

Explainer: Evacuations

This document is part of a series of explainers that aim to strengthen understanding of specific mechanisms used to advance the protection of civilians (PoC) and improve humanitarian access in situations of active conflict. They are designed primarily to inform NRC strategic decision-making and advocacy and are not intended to serve as an exhaustive operational guide.

While the explainers are informed by international legal frameworks, the way certain terms are used in practice is often distinct from how they were originally set out in international law. The explainers highlight these points of distinction where relevant, and they further recognize that these PoC and access mechanisms continue to vary and evolve from context to context. With that in mind, the explainers offer some general considerations for their use, without seeking to make a definitive judgment on when, where, and how a specific mechanism should be implemented.

What is an evacuation?

The term “evacuation” is used generically to refer to a wide range of movements. For the purpose of this note, we are focused on mass evacuations of civilians in armed conflicts – namely, **arrangements to move civilians to an area where they will be protected from the effects of hostilities**.¹ Evacuations may occur within an area held by a single party to a conflict or may involve moving civilians to an area controlled by a different party to the conflict, and can be within a country or across an international border.

Evacuations are sometimes facilitated by humanitarian actors, and other times by a party to a conflict. Given that there are different considerations and legal frameworks guiding these two modalities, they will be dealt with separately where relevant in this document.

Evacuations are also closely related to humanitarian corridors, humanitarian pauses, and notification systems, which are addressed in separate explainers.

When and where might they be used?

Evacuations facilitated or supported by humanitarian actors:

Evacuations facilitated by humanitarian actors are **generally considered a measure of last resort**. Parties to the conflict have an obligation to respect and protect civilians and allow rapid and unimpeded delivery of humanitarian assistance to locations where civilians are located, and humanitarian actors typically work to exhaust options for the fulfillment of these more comprehensive protections before turning to an evacuation.

Under certain circumstances, however, civilians and humanitarian actors may determine that an evacuation is necessary. This assessment may be reached when both of the following conditions have been met:

- **Civilians are trapped in an area of active hostilities** and are either **under imminent threat** (whether through deliberate actions or due to proximity to military targets) or face a **life-threatening loss of access to essential goods and services**, and
- When other **options to secure access and protection have failed**.

¹ This is drawn from the definition used by ICRC. See more [here](#).

Evacuations should only proceed **when civilians themselves wish to relocate**, have enough information to be able to make an **informed choice** about their options, and **when the risks of staying are higher than the risks associated with the evacuation**. NRC's 2017 publication on [Considerations for Planning Mass Evacuations of Civilians in Conflict Settings](#) includes detailed guidance on analyzing risks involved in potential evacuations and offers advice on decision-making on whether to move forward. Some of the main risks are also summarized below.

If humanitarians call for or support an evacuation, they should **continue to insist that civilians who remain behind be protected and be provided with essential relief items**.

Evacuations organized by parties to a conflict:

Parties to a conflict are also authorized to undertake partial or total evacuations of an area **“if the security of the population or imperative military reasons so demand.”** In such circumstances, however, IHL prescribes a series of measures the parties must take to mitigate the impact for evacuees, which are detailed later in this document.

What are the drawbacks and risks?

Evacuations often experience high levels of risk. It is **important that these risks be mapped in the early stages of considering an evacuation** so that they can be factored into decisions about whether to move forward and, if so, how the risks can be mitigated. The following list (drawn largely from NRC's 2017 guidance) may offer a starting point to consider:

- Parties to the conflict may try to deliberately provoke an evacuation as a political or military tactic
- Unless specific agreements are in place (and sometimes even if they are), evacuees may face difficulties returning to their homes and become stuck in protracted displacement
- Evacuations can inadvertently facilitate ethnic cleansing or contribute to a minority group losing access or rights in an area
- Evacuations can be used as a bargaining chip by the parties to the conflict (i.e.: you can evacuate the civilians, if in return...) and can provide an excuse for actors to avoid seeking a more sustainable solution to the crisis or to committing to more comprehensive protection and assistance measures
- An evacuation can raise expectations for evacuations elsewhere or at a later stage
- If not everyone evacuates, those left behind can face heightened risks, including of being unlawfully labeled a combatant
- If parties to the conflict are opposed to the evacuation, they could retaliate against civilians, humanitarian actors, 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 evacuees are often subjected to abuse and harassment at checkpoints, even if consent of the parties to the conflict is obtained for the movement

What is required for a successful evacuation?

When, in spite of the drawbacks and risks outlined above, civilians and humanitarians have made an informed and voluntary decision that an evacuation is needed, humanitarians will then need to **collectively agree on an evacuation modality** and **determine the role individual organizations will play**. This could include:

- Organizing full transport and logistics for an evacuation

- Providing cash or vouchers for civilians to self-evacuate
- Facilitating dialogue or negotiating pauses or corridors for the purpose of civilian evacuations or self-evacuations (see separate explainers on pauses and corridors)
- Providing information relevant to evacuations or self-evacuations
- Providing emergency services at evacuation or reception points

The preconditions required for successful evacuations have commonalities across these different modalities:

- **First, all efforts should be made to secure agreement from the parties to conflict to respect the evacuation** (e.g. on the specific routes, timing, and conditions of the evacuation). Without securing this type of agreement, risks to civilians and humanitarian personnel increase dramatically. Where it is not possible to gain agreement of the parties to the conflict, humanitarians will need to consider whether other protection options (e.g. escorts by peacekeepers) are likely to enhance or hinder the security of the evacuation. As noted below, evacuees will also need to be fully informed of whether the parties have agreed and associated risks.
- **Careful planning is required for the evacuation itself and for the point of arrival**, regardless of the modality of the evacuation. Humanitarians will need to agree on who will manage and coordinate the evacuation, who will finance it, where civilians will be taken, the type of support that will be provided *en route* and at the point of arrival (including for vulnerable individuals), and contingency plans (including for protection and security incidents and other common dilemmas). Even where humanitarians are not facilitating the transport or logistics and are only providing cash/voucher assistance, humanitarians will still need to have a plan to monitor the risks *en route*, at arrival, and afterwards to inform future evacuation efforts and enable remaining individuals to make informed decisions about whether to evacuate.
- **Continuous information sharing and gaining consent from communities is vital**, regardless of the evacuation modality. Individuals need to be able to make an informed choice about whether to move forward with evacuating or self-evacuating. Humanitarians should never play a role in an evacuation without ensuring this information is provided and gaining consent from the civilians who are participating in the evacuation.

What other considerations should be taken into account?

To understand the risks involved with a planned evacuation and determine whether the situation meets the threshold of a measure of last resort, it is recommended that the following questions be assessed:

- Have all other options been exhausted for securing broader humanitarian access and/or the protection of the civilian population?
- Do civilians have enough information to be able to make a voluntary and informed decision about whether to evacuate? (Note, the information provided should include answers to all the questions in this list).
- Will all relevant civilians be allowed to and able to move?
- What are the expected impacts for civilians who are unable or unwilling to evacuate?

- What is the likelihood that the evacuation can be carried out safely (e.g. that parties to the conflict will respect the evacuation)? If a convoy will be used, will it be escorted by peacekeepers or armed actors? If so, is this likely to make it safer or a greater target?
- Are sufficient resources available to support the evacuation (e.g. personnel, transportation, supplies for during the journey and at arrival, etc)?
- Are humanitarians able to facilitate the evacuation of highly vulnerable individuals (e.g. wounded, sick, disabled or heavily pregnant persons)?
- Will civilians be safe and supported at the point of arrival? Are there any types of individuals that might face persecution at the arrival destination?
- If the evacuation will cross an international border, is there consent from the receiving State? Will visas or other documentation be needed for the evacuees?
- What is the likelihood that civilians will be able to return to their homes after the evacuation?
- Is there collective buy in for an evacuation among relevant humanitarian actors? Is there agreement on which actors would be involved operationally?
- Is it likely that evacuations are being instrumentalized by parties to conflict (e.g. to ethnically cleanse an area or for political/military advantage)?
- Have all relevant parties to the conflict agreed to the evacuation?

How are evacuations reflected in international law?

- IHL notes that an “Occupying Power may undertake **total or partial evacuation of a given area if the security of the population or imperative military reasons so demand.**” (See GC IV [Art. 49](#)). An equivalent position is included in Additional Protocol II for non-international armed conflicts (see [AP II Art. 17](#)). Where a party to conflict initiates an evacuation, however, there are a number of conditions they are required to uphold – namely, to “ensure, to the greatest practicable extent, that **proper accommodation** is provided to receive the protected persons, that the removals are effected in **satisfactory conditions of hygiene, health, safety and nutrition**, and that **members of the same family are not separated.**” GC IV also specifies that evacuees “shall be **transferred back to their homes** as soon as hostilities in the area in question have ceased” and that the “Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.”
 - If a party to a conflict or occupying power orders an evacuation for reasons other than imperative military necessity it **can amount to a forced displacement**, which is considered a grave breach of the Geneva Conventions. See GC IV [Art. 49](#).
- IHL also includes provisions for the evacuation of specific protected persons – for example, children and their guardians. See AP II, [Art. 4/3\(e\)](#).
- **IHL does not outline a general role of humanitarian actors in facilitating or carrying out evacuations** in the way they are today commonly operationalized, but does include provisions for specific functions (e.g. to support the tracing of evacuated minors [see [API Art. 78](#)] or to evacuate wounded persons [see CIHL Rules [109](#) and [29](#)]).

Do we have examples of evacuations we can learn from?

In 2014, the Global Protection Cluster convened a roundtable to examine lessons from recent evacuations. The [outcome note](#) includes summaries from evacuations in the Central African Republic (CAR) and Syria. An excerpt from the CAR example is below.

In early 2014, protection actors estimated that as many as 52,000 persons were confined to 21 enclaves, unable to depart to safer locations on their own without the risk of deadly assault. As such, relocation was proposed by the HCT as a life-saving measure of last resort for CAR's communities-at-risk. From February to May 2014, humanitarian actors organized the evacuation of 1,800 persons, predominantly Muslim, to safer locations in CAR and across borders. These humanitarian evacuations – small in comparison to the thousands who self-evacuated – were accompanied by international military escorts. Prior to any movements being organized, several assessment missions were undertaken to the communities-at-risk as well as to relocation sites, including with joint participation from the transition government and the UN integrated peace building mission in CAR, BINUCA (which was subsumed by MINUSCA in September 2014). A task force was established under the leadership of the Senior Humanitarian Coordinator to prepare and oversee the implementation of an HCT action plan, which was complemented by standard operating procedures developed by the Protection Cluster.

Despite considerable assessment and coordination, not least between humanitarian actors, the transitional authorities, BINUCA and international military forces, there were delays in the UN-led humanitarian evacuations in CAR. Implementation, in particular for the relocations from the capital, was by and large successful yet encountered complications, some linked to ensuring all measures were in place to minimize risks during the actual movement. Although [AU] troops did their utmost to provide physical protection during the extremely difficult journey across CAR, three lives were lost when anti Balaka elements ambushed the convoy, thus prompting questions by some humanitarian actors over preparedness. A particularly complicating factor was the sudden opposition to the relocation expressed by the Government of CAR.

What steps should be taken if evacuations are being considered?

If the protection or access environment has deteriorated significantly and evacuations are either already being discussed or may soon be considered, it will be important for the NRC CO to **consult internally** and **coordinate with key actors in the humanitarian system at country level**. Where humanitarians are involved with an evacuation it is almost always an interagency endeavor (agreed by the Humanitarian Country Team), and advocacy for or against an evacuation will be far stronger when carried out jointly with other actors. For that reason, internal and external coordination is essential.

Detailed guidance on steps that should be followed can be found in NRC's internal note on [Promoting the Protection of Civilians in Situations of Conflict](#), and is summarized here:

- Identify who, at CO or field level, has information or expertise relevant to evacuations or to protection and access more broadly, and convene them as an informal strategy group.
 - At minimum, this should include someone from: PfV; H2R/Access; ICLA; Advocacy; and Health, Safety and Security (HSS) teams.
 - Where these positions don't exist, are vacant at CO level, or the relevant individuals are less familiar with this topic, consult relevant colleagues at regional or global level.
- With the abovementioned internal group of colleagues, carry out a light touch analysis of the protection risks civilian populations face and the access barriers, and what measures would be most effective in addressing them.

- As part of this, assess whether broader protection and access tools have been tried and exhausted – this is essential in determining whether we have reached the point of last resort.
- Validate this analysis with the above-mentioned individuals, as well as with relevant external counterparts. This could include the Protection Cluster, OCHA, ICRC, or other peer organizations.
- Consult NRC regional and head office colleagues, including (at minimum) the global policy, access, and PfV leads. If the approach is endorsed by NRC regional and head offices, coordinate next steps with other actors (internal and external) at country level before proceeding.

In parallel with any advocacy efforts on evacuations, **NRC should always consider what we can do to strengthen protection and access through our operational and coordination work.** The abovementioned [internal guidance note](#) outlines options for addressing threats, reducing vulnerabilities, and supporting communities' coping capacities through NRC's core competency programming, access work, and coordination engagement.

Where can I find more resources?

- NRC [Considerations for Planning Mass Evacuations of Civilians in Conflict Settings](#) (2017)
- ICRC [Evacuations](#)
- [ICRC Customary International Law Database](#)
- Geneva Academy [Rules of Law in Armed Conflicts](#) classification portal

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