



DEFENCE

■ Protection of Civilians (PoC)





DEFENCE

Disclaimer : This briefing does not necessarily reflect the opinion of Belgian Defence or DG Jur

IHL vs LOAC vs Laws of War

- Incorporation of the balance between humanity & military necessity
- Understanding of LOAC
- Reality check : Russian invasion of Ukraine and Middle East conflict
 - Decentralisation of C2
 - Urban warfare (urbanisation of the planet – EWIPA)
 - Timelines for decision making (AI?)
 - Counter-insurgency (COIN) vs Peer-vs-Peer

NATO's Protection of Civilians (PoC)

- Warsaw Summit 8-9 July 2016
- PoC Policy 2016
- PoC Action Plan
- Military Concept for the Protection of Civilians 2018
- ACO Handbook on Protection of Civilians

NATO Definition

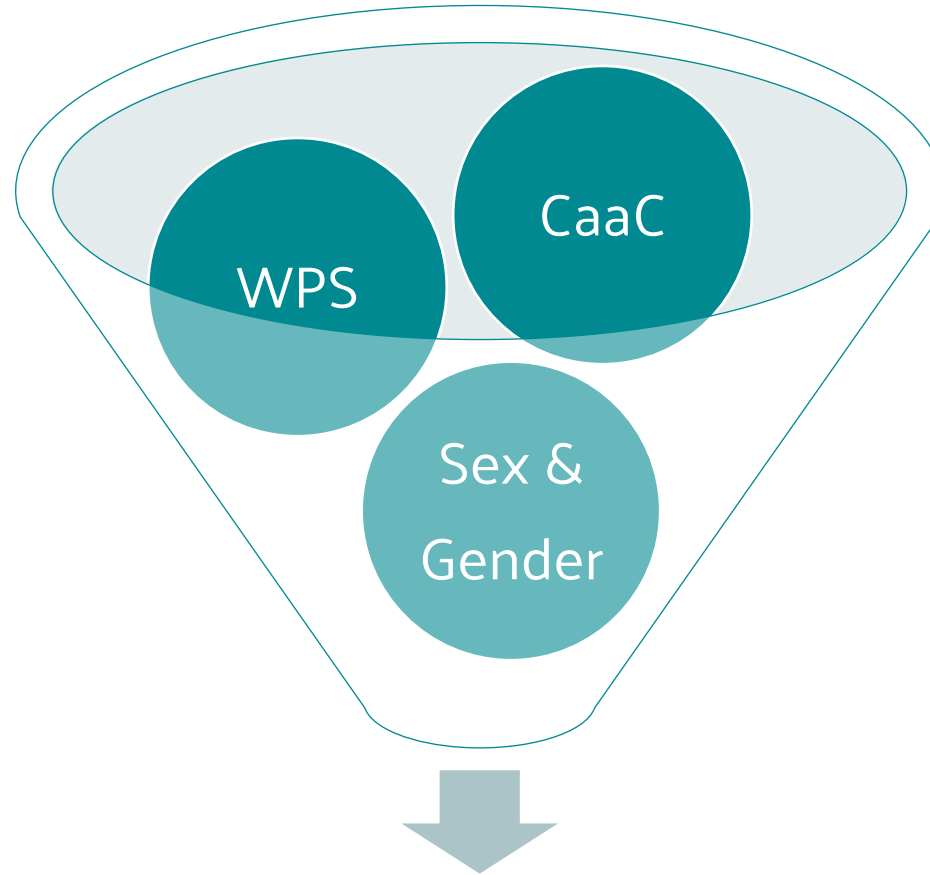
“Protection of Civilians (persons, objects and services) includes all efforts taken to avoid, minimize, and mitigate the negative effects on civilians arising from NATO and NATO-led military operations on the civilian population and, when applicable, to protect civilians from conflict-related physical violence or threats of violence by other actors, including through the establishment of a safe and secure environment.”

Source : [poc.pdf \(nato.int\)](#) & [SHAPE | The Protection of Civilians Allied Command Operations Handbook \(nato.int\)](#)



DEFENCE

Collection of cross-cutting topics

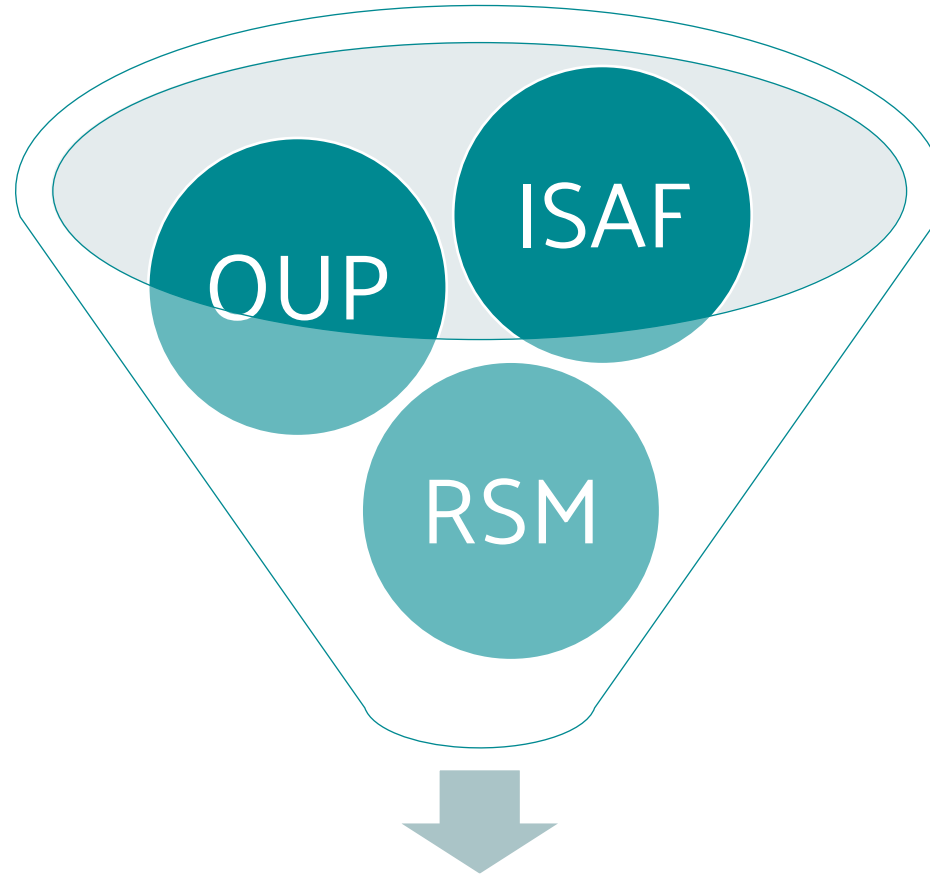


Protection of Civilians



DEFENCE

■ Integration of lessons Identified / lessons learned



Protection of Civilians

Law ↔ Policy

Art. 48 AP I : In order to ensure respect for and protection of the civilian population and civilian objects, the Parties to the conflict shall at all times distinguish between the civilian population and combatants and between civilian objects and military objectives and accordingly **shall direct their operations only against military objectives.**

Art. 52 AP I : 2. Attacks shall be **limited strictly to military objectives.** In so far as objects are concerned, military objectives are limited to those objects which by their nature, location, purpose **or use** make an effective contribution to military action and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, **offers a definite military advantage.**

ACO POC Handbook : “*PoC failures will generate negative strategic effects and their consequences will reverberate at all levels of command. PoC is therefore key for mission success and legitimacy*”

Source: [SHAPE I The Protection of Civilians Allied Command Operations Handbook \(nato.int\)](https://www.nato.int/docu/SHAPE/SHAPE%20I%20The%20Protection%20of%20Civilians%20Allied%20Command%20Operations%20Handbook.pdf)



DEFENCE

Law ↔ Policy

Art. 51 AP I : 3. *Civilians shall enjoy the protection afforded by this Section, unless and for such time as they take a direct part in hostilities.*

Art. 51 AP I : (b) *an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated.*

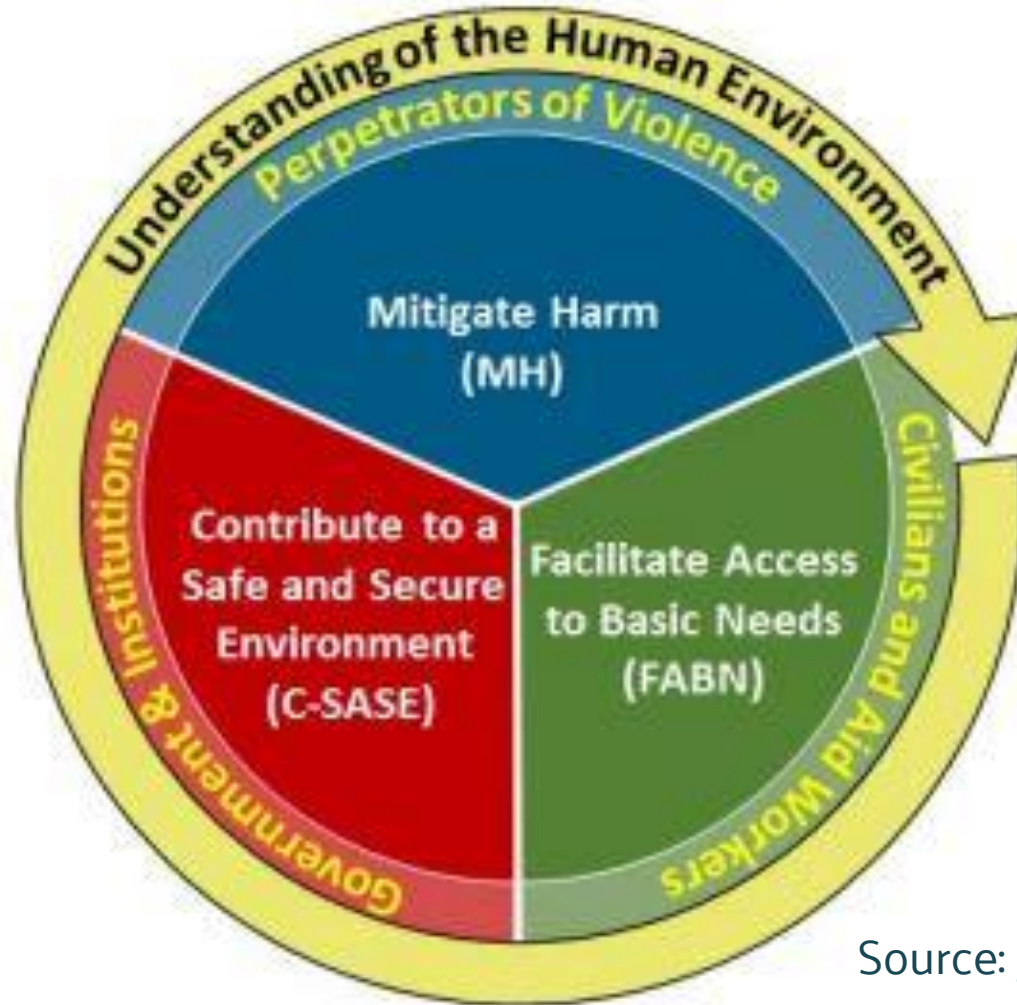
ACO POC Handbook : « *Controlling the PoC narrative will likely be a central theme of future conflicts (e.g. which side of a conflict has legitimacy with the civilian population, both domestically and within the conflict zone)* »

Source: [SHAPE I The Protection of Civilians Allied Command Operations Handbook \(nato.int\)](https://www.nato.int/docu/shape/shape1.htm)



DEFENCE

■ NATO Framework for PoC



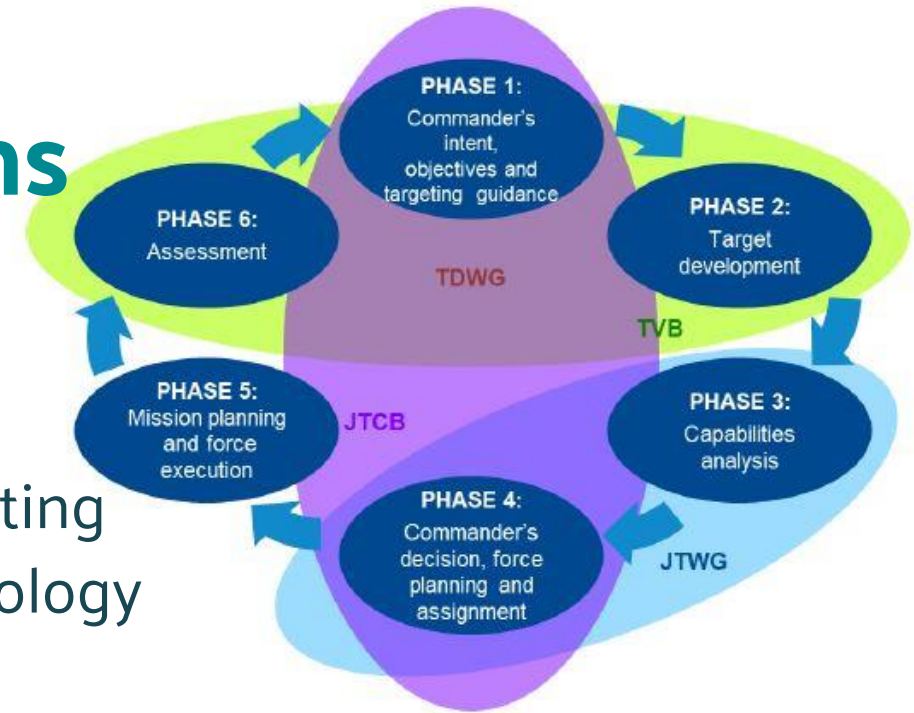
Source: [poc.pdf \(nato.int\)](https://poc.pdf(nato.int))



DEFENCE

Mitigate Harm (MH) - own actions

- NATO targeting process (AJP 3.9 B)
- NATO CIVCAS management through CDEM and reporting
 - CDEM = Collateral Damage Estimation Methodology
 - CDEM : Field CDE up to level 3
 - CDEM does not take into account:
 - Transients (persons passing the area)
 - Secondary explosions (explosives on target location)

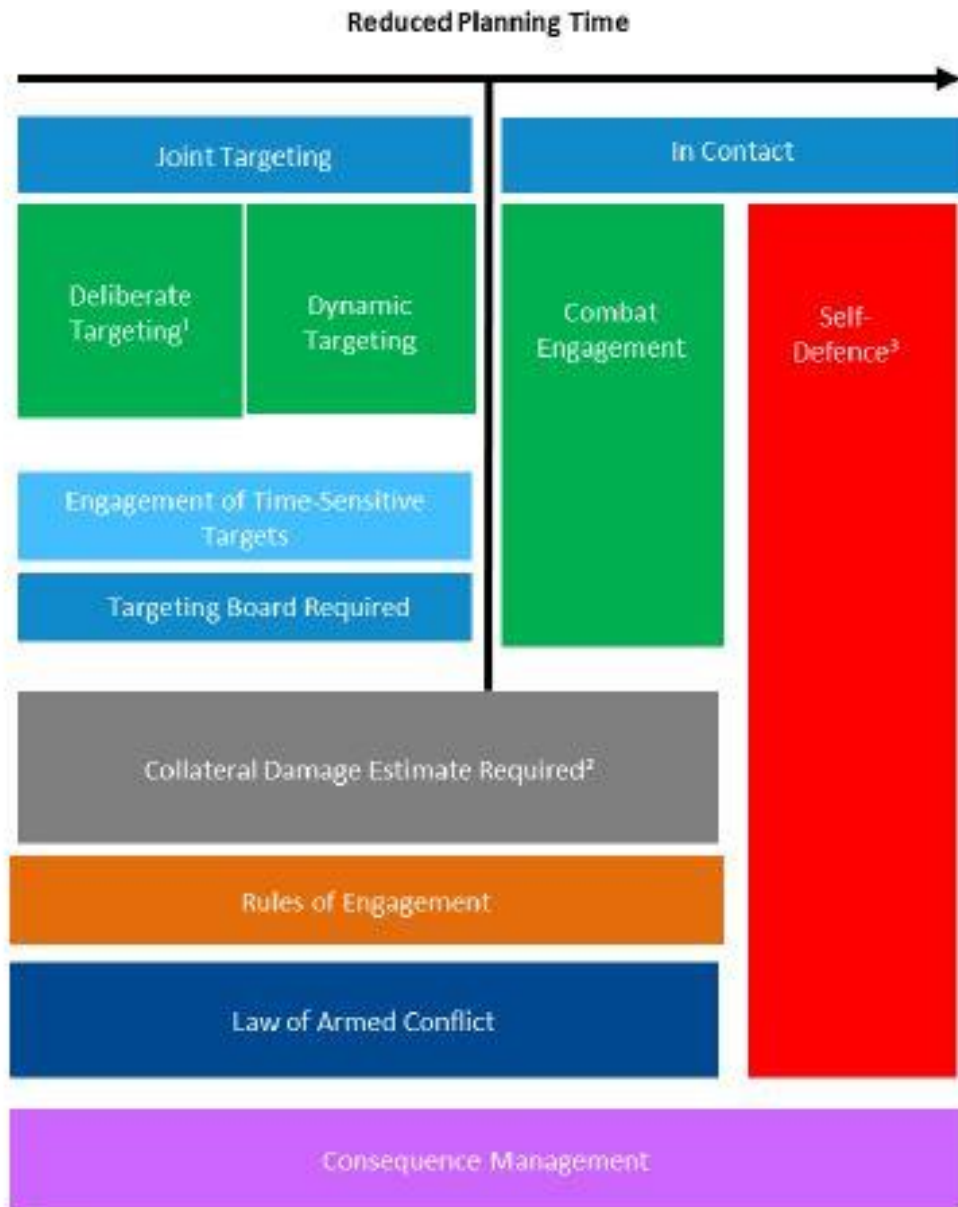


Source: [SHAPE I The Protection of Civilians Allied Command Operations Handbook \(nato.int\)](https://www.nato.int/docu/shape/shape1.htm)

ACO Handbook: “This process should include legal and engineering considerations and take into account second and third order effects that can negatively affect the civilian population for a longer time, such as impacts to the natural environment as well as to the civilian services and infrastructure”

1.4 THE ENGAGEMENT CONTINUUM

Engagements and actions can take place across a wide spectrum. The engagement continuum and related activities are depicted in Figure 1.1:



NATO Targeting

Source: [AJP-3.9, Allied Joint Doctrine for Joint Targeting \(publishing.service.gov.uk\)](#)



DEFENCE

■ Distinction

1) Target validation & development during planning (LEGAD in the Targeting Process – AJP 3.9)

2) PID: « *Positive Identification* » before engagement

Visual

or

Electronic / acoustic systems not requiring a response from the target

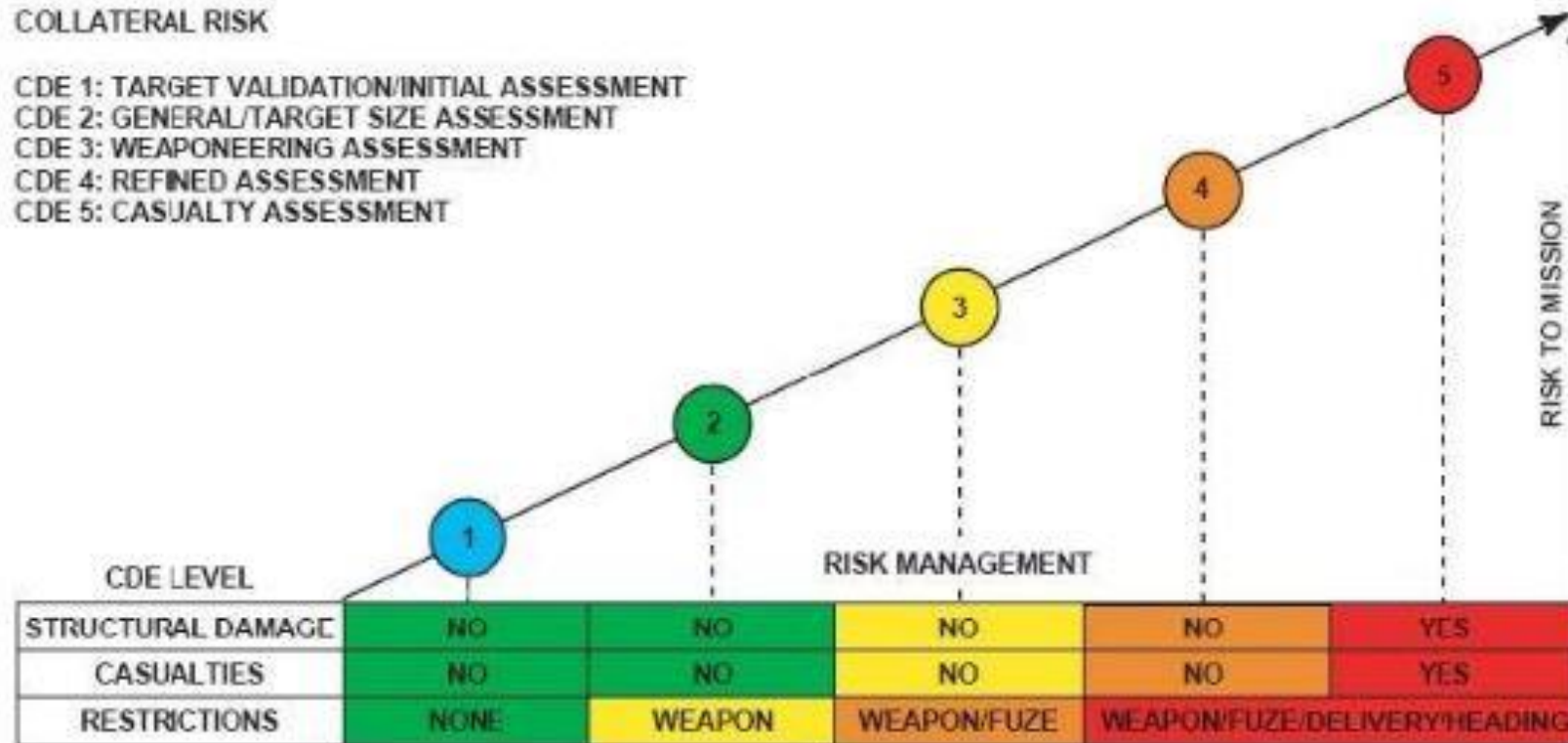


DEFENCE

Proportionality & precautions

COLLATERAL RISK

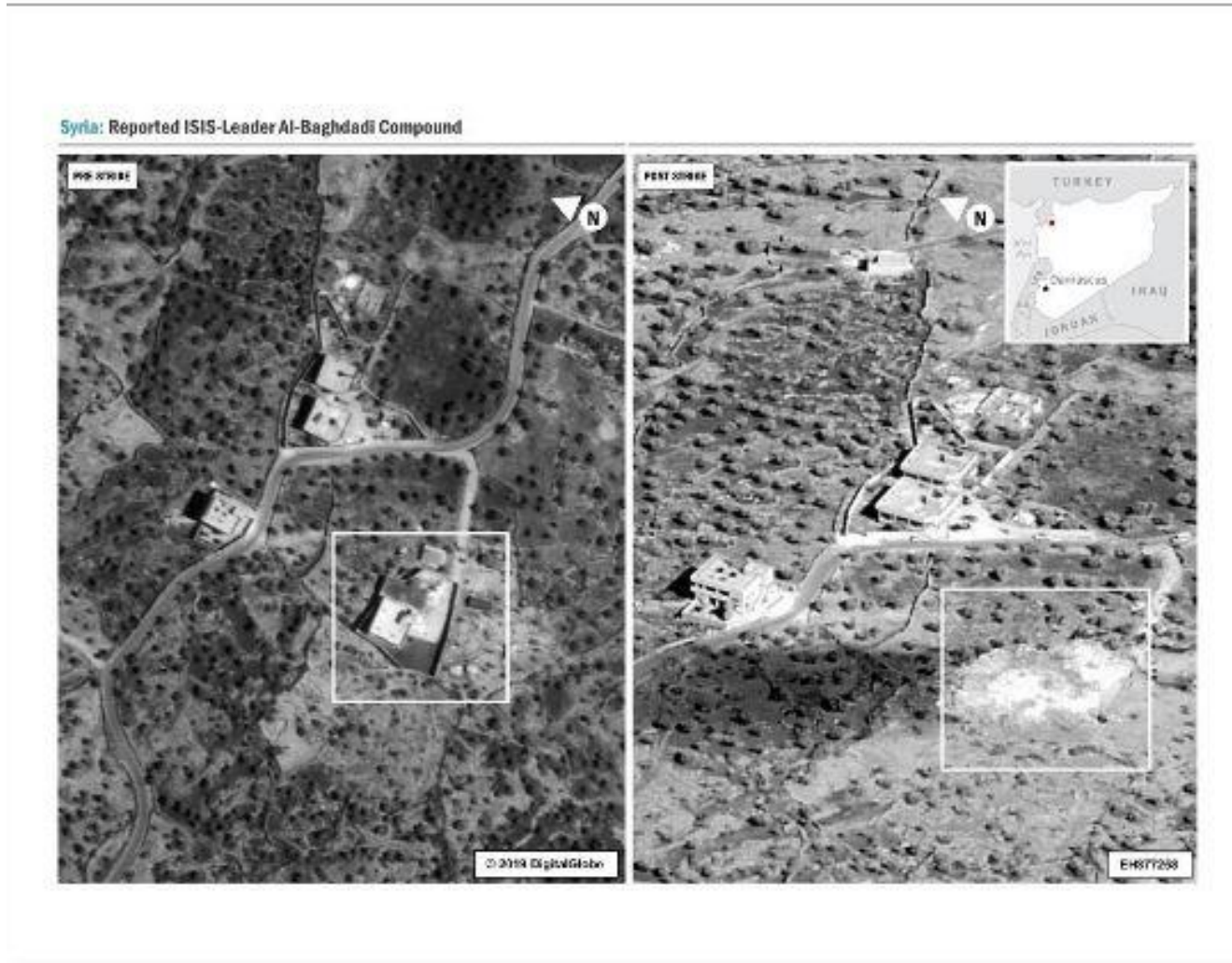
- CDE 1: TARGET VALIDATION/INITIAL ASSESSMENT
- CDE 2: GENERAL/TARGET SIZE ASSESSMENT
- CDE 3: WEAPONERING ASSESSMENT
- CDE 4: REFINED ASSESSMENT
- CDE 5: CASUALTY ASSESSMENT



DEFENCE

Precautions

POL: Pattern of Life





DEFENCE

■ Questions?