Guidance on the Use of Military Air / Sea Craft
to Support the Evacuation of Third Country Nationals
in the Context of the Current Crisis in North Africa

• There is an urgent need to evacuate tens of thousands of third country nationals (TCNs) who have fled the crisis in Libya in recent days. Doing so may help to avert a major humanitarian crisis.

• Transport capacities in the region have been overstretched. In consultation with Tunisia and Egypt, UNHCR and IOM have established a joint humanitarian evacuation program and appealed to governments for financial and logistical support, to include planes, ships and expert personnel.

• The EU and other UN Member States are likely to provide support to the evacuation effort. Some UN Member States have already evacuated their citizens and TCNs using military transport. The EU’s Monitoring and Information Centre (EU MIC) is sending a team to Tunisia. France and Britain have committed transport assets. It is possible that some offers of support to the evacuation effort may include Military and Civil Defense Assets (MCDA). Currently, there are no external UN Member States that are parties to the violence.

• While priority should always be given to the use of civilian assets, in view of the magnitude of the evacuation requirement along Libya’s border areas, the use of MCDA to augment civilian air/sea transport capacities could be warranted and in conformity with the principles contained in the MCDA Guidelines for complex emergencies, including the principle of last resort, provided:
  - MCDA would complement overstretched civilian capabilities;
  - MCDA would be used to meet a very specific requirement;
  - MCDA would be used for limited duration only;
  - MCDA would provide unique advantages in terms of capability and timeliness.

• Any use of MCDA in the context of the TCN evacuation operation should be under the direction of a civilian entity and should be based on identified needs and gaps. In the present case, this role will be played by the coordinators of the UNHCR/IOM operation. MCDA should also be provided at no cost to the humanitarian budgets of either Member States or humanitarian organizations.

• OCHA maintains a mechanism for calling forward MCDA to support humanitarian operations, when required. UNHCR and IOM are aware of this mechanism. Based on needs identified by UNHCR/IOM, Member States will provide readily available air/sea transport assets directly to the joint UNHCR/IOM operation. If and when there is a need for other MCDA to support humanitarian operations, OCHA will communicate these requirements to Member States.

• OCHA will monitor the joint UNHCR/IOM operation and provide technical support with regard to the use of MCDA as required. Should a foreign military use of force in Libya begin to take shape, UNHCR and IOM should be prepared to review the use of MCDA provided by a potential party to the military operations.

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