



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 8 April 2011

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COSDP 756

DECLASSIFICATION

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dated:	15 December 2003
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Subject:	Military Advice on the Draft Guidelines on Protection of Civilians in EU-led crisis management operations

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

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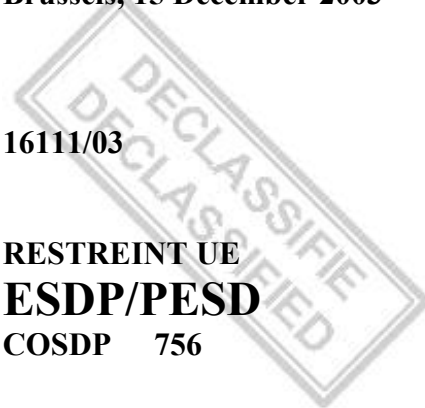


**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 15 December 2003

16111/03

**RESTREINT UE
ESDP/PESD
COSDP 756**



MILITARY ADVICE

from: European Union Military Committee

to : Political and Security Committee

Prev. doc. no. : CCD 08-02/08 OPS 268/1/03 REV 1, dated 11 December 2003

Reference : A. COREU CFSP/SEC/2593/03 PSC meeting 18 November 2003
B. Draft Guidelines on protection of civilians in EU-led crisis management operations (doc. 14805/03) dated 14 November 2003
C. Draft Council Conclusions on Protection of Civilians in EU-led crisis management operations (doc. 11333/3/03) of 15 July 2003
D. Military Advice on the Draft Council Conclusions on Protection of Civilians in EU-led crisis management operations (doc. 11601/03) dated 17 July 2003

Subject : **Military Advice on the Draft Guidelines on Protection of Civilians in EU-led crisis management operations**

Delegations will find attached the Military Advice on the Draft Guidelines on protection of civilians in EU-led crisis management operations, which was approved by EUMC on 15 December 2003.

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A. INTRODUCTION

The PSC in its session of 18 November 2003 took note that CIVCOM has agreed the document "Draft Guidelines on protection of civilians in EU-led crisis management operations", reference B, and requested the EUMC and COHOM to prepare advice on this document and to report back to the Committee, so that it can examine the issue on 16 December.

B. AIM

To provide the PSC with advice on the text of the "Draft Guidelines on protection of civilians in EU-led crisis management operations".

C. EUMC CONSIDERATIONS

Recalling and following its earlier advice on the "Draft Council Conclusions on the Protection of Civilians in EU-led crisis management operations", reference D, the EUMC has the following considerations:

1. The draft Council Conclusions on Protection of Civilians in EU-led Crisis Management Operations express the EU's commitment to the promotion and protection of the civilian population, child rights, gender issues and the needs of internally displaced persons and refugees.
2. The EUMC shares the concerns expressed in the draft conclusions and in the guidelines which have been developed with respect to the impact of armed conflict on the civilian population and the potential long-term consequences this has for peace, security and development.

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3. The EUMC stresses in the military advice on the Council Conclusions that the extent to which such respect can be ensured will depend on the formulation of the mandate for the operation (e.g. mandates for MONUC and IEMF in the DRC) and on the capabilities made available in the operation concerned.

The EUMC is satisfied to learn that this concern has been reflected in the draft guidelines by adding, inter alia, "taking into account the mandate of a concrete operation and the limitations on the means and capabilities at the disposal of the EU" as an introductory paragraph.

4. The EUMS has been fully associated in the preparation of the guidelines and most of the comments made by the military side have been incorporated in the final version of the draft guidelines.

However, the EUMC is still uncertain regarding the exact meaning of and to what extent efforts should be made in respect to para 5 of the guidelines: "In addition to the mainstreaming of child rights perspective mentioned above, measures will be taken to mainstream a gender perspective taking into account all relevant UN Security Council resolutions".

D. CONCLUSIONS

5. The EUMC shares the concerns expressed in the document and recognises the importance of ensuring that special protection, rights and assistance needs of civilians are fully addressed in all EU-led crisis management operations, in full compliance with the applicable obligations of Member States under relevant international law and under relevant UN Security Council resolutions.
6. The EUMC is satisfied to learn that the concern mentioned in the advice on the Council Conclusions, reference D, has been reflected in the draft guidelines by adding, inter alia, "taking into account the mandate of a concrete operation and the limitations on the means and capabilities at the disposal of the EU" as an introductory paragraph.

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7. However, the EUMC would like to have more clarity of the exact meaning in respect to paragraph 5 of the guidelines. After having received this clarification, the EUMC will take it into consideration in the context of the further review of relevant documents.

E. EUMC RECOMMENDATIONS

The EUMC recommends that PSC notes this Military Advice and agrees its conclusions.

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B-7010 SHAPE, BELGIUM



0812/EUSGJ3/03
Maj Kuokkanen, 7028

TO: Director General European Union Military Staff

SUBJECT: Weekly Situation Report

DATE: 10 December 2003

1. Political and Security Overview

1.1 Political General Overview

FYROM Mol Kostov stated that after the end of the Weapons Collection Program (WCP), "FYROM will perhaps look like a police state, but it will look so only for those who still own illegal weapons, not for those who will respect the laws." Kostov also announced that individuals who refuse to surrender their illegal weapons will be subject to strict sanctions of the Criminal Code.

1.2 Security Overview

The security situation in FYROM continues to remain calm. The mine threat is unchanged (LOW) and in general, the threat of a direct action against EUFOR or the International Community in the Former Crisis Area is assessed as LOW.

The security situation in the Crna Gora area continues to improve. Police forces are present on eight checkpoints and police patrols continue through the area without any reported incidents. Phase III of Mol plan continues discretely.

The WCP is ongoing and encompasses 123 municipalities. According to UNDP, the 2nd phase of the WCP has ended with success. 1,319 weapons, 978 barrels, 40 shells, 254 hand grenades, 38 mines, and 40 rockets were handed over while 13,235 rounds of ammunition, 82 kg of explosives and 851 other materials were collected. On 5 Dec the 3rd phase of the program started and will be comprised of daily collections.

2. Operational Situation

2.1. Own Forces

Operation CONCORDIA continues with routine patrolling and liaison tasks.

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2.2. Termination

The preparation for the Termination of the Operation is ongoing. The selling of EU owned equipment in Skopje in preparation of the dismantling of the FHQ is well on track.

2.3. Logistics

The EU OTA is 97%. The logistic situation is good and no logistic problems are reported.

2.4. CIMIC

NSTR.

Gerhard Kemmler
Brigadier General, GE AF
OHQ Director of Operations

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