

**MEMORANDUM OF AGREEMENT  
BETWEEN  
THE DEPARTMENTS OF STATE AND DEFENSE  
ON THE PROTECTION AND EVACUATION  
OF U.S. CITIZENS AND NATIONALS  
AND DESIGNATED OTHER PERSONS  
FROM THREATENED AREAS OVERSEAS**

「外国にいる米国市民及び  
指定外国人の  
保護と退避に関する  
国務省と国防総省との間の  
合意メモ」

The parties to this memorandum of agreement wish to set out their agreement concerning their respective roles and responsibilities regarding the protection and evacuation of U.S. citizens and nationals and designated other persons from threatened areas overseas.

**A. POLICY OBJECTIVES**

In the event of an emergency abroad affecting the safety of U.S. citizens, it is the policy of the United States Government "--to:

1. Protect U.S. citizens and nationals and designated other persons, to include, when necessary and feasible, their evacuation to and welfare in relatively safe areas.
2. Reduce to a minimum the number of U.S. citizens and nationals and designated other persons subject to the risk of death and/or seizure as hostages.
3. Reduce to a minimum the number of U.S. citizens and nationals and designated other persons in probable or actual combat areas so that combat effectiveness of U.S. and allied forces is not impaired.

**B. INTERAGENCY CHECKLIST AND OTHER RELATED DOCUMENTS**

The documents attached hereto as appendices represent the parties' agreement on the respective subjects of those documents .

1. Checklist for increased interagency coordination in crisis/evacuation situations
2. Department of State/Department of Defense Cost Responsibilities matrix, with attached definitions
3. Policy guidance regarding evacuation of third-country and host.-country nationals. The establishment of this policy guidance shall not preclude coordination or cooperation with third countries in appropriate circumstances
4. Departments of State and Defense Liaison for Coordination and Implementation of Plans for the Protection of U.S. Citizens Abroad in Emergencies (Terms of Reference of the Washington Liaison Group)
5. Departments of State and Defense Liaison Coordination and Implementation of Plans for the protection of U.S. Citizens Abroad in Emergencies (Terms of Reference of the Regional-Liaison Groups)

### APPENDIX 3 EVACUATION OF THIRD COUNTRY NATIONALS

ISSUE: Many countries rely on the U.S. to evacuate their nationals during a crisis. Current procedures have not resulted in effective planning for the evacuation of Third Country Nationals (TCN's) and Host Country Nationals (HCN's) or coordination with other countries who may be able to provide evacuation assistance. This lack of coordination complicates evacuation planning, increases costs to the USG, and endangers successful evacuation of American citizens.

The following is a review of recent interagency discussions on improving advanced coordination for the emergency evacuation of TCN's and actions that will be taken as a result of those talks.

#### DISCUSSION

##### What Is the current policy on TCN evacuation?

Current policy on evacuation of third country nationals is outlined in the Department's Emergency Planning Handbook 12 FAH 1512(g). Essentially this provision states that in the event of a Noncombatant Evacuation Operation (NEO), the USG will consider extending - on a humanitarian, space available but reimbursable basis - evacuation assistance to foreign nationals.

In practice, we have repeatedly assisted virtually all governments requesting assistance in evacuating their nationals from countries in which a NEO has become necessary. Military planning has been hindered by grave underestimates of potential evacuees.

- ① The Department refrains from entering into formal agreements with other governments on the evacuation of their nationals. We have two long-standing agreements with the Canadians and British to consult with each other with respect to evacuation planning. All foreign governments (including Canadians and British) are urged to plan for their own nationals' evacuation and not to depend on USG resources.

##### How can we improve awareness of and implementation of current policy?

The FAH is unclear on who may authorize evacuation of TCN's and does not define the criteria for deciding and prioritizing which countries should be offered evacuation assistance. Crisis managers on the ground tend to err on the side of providing humanitarian evacuation assistance. In an often chaotic crisis situation, many TCN's are evacuated with inadequate eligibility screening and little support from their own governments upon arrival in the safehaven. While posts are best able to assess the advisability of assisting TCN's, the Department will provide appropriate guidance as soon as possible in a developing crisis.

#### Action

State will prepare more specific guidance for posts on evacuating TCN's under the current policy of providing such assistance on a space available, reimbursable basis. If evacuation assistance is offered, foreign governments must be responsible for their evacuees at the points of departure and arrival in safehaven. USG resources should be concentrated on assisting Americans, and we

- ① 国務省は、外国政府と、同国民の退避について正式の協定を締結することを控えている。
- ② (カナダ及び英国を含む) 全ての外国政府に対しては、自国民の退避のための計画を策定し、米国政府の人的・物的資源 (resources) に依存しないよう要請する。

should not risk jeopardizing our relationship with the safehaven government receiving the evacuees.

In addition, State will send a message to all Chiefs of Mission discussing crisis management, evacuation planning and TCN'S. Outgoing ambassadors are briefed on evacuation planning as part of the Ambassadorial Seminar. All posts will receive via cable a checklist for evacuation planning at post and the checklist for interagency evacuation coordination.

### **Should. we negotiate bilateral agreements (MOU's) on TCN evacuations and/or multi-lateral agreements with organizations such as NATO or the WEU?**

In a crisis situation overseas, the primary concern of the USG is the protection of U.S. citizens. Providing that protection requires maximum flexibility. **③ Entering into formal agreements with third countries could restrict the USG's ability to determine timing, duration, and location of a military assisted evacuation. Such agreements could obligate - or be perceived as obligating - the U.S. to evacuate large numbers of TCN's and to continue operations after all Americans have been evacuated. This would put U.S. military and civilians at greater risk** and increase the need for DOD force protection. In addition, the potential cost to the USG, State in particular, far exceeds our funding availability.

Presumably, formal evacuation agreements also would cover third country assistance to Americans in a crisis. In some situations, third countries are better positioned to provide safe and timely evacuation assistance to Americans. However, all agencies agree that the USG should not rely exclusively on other countries to protect our citizens. While it is prudent to explore ways in which third countries can support U.S. efforts to get our nationals out of harm's way, we should not assume that assistance will be sufficient.

In isolated cases, e.g. planning for a Korea contingency, it may be advantageous for the U.S. to develop more detailed evacuation coordination plans through government-to-government or military-to-military contacts resulting in limited agreements. However, in the majority of countries, the disadvantages of entering into formal evacuation agreements would outweigh the advantages.

### **How can we Improve coordination on TCN evacuations and ensure that the burden is shared among all nations involved?**

The most effective means of increasing international cooperation and ensuring burdensharing is through coordination at post rather than formal agreements. Ambassadors and regional CINC's should be the focal point for evacuation coordination in their countries of responsibility, as they have both country knowledge and contacts with other missions. Chiefs of Mission and regional CINC's should work together and within the diplomatic community to explore avenues for evacuation coordination in their countries.

#### Action

Several tools for TCN coordination already exist. The F-77 report includes information on TCN's who might request evacuation assistance. The Emergency Action Plan (EAP) includes a section on coordination with other missions. To provide more accurate estimates of evacuation needs, State will direct posts to compile more detailed information on numbers of TCN'S, assess

③ 第三国と正式の協定を締結するならば、軍が援助して行われる退避の時機、期間及び場所を決定する米国政府の能力が制限されることがある。そのような協定によって、米国政府は、多くの第三国民を退避させ、さらに全てのアメリカ人が退避した後も、退避作戦を継続することを義務づけられることになりかねない（義務づけられていると理解されることもありうる）。これによって、米国の軍と市民は、より大きな危険にさらされるのであり、軍による保護の必要性が高まる。さらに、米国政府、特に国務省に対する潜在的費用は、われわれの財政能力をはるかに凌駕する。

other missions' evacuation resources, and encourage those missions to establish their own evacuation plans.

Especially in 'hot spots,' posts should work closely with the diplomatic community to ensure adequate evacuation contingency planning, explore the capability of third countries to assist Americans in an evacuation and establish coordination and communication procedures that will facilitate international cooperation during an actual crisis. State will encourage ambassadors to initiate early consultations on gaining other nations' support for evacuation operations, TCN management and identification of safe havens. When appropriate, posts should urge other missions to encourage their nationals to depart a country in crisis. In some cases, evacuation coordination with other missions may take place in Washington and in capitals as well as at post.