France and the protection of civilians during military operations in urban areas

Example of best practices contributing to better protection of civilian population during the conduct of hostilities in urban context implemented by the French Armed forces

A structure of command ensuring compliance with IHL

The French armed forces rely on a chain of command in which responsibilities are clearly laid down. This structure, based on different levels of responsibility, allows well-informed decision-making at the most competent level, in order to make the best assessment of the expected consequences of the use of force.

Legal advisers specialized in the conduct of operations are present at all appropriate decision-making levels. These legal advisers are integrated in the Operations Command, and provide the necessary legal guidance to the Command regarding the use of force.

Moreover, within a military coalition, France exerts its national control to ensure that its armed forces are compliant with IHL and follow the operational rules of engagement. This national control allows France to maintain an autonomous national capacity to assess the situation and to control the use of the resources made available to the coalition.

Rules of engagement and targeting process implementing IHL

Operational rules of engagement define the conditions under which the use of force is authorised. These rules set out the political and strategic objectives of the mission as well as the principles of IHL. They ensure that the use of force is considered as a last resort, in a manner that is proportionate to the threat or military objective, in accordance with the principles of international humanitarian law.

In addition, France implements a strictly defined and supervised targeting process, incorporating the fundamental principles of IHL (distinction, proportionality and precaution). This targeting process, which is applicable to all types of ammunition and effectors available to the military commander, aims at avoiding, or minimizing, the loss of civilian lives, injuries to civilians and damage to civilian objects that could be caused incidentally. This process triggers a cross-domain analysis, bringing together operational, technical and legal expertise, in order to place the command in a position to take well-informed decisions. By defining authorities responsible for the engagement of targets, this process makes it possible to verify compliance with the prerogatives of each decision-making level. It also allows assessing compliance with the principle of necessity with regard to the operations conducted and the military advantage sought.

The targeting process relies on a robust intelligence component, which enables to make a well-informed choice of targets. This analysis allows to identify with certainty enemy military objectives and to assess accurately their contribution to enemy military action.

The French Armed forces use a collateral damage assessment methodology prior to strikes (based on simulation of weapon effects and systemic analysis) to identify all direct or indirect possible damage. This method makes it possible to determine the most appropriate modes of action and available weapon systems (kinetic or non-kinetic) most likely to achieve the objective while minimizing the risk of loss and civil damage, in order to protect the civilian population and civilian objects. The French armed forces also assess the damage induced in the medium and long-term, if it is reasonably foreseeable at the time of an attack.
In order to obtain the desired military effect while respecting the precautionary principle, a precise assessment is made to choose the right capabilities to support the targeting process. The French armed forces have the most modern means in their arsenal to ensure the accuracy of an attack, allowing to find the type of ammunition that is adapted to the target and its environment and which is the most suitable to obtain the desired military effect.

Strong intelligence, technological and training capabilities are paramount to ensure that the specific circumstances of each strike or attack correspond to those approved by the command and can fulfil the objectives of the mission. Whenever possible, human or technological ISTAR capabilities are deployed on the ground in order to withhold the strike if, at the ultimate moment of the attack, the conditions necessary to respect the fundamental principles of IHL are no longer met.

Specially tailored measures to address the challenges of the urban environment

Urban areas are a particularly complex environment requiring the implementation of specially tailored measures. Thus, the French armed forces have adapted their procedures to the urbanization of warfare and therefore progressively equipped themselves with:

- Specific doctrines for the conduct of hostilities in urban contexts;
- A specific mode of action (called "Action in urban areas"), aimed at meeting the requirements and constraints of operations in urban areas. This specific mode of action includes stabilisation and reconstruction phases;
- A specific training course aimed at acquiring and applying the technical and tactical skills of combat in urban areas in a realistic training environment (Sissone Urban Action Training Centre or CENZUB).

French armed forces draw and analyse lessons learned from previous urban operations in order to inform future operations. This feedback serves as a basis for improving doctrine for the employment of military forces and feeds into operational readiness trainings.

Conduct of actions to protect populations and promotion of their rapid and safe return

French armed forces seek and promote cooperation with local authorities and actors, as well as with specialized humanitarian organizations, in particular to support and complement actions to assist populations.

France also carries out post-conflict actions aimed at protecting civilians against the threat posed by mines, explosive remnants of war and improvised explosive devices. These actions aim at enabling safe and rapid return for populations. These actions are part of post-conflict stabilization and reconstruction efforts. These actions are carried out either directly by the French armed forces (explosive ordnance disposal units), or by strengthening the capacities of local actors through training, or by providing financial support for humanitarian demining projects.

Dissemination of IHL

All members of the French armed forces are trained to respect the rules of international humanitarian law governing the conduct of hostilities during their initial training period. Military personnel are regularly briefed on IHL rules during military operations. Military legal advisers, inserted with the command in operations, also promote and disseminate the dissemination of IHL.

France also promotes and disseminates International Humanitarian Law to allied forces. In the framework of a military coalition of forces, France may also decide to share its interpretation of IHL to its partners.