons why a party to a conflict may oppose an evacuation.

the evacuation takes place. Another option is that if humanitarians feel they cannot adequately guarantee the protection or evacuation of certain groups of the population, they may want to encourage those individuals not to come forward for relocation (although in this instance, humanitarians would also need to assess whether by evacuating only some of the population, those staying behind will become more vulnerable. See the previous section for more on this). It is possible that a certain portion of the population may have better odds of escaping or achieving protection on their own than through an evacuation (for example, young men), but they had delayed self-evacuating in order to ensure the safety of their families. In such a scenario, while evacuating the men directly may not be possible, evacuating their families may give them the space to pursue escape options that had not previously been available to them.

4.2 POTENTIAL DILEMMAS DURING PLANNING FOR AN EVACUATION

The following section covers dilemmas that may occur once the decision to evacuate has been made, but before the actual implementation has begun.

4.2.1 EVACUATION EXPEDITED OR FORCED TO TAKE PLACE BY CERTAIN DATE DUE TO THREAT OF ATTACK OR NEW COMPELLING CIRCUMSTANCES

This issue is unfortunately becoming all too common in humanitarian evacuations. While the threat may not always be a direct attack on the affected populations, there may be a change in circumstances that forces the evacuation to take place before preparations and planning are complete.

In such a scenario, humanitarians should first consider the dilemma discussed in Section 4.1.2, namely where there is a risk that this threat is part of a larger strategy to force evacuations of civilians from an area. If humanitarians determine that this is more likely to be a one off event (i.e.:

the closing of a ceasefire window, or the last inch of good will by a party to the conflict), the priority must be to support the evacuation as quickly as possible for those who want to evacuate. This is particularly true if it appears that there will be an imminent attack on the evacuee population (as opposed to a larger contextual change that will simply decrease the possibility for evacuation).

The biggest challenge posed in this situation is the high likelihood of there being inadequate supplies, procedures and resources in place to support the evacuation. Depending on the point in the planning in which humanitarians are informed of the deadline, there may be nearly complete preparations in place, or none at all. In such a situation, it may be helpful for the Humanitarian Coordinator or Inter-Cluster Coordination body to appeal for urgent support from humanitarian organisations in the location to come together to support the preparations. The organisations involved in the Evacuation Working Group may not have enough supplies on their own and may need to temporarily borrow either materials or potentially staff support from other organisations.

It is also critically important that humanitarians inform the affected population of the changes to the situation and the likely impact on the evacuation itself. If humanitarians are uncertain whether they will have adequate provisions of food and medicine during the convoy, the affected persons need to be aware of this. Likewise, if services are not yet in place at the reception point, this needs to be communicated. Regardless of how urgently humanitarians think the population needs to evacuate, the affected persons still must be provided with enough information to make an informed decision. Ultimately, the choice to evacuate still lies with the individual.

4.2.2 HUMANITARIANS ARE REQUESTED TO GIVE A LIST OF EVACUEES TO THE AUTHORITIES, PARTY TO THE CONFLICT OR OTHER NON-HUMANITARIAN ENTITY

It is not uncommon for the state or party to the conflict to want to verify that the evacuees do not include any active combatants or known criminals.

Any time humanitarian are requested to provide names or other demographic information about the evacuees to the authorities or party to the conflict, this should trigger alarm bells.

While this can be a legitimate request, the risks involved in handing over a list of evacuees' names are significant. Humanitarians have seen far too many instances of lists being handed over, only to find that the information was used to identify civilians for questioning, detention and in some instances, killings. Any time such a request is made, humanitarians should consider what motivation the parties may have for wanting the information and what they would be likely to do with it.

Humanitarians may not be able to avoid handing over a list, but every effort possible should be made to resist and find alternative solutions. These can include agreeing on the criteria for qualifying for the evacuation or establishing procedures to ensure that no weapons are on board the convoy. Most importantly, **under no circumstances should humanitarians provide names to the parties to the conflict without first informing the affected persons and obtaining their consent to do so.** For some potential evacuees, knowing their name will be given to the authorities may be enough to cause them not to want to evacuate, in which case humanitarians should remove their names from the list before handing it over.

In negotiating to not provide a list of names, humanitarians should reiterate that their operations are in support of civilians and persons *hors de combat*²⁵ only, and that they adhere strictly to the principles of humanity, neutrality, impartiality and independence. As such, humanitarians commit that no combatant will be part of, or will benefit from, the evacuation. To ensure that this commitment is

grounded in truth, humanitarians also need to take every possible measure to ensure that there are no active combatants, known criminals or military assets involved in the evacuation, and as such, may need to conduct a search for weapons prior to departure.

4.2.3 TOLD THAT MEN (OR OTHER SEGMENT OF THE POPULATION) ARE NOT ALLOWED TO BE EVACUATED, OR MUST FIRST SUBJECT THEMSELVES TO "SCREENING"

This dilemma often has the same rationale as the point above, but is implemented in a less discriminate fashion. Rather than asking for a list of evacuees to identify individuals to be separated out, in this instance the authority simply decides to block the evacuation of an entire group of people. The most common demographic for this type of blockage are men or boys of fighting age.

As with the case immediately above, this type of demand should raise concern for humanitarians. Separating out a portion of the population puts them at significantly greater risk and can also increase the vulnerability of the evacuees.

Humanitarians should take every possible step to avoid this outcome, including potentially abandoning the evacuation altogether. In making that decision, humanitarians should assess the risks of agreeing to such a separation. Is there likely to be a massacre of the people left behind (or the evacuees) if humanitarians agree to separate the population? If the answer is yes, do not proceed with the evacuation. The same should be said about the risk of the remaining persons being detained en masse and potentially tortured.

If humanitarians agree to move forward with the evacuation and leave behind the identified group, they should put in place as many safeguards as possible to protect those persons remaining behind. As discussed in Section 4.1.8, one possible way

25 Article 41 of Additional Protocol II to the Geneva Conventions and Rule 47 of the ICRC Customary IHL Database define a person as *hors de combat* if "(a) he is in the power of an adverse party; (b) he clearly expresses an intention to surrender; or (c) he has been rendered unconscious or is otherwise incapacitated by wounds or sickness, and therefore is incapable of defending himself".

of doing this is to document the persons who will not be evacuated and monitor their safety and wellbeing. If humanitarians become aware of a detention facility or potential movement towards extrajudicial killings, human rights observers should be deployed to monitor the situation and report back to the humanitarian leadership and UN.

4.2.4 HUMANITARIANS LACK ACCESS TO AFFECTED PERSONS BEFORE EVACUATION AND ARE UNABLE TO ASSESS WILLINGNESS TO EVACUATE AND ENSURE ADEQUATE PLANNING

In preparing for an evacuation, it is critical that humanitarians be allowed to speak with the affected persons. Being denied access to the community in question makes it difficult to assess whether the affected persons truly want to evacuate and makes it hard for humanitarians to know the type and quantity of support needed. For the potential evacuees, there may be uncertainty around what they have been told about the evacuation leading them to be unsure of whether to evacuate.

As highlighted briefly in Section 3.8, there are a few options open to humanitarians in such a situation:

- First, humanitarians should try to negotiate access with the parties to the conflict. Even if this is only one person on a “go and see” visit, it will nevertheless help with planning.
- Secondly, depending on the level of infrastructure in place, it may be possible to contact the besieged populations with mobile phones.
- Thirdly, relatives of the trapped persons may know of ways to contact them. For example, while humanitarians may not be able to access the area, perhaps there are traders who would be able to provide basic information about the conditions they witnessed or who could offer advice on contacting the persons.

While humanitarians may not be able to do as comprehensive an assessment as they would like, it may still be possible to gather some information. As a worst-case scenario, on the day of the evacuation, humanitarians should begin by providing an overview of the evacuation (how it will work, where it will go, any potential areas of concern) and explain that the decision to evacuate is completely voluntary. Only then should humanitarians proceed. Under such situations, humanitarians should be prepared for a particularly challenging convoy as many people will likely not have been told what to bring with them and so may either have far too many things or not have brought enough, leaving them fully dependent on humanitarians.

4.2.5 CIVILIANS WANT TO BE EVACUATED ACROSS AN INTERNATIONAL BORDER AND STAKEHOLDERS (GOVERNMENTS, NEIGHBOURING MISSION, HUMANITARIAN AGENCIES) ARE NOT RECEPTIVE

As discussed in Section 3.4, the decision about the destination for an evacuation convoy is one of the most important choices in determining the overall success and sustainability of the evacuation. As a general standard practice, the decision about a destination should be made through conversations with the evacuees, the authorities and local communities at the proposed destination location and through an independent analysis carried out by humanitarians.

If the evacuees' preferred location is across an international border there are additional precautions and discussions that may be needed. First and foremost, a conversation should be had with the government of the neighbouring country to inform them of this preference and seek their inputs, needs, and concerns and hopefully consent and endorsement. Under International Refugee Law, the principle of *non-refoulement* guarantees that no person can be returned to a country where they have a well-founded fear of persecution.²⁶

²⁶ Article 33(1) of the 1951 Convention Relating to the Status of Refugees. Non-refoulement is also considered a norm of Customary IHL.

This includes being denied entry at a port of arrival and therefore applies in a context of an evacuation across international borders.

Given the imperative to respect the authority and sovereignty of a state, however, if the neighbouring government is wholly opposed to receiving the refugees, alternative options should be pursued. Political leaders should engage with the neighbouring state to encourage them to uphold their commitments under the 1951 Refugee Convention.

A common, though problematic solution to a situation where a government is not receptive to facilitated transport of evacuees across their borders, or where humanitarians do not want to be “seen” to create refugees, is to leave the evacuees in a town within walking distance of the border. While this can be a more subtle approach to helping the evacuees cross the border, it is also an undue transfer of risk to the affected individuals. They then have to manage negotiations to cross the border on their own and can face tremendous protection risks in the process.

Ultimately, the decision about where to place the evacuees has to be determined based on what is in their best interest. If a neighbouring state or

local population does not want the evacuees and could foreseeably deny them access to rights and services, this may ultimately not be the best option (even if it is the preferred location by the evacuees). Evacuating displaced persons to such a location could lead to further persecution and could risk further regionalising the crisis.

4.3 DILEMMAS DURING AN EVACUATION

This last section of dilemmas relate to problems that arise once a convoy is already underway. All of these dilemmas should be considered during the contingency planning that takes place during the planning for the evacuation.

4.3.1 PART OF CONVOY STOPPED OR RE-ROUTED OR INDIVIDUALS DETAINED BY A PARTY TO THE CONFLICT

Human rights monitors should ideally be present in all evacuations, but this is particularly true if humanitarians feel that there is a risk of part of the convoy being stopped, diverted or having individuals detained. As a first step, where consent has been obtained from the state or party to a conflict, the Chief of Convoy should encourage the individual to call their commanders for

Syrian children at NRC's reception area in the Azraq refugee camp in Jordan. Alisa Reznick, 2016.



confirmation that there is indeed a directive to allow safe passage. If this fails, or if consent has not been obtained prior to departure, the focus then turns to mitigating the potential harm.

Highlighting to the party to the conflict that the evacuees are all civilians whose names and information has been registered with headquarters may hopefully cause the party to recognise that they will not be allowed to detain the individuals with complete impunity.

If it appears that despite all efforts, the evacuation will not be allowed to proceed unless humanitarians allow the targeted individuals to be detained, humanitarians can either consider staying in the same location until the leaders of the party to the conflict can intervene to push for passage, or they can accept the separation under the condition that human rights observers and an escort be allowed to accompany the individuals who are separated. If the intervening party rejects this option, humanitarians should use every means (including alerting all of their superiors, the UN in New York and possibly the media) of the crisis and potential outcome that awaits.

4.3.2 CONVOY ATTACKED

Regardless of the preparations or negotiations that take place in advance of an evacuation, it is possible that the convoy may come under attack. There is little concrete advice that can be offered on how to manage such a situation, as it will vary significantly by context and by the nature of the attack. The best thing that can be said is to discuss how an attack will be managed prior to departing on the evacuation. If an escort is used, the Lead Agency should sit with the peacekeeping unit to discuss their views on the best response. Should the trucks drive quickly to try to escape the area? Or should people be encouraged to abandon trucks and flee on foot? While the escorts may be unwilling to share their full rules of engagement, it is critical that the Lead Agency have an understanding of how the escorts will respond to an attack so that they can prepare accordingly. Likewise it may be important for the

Lead Agency to reinforce to the peacekeepers the importance of avoiding a shootout if possible, as this will place the evacuees in greater danger.

4.3.3 DOCUMENTS CONFISCATED FROM EVACUEES BY AUTHORITIES, PARTY TO THE CONFLICT OR OTHER NON-HUMANITARIAN ENTITY

As with many of the dilemmas in this list, an important first step in managing this situation is to understand the underlying motivations – namely, why does the government or party to the conflict want the documents in the first place? Is it to prevent people from returning, accessing land or assets, or exercising their rights in an area? Or is it that the information will somehow feed into a strategy of attacks?

If the former option appears to be the driving rationale, the best response is prevention. During the initial risk analysis for the evacuation, the Protection Cluster should assess the likelihood of documents being confiscated by authorities or a party to the conflict either prior to departure, *en route* or on arrival. If there is deemed to be a potential risk, humanitarians should pursue measures to back up the documents by making copies or scans, or where that is not possible (for example if this suddenly becomes an issue *en route*), to make notes of the documents people have or that have been taken from them. While duplicate copies or notes can never substitute the originals, having some documented record can hopefully provide at least a small level of legal recourse and protection.

If there is a concern that the documents have been confiscated for reasons related to the targeting of individuals for attack or persecution, humanitarians should push back even more strongly against the confiscation. Where this appears to be a likely scenario, humanitarians may want to consider temporarily holding the documents on behalf of the evacuees (for example, with the Chief of Convoy or by being transported separately to the destination location).

SUGGESTED SOPs

The following suggested SOPs are broken down into five sections, which mirror the sub sections of Chapters 2 and 3. If you have questions or need additional information about any of the content below, refer back to the chapters above.

Deciding to evacuate
<ul style="list-style-type: none"> – Protection Cluster²⁷ does analysis on whether four key criteria have been met (population wants to evacuate and has enough information to make an informed decision, there is an imminent threat or prolonged denial of access to lifesaving services and protection, and all other options have been exhausted)
<ul style="list-style-type: none"> – Protection Cluster, in consultation with the affected persons and humanitarian leadership, develops mapping of potential risks of evacuation
<ul style="list-style-type: none"> – Protection Cluster, in consultation with the affected persons and humanitarian leadership, completes risk analysis and develops recommendation for how to proceed
<ul style="list-style-type: none"> – Protection Cluster makes recommendation to the Inter-Cluster Coordination Group, and then HC and HCT for endorsement
Planning the evacuation
Management and coordination structures
<ul style="list-style-type: none"> – Agree upon a lead agency to coordinate and implement the evacuation
<ul style="list-style-type: none"> – Establish an Evacuation Working Group of all relevant stakeholders (protection, Inter-Cluster Coordination Group, logistics, the force)
<ul style="list-style-type: none"> – Identify a focal point to manage discussions with parties to the conflict
<ul style="list-style-type: none"> – Designate a chief of convoy and identify humanitarian focal points and child protection and GBV experts
<ul style="list-style-type: none"> – Where an armed escort is likely to be needed, identify a liaison in the peacekeeping mission or force
Financing and resourcing
<ul style="list-style-type: none"> – Draw up a list of resources and materials that will be needed during the evacuation (trucks, fuel, spare parts, drivers/mechanics, humanitarian escorts, translators, child protection and GBV experts, food, water, medicine, shelter materials/NFIs, communications equipment)

27 Where a Protection Cluster does not exist, this shall be interpreted to mean the closest similar humanitarian structure.

<ul style="list-style-type: none"> – Through the Evacuations Working Group and Inter-Cluster Coordination mechanism, assess what resources different partners can contribute. Partners should analyse their grant agreements to ensure a reallocation of materials is permitted
<ul style="list-style-type: none"> – Identify what resources are lacking, or any instances where allocating resources to the evacuation will necessitate a replenishment of other stocks
<ul style="list-style-type: none"> – Lead agency conducts donor outreach to fill any remaining gaps
<p>Identification of a destination</p>
<ul style="list-style-type: none"> – Meet with affected persons to discuss where they would like to be evacuated to (including backup options). Make sure to meet with women, men, minorities and other vulnerable persons separately
<ul style="list-style-type: none"> – In proposed destination, meet with local authorities to discuss whether they are able and willing to receive the evacuees and what support they would need
<ul style="list-style-type: none"> – In proposed destination, meet with members of the local community to discuss their willingness to receive evacuees and what support they would need
<ul style="list-style-type: none"> – Protection Cluster conducts independent analysis of any potential security or cohesion issues at the proposed destination site
<p>Deciding on the use of armed escorts</p>
<ul style="list-style-type: none"> – The Evacuation Working Group meet to discuss the need for an armed escort, should consider the suggestions in the 2013 IASC Non-Binding Guidelines on the Use of Armed Escorts in Humanitarian Convoys
<ul style="list-style-type: none"> – The Lead Agency meets with the peacekeepers or force to discuss protective capacities
<p>Obtaining consent from the government and parties to the conflict</p>
<ul style="list-style-type: none"> – Pre-identified focal point(s) hold meeting with government/representatives from armed groups to obtain agreement on safe passage, use of escorts, who can travel, safety of people and property left behind and how problems will be managed. Focal point should push for clear commitments about how the safe passage message will be transmitted to troops on the evacuation route
<ul style="list-style-type: none"> – If consent is not obtained, the Evacuation Working Group and Protection Cluster should do risk analysis to determine the likely impact of proceeding without consent
<p>Identification and registration of evacuees</p>
<ul style="list-style-type: none"> – Assess whether the evacuation can be completed all at once, or whether/how the evacuees should be divided. Meet with peacekeeping force and affected persons to help inform this decision
<ul style="list-style-type: none"> – Develop list of potential vulnerability criteria
<ul style="list-style-type: none"> – Carry out registration with special note of vulnerabilities and persons who may be unable to travel on day of departure. Ensure thorough safeguarding of this information. If registration cards are issued, they should be given to every person, not just the head of household
<ul style="list-style-type: none"> – Assess what special registration mechanisms might be needed to prevent separation of families during evacuation. This may include distributions of additional ID bracelets or necklaces to children, the elderly or those with mental conditions. If these are administered, it should be done shortly before departure to minimise loss or theft and their purpose should be clearly explained

- To minimise risk of exploitation or bribery, do public awareness raising that no one can “get your name on the list” for the evacuation

Planning for support en route

- Evacuation Working Group should assess the likely length and conditions of the evacuation, and the types of support needed en route. Partner agencies should be identified for each sector
- For food, determine whether it is preferable to bring the provisions on the convoy, pre-position it en route or provide evacuees with cash to purchase
- For water, assess whether water truck will be necessary and have a backup in case of breakdown
- For shelter/NFI materials, assess where the evacuees will sleep, including whether there is a humanitarian organisation en route that could host the group overnight, as well as any special materials needed for vulnerable persons
- Assess when and how evacuees will use the toilet, including how environmental pollution will be minimised
- For medical and social support, use the registration data to determine the number of vulnerable persons in need of each type of care and base the amount of assistance on that figure
- The Working Group should plan for there to be one humanitarian focal point per truck, and depending on the size of the convoy, an additional caretaker every 3-6 trucks. At least one child protection and one GBV expert should be present.
- Ensure clear and frequent communication with the evacuee population prior to departure about what they should bring (including documents), and any baggage limits

Addressing the needs of vulnerable individuals

- Revisit vulnerability information gathered during registration and assess additional support needs for those individuals. Remember that not all vulnerable individuals will have the same needs
- If there are unaccompanied minors among the evacuees, make an effort to trace their family members prior to the evacuation
- If there are individuals who may not be able to travel on the day of departure (for instance, heavily pregnant women or critically ill patients) develop contingency plans for their care
- Ensure support networks are maintained, particularly for vulnerable persons
- If there are other civilians who have decided not to evacuate, assess what continued support and protection can be provided to them. Consider local organisations and religious networks

Preparing for services at the destination location

- Identify partners to provide rapid response services at the point of arrival (food, water, sanitation, shelter, NFIs, medical care)
- Identify partners to provide short-term transitional assistance to ease impact of the mass evacuee influx. This should be designed to support both the evacuees and the host community, and both on meeting immediate needs (providing food, water trucking, sanitation) as well as supplementing service points (providing additional school space, supplementing medical capacities)
- Identify partners (particularly government and development organisations) who can provide longer term infrastructure support (i.e.: drilling wells, setting up permanent education facilities)

<ul style="list-style-type: none"> – Assess what support can be provided to enable eventual returns to places of origin, including encouraging evacuees to bring relevant civil documents, proof of ownership of land or assets, and any other critical information (medical documentation, prescriptions, school records)
<p>Contingency planning</p>
<ul style="list-style-type: none"> – Evacuation Working Group should meet to discuss how to manage possible scenarios they will encounter en route (roadblocks, being diverted, trucks breaking down, etc.). Should have additional discussion with community.
<ul style="list-style-type: none"> – Evacuation Working Group, together with partners contributing material assistance, should develop contingency stockpiles of critical goods
<p>Planning for Departure</p>
<ul style="list-style-type: none"> – Evacuation Working Group, together with protection bodies, should develop plan for boarding of the trucks that takes into consideration special needs and vulnerabilities
<ul style="list-style-type: none"> – If possible, load baggage day before departure. Mark and number bags, especially if there are multiple points of disembarkation
<ul style="list-style-type: none"> – Extra communication may be needed with the evacuees in the days leading up to departure to answer any questions and provide updated information
<ul style="list-style-type: none"> – Plan for additional humanitarian personnel to facilitate the boarding and respond to any last minute needs. Personnel trained in conflict mediation and psychosocial support should be on site to deal with potential conflicts and grieving family members
<ul style="list-style-type: none"> – Begin boarding as early as possible in the day and maintain a systematic approach as agreed in pre-departure planning. Ensure that plans for supporting vulnerable individuals are implemented rigorously
<ul style="list-style-type: none"> – Prior to departure, provide any last minute information to the evacuees, along with information on how often they can expect to stop for toilet breaks, food and other key issues. Evacuees should be informed about what they should do if they have a problem
<p>Planning for Procedures en Route</p>
<ul style="list-style-type: none"> – Organisations involved in the evacuation should make plans for: how often will the convoy stop for breaks and where; communications (radio frequency, regularity, content, signals) with convoy trucks, armed escorts, and base; addressing protection or vulnerability needs
<ul style="list-style-type: none"> – Discuss procedures with organisations present along the evacuation route
<ul style="list-style-type: none"> – Develop plan for how new protection or vulnerability needs that arise en route will be tracked, addressed and communicated to organisations at the point of arrival.
<ul style="list-style-type: none"> – Develop plan for disembarkation, particularly for how vulnerable people will be supported
<ul style="list-style-type: none"> – Follow up After Evacuation
<ul style="list-style-type: none"> – Conduct analysis of the successes and failures of the evacuation and capture lessons learned. Make sure to gather input of the evacuees as well as humanitarian organisations who were involved as well as authorities or others as appropriate
<ul style="list-style-type: none"> – Update SOPs
<ul style="list-style-type: none"> – Document any dilemmas that were encountered, how they were addressed and whether the approach was effective

ADDITIONAL RESOURCES

6.1 NRC PRINCIPLES, POLICIES AND PROCEDURES

- NRC Anti-Corruption Policy (http://www.nrc.no/arch/_img/9195736.pdf)
- NRC Civil Military Policy (http://www.nrc.no/arch/_img/9189452.pdf)
- NRC Code of Conduct (http://www.nrc.no/arch/_img/9168815.pdf)
- NRC Programme Policy (http://www.nrc.no/arch/_img/9155647.pdf)
- NRC Protection Policy (http://www.nrc.no/arch/_img/9189447.pdf)
- NRC Security Risk Management Guide (See Intranet)

6.2 EXTERNAL GUIDANCE

- **Core Humanitarian Standard on Quality and Accountability**, 2014 (<http://www.corehumanitarianstandard.org/files/files/Core%20Humanitarian%20Standard%20-%20English.pdf>)
- **Evacuations Chapter, UNHCR Handbook for the Protection of Internally Displaced Persons**, 2010, pages 434-440 (<http://www.unhcr.org/cgi-bin/texis/vtx/home/opendocPDFViewer.html?docid=4c2355229&query=protection%20of%20idps>)
- **Global Protection Cluster Thematic Roundtable Note: Humanitarian Evacuations in Armed Conflict**, 2014 (http://www.globalprotectioncluster.org/_assets/files/news_and_publications/GPC-Seminar-Summary_Conclusions-04_2015-screen.pdf)
- **InterAction: Trapped in Conflict: Evaluating Scenarios to Assist At-Risk Civilians**, 2015 (forthcoming, available on request from InterAction)
- **OCHA: Draft Note on Humanitarian Negotiated Arrangements in Complex Emergencies**, 2015 (forthcoming: available on request from the OCHA Policy Unit in New York and Geneva)
- **The MEND Guide (Mass Evacuations in Natural Disasters)**, 2014 (http://www.globalccm-cluster.org/system/files/publications/MEND_download.pdf)
- **The Sphere Handbook**, 2011 (<http://www.sphereproject.org/resources/download-publications/?search=1&keywords=&language=English&category=22>)

6.3 SAMPLE SOPS FROM RECENT FIELD OPERATIONS

Central African Republic:

- ***Draft Strategy: Facilitation of onward movement of populations at risk in the Central African Republic***, 2014 (http://sdr.ochrowca.info/uploads/CAR_STR_140325_CLPRO_Protection%20Cluster%20Draft%20Strategy%20-%20Facilitation%20of%20movement.pdf)
- ***Procédures Opérationnelles Standard (POS) pour l'organisation des mouvements de populations coordonnés par la communauté internationale***, 2014 (available upon request from the Global Protection Cluster or NRC Geneva)
- ***UNHCR Draft for Discussion: Standard Operating Procedures Facilitated Onward Movements in the Central African Republic***, 2014 (available upon request from the Global Protection Cluster or NRC Geneva)

Syria:

- ***Minimum Standards for participation in humanitarian inter-agency evacuations, informed by international humanitarian and international human rights law***, 2014 (available upon request from the Global Protection Cluster or NRC Geneva)

Ukraine:

- ***Note on the evacuation of civilians from conflict affected areas***, 2015 (available upon request from the Global Protection Cluster or NRC Geneva)

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