Chairman:

"I would like to ask the representative of SHAPE to share its views from an alliance level concerning the interaction between the command level and participating nations or possible instructions and experiences."

Mr Coordinator,

Firstly I would like to thank you for inviting SHAPE to this conference, and for the important work everybody involved in CCE is doing.

I'm LTC Thomas Cremer and since Dec last year I'm the Senior Arms Control Officer at SHAPE, which is the HQ of NATO's Allied Command Operation near Mons in BEL.

Although NATO itself is not a signatory of the CCW and its protocols, SHAPE considers the focus for this year's discussion on Article 4 of Protocol V (recording, retaining and transmission of information) on "operations conducted in coalitions or alliances" as being of particular interest for the military chain of command within NATO.

Therefore SHAPE gladly accepted your invitation.

Secondly, let me assure you that the Alliance is aware of the legal and/or political obligations that each nation is bound by the international Humanitarian law and CAC Regimes.

Additionally I would like to emphasize that these obligations are taken into consideration when planning and conducting operations.

For example the ACO Directive on "Conventional Arms Control & Alliance military Activities" (AD 80-75) states: "The CCW Convention must always be considered in NATO planning"
Operation Unified Protector

NATO took control of all military operations for Libya under UNSC Resolution 1970 & 1973 on 31st MAR 2011. This mission ended 7 months later on 31st OCT 2011.

OUP consisted of 3 elements:
- an arms embargo (23rd MAR 11)
- a no-fly zone and (25th MAR 11)
- actions to protect civilians from attack or the threat of attack (31st MAR 11)

Final MXN Stats (2nd NOV 2011):
- over 260 air assets and 21 naval assets
- over 26,500 sorties, incl. over 9,700 strike sorties
- over 5,900 military targets destroyed, incl. over 400 artillery or rocket launchers, and over 600 tanks or armored vehicles

The CFACC database included all OUP fire missions (Air deliverd, Attack Helicopter Strikes and Naval Fire Support Activities (limited to the western front – IVO ZLITAN))

Database Limitations:
- only NATO OUP strikes. No information on any possible national activities and no information on “Odyssey Dawn” Strikes.,
- data extracted and analyzed from CFACC/ CAFMCC reports (MISREPs, BDAs)

The database remained initially classified. The classifying authority, CFACC, had the responsibility and authority for declassifying the database.

Following strike nations NMRs review, the CFACC did declassify and gave permission for release.

The information provided in the database had to be sanitized before being released to the ICRC and UN Mine Action Service to assure the NMRs that confidentiality and protection of national interests is paramount.

This procedure will allow nations the opportunity to object to the release of any specific mission, in conformance with national interests, before declassifying the entire database.
Once it is declassified, there is no impediment to its release.

NATO had established a process to ensure appropriate documentation of all air-to-ground strike locations that is compatible with UNMAS requirements. This OUP weapons tracking log, which was maintained at the Combined Air Operation Cell (CAOC) in Poggio Renatico, could be accessed upon periodic request and included the following critical information:
- DTG of Munition Impact
- Location/Point of Munition Impact, Intended or Known – Lat./Long.
- Type of Munition(s) employed
- Intended effect of Munition
- Target data when not determined to be ‘classified’

A NATO POC for UNAMA had been appointed

SHAPE Strategic Operation Center (SOC) had been identified as the POC to the ICRC

From SHAPEs perspective everything possible had been done to enable nations compliance with Protocol V Art. 4. Not only in the aftermath but also during preparation and execution of OUP.

NATO’s precision target identification as well as collecting, retaining and distributing of strike data were efforts to minimize risks for the civilian population during the strikes and to reduce the risk of UXO related casualties.

NATO ≠ IAC
≠ necessarily the only possible alliance

being involved in an armed conflict