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CAPSTONE SERIES

ADDP–D

FOUNDATIONS OF AUSTRALIAN MILITARY DOCTRINE

Australian Defence Doctrine Publication–D (ADDP–D)—*Foundations of Australian Military Doctrine*, edition 3, is issued for use by the Australian Defence Force and is effective forthwith. This publication supersedes ADDP–D, edition 2.

D.J. HURLEY, AC, DSC
General
Chief of the Defence Force

Department of Defence
Canberra ACT 2600

31 May 2012



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ADDP–D

First edition 2002
Second edition 2005
Third edition 2012

Sponsor

Vice Chief of the Defence Force

Developer

Strategic Policy Division

Publisher

Defence Publishing Service
Department of Defence
CANBERRA ACT 2600

Defence Publishing Service
DPS: July/2012

Edition 3

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FOREWORD

1. Australian Defence Doctrine Publications (ADDPs) and Australian Defence Force Publications (ADFPs) are authorised joint doctrine for the guidance of Australian Defence Force (ADF) operations. ADDPs are pitched at the philosophical and high-application level and ADFPs at the application and procedural level. Policy is prescriptive as represented by Defence Instructions, and has legal standing. Doctrine is not policy and does not have standing; however, it provides authoritative and proven guidance which can be adapted to suit each unique situation.

2. The ADF recognises the importance of doctrine. Over the years a range of publications have been developed, covering both joint and single-Service operational matters. This third edition of ADDP–D reflects Australia's strategic position in a global environment.

3. Doctrine is a description of the application of force to achieve Australia's national interests domestically and internationally. Doctrine states the ADF's philosophical military approach to the operational environment. Doctrine development is a dynamic process based on professional experience and judgement. Its application must be tailored to a given situation or event.

4. ADF commanders and staff should be familiar with the contents of this publication.

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AMENDMENT CERTIFICATE

Proposals for amendment of ADDP–D are to be forwarded to:

Director
Strategic Policy Division
Russell Officers
CANBERRA

Amendment		Effected	
Number	**Date**	**Signature**	**Date**

DOCTRINE PUBLICATION HIERARCHY

The hierarchy of ADDPs and ADFPs and the latest electronic version of all ADDPs and ADFPs are available on:

DRN located at: http://intranet.defence.gov.au/vcdf/sites/adfwc/; and
DSN located at: http://web.wlm.nnw.dsn.defence.mil.au/adfwc/.

Selected unclassified ADDPs and ADFPs have been released to the public and are available on the internet at: http://www.defence.gov.au/adfwc/doctrine.html.

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CHAPTER 1

INTRODUCTION

Executive summary

- The Australian Defence Force (ADF) is an instrument of national power and is responsible to the Australian Government.
- Australian Defence Doctrine Publication—Doctrine (ADDP–D)—*Foundations of Australian Military Doctrine* is the ADF's capstone joint doctrine publication.

INTRODUCTION

1.1 The ADF is an instrument of national power and ADDP–D conveys the nature and purpose of the ADF in a contemporary environment. Ultimately the ADF's emphasis is on defending Australia.

1.2 ADDP–D is the capstone document in a hierarchy of publications from which all ADF joint and single-Service doctrine is derived. This publication provides overarching guidance for the employment of the ADF in support of Australian Government objectives

1.3 ADDP–D is primarily intended to provide guidance to members of the ADF, particularly those in command and leadership positions. However, anyone with an interest in Australia's defence will find the publication a valuable resource.

Strategic guidance and role of military doctrine

1.4 Australia is an independent and outward looking nation. Its democratic institutions, cultural diversity and record of constructive international and regional engagement underpin its participation in world affairs. In a changing and challenging international environment, Australia pursues bilateral, regional and multilateral strategies to advance its national interests, within a context of global responsibility.

1.5 Australia's system of government is a product of both its history and its national values. Australians are proud of their peaceful society. Australians believe that change should occur by discussion, peaceful persuasion and the democratic process, and reject violence as a way of changing people's minds or the law.

1.6 The ADF is responsible to the Australian Government. The decision to deploy the ADF on operations is determined from a whole-of-government perspective. The Australian Constitution sets out the national system of government, and the *Defence Act 1903* is the legislative basis of the political and military relationship.

1.7 The government's use of the ADF also reflects Australian values of respect for the freedom and dignity of the individual, freedom of religion, commitment to the rule of law, democracy, equality, tolerance, fair play, compassion for those in need and pursuit of the public good.

1.8 The whole-of-government approach to national security necessitates the coordination of planning with other government agencies and at times non-government or foreign government agencies. The government determines the direction of Defence and is responsible for the operational use of the ADF. Defence provides strategic options and advice that assists the government in its decision making process.

Context and framework of Australian Defence Doctrine Publication—Doctrine

1.9 ADDP–D is one of a suite of key documents that support strategic planning for operations, international engagement, preparedness, capability development and budgeting. The other documents are:

- *Defence White Paper*;
- Defence Planning Guidance;
- CDF Preparedness Directive;
- Quarterly Strategic Review;
- The Strategy Framework;
- CDF Planning Directives;
- Future Concept Papers; and
- other Defence doctrine, concepts, and publications.

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1.10 ADDP–D describes:

- the nature of military doctrine, its purpose and application;
- the nature of war, armed conflict and the ever-changing environment in which the ADF may operate;
- national security and strategic policy issues applicable to Australia;
- the ADF as an instrument of national power under the direction of the government;
- the constitutional, political, legal and administrative contexts and arrangements within which, and under which, Australia may use armed force;
- the Australian approach for the conduct of military operations; and
- the nature of preparedness and readiness of the ADF for operational activity.

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CHAPTER 2

THE NATURE OF WAR

Executive summary

- While the characteristics of war and armed conflict may change over time, the nature of war is immutable. It represents the use of organised force to resolve a difference between nation-states or non-state groups.

INTRODUCTION

2.1 When considering how the Australian Defence Force (ADF) undertakes the various tasks government requires it to perform, it is useful to consider the nature of conflict and war.

War and armed conflict

2.2 War is a clash of wills involving organised violence as an extension of politics. In war, the fundamental goal is to make the adversary comply with your will. The term armed conflict is often used to describe war, and while there are important technical and legal differences between the two, for the purposes of ADF doctrine, the terms war and armed conflict are used interchangeably. The term armed conflict in particular involves legal distinctions that must be carefully considered as part of the planning process.

Armed conflict as a political act

2.3 While in one sense, the existence of armed conflict represents a breakdown of normal political relations, in another sense it represents the continuation of political relations, but with the added dimension of armed conflict as a means of achieving political objectives.

2.4 Some nation-states, and some non-state actors, are more willing than others to use armed conflict as an instrument of policy. Despite strong legal restrictions on the application of force, the attractiveness of armed conflict as a policy option varies according to many factors. These include:

- cultural or religious influences involving a high tolerance for, even willingness to, employ violence;
- the financial cost of engaging in hostilities, and the ability to meet that cost;
- the vigilance and preparedness of the adversary;

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- the likelihood of achieving objectives by non-violent means;
- the habitual propensity to use violence as a means of achieving aims; and
- the likely impacts on third parties.

2.5 Armed conflict is not an end in itself. It is a means of achieving national objectives. For most states, the damage, destruction and high cost of armed conflict mean that hostilities are usually an option only if the protection or promotion of some vital national security interest is at stake and cannot be achieved any other way.

Spectrum of conflict

2.6 Conflict—including war—can be illustrated as a spectrum, which ranges from peace (as an ideal) to general war. This spectrum is illustrated in figure 2–1.

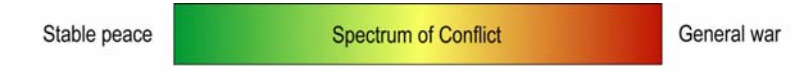


Figure 2–1: Spectrum of conflict

2.7 At one end of the spectrum is stable peace, a situation with little or no violence. The activities of the actors are confined to peaceful interaction (which may include peaceful competition, cooperation, and assistance) in politics, economics, etc.

2.8 Moving along the spectrum, a stable peace may degenerate into a condition of unstable peace, where two or more factions threaten or use violence to achieve their objectives. In some cases, force may be applied by outside powers to limit the conflict.

2.9 Continuing along the spectrum, unstable peace may give way to irregular warfare; manifested by terrorism, insurgency, criminality, political and sectarian violence, and civil war. This phase of the spectrum includes other wars that are restricted in some way—often termed limited war or regional war.

2.10 The other end of the spectrum from peaceful interaction is true interstate conflict—general war. This term is used to cover war between nation states in which the total resources of all parties are employed and the national survival of one or more states is in jeopardy. General war is widespread, and will have implications for combatant and non-combatant nations alike. World Wars I and II are classic examples.

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Levels of war

2.11 At any stage in the spectrum of conflict, war is generally regarded as being conducted at three levels—strategic, operational, and tactical. figure 2–2 illustrates these levels.

2.12 Strategic level. The strategic level involves the overall direction of national and military effort, and the overarching political objective of the conflict. This level can be divided as follows:

- **National strategic** refers to the political dimension of the conflict beyond the military level, both domestically and internationally, as well as mobilisation of national military and non-military resources to support the war effort. The political dimension relates both to the desired political end state, and to domestic considerations enabling the conduct of hostilities.

- **Military strategic** refers to the military planning and general direction of the conflict; setting the desired military end state and the broad military approach to achieving that end state.

2.13 Operational level. This level involves the planning and conduct of campaigns and operations to achieve strategic-level objectives. This level is under the command of a joint force commander. In an Australian context, operations could involve the ADF alone, or the ADF and other militaries in allied or coalition operations. The operational level serves to link the strategic and tactical levels.

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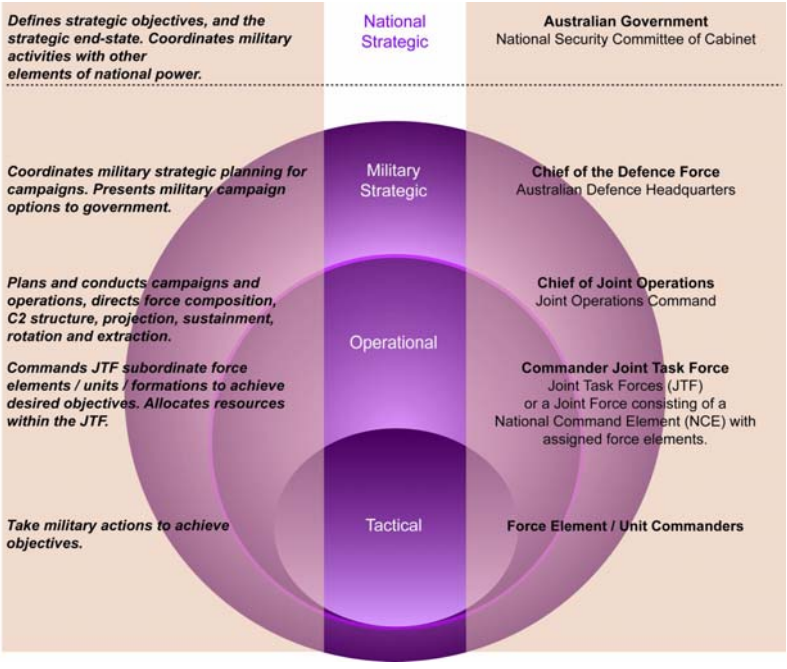


Figure 2–2: Levels of war

2.14 Tactical level. This level involves the planning and conduct of battles and engagements that are sub-sets of a military operation.

Constraints

2.15 Although war is a violent clash of wills, its conduct is invariably subject to constraints. These can circumscribe the political aims of a conflict, the intensity of combat operations, the geographic extent of military actions, the duration of hostilities, and the kinds of military operations and activities conducted. Such constraints are:

- **Practical.** Hostilities may be constrained by the equipment and the respective military capabilities of the belligerents, by the cost of war, and by problems of distance, climate, weather, terrain and oceanography in conducting operations.

- **Legal.** Both international law and domestic law place limits on armed conflict.

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- **Moral.** These considerations are now largely absorbed into international norms and values. Other moral and ethical considerations will shape and influence how the war is conducted.

- **Political.** These could include awareness by the belligerents of their mutual need to conduct political relations beyond the present hostilities. In the case of a coalition arrangement, political considerations are governed by what is acceptable to all coalition partners.

- **Environmental.** Environmental, cultural and heritage considerations may constrain the conduct of the war.

WAR AND WARFARE

Introduction

2.16 There is an important distinction between war and warfare. The nature of war—imposing your will on the adversary and making them comply—is immutable. Additionally, war will always involve terror, violence, chaos, suffering, social and economic dislocation, and destruction of life and property.

2.17 In contrast to the immutable nature of war, warfare—the conduct of war—can change over time. Although warfare always requires the application of planning, military skills, organisation, communication, logistic support and leadership, it is the application of these elements that is subject to change. Technological developments transform both the weapons of war and the general conditions in the society fighting a war. These can include the state of a society's transport, communications, health, education systems, and also the role of the mass media. The political environment (whether domestic, regional or global) in which wars are fought also changes continuously over time.

2.18 The interplay between war and warfare will be explored in this section.

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ENDURING ELEMENTS OF WAR AND WARFARE

Friction

2.19 Friction is the accumulation of physical and psychological factors that cause operational plans to fail or not proceed as planned. It is a feature of warfare that is both pervasive and serious. No amount of training or planning can entirely eliminate friction. Military operations may be hampered by:

- factors external to a fighting force, for example, adversary resistance, harsh terrain, harsh climatic conditions, unfavourable weather, logistic delays and restrictive rules of engagement; or
- factors internal to a fighting force such as fear, exhaustion, indecision, misunderstanding, confusion, errors, and inadequate planning, training or equipment.

2.20 Since friction is an inevitable part of warfare, a fighting force must recognise and accommodate it. A fighting force can reduce friction by:

- using simple, flexible, clearly communicated plans;
- fostering good discipline, leadership and morale;
- paying proper attention to administrative and logistic support arrangements; and
- displaying persistence, perseverance, resilience, and flexibility.

Uncertainty

2.21 In armed conflict, uncertainty, disorder and disharmony are enduring features, commonly referred to as the fog of war. The lack of accurate or timely information, situational understanding, or the presence of information overload and contradictory information contribute to the fog of war.

2.22 A degree of uncertainty is inevitable in warfare. This can be mitigated by:

- addressing intelligence and information shortfalls;
- using simple and flexible plans, including contingency plans;
- having clear command and control arrangements;
- effective training;

- fostering initiative and mutual support at all rank levels; and
- improving information and communications technology systems and processes.

2.23 A fighting force that is creative, flexible and decisive can also exploit opportunities that arise from its adversary's own experience of uncertainty.

Violence and danger

2.24 Armed conflict is invariably violent and causes fear, trauma, injury and death. Armed conflict also usually results in destruction of physical assets, disruption and distortion of normal economic activity, degradation of the physical environment, dislocation of populations, and severe political and social stresses. These considerations are powerful arguments for the avoidance of armed conflict where possible.

2.25 However, where armed conflict does occur, these same considerations are also powerful arguments for the importance of fostering and maintaining effective leadership, good discipline, high morale, strong group cohesion and realistic training. A force that does this will be better equipped to withstand the inevitable dangers and pressures.

Population focus

2.26 Conventional war seeks a change in the policies, if not in the outright existence, of a government by coercing government leaders or defeating them militarily. Irregular war, conversely, seeks to undermine a group or government by influencing the population, which is often the centre of gravity. The focus of irregular warfare is not primarily on the military or destructive capability of an adversary (state or non-state). In irregular war, distinctions between military and civilian may be blurred and the notion of a front line or linear operating environment is meaningless.

Changes in warfare

2.27 Although war is an enduring element of the international system, warfare changes over time. Warfare contains multiple threats resulting from state and non-state actors exploiting all modes of war simultaneously using advanced weapons, non-military tactics, terrorism and disruptive criminality to destabilise an existing order.

2.28 **Change is ever-present in warfare.** Some of the factors that may influence change in the characteristics of warfare include technology, asymmetry, globalisation, political and legal constructs, changing demographics, and social and cultural factors. Such changes have resulted in the emergence of new domains, such as space.

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2.29 Environment and domains. The operational environment (OE), previously known as the battlespace, embraces all the elements, conditions and circumstances influencing the employment of capabilities and the decisions of the commander during campaigns and operations. Within the OE there are a range of overlapping and interrelated physical and non-physical domains in which, or through which, military activity takes place. There are four physical domains: maritime (including sub-surface), land, air and space. The two non-physical domains are information (including cyber and the electromagnetic spectrum) and the human domain. Further detail on domains and environments is contained in Australian Defence Doctrine Publication 3.0—*Campaigns and Operations.*

2.30 Information and technology. Information and technology are significant enablers for belligerents. Technology has expanded the operational space through mass communication, creating the potential for the cyber-mobilisation of dispersed communities. Groups have seized on the globalisation of information to execute the strategic communication campaigns that are central to their activities. The content and delivery of information has therefore shifted from the mass propaganda of revolutionary insurgents, from the 1950s to the 1970s, to highly tailored campaigns. Adversaries have been quick to exploit the mobile phone, internet and social networking sites for recruiting, training, educating, motivating and controlling new members. Information now permits targeted individual mobilisation; an alternative to traditional mass mobilisation.

2.31 Globalisation. In addition to information flows, transport and financial systems facilitate the global movement of adversary money, equipment and people. In terrorism and insurgencies in particular, clusters of cells or teams gravitate towards each other in informal communities of interest—to exchange intelligence and weaponry, reinforce a commonly held narrative, or train and conduct attacks—before dispersing, perhaps never to meet again. Some groups employ a version of mission command based on intent, ideas and ideology being passed through both the virtual domain and by word of mouth. Insurgency is no longer bounded by the aim of self determination. Instability emanating from fragile states and sympathetic populations in developed states can take the form of a franchised, globalised insurgency whose goals encompass profound changes to the international order.

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2.32 Adaptation. States may choose to convert military units into irregular ones and adopt new tactics. They may also be quick to cooperate with non-state actors where they see mutual benefit. Adaptive adversaries combine various types of warfare in the same time and place. Consequently, attempts to counter them are unlikely to be successful if pursued in a linear, sequential or purely military manner. Evolving threats demand an agile and adaptive response. When warfare or conflict impact a fragile state and its population, a comprehensive approach that combines the military, development, governance and rule of law measures of different organisations and nations is one means of achieving such a response.

2.33 Protection of civilians. Protection of civilians has risen in importance as a key objective and determinant of mission success. Military forces must have the mandate and ability to provide a population with adequate physical protection against harm by any actors. This is especially challenging, as adversary tactics may include the use of measures such as improvised explosive devices or suicide terrorist attacks that deliberately target civilians.

2.34 Warfare is becoming both politically and militarily more complex to manage. Military-related technological developments will also have profound effects on the cost, tempo, duration and dangers of warfare, on military command and control, and on the political-military interface in war.

CHAPTER 3

THE NATURE OF MILITARY DOCTRINE

Executive summary

- Doctrine is fundamental principles by which military forces guide their actions in support of objectives. It is authoritative but requires judgement in application.
- Military doctrine is an officially sanctioned, formalised and written expression of institutionally accepted ideas about what armed forces do and how they do it.
- Military doctrine, strategic policy, and military theories and concepts are related.
- Australian Defence Force (ADF) doctrine is written to provide either philosophical, application or procedural guidance. These are not the same as the levels of military activities, although they do roughly correspond to the strategic, operational and tactical levels
- Australian Defence Doctrine Publication–D (ADDP–D)—*Foundations of Australian Military Doctrine* is the ADF's capstone joint doctrine publication.
- ADF doctrine is periodically updated using an established doctrine development cycle.

At the heart of warfare lies doctrine. It represents the central beliefs for waging war in order to achieve victory.

General Curtis Emerson LeMay, US Air Force, 1968

INTRODUCTION

3.1 This chapter describes the nature and application of military doctrine in general, and its use by the ADF specifically.

3.2 Military doctrine is an officially sanctioned, formalised and written expression of institutionally accepted principles and guidance about what armed forces do and how they do it. It contains fundamental principles by which military forces guide their actions in support of national objectives.

The history of military doctrine

3.3 Over the last three centuries, the scope of both military thought and military doctrine incrementally expanded. In the case of doctrine, this expansion accelerated during the nineteenth century as European and English-speaking militaries attempted in Napoleon's wake to reach an understanding of his method of warfare. The numerical expansion, industrialisation, professionalisation and bureaucratisation of many militaries during the nineteenth century were influential factors underlying the expansion of doctrine.

3.4 It was not until the turn of the twentieth century that doctrine took on a form easily recognisable in comparison to contemporary publications. It is at about this time that it became formally separated from military theory and concepts by virtue of its new status as officially sanctioned, institutionally-authored military publications, explicitly designed to provide guidance for the conduct of military activities.

ROLE OF MILITARY DOCTRINE

Relationship between policy, military doctrine and concepts

3.5 There is a close relationship between policy, military doctrine and military concepts. The purpose of policy is to state 'what' is to be done and not done, while the 'how', now and into the future, is the function of military doctrine and concepts.

3.6 **Policy.** National policy is the government's judgement on what is necessary, possible and in the national interest.

3.7 Defence policy is the directive statement of what is to be achieved. It is flexible and generally enduring. It must be capable of rapid review should the strategic environment change. Policy informs the development of military doctrine.

3.8 **Military doctrine.** Military doctrine, henceforth referred to simply as doctrine, is informed by fundamental lessons learned over time about the ways that military forces can be used in support of national policy. Doctrine is more enduring. Doctrine defines how current military operations should be directed, mounted, commanded, conducted, sustained and recovered. Although doctrine is authoritative, it requires judgement in application. The principles it contains are not immutable.

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3.9 The primary intent of doctrine is to provide guidance for the conduct of military activities. Doctrine also provides a mechanism for the analysis of key operational challenges and assists in the delivery of professional military education and training.

3.10 There are a number of influences on, and key roles of, military doctrine. These are shown in figure 3–1.

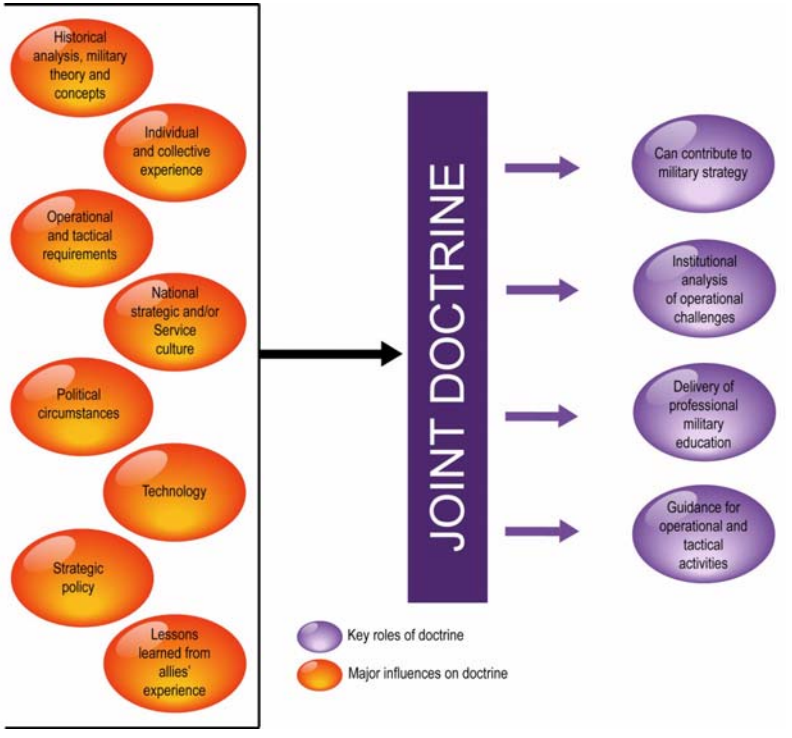


Figure 3–1: Influences and roles of doctrine

3.11 Concepts. If doctrine is about how the military prepares for, conducts and sustains operations, then concepts are those untried and untested ideas about how the military thinks it may conduct operations in the medium to long term.

3.12 Not all concepts will become part of doctrine. A concept becomes doctrine if it successfully completes a process of rigorous debate, systematic analysis and practical testing during both training and operations. This process transforms an untested and creative concept into an accepted tactic or process.

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DOCTRINE AND THE LEVELS OF WAR

3.13 Australia chooses to both categorise and command war at three overlapping levels—strategic, operational and tactical. Although this understanding of war is common in western countries, it is not necessarily universal. Thus, references in this document to levels of war or levels of command relate to the Australian categorisation of war, and may not be applicable to other countries.

3.14 The levels of war are:

- **Strategic.** At the national strategic level governments determine overarching strategic and policy goals that have military as well as other aspects. As a result of these goals militaries develop strategies to implement the military aspects of national strategy.

- **Operational.** The operational level provides a bridge between the strategic and tactical levels. At the operational level campaigns and operations are planned and conducted, with the aim of translating strategic objectives into a series of tactical actions. Operational planning encompasses the manoeuvre of tactical units as well as the provision and sustainment of logistics and administrative support.

- **Tactical.** At the tactical level missions are planned and executed with force applied directly against adversaries, with the intent of achieving victory at a particular time and place.

3.15 Tactical successes collectively contribute to achieving operational and strategic objectives and thus support policy and national strategy.

AUSTRALIAN DEFENCE FORCE DOCTRINE HIERARCHY

3.16 Doctrine publications are written to provide philosophical, application or procedural guidance and can be applied across the levels of war. This relationship is shown in figure 3–2.

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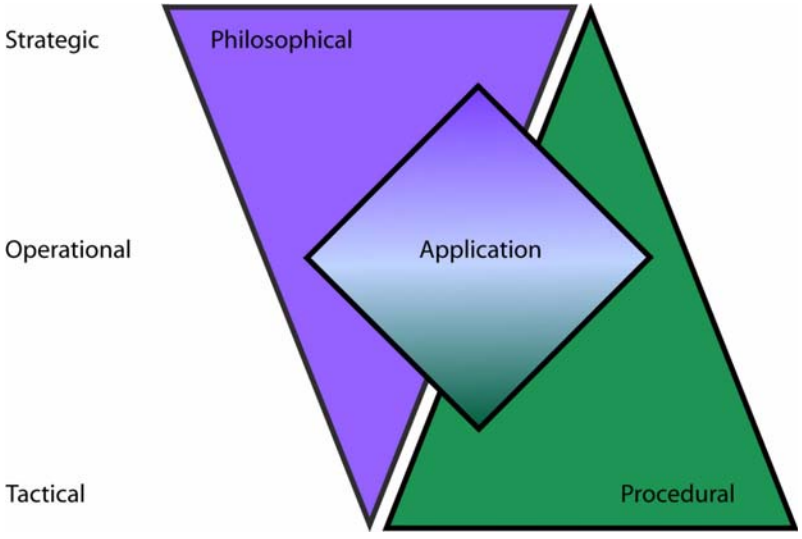


Figure 3–2: Levels of war and doctrine

Australian Defence Force joint doctrine

3.17 ADF joint doctrine consists of:

- ADDPs; and
- Australian Defence Force Publications (ADFPs).

3.18 ADDPs provide philosophical or application guidance, while ADFPs provide more specific tactical, technical and/or procedural guidance in a joint operation. All joint doctrine publications are categorised according to the common joint staff system used by the ADF.[1]

3.19 ADF joint doctrine publications are arranged into three tiers:

- Tier 1: the ADF's capstone doctrine publication (ADDP–D),
- Tier 2: the principal doctrine publications within each functional grouping—Command and Control (0 Series), Personnel (1 Series), Intelligence (2 Series), Operations (3 Series), Logistics (4 Series), Joint Planning (5 Series), Communication and Information Systems (6 Series) and Training (7 Series); and

1 ADDP 00.1—*Command and Control* provides further information about the command joint staff system.

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- Tier 3: other joint doctrine publications which are subsets of the groupings in Tier 2 (ADFP 0.X.X, ADFP 1.X.X).

3.20 The Chief of the Defence Force is the approving authority for all joint doctrine. The authority to approve the majority of joint doctrine has been separately delegated to doctrine sponsors for their respective series in the doctrine hierarchy. This arrangement is intended to facilitate rapid approval of the doctrine and acknowledge the sponsors' responsibility and specialist leadership in functional subject areas.

Single-Service doctrine

3.21 Each Service produces a principal doctrine publication, which is influenced by, and influences, ADDP–D and covers fundamental doctrinal aspects of the maritime, land and air environments. These principal publications guide the development of each of the Services' own hierarchy of doctrine publications.

JOINT DOCTRINE DEVELOPMENT

3.22 ADF joint doctrine publications are reviewed periodically to ensure that they remain relevant. Further details about ADF joint doctrine development and roles and responsibilities of series sponsors are found in Defence Instruction (General) ADMIN 20–1—*Australian Defence Force Joint Doctrine.*

CHAPTER 4

AUSTRALIA'S NATIONAL SECURITY AND DEFENCE

Executive summary

- Australia seeks to promote and protect its national security interests.
- Australia is relatively secure from conventional attack due to its geographic and economic position.
- Australia's national security community provides a comprehensive approach to security issues.

INTRODUCTION

4.1 This chapter outlines the main features of Australia's strategic policy as a sovereign nation, in support of its security interests, and as shaped by our national power base.

4.2 Countries consider their national power in different ways. Australia understands national power to be influenced by our strategic geography, politics, economy, culture, demography and other elements as shown in figure 4–1.

AUSTRALIA'S NATIONAL POWER

Strategic geography

4.3 Australia obtains much of its security from its geographic environment. As an island nation it is relatively secure from conventional attack. Australia—the only island continent-country in the world—has a large landmass, no land border with another country, a substantial natural resource base and vast ocean surrounds that include extensive areas of very shallow water. Australia's people, industries and infrastructure are largely concentrated on the coast, in the east, south-eastern and south-western fringes; remote from the major population centres of the world. Together, these physical characteristics pose enormous problems for a would-be aggressor.

4.4 However, while a conventional attack on mainland Australia would be difficult, there is a great deal to defend. Australia is a large country with a small population. The Australian Defence Force (ADF) would be thinly stretched if there was a requirement to conduct concurrent military operations over wide areas of the country and its sea approaches. Moreover, conducting military operations across a wide range of northern Australia is a challenging task in terms of logistic support, transport, demands on civil infrastructure and the adverse effects of harsh climatic conditions on the performance of people and equipment. These factors highlight some of the challenges associated with the defence of Australia.

Political

4.5 Australia forms part of an increasingly interconnected and international political and economic system, and maintains a strong interest in ensuring that this system functions effectively within an agreed international framework. Australia has a long-standing commitment to supporting the international framework, through collective security. This is evidenced by involvement in multilateral institutions and measures taken to promote international security and peace, and to provide humanitarian assistance in times of disaster.

4.6 Due to our political, geographic and economic position, foreign relations are integral to Australia's national power. The Asia-Pacific region, of which Australia is a part, seems set to be the most dynamic region in the world over the next few decades. Within this construct, Australia will manage relationships with traditional partners and emerging powers, as well as assisting our neighbours to meet their own economic and political challenges.

Economic geography

4.7 Australia is highly dependent on international trade for its national economic prosperity in an increasingly globalised world. This trade requires that the sea lines of communication in the Pacific and Indian Oceans remain available for unimpeded use and that shipping is not threatened by adversarial forces. Australia's relative isolation makes international trade a potential strategic vulnerability. The most important trade routes for Australia are those to the countries in the Asia-Pacific region, where the overwhelming bulk of Australian international trade occurs. Not only is Australia's economic prosperity closely linked with the countries of this region, but it is also closely linked to the security of the region.

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4.8 Rich natural resources, a well-developed industrial economy, and sound scientific and technical base also contribute to Australia's overall national power. However, capitalising on these features requires extensive infrastructure. Both physical and informational/information and communications technology infrastructure are key enablers for national power and connect Australia to the world.

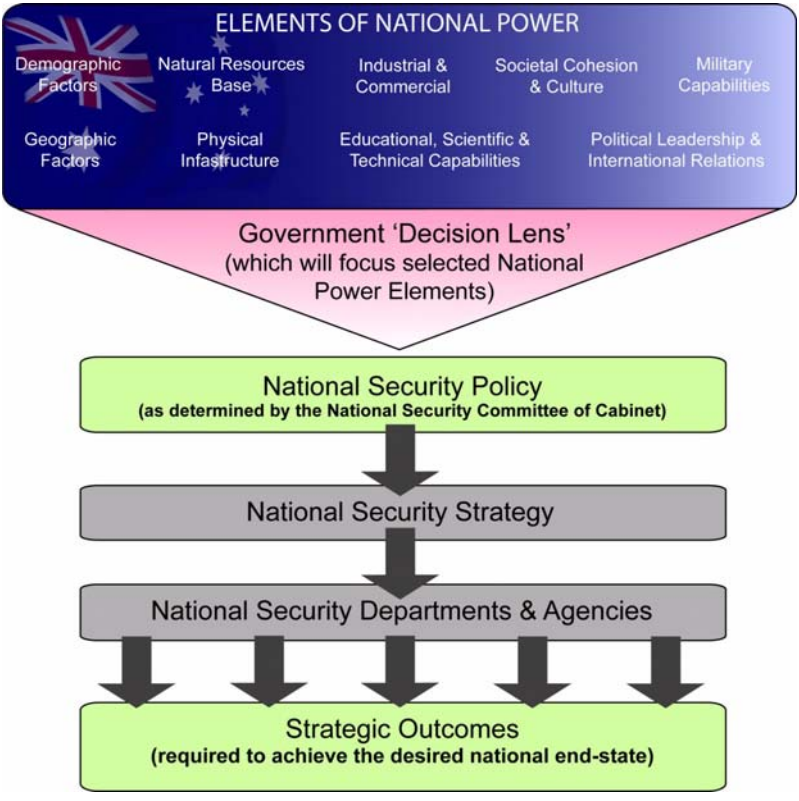


Figure 4–1: Elements of national power

Cultural geography

4.9 Australia is a country with a history of stable government under a system of parliamentary democracy. Principles of democratic government, including a respect for the rule of law and human rights, as well as social equity and fairness, are important to all Australians. The Australian ethic of egalitarianism and a 'fair go for all' has been a defining feature. This quality is largely drawn from a long history of immigrant settlers who arrived in Australia

and were able to prosper through their own efforts—not their family background, ethnicity or religious beliefs. A wide and well-educated demographic base is an important contributor to Australia's national power.

Threats to Australia's security

4.10 A fundamental role of the Australian Government is to ensure the protection of Australia's citizens, territory, airspace, territorial seas, maritime resource zones, and national and international political and economic interests. This role requires protection against conventional and non-conventional threats to national security.

4.11 Conventional threats are those that might be posed by military forces of other nation-states. These threats may be direct, for example, the threat or use of armed force on Australian shipping, aircraft or territory; or indirect, for example, the commitment of military acts of aggression in other parts of the world that put global security, or Australia's regional security environment, at risk.

4.12 Non-conventional threats are those that might be posed by something other than the military forces of nation states. These threats cover a very broad range of possibilities, including terrorist attacks against Australian national interests at home and abroad; emerging dangers posed by the proliferation of weapons of mass destruction; deliberate disruption of Australia's economic activity, especially of its international trade; pandemics; threats to primary industries; attacks on the national information infrastructure; and transnational crime such as narcotics, weapons and people smuggling.

4.13 The government produces Defence White Papers which provide an analysis of the strategic environment, identify potential threats and outline the role of the ADF. These White Papers serve as the primary source of strategic guidance for Defence.

Protection of Australia's national security interests

4.14 The protection of Australia's national security interests is a matter of national policy, and requires the application of a whole-of-nation and whole-of-government approach to national security.

4.15 The cabinet is the premier decision making forum for the Australian Government. It sets the broad direction of government policy. National security issues, decision making and coordination are devolved to the National Security Committee of Cabinet. Figure 4–1 indicates the flow of the elements of national power, which influences the Australian Government's decision making processes.

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4.16 The National Security Committee of Cabinet considers almost all of Defence's submissions to the Australian Government. It focuses on major international security issues of strategic importance to Australia, national responses to developing situations (domestic and international) and classified matters relating to aspects of operations and the activities of the Australian intelligence community.

National security strategy

4.17 The government's concept of national security recognises that Australia has circumstances and interests that differ from other nations. The strategic environment is increasingly complex and interconnected, and the boundaries between international and domestic security issues are increasingly blurred. The national security strategy is articulated through a number of mechanisms, including government statements and publications on Australia's national security interests and the security challenges facing Australia.

National security community

4.18 In response to Australia's complex and interconnected security environment, Australia has an integrated national security structure that enhances national security policy coordination to achieve strategic outcomes. The national security community is a whole-of-government approach, including national security departments such as Defence and the Department of Foreign Affairs and Trade, as well as other departments and agencies that have responsibility for various areas of national security and which may take the lead on an individual security issue.

4.19 Australia's national strategic outcomes and objectives are explored in chapter 5—'Defence and National Power'.

CHAPTER 5

DEFENCE AND NATIONAL POWER

Executive summary

- The Australian Defence Force (ADF) operates under a system of civilian control, and all personnel are ultimately answerable to the Minister for Defence. In turn, the Minister is responsible to the Australian Government and the Australian people.
- While the ADF's primary function is to deter and defeat attacks against Australia and its interests, the Australian Government may direct that it is used for other, non-warfighting tasks.
- The ADF operates under a rigorous command and control system, and strategic planning in Defence is a high-priority task.

INTRODUCTION

5.1 The purpose of this chapter is to discuss the role of Defence as a contributor to national power. Defence, in this case, refers to the wider Department of Defence, of which the ADF is a constituent element. Defence is jointly administered by the Chief of the Defence Force (CDF) and the Secretary in a diarchy, which is outlined further in paragraph 5.26.

THE LEGAL BASIS OF THE AUSTRALIAN DEFENCE FORCE

5.2 The framework for Australia's national system of government is set out in the Australian Constitution, with the function of the Commonwealth separated into legislative, judicial and executive powers and responsibilities.

The Commonwealth's executive power

5.3 Executive power enables the government to carry out the business of 'national government' through bodies such as government departments, statutory authorities and the ADF. It is understood that the Commonwealth's executive power extends to the capacity to protect the constitutional organs of government, provide for internal security and enforce the laws of the Commonwealth.

5.4 This internal security aspect of the Commonwealth's executive power is relevant to the roles and responsibilities of the ADF. The Constitution provides that the Commonwealth shall, on the application of the executive government of a State, protect the State against domestic violence (s.119). This could involve the use of the ADF in aid to the civil authorities of a State, for instance in taking counter-terrorist action using highly trained and specialised troops. Part IIIAAA of the *Defence Act 1903* (Defence Act) provides a broad legislative process that must be complied with to facilitate this assistance. One of the key principles that regulate the use of the ADF in internal security is the primacy of the civil power.

5.5 The Commonwealth also has executive powers to preserve the 'peace' of the Commonwealth, including through the use of the ADF. In certain circumstances, the Commonwealth can act without receiving a request from a State Government under s.119, such as when it is necessary for the protection of Commonwealth property, services or interests. The use of the ADF for the protection of Commonwealth interests is also conducted using Part IIIAAA of the Defence Act.

5.6 Under the Constitution, only the Commonwealth can raise armed forces under s.114, control the armed forces and the Department of Defence under ss.69 and 52(ii), and exercise the prerogative executive power of declaring war and making peace. Such executive actions may be undertaken without legislative endorsement, though it has become a practice for the Prime Minister and/or Minister for Defence to inform Parliament of the deployment of troops and the conduct of ADF operations.

5.7 There are limitations on executive power. A fundamental restriction is that the government cannot exercise coercive powers against an individual unless that conduct is authorised by legislation or the common law. Where legislation exists it must be complied with, and to that extent limits the power of the executive government.

The Commonwealth's legislative defence power

5.8 The Constitution provides legislative power under s.51(vi) to the Parliament for it to make laws with respect to the defence of the Commonwealth and the States.

5.9 The High Court has found consistently that the Commonwealth's defence power is 'elastic' and can be defined only in terms of its purpose—that is whether the purpose of a Commonwealth measure could be considered to assist in the defence of the Commonwealth. If it can be reasonably considered that there is a sufficient connection between the subject matter of a Commonwealth law and the purpose of defence, the Court would normally hold that the legislation is authorised by the power under s.51(vi) to make laws with respect to defence.

5.10 The extent of defence power expands and contracts according to the degree and nature of the danger of international aggression or threat at a given period of time. The High Court has said that the executive could take a wide range of defence measures in times of actual war and (less widely) in times of imminent danger of war. This capacity contracts after the conclusion of hostilities and in peacetime.

Command of the Australian Defence Force

5.11 The Constitution states that 'the command in chief of the naval and military forces of the Commonwealth is vested in the Governor-General as the Queen's representative' (s.68). Under well established conventions of practice, the Governor-General acts on the advice of ministers and in reality the system of responsible government means that cabinet ultimately exercises direct control over the ADF.

5.12 The reference to 'command in chief' therefore has only titular meaning, but does serve to reinforce civilian control of the ADF. In practical terms, power of direction over the administration of the ADF is exercised by the Minister for Defence on a day-to-day basis, in conjunction with the Prime Minister, other members of the National Security Committee and other ministers as appropriate.

5.13 As the government is responsible ultimately to the Parliament and the people under Australia's constitutional system, it is recognised that, notwithstanding any necessary requirements for secrecy, the government would have to be prepared to answer to the Parliament and ultimately the people for any decisions it made in relation to the use of the Defence power or of the ADF generally.

5.14 CDF and the Secretary of the Department of Defence are accountable to the Minister for Defence. This is cemented in legislation by s.8 of the Defence Act, which gives general control and administration of the ADF to the Minister for Defence.

5.15 It provides further that the powers vested in the CDF, Chief of Navy, Chief of Army and Chief of Air Force by virtue of s.9 of the Defence Act, as well as the powers vested jointly in the Secretary and the CDF (s.9A), shall be exercised subject to and in accordance with any directions of the Minister.

5.16 The command arrangements in the ADF will be further explored later in this chapter.

The Australian Defence Force and law enforcement

5.17 Although the primary responsibility of the relevant civilian authorities, there are certain circumstances in which the ADF may be involved in law enforcement and other duties. This can include where the ADF is called out to defend the Commonwealth or a State in accordance with Part IIIAAA of the Defence Act, or where the Commonwealth grants other law enforcement powers to ADF members through legislation, for example in maritime fisheries enforcement.

AUSTRALIA'S STRATEGIC POLICY

5.18 Australia's strategic policy is not part of military doctrine per se. However, doctrine influences the interpretation and implementation of strategic policy. Moreover, strategic policy represents the policy context in which doctrine is applied.

5.19 Australia's strategic policy is aimed principally at preventing or terminating attacks against Australia or its interests. The policy is not aimed at any particular threat or contingency, rather it seeks to address the enduring fundamentals of Australia's strategic situation.

Australia's strategic interests

5.20 Australia's enduring strategic objective is the protection of our strategic interests. These interests are outlined in Defence White Papers, and are based around four themes:

- **A secure Australia.** This is the defence of Australia against direct armed attack by state or non-state actors. While Defence would have the lead in securing Australia against state-based attack, efforts against non-state actors are best led by civilian agencies; however, Defence can play a role in preventing or responding to such attacks. This is Australia's primary strategic interest, to be protected above all else.

- **A secure immediate neighbourhood.** Australia has an interest in the security, stability and cohesion of our immediate neighbourhood, from Indonesia to the South Pacific. This recognises the need to support the internal stability and cohesion of our neighbouring states. It also includes preventing or mitigating attempts by nearby states to develop the capacity to undertake sustained military operations within our approaches.

- **Strategic stability in the Asia-Pacific.** Beyond the immediate neighbourhood, Australia has an enduring strategic interest in the stability of the wider Asia-Pacific, which stretches from North Asia to the Eastern Indian Ocean. This includes a stable and cohesive Southeast Asia, a peaceful regional security environment and unimpeded trade through regional sea lanes. Australia recognises the importance of the continuing presence of the United States.

- **A stable, rules-based global security order.** Australia cannot be secure in an insecure world. To this end, we are committed to the United Nations (UN) Charter, preserving an international order that restrains aggression by states against each other, and can manage emerging threats effectively. As part of this, Australia has an interest in supporting non-proliferation regimes, which counter the spread of weapons of mass destruction.

DEFENCE AND STRATEGIC POLICY

Defence as the provider of military power

5.21 Australia pursues its strategic policy objectives by a combination of military and non-military means. The principal non-military means for contributing to strategic policy objectives is international diplomacy. For example, in recent years Australia has been at the forefront of international diplomatic efforts to limit the spread of weapons of mass destruction in the Asia-Pacific region. Also, Australia has actively supported efforts to promote good governance within the region, and in doing so has contributed to regional stability and security.

5.22 The ADF provides the military means by which the Australian Government pursues its strategic policy objectives. The size, disposition, capabilities and activities of the ADF are consistent with the objectives and priorities of Australia's strategic policy.

Defence posture

5.23 Numerous factors have a bearing on defence posture, and these can be divided into the physical and political dimensions. The physical dimension includes the level of spending on national defence; the size, composition, training and equipment of the force; location of force elements; and preparedness of the force. The political dimension relates to a nation's will to apply armed force.

5.24 Australia's defence posture is an expression of its willingness and ability to defend its population and protect its territorial sovereignty. Although the ADF has a suite of offensive capabilities, the overall posture is essentially defensive, and is designed to be non-threatening to, and supportive of, other countries in the region. In particular, the ADF's regional activities are largely designed to underscore Australia's strong commitment to a partnership approach to regional defence and security issues.

Australian Defence Force support of strategic policy

5.25 The principal tasks for the ADF are a product of Australia's enduring interests and defence posture. Broadly speaking, the ADF has four principal tasks, in descending order of importance:

- **Deter and defeat attacks on Australia.** The principal task for the ADF is to deter and defeat attacks on Australia by conducting independent military operations in defence of Australian territory. Under Australia's policy of defence self-reliance, the ADF must be able to undertake these operations without relying on the combat or combat support forces of other countries. This includes supporting domestic security and emergency response efforts.

- **This task does not require a purely defensive or reactive approach.** In pursuing our aim of establishing air superiority and sea control in places of our choosing, we need to be prepared to undertake proactive operations against an adversary's bases and forces, as far from Australia as possible.

- **Contribute to stability and security in the South Pacific and East Timor.** The second priority task for the ADF is to conduct military operations, in coalition with others as required, in the South Pacific and East Timor. These operations may relate to protecting our nationals, providing humanitarian assistance/disaster relief (HA/DR), or stabilising the security environment. Given our size and resources, Australia and Defence can be expected to take a leadership role in this area; however, operations will inevitably involve other agencies, and usually involve other countries.

- **Contribute to military contingencies in the Asia-Pacific region.** The next most important task for the ADF is to contribute to military contingencies in the Asia-Pacific region. This task spans a full spectrum of potential military operations, from high-end conflict in support of our Southeast Asian partners, to HA/DR operations or the evacuation of our nationals.

- **Contribute to military contingencies in support of global security.** Finally, the ADF must be prepared to contribute to military contingencies in the rest of the world, in support of efforts by the international community to uphold global security and a rules-based international order, where our interests align and we have the capacity to do so. Such operations will generally—but not always—be authorised or under the overall leadership of the UN.

Strategic level command and control arrangements

5.26 Defence is a diarchy with two chief executives: CDF and the Secretary of the department. CDF and Secretary have joint responsibility for the administration of the ADF, except for matters falling within the command of CDF, or as otherwise stated by the Minister, where CDF has sole authority. In keeping with the diarchy, the Minister issues a joint directive to CDF and the Secretary, informing them of their responsibilities. An example of this directive can be found at the end of this chapter.

5.27 Within the diarchy, CDF commands the ADF and is the principal military adviser to the Minister. In this regard, the Minister would look to CDF for advice on matters that relate to military activity, including operations. The Secretary is the principal civilian adviser to the Minister and carries out the functions of an agency head within the Australian Public Service. As an agency head the Secretary has, on behalf of the Commonwealth, all the rights, duties and powers of an employer in respect of APS employees in Defence, as per section 20 of the *Public Service Act 1999*. The Minister would look to the Secretary for advice on policy, departmental issues and on the stewardship of Defence resources.

5.28 The high level command and control arrangements are outlined below, and further information is provided in Australian Defence Doctrine Publication (ADDP) 00.1—*Command and Control* and ADDP 3.0—*Campaigns and Operations*:

- The CDF commands the ADF and is supported by the Office of the Secretary and CDF.

- The Service Chiefs are responsible to CDF for raising, training and sustaining their respective Service elements ready for operations, and for advising CDF on defence policy, military strategy, and the employment of their respective Service capabilities and elements.

- CDF may elect to command operations directly, but normally exercises command through the Chief of Joint Operations (CJOPS). CJOPS is responsible to CDF for operational level planning and the conduct of ADF campaigns, operations and other activities. CDF requests the Service Chiefs to assign forces to CJOPS for operations.

5.29 There are five principal committees that support the management of the ADF. These are:

- **Secretary and Chief of the Defence Force Advisory Committee (SCAC).** The SCAC is the pre-eminent Defence committee for the week-to-week management of the department. The SCAC is the default committee for business that requires the attention of the Secretary and CDF, who are joint chairs. The Secretary and CDF are the only standing members of the SCAC—all other participants are coopted as required by the chairs. The SCAC is a direction and decision making body. It is not a discussion forum or a committee that notes particular actions.

- **Defence Committee (DC).** The principal focus of the DC is on the enterprise management framework, including the annual plan process. It sits monthly and considers issues with significant impact on the Defence enterprise, such as corporate restructures and major force structure changes. The DC is chaired jointly by the Secretary and CDF. The Secretary, CDF, group heads and Service Chiefs are standing members of the DC. All other participants at DC meetings will be co-opted as required by the chairs. The DC is a direction and decision making body. It is not a discussion forum or a committee that notes particular actions. The decisions of the DC are binding across the Defence organisation.

- **Chiefs of Service Committee (COSC).** The principal functions of COSC are to provide military advice to CDF to assist him in discharging his responsibilities for the command and management of the ADF, and in providing military advice to government. COSC sits monthly and is chaired by the CDF. It includes the Secretary, CDF, Vice Chief of the Defence Force (VCDF), Associate Secretary Capability, Associate Secretary Chief Operating Officer, Service Chiefs, CJOPS and Deputy Secretary Strategy (DEPSEC S).

- **Defence Capability and Investment Review Committee (DCIRC).** The DCIRC exercises strategic control of the end to end capability process, including acquisitions, the Defence Capability Plan, projects of concern and progress with current acquisitions, as well as new investment policy. The DCIRC is chaired by the Secretary. Membership includes the CDF, VCDF, Associate Secretary Capability, Associate Secretary Chief Operating Officer, the Service Chiefs, Chief Executive Officer Defence Materiel Organisation, DEPSEC S, and Deputy Secretary Intelligence and Security (DEPSEC I&S).

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- **Strategic Command Group (SCG).** The SCG provides CDF with situational understanding on intelligence, policy, major operational and strategic issues, and advice on military options. In doing so, the SCG assists CDF in his command of the ADF, provides a secure forum for CDF to issue direction and intent, and coordinates the Defence strategic management response to a critical incident. The SCG typically consists of the CDF (chairman), Secretary, VCDF, Service Chiefs, DEPSEC S and DEPSEC I&S.

STRATEGIC LEVEL PLANNING

Strategic development

5.30 Strategic development ensures that Defence is structured, equipped, and prepared to shape and respond to Australia's security environment in accordance with government policy. The output of strategic development is informed judgement, promulgated through a hierarchical set of documents that focus on Australia's security requirements for the near and longer terms, support decision making and guide further planning (*see* figure 5–1).

5.31 Defence offers advice concerning the military dimension of Australia's national power to government. This advice is a distillation of military advice and the military aspects of government's overall national security policy. Increasingly, the whole-of-government approach to national security makes it necessary to coordinate Defence's plans with other government agencies, and at times non-government or foreign government agencies, before those plans are executed.

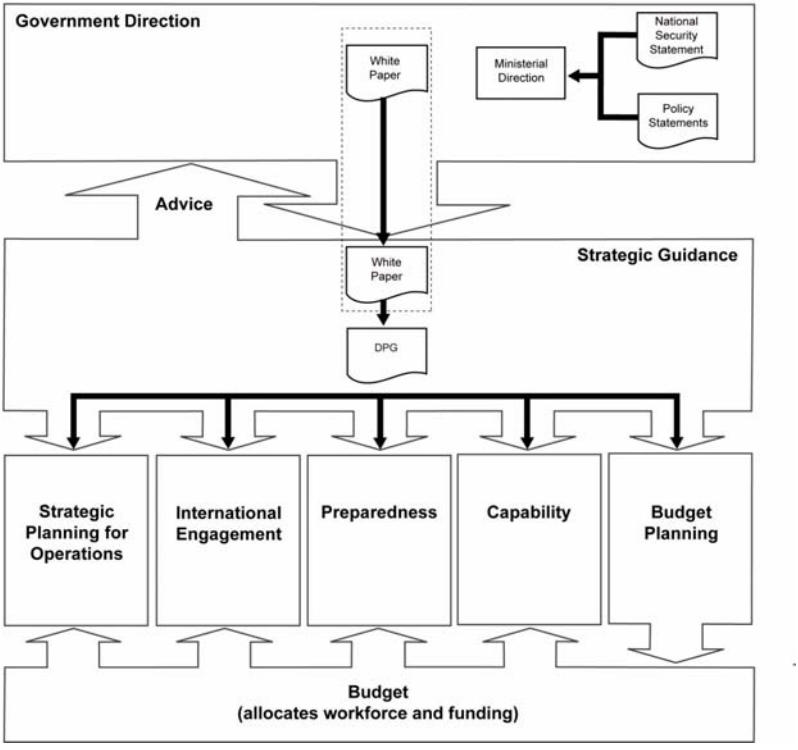


Figure 5–1: Government direction and strategic guidance

5.32 The strategic guidance process produces advice (expressed as strategic assessments), judgements, policy and responses. Such advice informs and enables choices for senior level decision makers. It also provides guidance for strategic planning for operations and capability development, international engagement, preparedness and budget planning.

5.33 Planning is a function of command at all levels, and is essential for the successful conduct of military operations. The essence of planning is the drawing together of ends, ways and means. A good plan will aim to ensure that its desired purpose can be achieved in the optimum way, and with the most efficient use of resources.

5.34 More information on strategic planning in Defence can be found in *The Strategy Framework.*

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Strategic level considerations

5.35 At the military strategic level, the development of military estimates and concepts of operations covers a range of considerations, including:

- political,
- military,
- legal,
- financial,
- sustainment,
- temporal,
- international, and
- public affairs.

5.36 In addressing the military dimension, at the strategic level planning must consider the adversary's perceived objective; political, economic and military situation; vulnerabilities, especially critical vulnerabilities; vital and critical interests; and likely courses of action.

5.37 Likewise, strategic level planning must consider our own military objectives supporting the political outcome, constraints on military operations, restrictions imposed upon the use of force, and assumptions made and deductions drawn from the analysis of the situation.

Accountability and public information

5.38 Operations involving the ADF require both Defence and the government to balance the military need for operational security with the need for openness and accountability in accordance with our democratic political system. In a liberal-democratic political system, it is essential to maintain an unbreakable link between ADF operations and political control. The latter ultimately relies on community support.

5.39 Accordingly, ADF operations are carried out with the maximum degree of transparency achievable.

INTERNATIONAL LAW AND THE AUSTRALIAN DEFENCE FORCE

5.40 Both in times of armed conflict and in peacetime, international law (as well as domestic law) has a significant impact upon ADF operations.

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5.41 The primary sources of international law are reflected in Article 38 (1) of the 1946 Statute of the International Court of Justice. Those that make the law are treaties, custom and general principles. The subsidiary sources (those that identify and/or apply the law) are judicial decisions and the teachings of the most highly qualified publicists.

5.42 The international law of particular relevance to armed conflict falls into two main categories:

- the laws governing the resort to armed conflict, and
- the laws governing the conduct of armed conflict.

Resort to armed conflict

5.43 The UN Charter is the primary source of law governing the use of force. It requires all nations to refrain from the threat or use of force against the territorial integrity or political independence of other nations (Article 2 (4)). However, the Charter does permit resort to armed conflict in two circumstances:

- pursuant to a UN Security Council Resolution made with respect to the maintenance or restoration of international peace and security: and
- pursuant to Article 51, which stipulates that nothing shall impair the inherent right of collective or individual self-defence.

5.44 Some have argued that humanitarian intervention is, or should be, a ground for the application of military force. This is a contentious but developing area of the law.

Conduct of armed conflict

5.45 This area of the law, commonly referred to as the law of armed conflict (LOAC), applies in situations of international armed conflict. Traditionally LOAC was perceived to fall into two main strands:

- Hague law, which governs the means and methods of armed conflict; and
- Geneva law, which secures the protection of the victims of armed conflict.

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5.46 Never entirely separate, these two strands have tended to merge over the years, especially in relation to the 1977 Additional Protocols to the Geneva Conventions, which Australia has signed and ratified. There is no great practical advantage in distinguishing the two. The basic principles of LOAC are:

- **Military necessity.** Provided that the kind and/or degree of force is not otherwise prohibited, it is permissible to use that kind and that degree of force—but only that kind and that degree of force—necessary to secure a legitimate objective.

- **Distinction.** A distinction must be drawn between that which can be attacked (ie military objectives and combatants) and that which cannot be attacked (ie civilian objects and civilians). There is also a prohibition on indiscriminate attacks. This includes attacks causing excessive collateral damage or incidental injury.

- **Unnecessary suffering.** The principle of unnecessary suffering forbids the infliction of suffering, injury or destruction on adversary combatants that exceeds legitimate military requirements. This principle can apply in one of two ways: firstly, some weapons are prohibited absolutely, and secondly, the use of weapons in a certain way is prohibited.

- **Proportionality.** The principle of proportionality seeks to strike a balance between the requirements of military necessity and the humanitarian interest of sparing civilians and civilian objects. Proportionality requires that incidental casualties amongst the civilian population, and damage to civilian objects, should not be excessive in relation to the anticipated military advantage resulting from an attack.

5.47 These general principles form the basis of the more specific provisions governing the means and methods of armed conflict and the protection of its victims.

5.48 Despite the narrow exceptions that permit the resort to military force, under international law member states are nonetheless obliged to settle their international disputes by peaceful means. Such means could include direct negotiation, mediation, conciliation, or an arbitrated or judicial settlement.

5.49 Australia is a founding member of the UN, and is legally bound by the provisions of the UN Charter.

How force may be used

5.50 Australia is a party to many treaties that govern LOAC and has taken additional measures to make the treaty provisions generally binding under domestic law.

5.51 An important source of LOAC exposition is the jurisprudence of tribunals such as the International Military Tribunals constituted in the aftermath of World War II for the trial of German and Japanese war criminals. Other, more recent, examples are the UN tribunals set up to try alleged war criminals from the conflicts in Bosnia-Herzegovina and Rwanda. A permanent International Criminal Court was established in The Hague on 1 July 2002.

Rules of engagement

5.52 Further to national policies, the government gives direction to CDF on the national objectives to be achieved by military action. In turn, CDF provides direction to subordinate commanders in the form of rules of engagement (ROE).

5.53 ROE are directives that delineate the circumstances and the limitations within which force may be applied. Although endorsed by the government, CDF is the ultimate authority for the issue of ROE. In amplification of CDFs ROE, subordinate commanders may issue their own ROE. In doing so they are limited to providing additional guidance and/or imposing further restrictions, and may not expand the scope for the use of force.

5.54 Without limiting or replacing the command function, ROE guide the application of force. In accordance with international and domestic law they may be used to authorise the full extent of legally permissible actions. Alternatively, they may prohibit and/or limit such actions. ROE must be revised as required to reflect changing political and military circumstances.

5.55 ROE for combined and coalition operations are developed by Australia, with consideration made for operating with either alliance and coalition partners, as may be required in the circumstances. Where a difference does arise one ROE will be designated to take priority. Normally this will be the Australian ROE.

5.56 For further information refer to ADDP 06.1—*Rules of Engagement* and ADDP 06.2—*ROE Operational Rules.*

MINISTER FOR DEFENCE
MINISTERIAL DIRECTIVE TO

MR NICK WARNER
Secretary of the Department of Defence

AIR CHIEF MARSHAL ANGUS HOUSTON, AO, AFC
Chief of the Defence Force

Preamble: In accordance with my powers under section 8 of the *Defence Act 1903*, acknowledging the joint responsibilities of the Secretary and the CDF under section 9A of the *Defence Act 1903*, and recognising the roles and responsibilities and authority of the Secretary as defined by the *Public Service Act 1999* and *Financial Management and Accountability Act 1997*, I give you strategic direction to achieve the Government's defence outcomes.

Accountability: You are accountable to me for Defence's performance, having regard to our statutory responsibilities. Any authorisation or delegation of my authority with respect to Defence is through you, within the limitations below.

Results: I expect you to deliver:

a. under the sole command of CDF, operational deployment of the ADF to enhance our national strategic interests and our alliance relationships, to strengthen regional security and to successfully conduct joint military exercises and operations;

b. identification, development and provision of current and future capability to enable our armed forces to defend Australia and its national interests;

c. enhanced intelligence, strategic policy, scientific and information capabilities, responsive to whole-of-government requirements;

d. timely, accurate, coordinated and considered advice to the Minister and Government;

e. proper stewardship of people, through developing and maintaining workforce skills and career structures, building and maintaining Defence's reputation and providing a living and working environment that attracts and retains people;

f. sound management of financial and other resources, operating within budgeted financial performance, meeting statutory requirements for preparing financial statements and optimal management and use of the Defence estate; and

g. appropriate planning, evaluation and reporting documents, including an annual Defence Management and Finance Plan, the Defence Capability Plan, and periodic Strategic Reviews and White Papers, incorporating the above.

Guidance: You should pursue these results through effective leadership and management; and should ensure that:

a. your actions are prudent, lawful and ethical;

b. your actions are consistent with
   (i) Government policy,
   (ii) the Secretary's role as principal civilian adviser and with his statutory responsibilities and authority, particularly under the *Public Service Act 1999* and the *Financial Management and Accountability Act 1997*,
   (iii) the CDF's role as principal military adviser and his statutory responsibilities and authority as commander of the Defence Force under the *Defence Act 1903;* and

c. you make decisions, and offer advice, considering
   (i) the impact on relationships with others who contribute to national security, including with the leadership of foreign Armed Forces and other Australian agencies with national security interests,
   (ii) my separate Directive to the Chief Executive Officer of the Defence Materiel Organisation,
   (iii) the risk to the sustainable delivery of Defence outputs; and

d. the CDF's proposals for promotions to Brigadier equivalent and above are made in consultation with the Secretary, VCDF and the Service Chiefs.

JOEL FITZGIBBON
MINISTER FOR DEFENCE

DATED THIS 16th **DAY OF DECEMBER 2007**

Parliament House, Canberra ACT 2600. Tel: (02) 6277 7800 Fax (02) 6273 4118

CHAPTER 6

THE AUSTRALIAN APPROACH TO WARFARE

Executive summary

- The principles of war support the Australian approach to warfare.
- When combined, the aspects of manoeuvre, networking, interoperability and decision superiority strengthen the Australian Defence Force (ADF) approach to warfare.
- Australian warfighting characteristics underpin the six joint warfighting functions.

INTRODUCTION

6.1 The conduct of warfare is invariably constrained. The ADF operates within the context of broader national objectives, a multinational environment (including coalition operations) and within international law and custom.

National objectives

6.2 Australia's geography, population, culture, international political relations and military alliances, along with other factors, strongly influence the way in which the ADF conducts military operations.

6.3 The government takes a whole-of-nation approach to national security. This is critical to ensuring that limited national resources, including the ADF, are used to maximum effect when deterring and defeating attacks on Australia and contributing to the global community.

Multinational environment

6.4 While Australia's defence policy is founded on the principle of self-reliance in the direct defence of Australia and unique strategic interests there is the capacity to do more when required. Through the maintenance of alliances and international relationships, Defence contributes to military actions to uphold global security and a rules-based international order.

6.5 In this multinational environment the ADF operates with the armed forces of other countries and, where appropriate, leads multinational operations. This includes not only operations with allies, but also with the armed forces of other nations whose training, doctrine, organisational culture

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and equipment may be very different to that of the ADF. For detailed information *see* Australian Defence Doctrine Publication (ADDP) 00.3—*Multinational Operations.*

PRINCIPLES OF WAR

6.6 Principles of war are time proven and fundamentally important to achieving success. The principles are relevant irrespective of changes over time in the methods, techniques, weapons of war and Australia's geo-strategic position. Annex A describes the principles of war in detail.

6.7 The principles are:

- selection and maintenance of the aim,
- concentration of force,
- cooperation,
- offensive action,
- security,
- surprise,
- flexibility,
- economy of effort,
- sustainment, and
- morale.

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AUSTRALIAN DEFENCE FORCE APPROACH TO WARFARE

6.8 As a result of the national and international environment in which the ADF operates, the ADF approach to warfighting is a combination of the following:

- manoeuvre,
- interoperability,
- networking, and
- decision superiority.

Manoeuvre

6.9 Manoeuvre theory emphasises the shattering, or at least disruption, of the adversary's overall cohesion and will to fight, rather than concentrating on destruction of adversary materiel or the holding of territory.

6.10 Manoeuvre theory also emphasises the need for the ADF to take the initiative, and to apply overwhelming pressure, at times and places (and in ways) the adversary least expects. The ADF focuses on achieving the precise application of decisive effort—incorporating use of surprise where possible—against accurately identified critical vulnerabilities.

6.11 Manoeuvre theory is also preferred for reasons of comparative advantage. It is essentially a fluid form of warfare. It confers advantages to the force that has relative strengths in the areas of:

- speed and flexibility in decision making;
- devolution of decision making at the operational and tactical levels;
- intelligence, surveillance and reconnaissance capabilities;
- mobility;
- innovative training, doctrine and procedures;
- versatility in weapons and personnel;
- adequate and flexible logistic and combat support; and
- familiarity with the terrain, climatic factors and the operational environment generally.

Interoperability

6.12 Interoperability is a critical enabler for the ADF. It defines the extent of force integration and cooperation within the ADF and with non ADF forces. Although comparatively small, the ADF participates in, and even leads, multinational operations in support of national security objectives. The ability of the ADF to operate alongside other defence forces is an important political consideration.

6.13 The ADF therefore aims to achieve an appropriate level of interoperability with other defence forces. The degree of interoperability that is required is a matter of judgement, and varies from country to country, from Service to Service, and from element to element within each Service. ADF interoperability with other forces is achieved through regular interaction with regional and allied forces, and comprehensive supporting policies (for example, foreign language training of ADF personnel).

6.14 The ADF has a relatively high level of interoperability with the United States of America, the United Kingdom, Canada and New Zealand as a result of commonality of equipment and, more importantly, from interoperable procedures, common language, familiarity with each other's modes of operation and shared values. However, the ADF has a lesser degree of interoperability with regional countries; such interoperability that does exist is mostly with Association of South-East Asian Nations countries and Papua New Guinea.

Networking

6.15 A networked force derives its power from the effective linking or networking of systems to support the conduct of operations. This is characterised by the ability of geographically dispersed forces to create a high level of integration that can be exploited via self-synchronisation and other networked capabilities.

6.16 The continued development of networked intelligence capabilities is a high priority for the ADF, where intelligence elements from the strategic to the tactical levels share common procedures and are linked by secure communication systems.

6.17 Networking a force facilitates decision superiority. It helps the force to generate tempo, be agile and manoeuvre. At the same time it achieves a balance between the science of war (using technology for maximum effect) and the art of war (human capability).

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Decision superiority

6.18 Decision superiority is vital to the successful application of manoeuvre theory and networked forces. Achieving decision superiority depends on:

- a comprehensive, Defence-wide information systems architecture, so that information is captured, processed and presented in ways that allow timely and accurate assessments and decisions;
- professional mastery in the management, interpretation and application of information; and
- a culture of command and control that emphasises boldness, initiative, delegation of authority and flexibility in decision making.

6.19 Decision superiority assists the commander to make and implement more informed and accurate decisions while using tempo and leverage to best effect. In this way, commanders orchestrate the application of the combat power at their disposal to maximise opportunities.

VALUES BASED LEADERSHIP

> *Waste no more time arguing what a good man should be. Be one.*
>
> **Marcus Aurelius**

6.20 Defence leadership is based on values, provides clear examples for behaviour and supports making appropriate choices in tough situations. Values are the essence of Defence and set the norms for behaviour and decision making.

Defence values

6.21 Defence values reflect the long traditions and distinctive identities of the Navy, Army, Air Force and the Australian Public Service (APS). Without diminishing the existing single-Service and APS values, or their use, specific Defence values provide a common and unifying thread for all people working in Defence. Defence's values are:

- **Professionalism—**striving for excellence.
- **Loyalty—**being committed to each other and to Defence, in serving the government of the day.
- **Integrity—**doing what is right.

- **Courage—**the strength of character to honour convictions (moral courage) and bravery in the face of personal harm (physical courage).
- **Innovation—**actively looking for better ways of doing business.
- **Teamwork—**working together with respect, trust and a sense of collective purpose.

6.22 The ADF recognises the importance of leadership in maximising operational effectiveness. Commanders and their staff set the example for others to follow, through their integrity, courage, respect and compassion.

6.23 Values based leadership helps the ADF to maintain morale and avoid wasted effort, and inspires superior performance. In most operations senior commanders are in a position to convey only guidance and so rely on the leadership of their subordinate commanders to achieve the mission.

6.24 ADDP 00.6—*Leadership* explores the role of leadership in Defence and the ADF.

WARFIGHTING FUNCTIONS

6.25 The ADF operates as a joint force by employing six joint warfighting functions related to the operational and tactical levels of joint operations.

6.26 The six joint warfighting functions are:

- command,
- situational understanding,
- force generation and sustainment,
- force projection,
- force protection, and
- force application.

Command

6.27 Command, including control, is exercised across strategic, operational and tactical levels. These levels reflect the distribution of responsibilities for planning and directing resources allocated to the management of the operational environment. Although developed with war in mind, the levels of command can apply to all military activity across the range of operations.

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6.28 The command and control arrangements of the ADF reflect fundamental principles. These principles are:

- **Unity of command.** For clarity and simplicity there is a single, recognised command authority to respond to directions from a higher commander, and in turn issue directions to subordinates.
- **Span of command.** There is an optimal range and complexity of subordinate elements so that the commander operates and commands competently.
- **Redundancy.** There are alternative commanders and headquarters (as appropriate) nominated at all levels of command to provide redundancy.
- **Delegation of command.** The authority for subordinates to conduct assigned tasks.
- **Control of significant resources.** Delegation of resources and authority to task to the level of command that can best use them.
- **Obligation to subordinates.** To consider the interests of subordinates for health, welfare, morale and discipline of personnel.

Situational understanding

6.29 Situational understanding (SU) is essential to the successful application of manoeuvre theory. SU plays an important role in alerting Defence planners to the nature and scale of existing or emerging security threats to Australia and its interests, and is an essential prerequisite for the conduct of campaigns and operations. SU is a function of the following areas:

- **Intelligence.** Intelligence provides commanders and staff with an understanding of the operational environment and the adversary to support the conduct of campaigns and operations. Intelligence is the result of the collection, evaluation, analysis, integration, interpretation and dissemination of information.
- **Intelligence, surveillance and reconnaissance (ISR).** ISR operations, or collection operations, are driven by the commander's need for information to support decision superiority. The intelligence process is both a driver of collection operations and a user of the information collected.

- **Counterintelligence (CI).** CI concerns those activities that identify, monitor and counteract the threat to security posed by organisations or individuals engaged in espionage, sabotage, subversion, terrorism, criminal activities or other attacks on Australia's defence system. CI also aims to counteract and exploit the adversary's ISR capability while concealing our own force elements from adversary ISR operations.

- **Information and knowledge management.** Information management aims to provide the right information at the right time, to the right person, to support the decision making process while avoiding information overload. Knowledge management refers to the processes used to analyse, corroborate and refine information in support of the decision making process. Effective information and knowledge management improves situational understanding, accelerates the decision making process and supports the precise application of force. Information and knowledge management includes all activities involved in the identification, collection, filtering, fusing, processing, focusing, dissemination and usage of information. A commander's critical information requirements provide the basis for information and knowledge management, as well as preventing information overload.

- **Geospatial information and services (GI&S).** GI&S is the definition, assessment, collection, management, exploitation and dissemination of information about objects and attributes in space and time. GI&S helps define the operational environment and plays a key role in achieving objectives across the spectrum of conflict.

- **Strategic communication.** Strategic communication is a term describing a range of activities in the information and cognitive domains to achieve information effects within the operational environment. Strategic communication aims to mould the perceptions and behaviour of a target audience in support of national objectives.

Force generation and sustainment

6.30 Personnel. The ADF is small in number and concentrates on the skills, values and quality of its personnel to maximise its combat power. The three Service Chiefs have responsibility to raise, train and sustain the force in being by:

- maintaining high levels of training, including multi-skilling;

- Implementing proactive recruitment and retention policies to maintain appropriate overall personnel levels, and to maintain appropriate age, rank, skill and fitness profiles;

- ensuring a high standard of arrangements for the care and protection of the force, and ensuring the protection of support arrangements for the force;

- ensuring personnel have appropriate, high quality and high-technology equipment;

- ensuring a high level and standard of commercial support from the civilian infrastructure and work force to provide support services to the ADF; and

- investing in reserve forces to ensure that an appropriate peacetime level of capability is sustained and can be drawn upon in time of crisis. This investment provides the ADF with key skills to complement and supplement its full time forces.

6.31 Equipment. Defence has a continuous capital equipment program which enables the ADF to have a capability edge and to maintain interoperability with key defence allies. Defence tends to select equipment which will perform in a range of roles and operational environments. Due to the high cost of military equipment, especially latest generation, the ADF tends to hold equipment in small ‘packets’.

6.32 Sustainment. Sustainment is the provision of logistics, including personnel support and the communication and information systems needed to maintain and prolong operations until objectives are achieved. Sustainment planning considerations include industry capability, distance, destination, demand, duration, threat levels, available resources, priorities and risk.

Force projection

6.33 Movement and manoeuvre (force projection) allow friendly forces to exploit the operational environment while denying the same freedom to an adversary. Force projection encompasses a number of tasks, including:

- deployment, regrouping, assembly or movement of joint forces within the operational and tactical areas by any means (air, land or sea) to achieve objectives; and

- counter-mobility to delay, impede, channel or stop an adversary from effectively moving or manoeuvring, which may include sanctions, embargoes or blockades.

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Force protection

6.34 Force protection is defined as all measures and means to minimise the vulnerability of personnel, facilities, equipment and operations to any threat and in all situations, to preserve freedom of action and the operational effectiveness of the force. Force protection encompasses all measures (except offensive operations to defeat an adversary) taken to protect the capability of a force from operational, environmental and occupational threats.

6.35 Each force protection measure adopted may provide protection against one or more threats. Measures include: nuclear, biological and chemical defence; fratricide prevention; joint personnel recovery; explosive ordnance disposal and mine awareness; personal protective equipment; fire and road safety; environmental health and preventative medicine; casualty treatment; radar warning receivers, early warning, counterintelligence and security activities; concealment and manoeuvre; and cyber security and network defence.

Force application

6.36 Force application is the primary purpose of a defence force. Careful military planning is essential and required to achieve strategic, operational and tactical objectives. Planning is divided into deliberate and immediate.

- Deliberate planning is the process of developing military strategic guidance to achieve the government's national strategic objectives. The process is generally free of time constraints. It relies on a mix of assumption-based planning against current strategic guidance and futures analysis to account for possible future strategic environments.

- Immediate planning is time sensitive planning for the use of force application in response to a developing situation. This planning is informed by the products of deliberate planning, with assumptions and projections replaced with facts as the situation unfolds.

6.37 Force application gains and retains the initiative. Successful action contributes significantly to the maintenance of own force morale and may reduce the morale of the adversary.

6.38 All action has the potential for loss or damage to own force elements and morale. In keeping with the manoeuvre approach, offensive action contributes positively to achieving the overall end state and attacking the adversary's centre of gravity. Joint fire support, targeting, air defence, interdiction and information operations are important parts of force application.

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6.39 ADDP 3.0—*Campaigns and Operations* provides further detail on the joint warfighting functions.

Annex:
A. Principles of war

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PRINCIPLES OF WAR

INTRODUCTION

1. Selection and maintenance of the aim is listed first because it is the overriding principle of war. The subsequent principles are presented in no particular order of importance, though they may vary in relative importance from one situation to another.

Selection and maintenance of the aim

2. Military action is never an end in itself; it is always a means to an end. It is of fundamental importance that the end always be kept clearly in view. This key principle applies equally at the strategic, operational and tactical levels.

3. The aim of any military action should be selected carefully and articulated clearly. In order to lead to success, the military aim must be clear, simple, achievable and morally justifiable. The importance of each criterion for selection of aim cannot be overemphasised.

4. Selection of the aim is important because it will strongly influence the parameters of military action—the means, political timing and other constraints. Clear articulation of the aim provides a basis for checking the consistency of military actions at each level of warfare, and of plans for military actions, with the overarching aim. In this way the aim is maintained.

5. In a shifting, turbulent and complex political environment, problems can arise from the existence of single and multiple political aims, principal and subsidiary aims, conflicting aims and changing aims. Complexities and uncertainties of this type only reinforce the need for a clear articulation of the purpose of any military action. Only by such articulation can military action be directed to best effect.

Concentration of force

6. Concentration of superior force is the ability to apply force at the right place, at the right time, and in such a way as to achieve a decisive result.

7. Concentration of force is not merely a matter of numbers and firepower but also of superior combat skills, mobility, timing, selection of objectives, leadership, morale and the effective employment of advanced technology. Thus, a nation's total combat power is not just the sum of its individual combat power elements. Combat power also depends critically on a range of qualitative and organisational factors; these factors collectively determine how well the individual power elements are combined and harnessed to achieve the overall level of force.

8. Concentration of force, along with the application of other principles of war, can enable a seemingly inferior force to defeat a potentially superior adversary.

Cooperation

9. Cooperation entails the coordination of all activities to achieve an optimum combined effort. Cooperation requires goodwill and the desire to cooperate at all levels within each Service, between Services, with the government and the community, and with allies and other friendly forces. Cooperation is as essential in planning and preparation during peacetime as it is during conflict.

10. Within the Australian Defence Force (ADF), and in the ADF's relations with other forces, cooperation is greatly enhanced by the maintenance of joint and combined interoperability. In the broader national sense, comprehensive civil-military relationships, structures and procedures, such as tried and tested crisis management arrangements, are essential to effective cooperation. Cooperation is an effective means of combining the principles of concentration of force and economy of effort.

Offensive action

11. Offensive action is the use of lethal/non lethal means for a force to gain and retain the initiative. Offensive action is essential in most circumstances to the achievement of victory.

12. It is important to maintain a spirit of offensive action even in a defensive situation. This is not to be interpreted as licence for rashness that endangers one's own forces unnecessarily or recklessly. But maintenance of a spirit of boldness and offensive action is vital if forces and commanders are to exploit opportunities to capitalise on adversary weaknesses, and to seize and hold the initiative. Offensive action contributes to the morale of one's own forces and, if vigorously pursued, can shatter the cohesion of an adversary.

Security

13. Security is vital to:

a. allowing own forces the freedom of action to operate effectively with minimal interference from the adversary, and

b. denying the adversary an advantage.

14. Security may be achieved by such measures as sea denial, defence of vulnerable bases and entry points, protection of vital infrastructure, protection of information and communication systems, holding adequate reserves of forces, gaining air superiority or guarding flanks to achieve freedom of action.

15. Security needs to be held in tension with other principles of war, such as economy of effort and offensive action. Security does not imply undue caution at the expense of bold action. Rather, proper security allows offensive action a greater chance of success. Security is also often closely linked to the achievement of surprise.

Surprise

16. Surprise is a most powerful influence in operations. Surprise can wrest the initiative from the adversary; help reduce casualties from one's own offensive actions; sow confusion, dismay and fear in the adversary; paralyse, at least temporarily, the adversary's decision making processes; degrade their will; and interrupt the rhythm of the adversary's offensive actions.

17. Every effort must be made to surprise the adversary and to guard against being taken by surprise (in this there is a close connection with the principle of security). Surprise can produce results out of all proportion to the effort expended.

18. Surprise is becoming easier to achieve because of the development of stealth technologies and night vision equipment, and harder to achieve because of developments in intelligence technologies that improve a force's situational understanding.

19. When other factors are unfavourable, surprise may be essential to the success of an operation. Surprise may be achieved through specialised tactics; simplicity, audacity and originality in planning and action; speed of action; the employment of technology; and the skilled use of deception.

20. The likelihood of achieving surprise can be increased through the application of targeted measures and techniques, including counterintelligence, operational security, counter-surveillance, concealment, deception and other measures to destroy, neutralise or deceive the adversary's intelligence gathering and dissemination capabilities.

21. The use of surprise is positively correlated with other principles of war, such as offensive action, security and morale.

Flexibility

22. Flexibility in operations is the capacity to adapt plans to take unforeseen circumstances into account to ensure success in the face of friction, unexpected resistance or setbacks, or to capitalise on unexpected opportunities. It is achieved by:

a. **Planning.** All operational plans should be sufficiently flexible to allow commanders to expect the unexpected. Plans should always allow commanders some leeway to modify the ways and means of an operation in the face of unexpected developments, to allow the end to be achieved.

b. **Combat support.** Combat support capabilities such as communications, transport and other logistic support should be flexible. In this way, forces can be concentrated rapidly and economically at the critical time and in the critical location.

c. **Decision making.** Importantly, the decision making process also needs to be flexible. This flexibility comes from a culture of delegation of decision making. This in turn requires a combination of high quality training of commanders, and a command culture that rewards sound judgement, initiative, resourcefulness, lateral thinking and boldness. Commanders at all levels need to have a clear understanding of their superior commanders' intent, so that their decisions are directed toward achieving the operational objective.

Economy of effort

23. Economy of effort is the prudent allocation and application of only those resources needed to achieve the desired results. Economy of effort is needed as a means of balancing competing requirements. The more effective a force is in economising its allocation of resources in one place, the more resources are thereby released to permit concentration of force elsewhere. Economy of effort maximises the contribution of resources to the achievement or the maintenance of the aim.

Sustainment

24. Sustainment includes all support arrangements necessary to implement military strategies and operational plans. These arrangements include those logistic and personnel aspects necessary for the efficient support of a force. Force support arrangements are an integral part of an operation.

25. The art of sustainment lies in making the best use of limited resources, in improvising, in taking calculated risks where necessary and in overcoming any obstacles that arise.

26. Sustainment arrangements must allow for unforeseen circumstances and give all necessary freedom of action to the commander in carrying out a plan. Good sustainment arrangements can be vital to the achievement of an aim and play an important part in maintaining morale.

Morale

27. Morale is an essential element of combat power. High morale engenders courage, energy, cohesion, endurance, steadfastness, determination and a bold, offensive spirit. In any given situation, military success may depend as much on morale as on material advantages. Morale of the fighting force is an embodiment of the national will to resist aggression and coercion.

28. The basis of military morale includes primarily a clear understanding of, and belief in, the aim. Those personnel involved must have a conviction about the necessity, legality and morality of an operation. High morale is built and maintained by effective leadership, good training, appropriate discipline, good sustainment arrangements and confidence in the support of the Australian people.

29. History abounds with examples demonstrating that effective leadership will sustain high morale even when all other factors are against it.

30. Actions taken to destroy the adversary's morale directly through combat, and indirectly through psychological operations, are an important means of reducing the adversary's combat effectiveness. Conversely, actions taken to sustain popular support for the ADF, through public information and other activities, can also play an important role in maintaining morale.

CHAPTER 7

PREPAREDNESS AND MOBILISATION

Executive summary

- Preparedness is part of the deliberate planning process that provides options for government to deal with issues and events that affect Australia's national interests.
- Mobilisation is a natural extension of preparedness in that it is the transitioning of forces from the deliberate planning for preparedness to the conduct of specific operations.

INTRODUCTION

7.1 The Australian Government expects that the primary focus of Defence will be to deter[1] or defeat threats to Australia's unique strategic interests by preparing appropriate military forces and associated support that will provide the government with options to respond across a range of possible contingencies, now and into the future. These expectations of government are directed by the Minister for Defence[2] under the authority of the *Defence Act 1903*, and providing for them is called Defence preparedness; a part of the Defence deliberate planning process.

PREPAREDNESS

7.2 Historically, preparedness doctrine in Defence has been based purely on training for the conduct of armed conflict. However, government expectations increasingly include tasks that employ Defence's unique skills and capabilities in situations that cater to wider national interests. These activities can vary from deterring the onset of an emerging issue, to conducting armed conflict, to policing and humanitarian assistance and other activities as directed. Government also expects Defence to acknowledge the cost of conducting these activities.

1 Deterrence activities are those activities, including international engagement and military presence, which aim to influence the thinking of regional players and shape the geo-strategic environment to Australia's advantage, particularly in terms of avoiding armed conflict.

2 The Minister for Defence issues a Ministerial Directive to Secretary of Defence and the Chief of the Defence Force.

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7.3 Defence preparedness is the central unifying/organising concept for articulating the Chief of the Defence Force's performance expectations to meet the Defence business model output of a prepared joint force-in-being (JFIB). It mandates the management of Defence preparedness through an integrated, future focused, whole-of-Defence performance management approach, which can adapt to changes in Australia's strategic environment.

7.4 Defence preparedness comprises two components: an overarching definition, and supporting detail, which provides necessary context.

7.5 Defence preparedness is defined as the sustainable capacity of Defence to deliver a prepared JFIB, able to accomplish directed tasks and provide contributions to government for emerging issues and events that affect Australia's national interests.

7.6 This is achieved through a whole-of-Defence governance system of preparedness management:

- which provides Defence resources to understand and shape Australia's strategic environment;
- which efficiently provides effective JFIB contributions, within the limits of allocated resources, to meet government's requirements in response to changes in Australia's strategic environment;
- which requires the coordination of force generation activities to achieve prescribed training standards (competencies and currencies) for both baseline and more immediate short term preparedness requirements; and
- which comprehends the constraints and limitations of the JFIB and its supporting capabilities, as a basis for expansion through mobilisation, should strategic circumstances deteriorate or a substantial threat eventuate.

MOBILISATION

7.7 Mobilisation is a natural extension of preparedness in that it is the transitioning of forces from the deliberate planning for preparedness to the conduct of a specific operation or operations, irrespective of scale. This period essentially puts the finishing touches onto the preparedness training regimes to ensure that the selected forces being deployed do so at minimum acceptable levels of risk. Requirements during this period can vary greatly depending on the emerging contingency, from the deployment of a single individual to the whole-of-nation involvement. Defence is required to undertake adequate mobilisation planning in order to have appropriate strategies in place, and to assess the issues associated with mobilisation.

7.8 As it is difficult to foretell emerging contingencies, mobilisation and the conduct of subsequent new operations are not catered for in the Defence budget. The financial impact on Defence of mobilisation and the subsequent conduct of operations is usually reduced by government supplementation. However, in order to accurately assess supplementation needs, Defence must be able to attribute its total costs across its outputs to government. While mobilisation and operations are not strictly part of preparedness, they must all be managed in concert to ensure that the real cost of meeting government expectations can be recognised.

7.9 Defence preparedness and its management is a complex business, and in its entirety consumes an overwhelming majority of the Defence budget and effort. To sustain all these activities over time, preparedness processes must support the balancing of the immediate costs of operations[3] against the medium term costs of sustainment, the longer term costs of coping with obsolescence and the requisite ongoing cost of providing administrative support. Therefore, Defence must also have appropriately organised support resources and a decision support system that assists senior leadership in achieving this balance.

3 Operations refers to campaigns, operations, combined and joint exercises and other activities as directed by the Chief of the Defence Force.

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7.10 Australian Defence Doctrine Publication (ADDP) 00.2—*Preparedness and Mobilisation* explains the concepts relating to Defence preparedness and mobilisation, while the *Defence Preparedness Manual* describes how Defence manages preparedness in the short, medium and long term. While there is a necessary focus on the Australian Defence Force and military preparedness, the rest of Defence plays a vital part in the sustainability of Defence's ability to conduct operations. These concepts, therefore, should be extrapolated across all of Defence, including Defence civilians and contractors, in determining performance requirements in support of Defence outputs. To more fully understand the principles and processes of Defence preparedness and mobilisation, ADDP 00.2 must be read in conjunction with the *Defence Preparedness Manual* and the *Chief of the Defence Force Preparedness Directive.*

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CHAPTER 8

EPILOGUE

Executive summary

- Doctrine needs to evolve to meet future challenges.
- The Australian Defence Force (ADF) needs to remain cognisant of domestic and international developments of significance.
- Doctrine supports all operations, both planned and conducted.

8.1 The regional and global strategic environment within which doctrine must be put into effect is constantly changing. The fluidity of the external environment puts a premium on the ADF's ability to be flexible and agile.

8.2 To achieve this, and based on the Australian approach to warfare, the ADF needs to develop and maintain a high level of professional mastery in a wide range of warfighting skills and in skills at conducting many kinds of military support operations. The ADF also needs to be alert to domestic and international developments as they unfold so that it can anticipate and assess the military implications of these developments.

8.3 In carrying out the policies and tasks directed by government, Defence needs to display a high level of internal organisation and adeptness in operating, cooperating and liaising with a wide range of military and non-military organisations and sectors. These organisations and sectors include Australian private industry (especially defence industry), State and Territory governments, other Commonwealth government departments and agencies, the general public, the mass media, the defence forces of other nation-states, and supranational bodies such as the United Nations.

8.4 A mark of the ADF's flexibility is its ability to offer the government a range of options on possible military responses to defence contingencies. The more the ADF is able to do this, the more the government will be able to respond to such contingencies with a suitable military option (where a military response is appropriate) and be able to deal with a situation using the optimal mix of military and non-military actions.

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8.5 Good doctrine and training are essential parts of the development of a flexible and agile defence force. The purpose of doctrine and training is not to produce personnel who respond to situations in a predictable, unimaginative and doctrinaire way. However, in the absence of good doctrine and training, the ADF would risk responding to situations in an entirely intuitive, uninformed way. The purpose of doctrine and training is to educate commanders so that they can make timely, well informed judgements, and exercise initiative and resourcefulness, against the background of a solid understanding of the art and science of military campaigns and operations.

8.6 In a turbulent world, no nation-state can fireproof itself against the threat of external military coercion or attack. However, a state can maximise its security from such threats by implementing policies and undertaking activities that foster regional and global security, and by strengthening the domestic factors that influence national security. In particular, a nation-state needs to maintain professional military forces that have an effective and sustainable military capability.

8.7 As outlined in this document, the ADF has an important and, in many respects, unique contribution to make in safeguarding and promoting Australia's national security. The ADF can best maximise its contribution to national security (within available resources) by focusing on the development of professional mastery, especially with regard to warfighting skills. It can also maximise its contribution by ensuring that its personnel, equipment, organisational arrangements and culture, military-political relationships, military-civil relationships and doctrine are highly developed and well maintained.

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GLOSSARY

The source for approved Defence terms, definitions and abbreviations is the Australian Defence Glossary (ADG), available on the Defence Restricted Network at http://adg.eas.defence.mil.au/adgms/. Note: The ADG is updated regularly and should be checked for amendments to the entries in this glossary.

TERMS AND DEFINITIONS

armed conflict

Conflict between States in which at least one party has resorted to the use of armed force to achieve its aims. It may also embrace conflict between a State and organised, disciplined and uniformed groups within the State, such as organised resistance movements. This definition has been addressed separately.

assigned forces

Forces-in-being which have been placed under the operational command or operational control of a commander.

attrition

The reduction of the effectiveness of a force caused by loss of personnel and materiel.

belligerent

In time of crisis or war, an individual, entity, military force or state engaged in conflict.

attrition warfare

A style of warfare characterised by the application of substantial combat power that reduces an adversary's ability to fight through loss of personnel and materiel. Essentially, it aims at the physical destruction of the adversary.

campaign

A set of military operations planned and conducted to achieve a strategic objective within a given time and geographical area.

capstone doctrine

The single, foundational doctrine publication which sits at the apex of the doctrine hierarchy, and from which all other doctrine is derived.

coalition operation
Operations conducted by forces of two or more nations, which may not be allies, acting together for the accomplishment of a single mission.

coercion
The use or threat of force to persuade an opponent to adopt a certain pattern of behaviour against their wishes.

collateral damage
Incidental damage to persons, objects or locations arising out of combat action against a legitimate military objective.

collective defence
Where two or more sovereign states form a system of international organisation directed against threats to a specified area from an outside source, and intended as a system of self-defence, not as a system to keep the peace anywhere it happens to be threatened.

collective security
Where a group of sovereign states form a general system of organisation designed to deal with peace as an indivisible entity; therefore a threat to the peace anywhere is of common concern to the entire group of states, which must agree in advance both to react to such a threat and how to react against it.

combat power
The total means of destructive and/or disruptive force which a military unit/formation can apply against the opponent at a given time.

combat service support (CSS)
The support provided to combat forces, primarily in the fields of administration and logistics.

combined operation
An operation conducted by forces of two or more allied nations acting together for the accomplishment of a single mission. An operation conducted by forces of two or more allied nations acting together.

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command

The authority which a commander in a military Service lawfully exercises over subordinates by virtue of rank or assignment.

Note

1. Command includes the authority and responsibility for effectively using available resources and for planning the employment of organising, directing, coordinating and controlling military forces for the accomplishment of assigned missions.

2. It also includes responsibility for the health, welfare, morale and discipline of assigned personnel.

conflict

A politico-military situation between peace and war, distinguished from peace by the introduction of organised political violence and from war by its reliance on political methods.

control

The authority exercised by a commander over part of the activities of subordinate organisations, or other organisations not normally under their command, which encompasses the responsibility for implementing orders or directives.

deterrence

The convincing of a potential aggressor that the consequences of coercion or armed conflict would outweigh the potential gains. This requires the maintenance of a credible military capability and strategy with the clear political will to act.

doctrine

Fundamental principles by which the military forces guide their actions in support of objectives. It is authoritative but requires judgement in application.

end state

The political and/or military situation to be attained at the end of an operation, which indicates the objective has been achieved.

formation

An ordered arrangement of troops and/or vehicles for a specific purpose.

general war

Global armed conflict between the superpowers and their allies; generally limited to the use of conventional forces, although tactical and/or theatre nuclear weapons may be employed.

insurgency

An organised movement aimed at the overthrow of a constituted government through use of subversion and armed conflict.

intelligence

The product resulting from the processing of information concerning foreign nations, hostile or potentially hostile forces or elements, or areas of actual or potential operations. The term is also applied to the activity which results in the product and to the organisations engaged in such activity.

interoperability

The ability of systems, units or forces to provide services to, and accept services from, other systems, units or forces and to use the services so exchanged to enable them to operate effectively together.

joint (J)

Adjective used to describe activities, operations and organisations in which elements of at least two Services participate.

keystone doctrine

The principal doctrine publication in each doctrine series. Keystone publications support the capstone doctrine, and provide a framework for all subordinate doctrine publications in that series.

logistics

The science of planning and carrying out the movement and maintenance of forces. In its most comprehensive sense, the aspects of military operations which deal with:

a. design and development, acquisition, storage, movement, distribution, maintenance, evacuation, and disposal of materiel;
b. transport of personnel;
c. acquisition or construction, maintenance, operation, and disposition of facilities;
d. acquisition or furnishing of services; and
e. medical and health service support.

manoeuvre

Employment of forces on the battlefield through movement in combination with fire or fire potential, to achieve a position of advantage in respect to the adversary, in order to accomplish the mission.

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manoeuvre warfare

A philosophy that seeks to collapse the enemy's cohesion and effectiveness through a series of rapid, violent and unexpected actions that create a turbulent and rapidly deteriorating situation with which the enemy cannot cope.

military strategy

That component of national or multinational strategy presenting the manner in which military power should be developed and applied to achieve national objectives or those of a group of nations.

mission

A clear, concise statement of the task of the command and its purpose.

mobilisation

The act of preparing for war or other emergencies through assembling and organising national resources.

mobility

A quality or capability of military forces which permits them to move from place to place while retaining the ability to fulfil their primary mission.

multinational operations

A military action conducted by forces of two or more nations, undertaken within the structure of a coalition, an alliance or under the supervision of an international organisation such as the United Nations.

Note

It is used to encompass all related terms such as allied, bilateral, coalition, combined, or multilateral.

national security

The ability to preserve the nation's physical integrity and territory; to maintain economic relations with the rest of the world on reasonable terms; to protect its nature, institutions and governance from disruption from outside, and to control its borders.

offensive operations

Military operations conducted for the purpose of seizing or retaining the initiative.

operational authority

The authority granted to a commander to use the operational capability of a unit to undertake a mission. This authority is granted without qualification and is described as either operational command or operational control.

operational command (OPCOMD)

The authority granted to a commander to specify missions or tasks to subordinate commanders, to deploy units, to reassign forces and to retain or delegate operational control, tactical command and/or control as may be deemed necessary. It does not of itself include responsibility for administration.

operational control (OPCON)

The authority delegated to a commander to direct forces assigned so that the commander may accomplish specific missions or tasks which are usually limited by function, time or location; to deploy units concerned and to retain or assign tactical control of those units. It does not include authority to assign separate employment of components of the units concerned. Neither does it, of itself, include administrative or logistic control.

operational level of conflict

The operational level of conflict is concerned with the planning and conduct of campaigns. It is at this level that military strategy is implemented by assigning missions, tasks and resources to tactical operations.

Note

It is at this level that military strategy is implemented by assigning missions, tasks and resources to tactical operations.

operation

A designated military activity using lethal and/or non-lethal ways and means to achieve directed outcomes in accordance with national legal obligations and constraints.

peace enforcement (PE)

A peace support operation conducted to maintain a ceasefire or peace agreement where the level of consent and compliance is uncertain and the threat of disruption is high. The peace support force must be capable of applying credible coercive force and must apply the provisions of the ceasefire or peace agreement impartially.

peacekeeping (PK)
A peace support operation following an agreement or ceasefire that has established a permissive environment where the level of consent and compliance is high and the threat of disruption is low. The use of force by a peace support force is normally limited to self-defence.

preparedness
The sustainable capacity of Defence to deliver a prepared joint force-in-being able to accomplish directed tasks and provide contributions to government for emerging issues and events that affect Australia's national interests.

regional conflict
A conflict where the fighting is contained within a particular geographic area. Its political and economic effects, however, may reverberate further afield and there may be involvement from beyond the region, such as the supply of military equipment, advisers and/or volunteers by third parties.

reserve force (RF)
Personnel, units or formations earmarked for future use on mobilisation or against an operational requirement, or withheld from action at the beginning of an engagement.

security
Measures taken by a command to protect itself from espionage, sabotage, subversion, observation, annoyance or surprise.

situational understanding
The accurate interpretation of a situation and the likely actions of groups and individuals within it. Awareness, analysis, knowledge, comprehension and judgement facilitate understanding, which enables timely and accurate decision making.

spectrum of conflict
The full range of levels of violence from stable peace up to and including general war.

strategic level of conflict
That level of war which is concerned with the art and science of employing national power.

strike
An attack which is intended to inflict damage on, seize or destroy an objective.

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surveillance

The systematic observation of aerospace, surface or sub-surface areas, places, persons or things by visual, aural, electronic, photographic or other means.

tactical level of conflict

The planning and conduct of battle, characterised by the application of concentrated force and offensive action to gain objectives.

tempo

The rate or rhythm of activity relative to the adversary, and incorporating the capacity of the force to transition from one operational posture to another.

terrorism

The use or threatened use of violence for political ends, or any use or threatened use of violence for the purpose of putting the public or any section of the public in fear.

theatre

A designated geographic area for which an operational level joint or combined commander is appointed and in which a campaign or series of major operations is conducted.

Note

A theatre may contain one or more joint force areas of operation.

unit

A military element whose structure is prescribed by a competent authority.

whole-of-government

Denotes government departments and agencies working across portfolio boundaries to achieve a shared goal and an integrated government response to particular issues.

ABBREVIATIONS

ADF	Australian Defence Force
ADDP	Australian Defence Doctrine Publication
ADFP	Australian Defence Force Publication
APS	Australian Public Service
ASEAN	Association of South-East Asian Nations
CA	Chief of Army
CAF	Chief of Air Force
CAN	Canada
CCDG	Chief Capability Development Group
CCIR	commander's critical information requirements
CDF	Chief of the Defence Force
CDS	Chief Defence Scientist
CEO DMO	Chief Executive Officer Defence Material Organisation
CFO	Chief Financial Officer
CI	counterintelligence
CIS	communication and information systems
CIO	Chief Information Officer
CJOPS	Chief of Joint Operations
CN	Chief of Navy
COSC	Chiefs of Service Committee
DC	Defence Committee
DCIRC	Defence Capability and Investment Review Committee
DEPSEC DS	Deputy Secretary Defence Support
DEPSEC I & S	Deputy Secretary Intelligence and Security
DEPSEC PSP	Deputy Secretary People Strategies and Policy
DEPSEC S	Deputy Secretary Strategy
DPG	Defence planning guidance
FIC	fundamental inputs to capability
GBR	the United Kingdom
GI&S	geospatial information and services
HA/DR	humanitarian assistance/disaster relief
ICT	information and communications technology
ISR	intelligence, surveillance and reconnaissance
JFIB	joint force-in-being
JPR	joint personnel recovery
LOAC	law of armed conflict
NZL	New Zealand

OE	operational environment
QSR	Quarterly Strategic Review
RAAF	Royal Australian Air Force
RAN	Royal Australian Navy
ROE	rules of engagement
SCAC	Secretary and Chief of the Defence Force Advisory Committee
SCG	Strategic Command Group
SU	situational understanding
UN	United Nations
USA	United States of America
VCDF	Vice Chief of the Defence Force
WoG	whole-of-government

EXECUTIVE SERIES

ADDP 06.1

RULES OF ENGAGEMENT

Australian Defence Doctrine Publication 06.1, edition 2 is issued for use by the Australian Defence Force and is effective forthwith. This publication supersedes edition 1, dated 2002.

A.G. HOUSTON, OA, AFC
Air Chief Marshal
Chief of the Defence Force

Australian Defence Headquarters
Canberra ACT 2600

11 May 2006



Defence FOI 018/21/22
Item 2 Document 1

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All Defence information, whether classified or not, is protected from unauthorised disclosure under the *Crimes Act 1914*. Defence information may only be released in accordance with the *Defence Security Manual* and/or Defence Instruction (General) OPS 13–4—*Release of Classified Defence Information to Other Countries*, as appropriate.

ADDP 06.1

First edition 2002
Second edition 2006

Sponsor

Chief of Joint Operations
Joint Operations Command

Developer

Commandant
Australian Defence Force Warfare Centre
WILLIAMTOWN NSW 2314

Publisher

Defence Publishing Service
Department of Defence
CANBERRA ACT 2600

Defence Publishing Service
DPS: June 2006

FOREWORD

1. Australian Defence Doctrine Publications (ADDP) and Australian Defence Force Publications (ADFP) are authorised joint doctrine for the guidance of Australian Defence Force (ADF) operations. ADDP are pitched at the philosophical and high-application level, and ADFP at the application and procedural level. Policy is prescriptive as represented by Defence Instructions, and has legal standing. Doctrine is not policy and does not have legal standing, however, it provides authoritative and proven guidance which can be adapted to suit each unique situation.

2. This publication, in conjunction with ADDP 06.2—*Rules of Engagement—Operational Rules*, promulgates the agreed joint doctrine for the management and use of rules of engagement (ROE) by the ADF. The procedures in this edition have been framed to allow management of all ADF operations.

3. The Chief of the Defence Force (CDF) is the approval authority for ADDP 06.1. Chief of Joint Operations (CJOPS) is the publication sponsor and Commandant Australian Defence Force Warfare Centre is responsible for the continued development and amendment of the publication.

4. National interests dictate that ROE for an operation remain on a limited distribution. However, there will be occasions when access by foreign military personnel to ADF ROE will be appropriate for a mission or for combined operations. Access to ADF ROE may be granted to foreign military personnel as detailed below:

- **ADDP 06.1.** ADDP 06.1 may be released to any foreign military personnel who have a need to be acquainted with ADF ROE procedures
- **ADDP 06.2.** ADDP 06.2 is caveated AGAO. ADDP 06.2 is not to be released without the written approval of CJOPS.
- **Operational rules of engagement.** The specifically authorised ROE for an operation remain on limited distribution and are not to be released to any foreign country without the written approval of CDF. For a specific operation, this authorisation may be contained within the ROE itself.

AMENDMENTS

Proposals for amendment of ADDP 06.1 may be initiated in either of the following ways:

- By Minute to:

  Director Doctrine and Training
  Australian Defence Force Warfare Centre
  RAAF Base
  WILLIAMTOWN NSW 2314

- By directly entering comment into the Joint Doctrine Development Environment (JDDE) found on the Australian Defence Force Warfare Centre (ADFWC) Defence Restricted Network (DRN) web site (*see* http://defweb.cbr.defence.gov.au/adfwc). Select JDDE on the ADFWC homepage and open either the ADDP or ADFP block as required. Open the relevant publication and utilise the 'Add Comment' function button of the summary page for each publication.

  Note

  The second option is a proposed addition to encourage feedback from the wider ADF, as well as encouraging use of the JDDE in general.

This publication is current as at 11 May 2006.

This publication will be periodically reviewed and amended. The latest version of this publication is available on the ADFWC DRN web site http://defweb.cbr.defence.gov.au/adfwc.

AUSTRALIAN DEFENCE DOCTRINE PUBLICATIONS

Abbreviation	Superseded ADFP No	Title
CAPSTONE DOCTRINE		
ADDP–D	N/A	*Foundations of Australian Military Doctrine*
ADDP–D.2	N/A	*Force 2020*
ADDP–D.3	N/A	*Future Warfighting Concepts*
ADDP–D.3.1	N/A	*Enabling Future Warfighting: Network Centric Warfare*
ADDP–D.4	N/A	*Joint Warfighting*
0–EXECUTIVE SERIES		
ADDP 00.1	2	*Command and Control*
ADDP 00.2	4	*Preparedness and Mobilisation*
ADDP 00.3	N/A	*Coalition Operations*
ADDP 06.1	3	*Rules of Engagement*
ADDP 06.2	3 Sup 1	*Rules of Engagement—Operational Rules*
ADDP 06.3	3 Sup 3	*Combined Rules of Engagement for Australian and United States Military Forces*
ADDP 06.4	37	*Law of Armed Conflict*
1–PERSONNEL SERIES		
ADDP 1.0	N/A	*Personnel*
ADDP 1.1	N/A	*Personnel Support to Operations*
ADDP 1.2	53	*Defence Health*
2–INTELLIGENCE AND SECURITY SERIES		
ADDP 2.0	19	*Intelligence*
ADDP 2.1	N/A	*Counterintelligence*
ADDP 2.2	N/A	*Security*
ADDP 2.3	N/A	*Geospatial Information and Services*

Abbreviation	Superseded ADFP No	Title
3–OPERATIONS SERIES		
ADDP 3.0	6	*Operations*
ADDP 3.1	11	*Offensive Support*
ADDP 3.2	12	*Amphibious Operations*
ADDP 3.3	13	*Aerospace Battle Management*
ADDP 3.4	15	*Operations in a Chemical, Biological, Radiological and Nuclear Environment*
ADDP 3.5	24	*Electronic Warfare*
ADDP 3.6	N/A	*Joint Personnel Recovery*
ADDP 3.7	29	*Collection Operations*
ADDP 3.8	35	*Peace Operations*
ADDP 3.9	39	*Airborne Operations*
ADDP 3.10	43	*Evacuation Operations*
ADDP 3.11	44	*Civil-Military Cooperation*
ADDP 3.12	45	*Special Operations*
ADDP 3.13	N/A	*Information Operations*
ADDP 3.14	23	*Targeting*
ADDP 3.15	N/A	*Airbase Operations*
ADDP 3.16	N/A	*Mounting Base Operations*
4–LOGISTICS SERIES		
ADDP 4.0	N/A	*Defence Logistics*
ADDP 4.1	N/A	*Capability Support*
ADDP 4.2	20	*Support to Operations*
ADDP 4.3	N/A	*Supply*
ADDP 4.4	14, 21 and 22	*Movements and Transport*
ADDP 4.5	N/A	*Equipment Engineering and Maintenance*
ADDP 4.6	N/A	*Infrastructure Engineering and Maintenance*

Abbreviation	Superseded ADFP No	Title
5–PLANS SERIES		
ADDP 5.0	9	*Joint Planning (Provisional)*
ADDP 5.1	9 Sup 1	*AUS–USA Planning Manual*
6–COMMUNICATIONS AND INFORMATION SYSTEMS SERIES		
ADDP 6.0	10	*Communications and Information Systems*
7–DOCTRINE AND TRAINING SERIES		
ADDP 7.0	N/A	*Doctrine and Training*

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CHAPTER 1

POLICIES AND RESPONSIBILITIES

Executive summary

- All commanders have an obligation to seek clarification if the authorised rules of engagement (ROE) are considered to be unclear, contrary to the national policy (NATPOL) or inadequate to cover the military situation.
- Subordinate commanders, in their amplification of Chief of Defence Force's (CDF) ROE, may narrow the application of CDF-issued ROE or themselves issue specific ROE, which further restrict military action.
- Where Australian Defence Force (ADF) elements form part of a combined force, national ROE will have precedence over combined ROE.

National policy

1.1 The Australian Government is responsible for the security of the nation and in particular, the protection of Australia and its interests against attack or the threat of attack, including international threats, terrorism and civil unrest. Government direction will be given to CDF on the national objectives to be achieved by military action, in accordance with NATPOL.

1.2 Military objectives will be formulated and specified within the framework of broader national objectives. Upon consideration of the Government's direction, CDF will prepare appropriate NATPOL. This NATPOL is used to provide strategic direction and guidance to subordinate commanders about the likely level of military involvement and amount of force considered appropriate. Regardless of the NATPOL issued, all ADF personnel retain the inherent right to use force for individual self-defence. ADF force elements retain the right to use force in unit self-defence unless specifically directed otherwise. The use of force for national self-defence, and other Government-endorsed military operations, is dependent on the mission objectives and will be clearly defined in the authorised ROE issued with the NATPOL. Any use of force must be consistent with the specific ROE issued for the operation. The use of force must be strictly controlled and confined to that which is necessary for the achievement of mission objectives and must be in accordance with Australian domestic and international legal principles.



Figure 1–1: Military action is always to be conducted in accordance with Government objectives

1.3 ROE are to be aligned with NATPOL. The relative priority accorded to military, political, diplomatic and legal activities will be determined by the Government and will be reflected in the NATPOL issued by CDF. Military action is always to be conducted in accordance with Government objectives.

Rules of engagement

1.4 Definition. ROE are directions endorsed by Government and issued by commanders, which delineate the circumstances and limitations within which military force may be applied to achieve military objectives. They do not inhibit or replace, but are part of, the command function. ROE may be framed to limit certain actions; alternatively, they may authorise actions to the full extent permissible under domestic and international law.



Figure 1–2: Kibeho displaced person's camp; Rwanda. Rules of engagement delineate the circumstances within which military force may be applied

Status

1.5 ROE are not law themselves but must be reflective of the law. When appropriately authorised and promulgated, ROE are orders for the purposes of the *Defence Force Discipline Act 1982*.

Interpretation

1.6 ROE will generally prescribe what a commander can or cannot do in carrying out an operation. If an action is not addressed in the ROE, ADF commanders must assume they have no authority to carry out that action. All commanders have an obligation to seek clarification if the authorised ROE are considered to be unclear, contrary to the NATPOL or inadequate to cover the military situation.

1.7 ROE shape and control the application of military force to achieve national objectives by:

- providing standing guidance for normal peacetime operations,
- providing guidance for other operations during peacetime,
- facilitating and controlling the transition from peace through tension to conflict,
- controlling the application of force during combat operations in time of conflict, and
- facilitating the return to peacetime conditions.

1.8 While ROE may restrict the means and the extent to which military force can be applied, they do not:

- provide a substitute for strategy or tactics;
- describe specific doctrine, tactics and procedures;
- address safety-related restrictions; or
- limit the inherent right of individual self-defence.

Factors affecting rules of engagement formulation

1.9 Many factors combine to influence the formulation of ROE. The relative influence of these factors will vary according to the prevailing circumstances. The four main influences, depicted in figure 1–3, are:

- domestic and international legal principles;
- political and military end-states;
- operational considerations; and
- diplomatic factors.

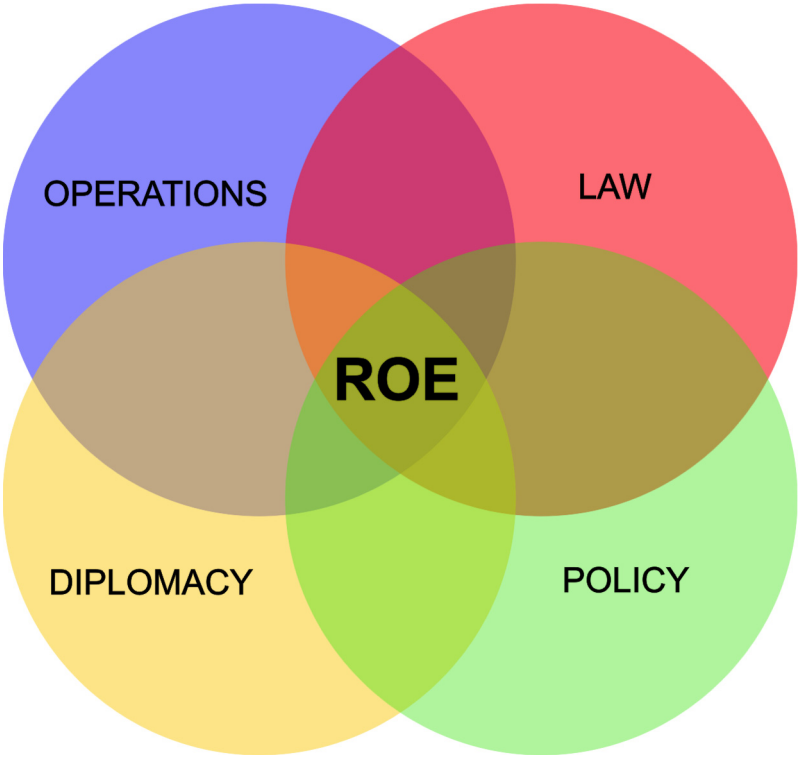


Figure 1–3: Factors influencing rules of engagement formulation

Crisis management

1.10 At all times, military objectives remain subordinate to national objectives. This is particularly important in national crisis management during times of tension when the requirements of Government may preclude the adoption of some military options. There may well be a need to maintain tight control of the ADF to prevent accidental escalation or unauthorised military action. The careful formulation of ROE should reduce the likelihood that ADF actions will inadvertently force an adversary or a potential enemy to take precipitate action. However, in times of open hostility, military and national objectives are more closely aligned and Government may authorise the full range of military force.

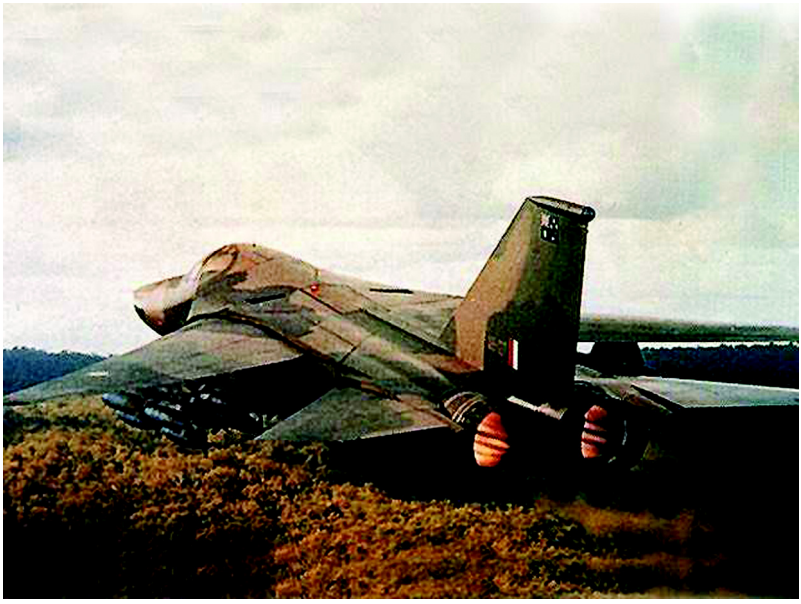


Figure 1–4: The Government may authorise the full range of military force

Standing and operation-specific rules of engagement

1.11 Members of the ADF are subject to ROE at all times. There will always exist promulgated standing ROE which will govern the daily activities of the ADF. Separate operation-specific ROE will govern activities of those elements of the ADF assigned to a specific operation and will apply within a specified area of operations.

Authority for Australian Defence Force rules of engagement

1.12 The ultimate authority for the issue of ADF ROE is CDF. In consultation with the Australian Government, CDF may issue any ROE from the ROE menu. Subordinate commanders, in their amplification of CDF's ROE, may narrow the application of CDF-issued ROE or themselves issue specific ROE, which further restrict military action.

Relationship of rules of engagement to the law

1.13 ROE provide authoritative guidance on the use of military force. This force must be reflective of the law, even though the ROE are not the law. International and domestic laws limit armed forces to actions that are lawful and therefore permissible. The Government and CDF place further limitations upon the ADF by issuing ROE. Figure 1–5 illustrates this relationship.



Figure 1–5: The relationship between rules of engagement and the law

Types of rules of engagement

1.14 ROE authorised for use during a particular operation are termed 'extant'. ROE, which have been promulgated but have not been authorised for use, are termed 'dormant'. Dormant ROE may be issued to particular commanders to address specific circumstances.

Dormant rules of engagement

1.15 When CDF authorises ROE for a particular operation, dormant ROE may also be issued to Chief of Joint Operations for implementation either on receipt of a particular code word or in the event of a specified set of circumstances. Dormant ROE may also be issued to advise subordinate commanders of ROE that are likely to be authorised for a subsequent phase of an operation or a given set of events. They allow for forward planning and should provide the commander with the flexibility to counter actions by an adversary or enemy when circumstances are changing too rapidly to accommodate the normal ROE approval process. When a commander

activates dormant ROE, superior headquarters are to be informed immediately. Once activated, dormant ROE form part of the extant ROE for that operation and must be included in subsequent ROE messages.

Applicability of rules of engagement

1.16 Joint and single-Service operations and training. ADF ROE apply to all elements of the ADF. Particular ROE may be authorised for application to all ADF forces, while others may be authorised for use by discrete units, or in specified operations or specified areas. The formulation and promulgation procedures in this publication are to be used in joint and single-Service exercises and operational training.

1.17 United Nations/coalition/multinational operations and training. ROE for use in combined operations and training must be agreed upon during the planning process. Where ADF elements form part of a combined force, Australian national ROE have precedence over United Nations (UN)/coalition/other national ROE. If UN/coalition/other national ROE appear to conflict with Australian national ROE, commanders are to notify CDF through their national chain of command.



Figure 1–6: Boarding operations in the Persian Gulf as part of a combined force

Geographic and mission-specific variations

1.18 ADF operations may be conducted over large geographic areas with the military situation varying considerably from area to area. ROE may authorise different actions in different joint force areas of operations (JFAO)/combined force area of operations (CFAO). Furthermore, to achieve a specific mission or task within a JFAO/CFAO, ADF elements may require different ROE. Provision may be made in the ROE authority to specify the geographic areas or the particular tasking for which particular ROE apply.



Figure 1–7: Australian Defence Force elements may require different rules of engagement to achieve a specific mission or task

Contravention of rules of engagement

1.19 ROE staff procedures and training are designed to minimise the likelihood of contravention or breach of ROE by ADF elements. Nevertheless, breaches of ROE may arise through error, accident or misadventure. The adverse consequences of such contraventions must be minimised, particularly the threat of unintentional escalation through hostile retaliation. Addressing such a contravention may require diplomatic activity and needs to be initiated in a timely manner. In the event of an ROE breach the following applies:

- ADF ROE contraventions are to be reported up the chain of command by the quickest means possible.
- Lateral and subordinate commands are to be informed where the consequences are likely to affect them.
- Remedial measures are to be taken to avoid a recurrence.
- If required, contraventions will be subject to formal investigation and may lead to disciplinary and/or administrative action.
- Public information aspects need to be considered.

CHAPTER 2

OPERATIONAL ASPECTS

Executive summary

- **Unit self-defence.** Australian Defence Force (ADF) force elements retain the right to use force in unit self-defence, unless specifically directed otherwise.
- **Individual self-defence.** All ADF personnel retain the inherent right to use force for individual self-defence, regardless of the national policy (NATPOL) issued.
- There exists no inherent authority for ADF members or units to spontaneously use force to defend Australian or foreign persons or property.

Introduction

2.1 This chapter contains guidance on a range of legal issues relating to rules of engagement (ROE) and provides an outline of the legal basis for the use of force. The chapter is divided into the following sections:

- **Self-defence.** Deals with the use of force in the context of individual, unit, national and collective self-defence.
- **Designated entities.** Discusses the legal basis for the protection of persons and property (designated or otherwise).
- **Associated issues.** Provides guidance on the use of force for mission accomplishment, the application of the law of armed conflict (LOAC) to ROE, the tactical employment of weapons systems, orders for opening fire (OFOF), weapon control orders and weapons states and rights of overflight and maritime passage.

SELF–DEFENCE

Introduction

2.2 The right of self-defence is an inherent right, which allows individuals to defend themselves against hostile acts and demonstrations of hostile intent. The inherent right of self-defence also applies to nations and permits Australia to defend itself and other states against armed attacks or certain injurious acts directed at Australia's national interests. Action taken in self-defence must be strictly limited to the needs of self-defence and may not

be converted into retaliatory or punitive measures. Measures taken in national or collective self-defence must be immediately reported to the United Nations (UN) Security Council. The authority for using force in self-defence is as follows:

- **National self-defence.** The authority to exercise national self-defence is a strategic concept and may be exercised as an inherent right of the nation-state and in a manner pursuant to Article 51 of the UN Charter.

- **Collective self-defence.** Defence of third party nations may only be undertaken by the ADF when authorised by the Australian Government pursuant to the UN Charter and in accordance with specific ROE issued for the operation.

- **Unit self-defence.** A unit commander has the authority to exercise the right of unit self-defence in respect of another ADF unit, unless specifically directed otherwise. This right exists in customary international law.

- **Individual self-defence.** All ADF personnel retain the inherent right to use force for individual self-defence, regardless of the NATPOL issued. This right exists in customary international law.

National self-defence

2.3 National self-defence is the right of a nation to use armed force to protect its sovereign territory, political independence, persons or property against an armed attack or certain injurious acts directed at Australia's national interest or threats of the same. Paragraph 2.5 provides further guidance on anticipatory self-defence. While justification for the use of force in national self-defence is principally enunciated within Article 51 of the UN Charter, this right draws its authority from customary international law generally. Some examples of actions that may be justified under national self-defence include:

- deployment of ADF personnel to foreign nations to protect Australian citizens, designated entities and assets in circumstances where they are threatened and the host government is unwilling or unable to provide protection;

- evacuation of Australian citizens and other designated entities from a foreign nation in circumstances where the host nation is unable or unwilling to protect such citizens and designated entities;

- actions to prevent passage of vessels/aircraft within territorial waters/national airspace which is deemed not innocent passage; and

- protective escort of Australian, and in certain circumstances, third party merchant vessels engaged in trade with Australia.

2.4 Decisions to use force for national self-defence can only be taken by the Australian Government and may include a wide variety of responses, including the use of ADF units. The right of national self-defence does not imply any inherent right for ADF units to spontaneously use force other than in accordance with authorised ROE.

2.5 Anticipatory self-defence. Anticipatory self-defence is a form of national self-defence and is thus a strategic concept. It permits a nation to use force in national self-defence, notwithstanding that an armed attack has not yet actually been launched by the aggressor, but it is considered to be imminent thus requiring an immediate response to protect Australian sovereign interests.

Collective self-defence

2.6 In addition to national self-defence, Article 51 of the UN Charter and supporting customary international law also authorises the use of military support, armed or otherwise, to assist another nation to protect its sovereignty (including its citizens and property under certain circumstances) against armed attacks, or threats of armed attacks. Collective self-defence cannot be exercised unilaterally by the assisting state, but must be at the specific request of the nation under attack or threat of attack. Collective self-defence may also be authorised by the Security Council under Chapter VII of the UN Charter. Resolutions passed by the Security Council bind all member nations.

2.7 Multinational forces. It is likely that any collective self-defence operation will involve ADF units cooperating with foreign military forces as part of a multinational force (MNF) to achieve the mission objectives. While assigned as part of the MNF, the use of force by ADF units to protect other non-ADF military forces in unit self-defence is only authorised when approved by the Government of Australia and promulgated in the ROE for the operation.



Figure 2–1: United States Coast Guard Service, Republic of Korea Navy, Royal Australian Navy, United States Navy, Royal Canadian Navy, Philippine Navy, and Japanese Self Defence Force ships in company

Unit and individual self-defence

2.8 Unit self-defence. ADF personnel have the right to defend other ADF units against a hostile act or a demonstration of hostile intent. In this context, 'unit' refers to any ADF element, including an individual ADF member or other single entity (such as a ship or aircraft), acting to defend another ADF element. In exercising unit self-defence, individuals may only use the minimum force necessary for as long as is necessary to deter or neutralise the attacker or potential attacker, or, if necessary, to remove the threat. Unlike the right of individual self-defence, the right of unit self-defence is not an inherent right and may therefore be modified by ROE or by direction from a superior commander. Defence of non-ADF units must be specifically authorised in ROE.

2.9 Individual self-defence. Individual self-defence is the inherent right of ADF individuals to spontaneously defend themselves against a hostile act or a demonstration of hostile intent. This inherent right is recognised under customary international law. This enables ADF personnel to use the minimum force necessary for as long as is necessary to deter or neutralise the attacker or potential attacker, or if necessary, to remove the threat. Although ROE are not required for an individual to exercise their right of self-defence, as a matter of practice those rights may be specifically identified in the issued ROE.

2.10 Geographic limits. There are no geographic limits to the use of force in individual self-defence. Subject to the ROE or superior command, there are no geographic limits to the exercise of unit self-defence.

Limitations on the use of force

2.11 When using force in individual or unit self-defence, ADF members and units may use the minimum force necessary for so long as is necessary to deter or neutralise the attacker or potential attacker, or, if necessary, to remove the threat. Force must be limited in its intensity and duration to that which is reasonably necessary to achieve the objective. This means that the level of force used must be appropriate to the level of threat faced. The use of force is always to be graduated where the circumstances permit. This does not prevent the immediate use of lethal force in self-defence if the threat to life or threat of serious bodily injury is imminent and there is no alternative to the immediate use of lethal force to remove those threats. Incidental injury to persons or collateral damage to property does not prevent the use of the minimum force necessary (including lethal force) when acting in self-defence but any such incidental injury or collateral damage is to be kept to the minimum possible. All actions in individual or unit self-defence must cease as soon as the attacker or potential attacker ceases action.

2.12 When using force in unit or individual self-defence, only those units which are either singularly or collectively conducting a hostile act or demonstrating hostile intent (or forces integral to the attack, eg targeting units) may be attacked. ADF units may only subsequently pursue and engage a force that has committed a hostile act or demonstrated hostile intent, if authorised by mission-specific ROE.

2.13 Detailed ADF guidance on hostile act and hostile intent are included in Australian Defence Doctrine Publication (ADDP) 06.2—*Rules of Engagement—Operational Rules*, chapter 1.

DESIGNATED ENTITIES

2.14 General. There exists no inherent authority for ADF members or units to spontaneously use force to defend Australian or foreign persons or property. The right to use such force is derived from the principles which underpin national and collective self-defence and it therefore remains a Government responsibility to authorise the use of force by the ADF for the defence of Australian or foreign persons or property. This authorisation is promulgated in the specific ROE for an operation by specifying particular persons or property to be 'designated' entities along with the level of force that may be used for their defence.



Figure 2–2: An important rules of engagement issue—the specification of designated entities

2.15 Australian Defence Force property and equipment. Where the Australian Government determines that the threat of destruction or loss of specific property caused by persons not designated as the enemy represents a high risk to the physical security of the force, Chief of the Defence Force (CDF) may promulgate such property as 'designated' property. When using force to protect designated property, ADF members and units are authorised to use only the minimum force necessary for so long as is necessary to deter or neutralise the attacker or potential attacker, or, if necessary, to remove the threat. Incidental injury to persons or collateral damage to property does not prevent use of the minimum force necessary (including lethal force) when protecting designated property but any such incidental injury or collateral damage is to be kept to the minimum possible. All actions taken to protect designated property must cease as soon as the attacker or potential attacker ceases action. Force must be limited in its intensity and duration to that which is necessary to achieve the objective. The use of force is always to be graduated where the circumstances permit. Commanders may request that a piece of ADF property be promulgated as designated property by ROE request. Designated property is to be specifically not generically defined.

2.16 Nature of the threat. The requirement to promulgate property as 'designated' property will be dependent on a number of factors including the nature of the threat within the context of the operation. The concept of

designated property is relevant only to non-combatants and will therefore apply only to persons who are not designated as the enemy. It is not necessary for property to be promulgated as 'designated' property when the threat of destruction to that property is from an enemy force. ADF members and units are always authorised to use force to defend property against persons designated as the enemy.



Figure 2–3: An important rules of engagement issue—the specification of designated property

ASSOCIATED ISSUES

Force for mission accomplishment

2.17 The approval of an ADF mission for the defence of Australia or its national interests by the Australian Government does not automatically authorise ADF units to use all available military force to achieve that mission. The application of military force for mission accomplishment will be governed by mission-specific ROE issued for the operation.

2.18 A commander is to use only that level of force necessary to bring the engagement or situation to a successful conclusion. However, the achievement of the mission must not be jeopardised by the failure to apply sufficient force. For example, the tactical situation may dictate that the force required to execute the mission successfully is an overwhelming assault.

Rules of engagement and the law of armed conflict

2.19 In the event of an armed conflict ADF ROE will reflect the law of armed conflict (LOAC). LOAC is derived from a number of international treaties and supporting customary international law, which govern the conduct of nations during armed conflict. It is the policy of the Australian Government that all ADF operations will be conducted in accordance with the principles of LOAC. More detailed guidance on LOAC is contained in ADDP 06.4—*Law of Armed Conflict*.

2.20 When the ADF takes part in an operation any order to an ADF member to act contrary to LOAC is an unlawful order. Members of the ADF bear individual responsibility for violations of LOAC. The Government may, however, place further limits on the ADF beyond what is permitted under LOAC but can never authorise breaches of it. ADF ROE may often be framed in general terms or provide for significant command discretion. It is therefore imperative that the evaluation of, and planning with ROE, always be accompanied by a consideration of LOAC. ROE may also be used to reiterate LOAC principles in a form that provides more concrete guidance to commanders and ADF units than the general principles.

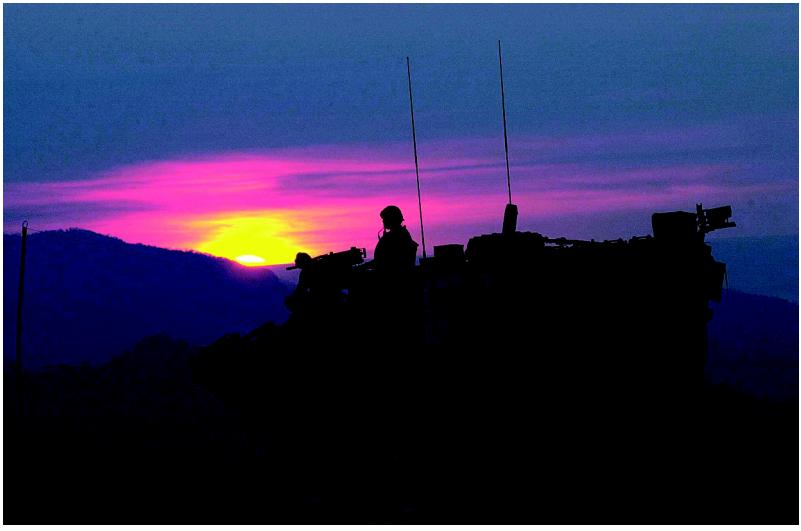


Figure 2–4: It is the policy of the Australian Government that all Australian Defence Force operations will be conducted in accordance with the principles of law of armed conflict

Tactical employment of weapon systems

2.21 The majority of ROE issues are not readily applicable to the use of individual weapon systems and personal weapons. Within joint forces, ROE are normally issued only down to formation level. At this level, joint force commanders and unit commanders should issue instructions to their subordinates on the tactical level employment of weapons. The instructions for the tactical employment of weapon systems for particular operations always remain subordinate to any specific ROE issued for that operation. These instructions can be issued in a number of ways. Some accepted methods include OFOF for personal weapons, engagement matrixes for air-to-air weapons and weapon release criteria for the employment of maritime weapons. Once the threshold level of force required for the employment of a particular weapon system has been met, that weapon system should be employed in accordance with approved tactical doctrine.

Orders for opening fire

2.22 OFOF are developed to provide simplified and unambiguous directions for ADF personnel involved in operations. OFOF are extracted, in a simplified form, from ROE and incorporate only those rules or principles applicable to the use of small arms or other personal weapons. OFOF are to be drafted by the appropriate Joint Force Headquarters or equivalent headquarters. OFOF also contain special-to-weapon type information and guidance that is not appropriate for inclusion in ROE.

WARNING: OFOF MUST BE REVIEWED FOR EACH OPERATION TO ENSURE THEY ARE CONSISTENT WITH THE SPECIFIC ROE FOR THAT OPERATION.

Weapon control orders and weapon states

2.23 Weapon control orders and weapon states, such as those used for air defence missile systems, are quite separate from ROE. They are used to control the arming and loading of weapons systems and are the prerogative of tactical level commanders. They are employed to reduce reaction times, minimise the chance of accidental weapons firings or in circumstances when friendly troops, ships or aircraft may otherwise be at risk. Their use depends on a number of factors including: the presence or otherwise of civilians and neutrals within the operational area, the nature of the weapon system, the threat, the likely speed of engagement, and response time.

Rights of overflight and maritime passage

2.24 Detailed information on rights of overflight and maritime passage is contained in Australian Defence Force Publication 06.1.2—*Australia's Maritime Jurisdiction*, ADDP 06.4, Allied Administrative Publication 1003—*Operations Law for RAAF Commanders* and the *1982 United Nations Convention on the Law of the Sea* which is republished in Australian Book of Reference 5179—*Manual of International Law*.



Figure 2–5: Maritime operations in the Persian Gulf

Targeting directives

2.25 CDF may choose to issue a specific targeting directive (TD) providing additional direction and procedures on targeting-specific issues. The TD would complement the ROE. Whether a separate TD is required, or whether the necessary matters can be addressed in the ROE or other operational orders and instructions will depend upon the size and complexity of the operation.

2.26 Topics that can be expected to be covered in a TD include: command and control arrangements; specific operations law issues that affect targeting; the approval processes for planned and immediate targeting; the collateral damage estimation methodology or methodologies to be adopted; approved, no-strike and restricted targets; and the various reporting and other roles of different agencies. Where required, the TD will also deal with coalition issues. Nothing contained in the issued TD will effect the rights of self-defence. ADDP 3.14—*Targeting* provides further guidance on TD.

CHAPTER 3

AUSTRALIAN DEFENCE FORCE RULES OF ENGAGEMENT SYSTEM

Executive summary

- Within national policy (NATPOL) and in response to Chief of Defence Force (CDF) planning guidance, Chief of Joint Operations (CJOPS) will formulate the initial rules of engagement request (ROEREQ) for submission with the proposed concept of operations (CONOPS).
- The operational commander is responsible for the development and staffing of rules of engagement (ROE) at the operational level.

Rules of engagement planning

3.1 Under the Australian Defence Force (ADF) planning process, CJOPS will plan and conduct operations, activities and campaigns as directed by CDF, producing a CONOPS for each where required. Within NATPOL and in response to CDF planning guidance, Deputy Chief of Joint Operations (DCJOPS) will formulate the initial ROEREQ for submission with the proposed CONOPS. Subordinate commanders prepare for each operation and in doing so, consider and then request from DCJOPS the ROE necessary for the envisaged operation and potential contingencies.

3.2 Although circumstances may dictate the procedure for the development and promulgation of mission-specific ROE, generally the following process will be adhered to:

- CDF issues NATPOL guidance to CJOPS by Warning Order and directs that CJOPS prepare an ROEREQ for submission with a CONOPS.
- After receiving input from relevant component commanders, DCJOPS prepares an ROEREQ. The ROEREQ is submitted to CDF and CJOPS through Director-General Joint Operations and Plans (DGJOP).
- DGJOP reviews the ROEREQ against NATPOL, consults with other relevant Defence and government departments and agencies, and staffs a draft ROE authorisation (ROEAUTH) to CDF for approval through CJOPS.
- CDF may seek agreement to the ROE from the Minister for Defence and/or the National Security Committee of Cabinet.

- The CDF approved ROEAUTH is issued to CJOPS as a CDF ROEAUTH.

- CJOPS issues the CDF ROEAUTH to subordinate commanders as a CJOPS ROEAUTH.

- CJOPS or subordinate commanders may reissue the CJOPS ROEAUTH as a subordinate command ROEAUTH.

3.3 Commanders at all levels have an obligation to keep authorised ROE under constant review and should request any changes necessary as early as possible to enable timely staffing and amendment. ROE requests should always include detailed justification supporting a proposed ROE change, highlighting the perceived deficiency in extant ROE, changed circumstances or CONOPS.

3.4 Rules of engagement planning teams. The operational commander is responsible for the development and staffing of ROE at the operational level. Effective development of ROE requires close cooperation between operations and legal staff. An ROE working group should be established in all strategic and operational level headquarters (HQ) from the commencement of planning to develop, monitor and manage ROE issues. The following points are noteworthy:

- An ROE working group enables ROE issues to be handled with continuity throughout an operation.

- At Headquarters Joint Operation Command (HQJOC)/Joint Force Headquarters the working group will contain, as a minimum, the legal staff (J06) and the operations (J3) and plans (J5) advisers on the HQ staff.

- At HQJOC the ROE working group may be supplemented by the Theatre Legal Planning Group (TLPG). The TLPG will be chaired by the J06 HQJOC and is comprised of legal officers from the component HQ and may include other relevant legal staff.

- DGJOP is responsible for the staffing of ROE to CDF and liaison with other relevant government departments and agencies.



Figure 3–1: Rules of engagement must be kept under constant review

3.5 Rules of engagement planning check list. An ROE planning check list is in annex A. This and related check lists including offensive support can be found in Australian Defence Doctrine Publication (ADDP) 5.0—*Joint Planning*.

Key considerations

3.6 ADDP 06.2—*Rules of Engagement—Operational Rules*, annex A offers a broad menu of ROE designed to meet ADF operational requirements at all levels of conflict including during peacetime. They may be expanded or amended as necessary. The menu is intended to provide the tactical and operational levels with assistance in the drafting of requests for ROE. The specific ROEAUTH issued for any one operation will be tailored to the prevailing circumstances by selecting relevant rules from those available. The following are key considerations in formulating ROE for an operation:

- NATPOL;
- domestic and international legal principles;
- strategic, operational and tactical requirements; and
- national and military end-states.

Methods of promulgation of rules of engagement

3.7 Modern communications allow transmission of ROE by a variety of means including the Defence communications system, secure facsimile and command computer systems. At the higher strategic and operational levels, ROE promulgation via the minute format by secure electronic mail is the preferred method of transmission. Alternatively ROE may be promulgated by authenticated ROEAUTH message (the format for this message is contained in *Australian Message Text Formats Manual* (ASMTF)). In some circumstances commanders may be directed to initiate actions on receipt of verbal authorisation.

3.8 Preamble. All ROEREQ and ROEAUTH will be numbered serially by the originating authority.

3.9 Classification. ROE may contain sensitive Government policy or indicate ADF tactics and intentions. All ROE documents are to be issued at the classification and caveats appropriate to the operational and national policy information contained therein. A minimum classification of CONFIDENTIAL is to be used in ROE messages and minutes for operations, exercises and training. Where such a classification prevents the achievement of ADF objectives, approval may be sought from Australian Defence Headquarters—DGJOP through the chain of command for a lower classification.

3.10 Release to other military forces. Normally ROE issued for an ADF operation will contain directions or instructions that will prevent their release to other nations' military forces. The authority to release specific ROE

authorised for an operation to other nations' military forces rests with CDF. For combined operations, CDF may address the ROEAUTH message directly to specific other nations' military forces. Alternatively, CDF may include an amplification detailing the releaseability of the ROE to specific national military forces. If any doubt exists, the permission of CDF is to be sought before releasing the ROE to other nations' military forces.

3.11 Subject indicator codes. All ROE messages are to be issued under subject indicator code (SIC) JEM and other operational SICs as appropriate

Responsibility of Chief of Joint Operations and subordinate commanders

3.12 The implementation and amendment of ROE are command responsibilities. Commanders may further restrict the ROE issued by CJOPS, but may not independently expand the ROE to provide for the more liberal use of force. Depending on the task, a commander will forward the ROE in an appropriate form to lower HQ or units, keeping the next superior HQ informed. A commander may elect to retransmit the ROE as received, add additional guidance or amplification, or incorporate the ROE into appropriate orders or instructions. Copies of all ROE or applicable orders or instructions to forces under command must be passed to the HQ of supporting forces.

3.13 Where ROE are retransmitted to lower HQ, subordinate commanders should use the guidance section to add their own more detailed, operational and tactical requirements in keeping with the specific circumstances facing their commands. Note that in authorisation messages, the guidance section can include multiple paragraphs as necessary.

Rules

3.14 The basic set of ADF rules from which authorised ROE will be constructed for operations is contained in ADDP 06.2, annex A.

Reserved rule numbers

3.15 ROE are routinely tailored to reflect the circumstances of a particular operation and reserved numbers have been included in each group to be used when menu items do not meet specific operational requirements. Authorisation of a new ROE may be requested, using ROEREQ procedures, by including a description of the circumstances or the full text of a proposed ROE. If approved, this ROE will be allocated a reserved number in the appropriate authorisation message. The number and ROE remain authorised until cancelled by CDF. The number is then available for reissue although it should not be repeated in the same campaign, if possible.

Amendments of rules of engagement

3.16 Any military commander operating under an ROEAUTH may request amendments to the extant ROE in response to perceived deficiencies in ROE or changes in the operational situation. ROEREQ should be addressed to the next senior military HQ. The action addressee must ensure that the commander requesting amendments is kept informed of the status of the request. The ROEREQ message format is contained in ASMTF, volume II.

Annex:
A. Rules of engagement planning check list

RULES OF ENGAGEMENT PLANNING CHECK LIST

Planning approach

1. Rules of engagement (ROE) development at Australian Defence Headquarters, Headquarters Joint Operations Command, Joint Force Headquarters and requests for ROE from subordinate commanders will form an integral part of the operational planning process. ROE planning parameters which may overlap include:

a. national policy (NATPOL);

b. domestic and international legal principles;

c. strategic, operational and tactical requirements; and

d. national and military end-states.

2. Planning considerations for the development of ROE include the:

a. threat;

b. force mission and tasks; and

c. force elements, particularly:

(1) capability,

(2) weapons and sensor fit,

(3) the potential for the use of some weapons systems and sensor modes to be perceived as a demonstration of hostile intent,

(4) method of operation, and

(5) vulnerabilities.

3. The level of force approved for mission accomplishment is a critical consideration in ROE development.

4. ROE that may be required for subsequent, likely branches or sequels of a campaign or operation may be issued as dormant ROE.

National policy

5. Australian NATPOL may include some or all of the following:

a. Government objectives and national end-state;

b. Government constraints;

c. appropriate levels of force or response to force;

d. identification of adversary or enemy;

e. risk and acceptability of escalation and spread of conflict;

f. potential third party involvement, either military or by other forms;

g. acceptability of combat losses and associated costs; and

h. domestic and international legal principles.

Military considerations

6. The following threat characteristics will be considered in development of ROE:

a. maritime, land or air characteristics;

b. nature of decisive actions:

(1) surface,

(2) air,

(3) subsurface, and

(4) land;

c. potential information operations activities;

d. harassment;

e. shadowing, marking and countermarking;

f. intelligence gathering, reconnaissance and surveillance operations;

g. countermeasures;

h. use of sensors;

i. special operations, including attacks by unconventional means;

j. terrorism or subversion;

k. decision cycles for application of self-defence principles against unit (potentially hostile) approaching with unknown (or unfriendly) intent;

l. major weapons capabilities and limitations;

m. timing; and

n. geographic limits applicable:

(1) enemy territory;

(2) claims and disputed territory;

(3) international waters and airspace; and

(4) third party/neutral territory.

Likely Australian Defence Force countermeasures and responses

7. Extant Australian Defence Force or combined force mission tasks and rules of engagement. Select appropriate functional groups and rules consistent with planned tasks and likely requirements.

8. Force grouping. In accordance with Chief of Joint Operations/Joint Force Commander's mission, analyse force element groups and units. In consultation, determine specific requirements including capability, weapons fit, sensor fit, method of operation and vulnerabilities of:

a. maritime, land and air elements;

b. (functional) task groups;

c. command elements;

d. reconnaissance and surveillance elements;

e. special forces or advance forces;

f. electronic warfare units; and

g. other combat and support elements.

9. Strike and offensive support requirements (refer to relevant targeting directive if issued):

a. availability,

b. method of delivery,

c. accuracy,

d. risk assessment,

e. incidental injury,

f. collateral damage to property,

g. command and control,

h. delegation of authority, and

i. target marking and forward control options.

Other considerations

10. Dormant ROE requirements:

a. likely triggers or thresholds;

b. special operations;

c. contingency plan requirements; and

d. escalatory and de-escalatory options.

11. Territorial considerations:

a. the area of operations;

b. geographic limits applicable:

(1) enemy territory;

(2) claims and disputed territory;

(3) international waters and airspace; and

(4) third party/neutral territory.

c. approach limits to adversary/enemy territory and adversary/hostile force(s); and

d. exclusion zones and air defence identification zones in force if required.

GLOSSARY

air defence identification zone

Airspace of defined dimensions within which the ready identification, location and control of aircraft is required.

collateral damage

Damage or destruction to civilian and protected objects arising out of combat action against a legitimate military objective.

combined operations

Any operation involving military or naval personnel or units of an allied force that remain under their national command.

dormant rules of engagement

Pre-approved rules of engagement (ROE) issued to a commander for implementation by that commander either on receipt of a particular codeword or in the event of a specific set of circumstances as defined by a higher headquarters.

end-state (national)

The set of desired conditions, incorporating the elements of national power that will achieve the national objectives.

enemy

Any nation, group or body designated as enemy by the Australian Government. Enemy is a strategic term used by the Government.

exclusion zone

An area of land or sea declared by a state, which is important to the defence of that state. In the case of Australia, entry into the zone by forces of a potential adversary would result in a measured response by the Australian Government, which may include the use of Australian Defence force (ADF) forces. The zone may be moving or stationary and may include the airspace above.

extant rules of engagement

ROE which currently applies by way of standing ADF ROE or mission-specific ROE.

harassment

Actions taken by means other than weapon release or discharge to annoy, disrupt or hinder the operations of a force or unit.

hostile act

A hostile act is an armed attack or other deliberate use of force where there is a reasonable belief that loss of life or serious bodily harm has either resulted or is likely to result. A hostile act may be observed or not, and may be an isolated incident or part of a planned campaign.

hostile intent

Hostile intent is the threat of the imminent use of force where there is a reasonable belief that loss of life or serious bodily harm to persons is likely to result if the threat is carried out. Whether or not hostile intent is being demonstrated must be judged by the on-scene commander on the basis of both:

a. the threatening individual or unit's capability and preparedness to inflict imminent or immediate damage; and
b. the available evidence, including intelligence, which indicates an intention to conduct an imminent or immediate attack.

incidental injury

Death or injury to civilian or protected persons arising out of combat action against a legitimate military objective.

marking

The positioning of a military or naval unit relative to another force such that an offensive or destructive capability can be brought to bear immediately.

military objectives

Military objectives are those groups, units or individuals or objects which, by their nature, location, purpose or use make an effective contribution to enemy military action and whose total or partial destruction, capture or neutralisation, in the circumstances ruling at the time, offer a definite military advantage to ADF forces.

neutral

A state, force or unit whose characteristics, behaviour, origin or nationality indicate that it is neither supporting nor opposing friendly forces.

neutralise

To render ineffective.

shadowing

The overt or covert observation of an enemy unit or force for the purpose of reporting its composition, location, movement and other relevant information.

sovereign territory

A collective term which applies to the land territory, internal waters, offshore territories and possessions and the surrounding territorial sea, archipelagic waters and national airspace of a state.

sovereignty

A Nation-State's exercise of authority, jurisdiction, control or power over its national territory, air space, property, resources and inhabitants.

surveillance

The systematic observation of aerospace, surface or sub-surface areas, places, persons or things, by visual, aural, electronic, photographic or other means.

ACRONYMS AND ABBREVIATIONS

ADDP	Australian Defence Doctrine Publication
ADF	Australian Defence Force
ADFP	Australian Defence Force Publication
ADFWC	Australian Defence Force Warfare Centre
ASMTF	Australian Message Text Formats Manual
CDF	Chief of the Defence Force
CFAO	combined force area of operations
CJOPS	Chief of Joint Operations
CONOPS	concept of operations
DCJOPS	Deputy Chief of Joint Operations
DGJOP	Director-General Joint Operations and Plans
DRN	Defence Restricted Network
HQJOC	Headquarters Joint Operations Command
HQ	headquarters
JDDE	Joint Doctrine Development Environment
JFAO	joint force area of operations
LOAC	law of armed conflict
MNF	multinational force
NATPOL	national policy
OFOF	orders for opening fire
ROE	rules of engagement
ROEAUTH	rules of engagement authority
ROEREQ	rules of engagement request
SIC	subject indicator code
TD	targeting directive
TLPG	Theatre Legal Planning Group
UN	United Nations

Defence FOI 018/21/22
Item 3 Document 1

EXECUTIVE SERIES

ADDP 06.4

LAW OF ARMED CONFLICT

Australian Defence Doctrine Publication 06.4 is issued for use by the Australian Defence Force and is effective forthwith. This publication supersedes Australian Defence Force Publication 37—*Law of Armed Conflict*.

A.G. HOUSTON, AO, AFC
Air Chief Marshal
Chief of the Defence Force

Australian Defence Headquarters
Canberra ACT 2600

11 May 2006



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ADFP 37

First edition 1996

ADDP 06.4

First edition 2006

Sponsor

Vice Chief of the Defence Force
Headquarters Australian Defence Force

Developer

Commandant
Australian Defence Force Warfare Centre
WILLIAMTOWN NSW 2314

Publisher

Defence Publishing Service
Department of Defence
CANBERRA ACT 2600

Defence Publishing Service
DPS: June 2006

Defence FOI 018/21/22
Item 3 Document 1

FOREWORD

1. Australian Defence Doctrine Publications (ADDP) and Australian Defence Force Publications (ADFP) are authorised joint doctrine for the guidance of Australian Defence Force (ADF) operations. ADDP are pitched at the philosophical and high-application level, and ADFP at the application and procedural level. Policy is prescriptive as represented by Defence Instructions, and has legal standing. Doctrine is not policy and does not have legal standing, however it provides authoritative and proven guidance which can be adapted to suit each unique situation.

2. ADDP 06.4—*Law of Armed Conflict* promulgates guidance to commanders for the planning and conduct of ADF operations in armed conflict and details responsibilities and obligations for ADF members.

3. The law of armed conflict (LOAC) is that part of international law which regulates the conduct of armed hostilities between states. LOAC encompasses all international law with respect to the conduct of armed conflict and its provisions are binding on Australia and individual members of the ADF.

4. It is essential that ADF commanders are aware of their legal duties and responsibilities under LOAC and that operational planning and the conduct of operations comply with LOAC.

5. The Vice Chief of the Defence Force is the publication sponsor and Commandant Australian Defence Force Warfare Centre (ADFWC) is responsible for its continued development, amendment and production. Further information on Joint Doctrine is promulgated in Defence Instructions (General) ADMIN 20–1—*Joint Operations Doctrine*.

6. Every opportunity should be taken by users of this publication to examine its contents, applicability and currency. If deficiencies or errors are found, amendment action should be taken. ADFWC welcomes any assistance, from whatever source, to improve this publication.

AMENDMENTS

Proposals for amendment of ADDP 06.4 may be initiated in either of the following ways:

- By Minute to:

  Director Doctrine and Training
  Australian Defence Force Warfare Centre
  RAAF Base
  WILLIAMTOWN NSW 2314

- By directly entering comment into the Joint Doctrine Development Environment (JDDE) found on the ADFWC Defence Restricted Network (DRN) web site (*see* http://defweb.cbr.defence.gov.au/adfwc). Select JDDE on the ADFWC homepage and open either the ADDP or ADFP block as required. Open the relevant publication and utilise the 'Add Comment' function button of the summary page for each publication.

  Note

  The second option is a proposed addition to encourage feedback from the wider ADF, as well as encouraging use of the JDDE in general.

This publication is current as at May 2006.

This publication will be periodically reviewed and amended. The latest version of this publication is available on the ADFWC DRN web site http://defweb.cbr.defence.gov.au/adfwc.

AUSTRALIAN DEFENCE DOCTRINE PUBLICATIONS

Abbreviation	Superseded ADFP No	Title
CAPSTONE DOCTRINE		
ADDP–D	N/A	*Foundations of Australian Military Doctrine*
ADDP–D.2	N/A	*Force 2020*
ADDP–D.3	N/A	*Future Warfighting Concepts*
ADDP–D.3.1	N/A	*Enabling Future Warfighting: Network Centric Warfare*
ADDP–D.4	N/A	*Joint Warfighting*
0–EXECUTIVE SERIES		
ADDP 00.1	2	*Command and Control*
ADDP 00.2	4	*Preparedness and Mobilisation*
ADDP 00.3	N/A	*Coalition Operations*
ADDP 06.1	3	*Rules of Engagement*
ADDP 06.2	3 Sup 1	*Rules of Engagement—Operational Rules*
ADDP 06.3	3 Sup 3	*Combined Rules of Engagement for Australian and United States Military Forces*
ADDP 06.4	37	*Law of Armed Conflict*
1–PERSONNEL SERIES		
ADDP 1.0	N/A	*Personnel*
ADDP 1.1	N/A	*Personnel Support to Operations*
ADDP 1.2	53	*Operational Health Support*
2–INTELLIGENCE AND SECURITY SERIES		
ADDP 2.0	19	*Intelligence*
ADDP 2.1	N/A	*Counterintelligence*
ADDP 2.2	N/A	*Security*
ADDP 2.3	N/A	*Geospatial Information and Services*

Abbreviation	Superseded ADFP No	Title
3–OPERATIONS SERIES		
ADDP 3.0	6	*Operations*
ADDP 3.1	11	*Offensive Support*
ADDP 3.2	12	*Amphibious Operations*
ADDP 3.3	13	*Aerospace Battle Management*
ADDP 3.4	15	*Operations in a Chemical, Biological, Radiological and Nuclear Environment*
ADDP 3.5	24	*Electronic Warfare*
ADDP 3.6	N/A	*Joint Personnel Recovery*
ADDP 3.7	29	*Collection Operations*
ADDP 3.8	35	*Peace Operations*
ADDP 3.9	39	*Airborne Operations*
ADDP 3.10	43	*Evacuation Operations*
ADDP 3.11	44	*Civil-Military Cooperation*
ADDP 3.12	45	*Special Operations*
ADDP 3.13	N/A	*Information Operations*
ADDP 3.14	23	*Targeting*
ADDP 3.15	N/A	*Airbase Operations*
ADDP 3.16	N/A	*Mounting Operations*
4–LOGISTICS SERIES		
ADDP 4.0	N/A	*Defence Logistics*
ADDP 4.1	N/A	*Capability Support*
ADDP 4.2	20	*Support to Operations*
ADDP 4.3	N/A	*Supply*
ADDP 4.4	14, 21 and 22	*Movements and Transport*
ADDP 4.5	N/A	*Equipment Engineering and Maintenance*
ADDP 4.6	N/A	*Infrastructure Engineering and Maintenance*

Abbreviation	Superseded ADFP No	Title
5–PLANS SERIES		
ADDP 5.0	9	*Joint Planning (Provisional)*
ADDP 5.1	9 Sup 1	*AUS–USA Planning Manual*
6–COMMUNICATIONS AND INFORMATION SYSTEMS SERIES		
ADDP 6.0	10	*Communications and Information Systems*
7–DOCTRINE AND TRAINING SERIES		
ADDP 7.0	N/A	*Doctrine and Training*
ADDP 7.1	N/A	*Training Adversary*

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CHAPTER 1

INTRODUCTION AND HISTORICAL BACKGROUND

Executive summary

- Commanders have a legal obligation to prevent unnecessary injury and suffering during times of armed conflict.
- International and domestic laws have evolved to create laws which are binding on nations and individuals involved in armed conflict.

INTRODUCTION

General

1.1 While it is the military objective of all commanders to win in battle, there must be limits to the means and methods that may be used. Commanders must be aware of their legal obligation to prevent unnecessary injury and suffering and to alleviate as much as possible the calamities of war.

1.2 The law of armed conflict (LOAC) seeks to not only regulate the conduct of nations but also govern the behaviour and conduct of both combatants and non-combatants during times of armed conflict. The LOAC is synonymous with the term 'the Laws of War'.

WAR CRIMES

The Tokyo and the Nuremberg war crimes trials were manifestations of an intellectual and moral revolution which will have a profound and far-reaching influence upon the future of world society.

Tokyo Chief Prosecutor J.B. Keenan

1.3 The main purposes of the LOAC, which is part of international law, are to protect combatants and non-combatants from unnecessary suffering; to safeguard certain fundamental rights of persons who fall into the hands of an enemy, such as prisoners of war (PW), the sick and civilians; to maintain the distinction between combatants and non-combatants; and to facilitate the restoration of peace.

Domestic law

1.4 Domestic law encompasses all those internal laws that govern the behaviour of persons within a nation, and at times, of nationals abroad. In the case of Australia, these are the laws that are made by Australian legislatures applicable to Australian citizens and residents, to persons visiting Australia and in some cases to Australian nationals abroad. It is possible for Australian law to have extraterritorial operation. The *Defence Force Discipline Act 1982* (DFDA) is an example of a domestic law which binds Australian Service personnel abroad including those engaged in armed conflict under the Geneva Conventions and their Additional Protocols, and all members of the Australian Defence Force (ADF) serving within Australia. Furthermore, international law may become part of a nation's domestic law. This is evident in the Australian Parliament's incorporation of the 1949 Geneva Conventions and the 1977 Protocols Additional to the Geneva Conventions of 1949 (G. P. I and II) into domestic law.

International law

1.5 International law is concerned with the principles and rules of conduct which nations observe in their relationships with each other and which include:

- the rules of law relating to the functioning of international institutions or organisations, their relations with each other and their relations with states and individuals; and

- certain rules of law relating to individuals and non-state entities so far as the rights or duties of such individuals and non-state entities are the concern of the international community.

1.6 International law, then, is primarily concerned with the actions of states, though important aspects of it, including the LOAC, also govern the actions of individuals. In international law the term 'states' refers to nations which have been accepted as part of the international community and enjoy sovereignty. For simplicity the term 'nation' is used throughout this publication except in chapter 6—'Maritime operations and the law of armed conflict' where it is necessary to refer to 'archipelagic states'.

Sources of international law

1.7 There are four recognised sources of international law:

- international custom, as evidence of a general practice accepted as law;

- international conventions and treaties, whether general or particular, establishing rules expressly recognised by the contesting states;

- the general principles of law recognised by civilised nations; and

- judicial decisions of international and national judicial bodies and the influences of the writings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law.

1.8 The most important sources of international law today are custom and treaties.

1.9 Customary international law. This encompasses those laws which represent the general and consistent practice among most nations with respect to a particular subject and are considered obligatory by nations. Custom becomes customary international law when, after a period of time, a practice is accepted by the international community as international law. Customary international law is the principal source of international law. All nations are bound by customary international law, although some nations refuse to recognise customary international law.

1.10 Treaties. Treaties are international agreements or commitments entered into by two or more nations. Agreements can be bilateral treaties, such as the Five Power Defence Arrangements, which comprise a number of bilateral treaties, or multilateral conventions such as the 1949 Geneva Conventions. Some treaties codify customary law while some broad multilateral treaties may eventually become customary international law which binds all nations regardless of whether they are party to the treaty or not.

Compliance with international law

1.11 While international law is often criticised because there is no central enforcement authority, breaches of international law can still have dire consequences. In the worst cases, armed conflict may result if two nations cannot resolve their differences through international law and diplomacy. International law covers the actions not only of nations but also of individuals. For example, this is seen in the jurisdiction of the International Criminal Court (ICC), discussed in chapter 13—'Compliance'. International law provides stability in international relations and an expectation that certain acts or omissions will result in predictable consequences. Failure to observe international law often involves political and economic costs.

Binding nature of the law of armed conflict

1.12 The LOAC, being part of international law, is binding on nations but it also regulates the conduct of individuals. The *Criminal Code Act 1995* (Criminal Code) makes the offences of genocide, crimes against humanity, and war crimes that are grave breaches of the Geneva Conventions and G.

P. I, as well as other serious violations of the LOAC, offences under Commonwealth law. A member of the ADF who is in breach of the LOAC would also be liable to be charged under the DFDA for corresponding service offences.

1.13 A violation of the LOAC by the armed forces of a nation involves the international responsibility of that nation. A violation may also lead to the prosecution of the individuals concerned for war crimes. It follows that membership of the armed forces requires knowledge of the LOAC.

1.14 Following World War II, the Allies tried a number of former German leaders and commanders for crimes committed during the war. The International Military Tribunal at Nuremberg rejected the assertion that the LOAC applies only to nations. Since that time, decisions in many war crimes trials have reinforced the principle of individual criminal responsibility of members of the armed forces or others who violate the LOAC. This principle has been confirmed in the statutes of the Yugoslavia and Rwanda War Crimes Tribunals and in the statute of the ICC.

HISTORICAL BACKGROUND

1.15 Human societies have always developed legal systems to govern their relations. This includes situations of conflict between groups. Early man and primitive societies had basic rules and ritualistic behaviour. As societies became more developed so did the rules. Agreements on the treatment of PW can be found in Egypt as far back as 1400 BC. There are also records of rules for humane treatment of non-combatants in some Indian states around 500 BC. A rudimentary form of international law was practised by Greek city states and the Romans. This included rules which regulated warfare. The rationale for these rules is the same today: to inflict unnecessary suffering can be counterproductive; for example, actions such as poisoning wells would have detrimental effects which may destroy the gains of victory.

1.16 It is believed that the first systematic code of war was that of the Saracens, based on the Koran. During the sixteenth century, nation states emerged in Europe and a system of international law came into being. Part of this law was a code of chivalry; however, the desire for regulating war derived principally from national or personal interests rather than humanitarian concerns. For example, the conference called by Tsar Nicholas II in 1899 was motivated by the fact that Russia was falling behind in the nineteenth century arms race rather than by genuine humanitarian concerns. The modern LOAC originated from the customary practices adopted by those taking part in battles.

The modern law of armed conflict

1.17 The origins of the modern LOAC can be traced to the battle of Solferino in 1859 in northern Italy. After witnessing the results of this battle a young Swiss merchant, Henri Dunant, wrote an influential book which described the carnage and the neglect of the wounded. The impact of this book and Dunant's subsequent efforts led to the formation of the Red Cross.

1.18 In 1864, the Swiss Government, at the urging of the Red Cross, convened the first conference on International Humanitarian Law (IHL). At this conference the first Geneva Convention for the Amelioration of the Condition of the Wounded in Armies in the Field was drawn up and signed by 16 nations. Subsequent conferences in 1906, 1929 and 1949 further developed and refined IHL. The latest development has been the Additional Protocols (G. P. I and G. P. II) which were adopted in 1977. Australia is a party to all of these conventions and protocols.

1.19 Perhaps the most celebrated early attempt at codifying the customs and usages of war came with the American Civil War. In 1863, Dr Francis Lieber, an eminent lawyer, at the request of President Lincoln and in consultation with a board of officers, drew up a code of conduct titled 'Instructions for the Government of Armies of the United States in the Field'. This instruction established limits on a belligerent's means to wage war and identified military objectives as the only legitimate targets for deliberate attack.

1.20 An early agreement dealing with the means and methods of war was the Declaration of St Petersburg in 1868 which prohibited the use of any projectile weighing less than 400 grams which was either explosive or charged with fulminating or inflammable substances. The principles stated in the preamble to the declaration are still relevant today:

That the progress of civilisation should have the effect of alleviating as much as possible the calamities of war.

That the only legitimate object which states should endeavour to accomplish during war is to weaken the military forces of the enemy.

That for this purpose it is sufficient to disable the greatest possible number of men.

That this object would be exceeded by the employment of arms which uselessly aggravate the sufferings of disabled men, or render their death inevitable.

That the employment of such arms would, therefore be contrary to the laws of humanity.

International Military Commission,
Declaration of St Petersburg,
29 November 1868

Hague Law

1.21 Hague Law is a term used to describe the set of international laws, which regulate the means and methods of warfare. It comprises a series of treaties which state what is, or is not legitimate in waging war. In 1899, Tsar Nicholas II of Russia in a note addressed to the diplomatic representatives at St Petersburg called for a conference with the purpose of seeking 'a real and lasting peace and above all, of limiting the progressive development of existing armaments'. While the conference failed in its main objective to limit armaments, it was partially successful. Three declarations were adopted, one prohibiting the discharge of projectiles from balloons, a second prohibiting the use of asphyxiating gases and a third prohibiting the use of expanding bullets. The most important achievement from this conference, however, was the Convention for the Pacific Settlement of International Disputes creating the Hague Permanent Court of Arbitration, and creating a list of judges from which the parties to a controversy might select the members of an arbitral tribunal for their particular case.

1.22 Subsequent conventions include the Hague Convention of 1907, the 1923 draft Hague Rules for Aerial Warfare (never formally adopted), the Gas Protocol of 1925, 1954 Hague Cultural Property Convention, 1972 Biological Weapons Convention, 1980 Conventional Weapons Convention and the 1993 Chemical Weapons Convention. G. P. I and G. P. II are not confined to humanitarian issues; they also address issues which are traditionally regarded as Hague Law. Much of Hague Law is accepted as customary international law and directly affects the use of combat power.

Geneva Law

1.23 In 1864 at the invitation of the Swiss Government, a conference was held in Geneva which drew up 'the first Convention for the Amelioration of the Condition of the Wounded in Armies in the Field'. This convention was subsequently amended by the Geneva Conventions of 1906, 1929 and 1949, and by G. P. I. These agreements now constitute what is referred to as Geneva Law, which is fundamentally concerned with the relief of suffering of PW, the wounded and sick in the field, wounded, sick and shipwrecked mariners and civilians caught up in conflict.

1.24 The LOAC thus developed along two separate streams, each named after the city where most of the relevant agreements were developed. Whereas Hague Law is concerned essentially with how operations are conducted, Geneva Law is concerned with the protection of persons not involved or no longer involved in the conflict. Generally speaking, Geneva Law has become a more developed and less contentious body of law than Hague Law. In recent years, particularly since the completion and introduction of G. P. I and G. P. II, there has been a merging of the two bodies of law. The Protocols, linked to the Geneva Conventions, deal not only with the protection of victims of war but also with the means and methods of warfare, which were traditionally the domain of Hague Law. G. P. I deals with international armed conflict while non-international armed conflict is further addressed by G. P. II.

World War II

1.25 Following World War II, tribunals were established at Nuremberg and Tokyo to try the major war criminals of the Axis powers. These tribunals were empowered to deal not only with war crimes but also with crimes against peace and crimes against humanity. The latter were defined by the tribunals, and identified as crimes under international law.

HISTORICAL EXAMPLE—1946 MOROTAI TRIALS



Figure 1–1: Australian war crimes trial, 1945–1951

Senior Japanese naval officers with their Australian defending officers, and a witness questioned through an interpreter, at their trial at Morotai in 1946.

Nearly 1000 Japanese nationals were tried for atrocities alleged to have been committed against Australian servicemen and women, against allied United Kingdom, Indian, Indonesian and Chinese servicemen, and Papua New Guinea, Chinese and European civilians, in flagrant breach of the LOAC **(source: Australian War Memorial OG3701)**.

Geneva Conventions 1949

1.26 Following the experiences in World War II, Geneva Law was revised in 1949 with four new conventions dealing with the protection of:

- the wounded and sick (replacing the conventions of 1864, 1906 and 1929);

- the wounded, sick and shipwrecked at sea (replacing Hague Convention X 1907);
- PW (replacing the convention of 1929); and
- civilians.

1.27 All four Geneva Conventions apply:

- in any international armed conflict, whether war is declared or not, and even if one of the parties does not recognise the existence of a state of war; or
- if there is a partial or total occupation of another state's territory, even if the occupation has met with no armed resistance.

1.28 The Geneva Conventions are of virtually universal application and certain provisions are generally considered to embody customary international law.

Cultural Property Convention 1954

1.29 In response to the destruction and looting of cultural property that had taken place during World War II, the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict was concluded in 1954 under the auspices of the United Nations (UN) Educational, Scientific and Cultural Organization. A second protocol to this convention was adopted in 1999.

1.30 This convention places an obligation on defenders and attackers by requiring nations to refrain from uses of cultural property that would expose such property to danger in armed conflict and to refrain from acts of hostility against cultural property.

Biological Weapons Convention 1972

1.31 The Biological Weapons Convention 1972 prohibited State Parties from developing, producing, stockpiling or otherwise acquiring or retaining biological agents and toxins that could be used for other than protective or peaceful purposes. The Convention also prohibited any weapons, equipment or means of delivery designed to use the biologic agents or toxins for hostile purposes or in armed conflict.

Additional Protocols I and II 1977

1.32 A major development in the LOAC was the adoption in 1977 of two Protocols Additional to the Geneva Conventions of 1949. G. P. I deals with international armed conflicts and G. P. II deals with internal armed conflicts.

1.33 International armed conflicts. As well as codifying existing principles of customary law, G. P. I also includes new treaty provisions relating to international armed conflicts, some of which have since crystallised into customary international law. Among other things it sets out detailed rules on targeting and the means and methods of warfare and expands on the concept of grave breaches. It also extends the range of persons entitled to combatant status. The definition of international armed conflict is itself expanded to include certain conflicts fought by peoples 'in exercise of their right of self-determination'.

1.34 Internal armed conflicts. G. P. II develops and supplements the humanitarian protection provided by Common Article 3 to the Geneva Conventions of 1949 in the context of internal armed conflicts.

1.35 International law has historically regulated relations between states. A state's internal affairs, including responsibility for the maintenance of law and order and the defence of territorial integrity against domestic insurgents, were largely regarded as within the exclusive jurisdiction of the state concerned. The notion of international law regulating a conflict occurring within a state was generally regarded as being at variance with this approach. However, it is possible for insurgents in an internal armed conflict to be recognised as belligerents and for the LOAC to apply.

1.36 G. P. II does not apply to the internal use of force against criminal and terrorist activity unless the activity is of such a nature as to amount to armed conflict.

Conventional Weapons Convention 1980

1.37 The convention has five protocols dealing with:

- the prohibition of the use of weapons the primary effect of which is to injure by fragments which in the human body cannot be detected by X-rays;
- the regulation of mines, booby traps and similar devices;
- the prohibition of the use of incendiary weapons against a military objective located within civilian populated areas and the regulation of the use of other incendiary weapons;
- the prohibition of the use of laser weapons designed to cause permanent blindness; and
- the requirement for each party to an armed conflict to remove and to provide assistance for the removal of explosive remnants of war.

Chemical Weapons Convention 1993

1.38 This Convention introduces a complete ban on the development, production, stockpiling, retention, transfer or use of chemical weapons. Chemical weapons are those munitions and devices, specifically designed to cause death or harm through the toxic properties of chemicals contained within the weapon which are released as a result of the employment of such munitions and devices. The Convention also includes an undertaking from each signatory country to destroy chemical weapons it owns or possesses and further to destroy any chemical weapons production facilities it owns or possesses.

International criminal tribunals

1.39 International criminal tribunals were established by the UN Security Council:

- in 1993 to deal with grave breaches of the Geneva Conventions, war crimes, genocide and crimes against humanity committed in the former Yugoslavia since 1991; and
- in 1994 to deal with genocide, crimes against humanity and violations of Common Article 3 of the Geneva Conventions and of G. P. II committed in Rwanda or by Rwandans in neighbouring states in 1994.

Ottawa Convention 1997

1.40 The Ottawa Convention prohibits the use, development, production, acquisition, stockpiling, retention or transfer of anti-personnel mines and requires the destruction of stocks. It does however, permit the retention of limited stocks for training purposes.

1.41 The Convention also prohibits the assistance, encouragement or inducement of anyone to engage in an activity prohibited under the Convention. Australia has interpreted ‘assistance’ to mean actual and direct physical participation in any activity prohibited by the Convention; ‘encouragement’ to mean the actual request for the commission of a prohibited activity; and ‘inducement’ as the active engagement in the offering of threats or incentives to obtain the commission of a prohibited activity.

International Criminal Court

1.42 In 1998 a conference was held in Rome to discuss international criminal law. On 18 July 1998, the conference adopted the ‘Rome Statute’ of the ICC. The Statute came into force on 01 July 2002. Australia ratified the Statute on the same date and introduced offences covered by the Statute into domestic law under the Commonwealth Criminal Code. The Statute entered

into force for Australia on 01 September 2002. The Court has jurisdiction over genocide, crimes against humanity and war crimes committed after the entry into force of the statute. The statute is discussed and explained in chapter 13.

Naval warfare

1.43 Prior to 1945 the conduct of naval warfare was relatively unlimited as to both goals and means. The Hague Conventions of 1899 and 1907 imposed some restrictions upon the methods of warfare employed, but the primary goal of belligerent naval operations was the total destruction of opposing naval units. If armed conflict should occur, traditional rules of naval warfare as modified by the UN Charter and other customary developments will continue to apply.

1.44 In international conflicts since 1945, naval operations have reflected the limitations inherent in the international law concept of self-defence. The scale of operations and weaponry have normally been adjusted to meet the threat posed. There are still no specific modern conventions or protocols dealing with naval warfare. In most cases requiring the use of force by naval units since 1945, political and legal constraints have dictated a graduated escalation of force in response to threats.

1.45 The 1982 United Nations Convention on Law of the Sea (UNCLOS) established a comprehensive legal order for the world's oceans. It clarified the regime of the territorial sea, set out navigation rights, recognised claims to exclusive economic zones and created legal provisions for mining the deep seabed as well as for the protection and preservation of the marine environment. Further, it recognised the jurisdictional claims of some coastal and island nations establishing the concept of the archipelagic state. The international legal regime established by UNCLOS has important implications for naval operations. A more detailed explanation of the law with respect to naval operations and the operation of UNCLOS is covered in chapter 6.

1.46 Another international document of significance in the area of naval warfare is the *San Remo Manual on International Law Applicable to Armed Conflicts at Sea*. It contains an extensive coverage of maritime issues directly connected with naval warfare. Although not a legally binding document, it represents a restatement of the law in part, and certain provisions of the manual are widely recognised as representing principles of customary international law. The manual was prepared during the period 1988–1994 by a group of legal and naval experts in a series of round table meetings convened by the International Institute of Humanitarian Law. The object of the manual is to provide a comprehensive statement of the international law applicable to armed conflict at sea.

Land warfare

1.47 The laws relating most specifically to land warfare are covered in chapter 7—'Land operations and the law of armed conflict'.

Air warfare

1.48 Aerial bombardment has always been controversial. The first law which dealt with aerial bombardment, the Hague Peace Conference of 1899, simply prohibited the dropping of bombs from balloons. An attempt was made in 1923 to reach international consensus on aerial warfare, but the draft Hague Rules for Aerial Warfare were never formally adopted. During World War II, Royal Air Force Air Marshal Harris believed that in 'the use of aircraft in war there is, it so happens, no international law at all'. In Vietnam, considerable restraint was placed on United States air power by political directives. Some reasons why these directives were so restrictive are a misunderstanding of the LOAC and a lack of authoritative and practical guidance.

1.49 More recently, G. P. I and G. P. II particularly have provided guidance. This body of law was applied by air planners of the coalition forces during Operation DESERT STORM in 1991, later in Yugoslavia and Kosovo, and most recently in Iraq. One of the major successes of Operation DESERT STORM was the impressive result of the coalition air effort, conducted in accordance with the LOAC. The application of the LOAC to strike operations is critical because of the potential for these operations to cause heavy and widespread damage.

1.50 A detailed explanation of the law with respect to air warfare is covered in chapter 8—'Air operations and the law of armed conflict'.

ARMED CONFLICT

International armed conflict

1.51 The term 'international armed conflict' refers to conflict between nations in which at least one party has resorted to the use of armed force to achieve its aim. It may also include conflict between a nation and an organised and disciplined force such as an armed resistance movement from another nation.

Non-international or internal armed conflict

1.52 Non-international or internal armed conflict is defined in G. P. II as conflict which takes place within the territory of a nation between its armed forces and dissident armed forces or other organised armed groups which,

under responsible command, exercise such control over part of its territory as to enable them to carry out sustained and concerted military operations. The term does not apply to internal disturbances and tensions such as riots or isolated or sporadic acts of violence.

OPERATIONS LAW

1.53 Operations law is that domestic and international law associated with planning and execution of military operations in peacetime or during hostilities. It includes but is not limited to the LOAC, human rights law, Australian and foreign domestic law, air law, law of the sea, counter-terrorist activities, overseas procurement, discipline, pre-deployment preparation (wills, power of attorney, etc), deployment (contracts, etc), status of forces agreements, operations against hostile forces, aid to the civil power and civil-military matters (liaison, warning, coordination, etc).

ROLE OF THE UNITED NATIONS

1.54 In recent years, the increased role of the UN in world trouble spots has raised questions with respect to the application of the LOAC to UN forces operating under a UN mandate. The UN General Assembly has passed a resolution stipulating that principles of the LOAC apply to UN operations. The resolution has been restated in a bulletin issued by the Secretary General of the UN. Australian troops deployed on peace operations are required to observe the principles of the LOAC.

CHAPTER 2

PRINCIPLES OF THE LAW OF ARMED CONFLICT

Executive summary

- The law of armed conflict (LOAC) is based on the three principles of military necessity, avoidance of unnecessary suffering and proportionality.
- Rules of engagement (ROE) provide authoritative guidance on the use of military force by the Australian Defence Force (ADF). They outline and emphasise the critical aspects of the laws of war relevant to a specific mission, and proscribe additional policy and command constraints on the use of military power.

INTRODUCTION

2.1 LOAC forms part of a larger body of international law. International law is made up of those principles and rules of conduct that govern states and which they commonly observe in their relations with each other. While the practical application of those principles and rules varies as they are tested against new (and often unforeseen) situations, and the detailed application of the rules is consequently continually evolving, the actual laws, in the majority of cases, are not disputed. LOAC was traditionally categorised as being either Hague Law or Geneva Law, the former relating to the actual means and methods of warfare while the latter related to humanitarian aspects of LOAC. Both these legal streams merged in Additional Protocols I and II; the Protocols have combined the Hague and Geneva Law.

2.2 The development of LOAC has parallelled military capability developments. As more efficient means and methods of killing and destruction have been developed, LOAC has evolved to try and limit the suffering and damage caused by new weapons and consequent tactics developed to utilise them. The twentieth century, which has seen dramatic advance in weapons technology, has also seen the greatest development of LOAC. This development of LOAC has been influenced by the fact that at the beginning of the century approximately ten per cent of people killed in warfare were non-combatants, compared with 90 per cent in the late twentieth century.

BASIC PRINCIPLES OF THE LAW OF ARMED CONFLICT

2.3 The basic principles underpinning LOAC are:

- military necessity,
- avoidance of unnecessary suffering, and
- proportionality.

2.4 Unnecessary suffering is often also referred to as the principle of humanity. Traditionally, chivalry has been included in the list of principles but this is now classified as an element of the principle of unnecessary suffering and is not treated as a separate topic.

2.5 The three principles must be considered together in that no single principle can be considered in isolation from the other two. In other words, whilst military necessity may justify a particular action, the action may cause unnecessary suffering including civilian death, or damage may be totally disproportionate to the military advantage to be gained. If so, the action should not proceed because the military necessity is outweighed by proportionality and humanitarian considerations.

Military necessity

2.6 The principle of military necessity states that a combatant is justified in using those measures, not forbidden by international law, which are indispensable for securing complete submission of an enemy at the soonest moment. Military necessity requires combat forces to engage in only those acts necessary to accomplish a legitimate military objective. It permits the killing of enemy combatants and other persons whose death is unavoidable. It permits the destruction of property if that destruction is imperatively demanded by the necessities of war. Destruction of property as an end in itself is a violation of international law. There must be a reasonable connection between the destruction of property and the overcoming of enemy forces. The principle cannot be used to justify actions prohibited by law, as the means to achieve victory are not unlimited. This also reflects the principle of war of **economy of effort**.

HISTORICAL EXAMPLE—DESTRUCTION VS OVERCOMING ENEMY FORCES

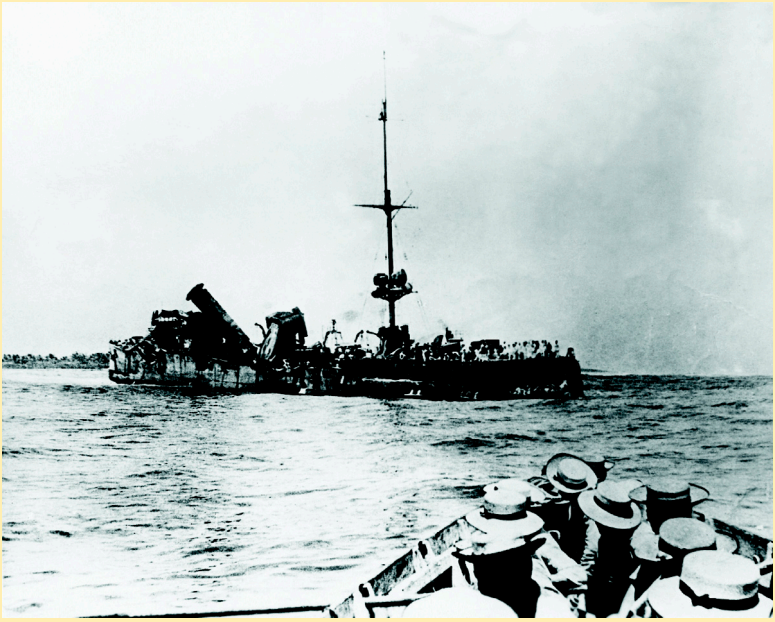


Figure 2–1: Destruction of SMS EMDEN by HMAS SYDNEY

Longer-range guns allowed HMAS SYDNEY to systematically demolish the German light cruiser SMS EMDEN. When EMDEN was run up on a reef to avoid capture, SYDNEY unleashed extra salvos. Although his ship had not struck its colours, the captain of EMDEN later accused the opposing captain of inflicting unnecessary casualties on a clearly defeated foe. SYDNEY's Captain maintained he was taking prudent self-protective action against an enemy which had not surrendered. The line was very fine. **(source: Australian War Memorial G01442A)**

Unnecessary suffering

2.7 The principle of avoiding unnecessary suffering forbids the use of means or methods of warfare which are calculated to cause suffering which is excessive in the circumstances. It has also been expressed as averting the infliction of suffering, injury or destruction not actually necessary for the accomplishment of legitimate military objectives.

Proportionality

2.8 The principle of proportionality provides a link between the concepts of military necessity and unnecessary suffering. In simple terms, the principle generally relates to the reduction of incidental injuries caused by military operations and requires that the losses and damage resulting from military action should be proportionate (ie not be excessive) in relation to the anticipated military advantage. The proportionality principle, together with the unnecessary suffering principle, dictates that civilians should not be made the object of attack, and that while civilian casualties may be an inevitable consequence of an attack, every effort must be made to spare them, and other parties who are non-combatants, from becoming adversely affected.

HISTORICAL EXAMPLE—AVOIDING COLLATERAL DAMAGE, AFGHANISTAN 2002–2003

The campaign to remove the Taliban Government and forces from control of Afghanistan occurred at a point in weapons development when over half the air and ship-launched weapons available were precision-guided, surveillance and geopositioning. Coalition armed forces were alert to their responsibilities under the LOAC according to which their ROE were tailored. Yet the civilian casualty rate in Afghanistan was twice that of the bombardment of Serbia in the North Atlantic Treaty Organisation Kosovo operation, despite employing one third of the number of attack sorties and using half the number of weapons. Whilst both sets of figures are remarkably low by standards of previous wars, this raw comparison raises questions on proportionality. Principal factors were:

- **Density of the population and its location in relation to legitimate military targets.** Attacks in Kosovo-Serbia were related either to formed military units or to infrastructure facilities, as opposed to the fairly densely populated areas in which the Taliban made some of its stands.

HISTORICAL EXAMPLE—(cont)

- **A major focus in Afghanistan was the leadership.** This meant targeting residences and road convoys, with difficulties of identification and the consequent acceptance of non-combatant casualties as a necessary proportionate risk to achieve the military objective.
- **Unreliable intelligence.** Disinformation was provided by supposed allies anxious to settle scores or eliminate rivals.
- **Elusiveness of targets.** Instead of fixed facilities readily identifiable, the emphasis was on taking fleeting opportunities which might not recur.



Figure 2–2: Taliban ambassador to Pakistan seated in front of Taliban Militia. The clothing worn by Taliban made it difficult to distinguish them from civilians

HISTORICAL EXAMPLE—(cont)

- **Distinction between civilians and combatants.** It was difficult to determine the difference between civilians and combatants as the Taliban did not wear conventional uniforms.

Other factors included the use of high proportion of area bombing, the extra crew fatigue from long carrier-borne turnarounds, and higher release heights of cluster munitions.

The analysis indicates that the raw comparison does not demonstrate either loss of intent to minimise collateral damage or deterioration in technique. Rather it hangs on different operational factors. The 700 000 deaths inflicted by the Soviet Union during their conflict with Afghanistan can be attributed to the type of weapons used, the intention of the Soviets and the fact that the conflict lasted for ten years. Proportionality considerations were observed by the Coalition, and by earlier standards of even the Gulf War, was remarkable for the minimised loss of life of protected persons in such a confused environment. **(source: various)**

2.9 The principle of proportionality not only requires that an attacker must assess what feasible precautions must be taken to minimise incidental loss, but must also make a comparison between different methods or axes of attack so as to be able to choose the least destructive method or axis compatible with military success. When making that assessment the attacker should naturally take into account likely friendly casualties.

2.10 Many authoritative writers on the laws of war have put forward the following three principles as encapsulating the concept of proportionality:

- Only that degree and kind of force, not otherwise prohibited by the LOAC, required for the partial or complete submission of the enemy with a minimum expenditure of time, life and physical resources may be applied.

- The employment of any kind or degree of force not required for the purpose of the partial or complete submission of the enemy with the minimum expenditure of time, life, and physical resources, is prohibited.

- Dishonourable (treacherous) means, dishonourable expedients, and dishonourable conduct during armed conflict are forbidden.

DISTINCTION

2.11 Although not a basic principle, distinction is said to be a related principle and seeks to ensure that only legitimate military objects are attacked. Distinction has two components. The first, relating to personnel, seeks to maintain the distinction between combatants and non-combatants or civilian and military personnel. The second component distinguishes between legitimate military targets and civilian objects. Military operations must only be conducted against military objectives, including combatants. Non-combatants and civilian objects are protected from attack, that is, they are not legitimate objects of attack. LOAC therefore requires that belligerents maintain the clear distinction between armed forces and civilians taking no direct part in hostilities; that is, between combatants and non-combatants, and between objects that might legitimately be attacked and those protected from attack.

RULES OF ENGAGEMENT AND LAW OF ARMED CONFLICT

2.12 ROE provide authoritative guidance on the use of military force by the ADF. ROE are meant to be a brief directive and summary which outline and emphasise the critical aspects of the laws of war relevant to a specific mission or operation rather than a restatement of the law generally. ROE will be issued by Chief of the Defence Force to Chief of Joint Operations (CJOPS). Australian joint force commanders will receive ROE from CJOPS. ROE will take into account legal considerations and so will comply with LOAC.

2.13 ROE and their relationship with the law are rightly a matter of concern for planners and commanders. ROE do not form part of the law but it is important to clarify their relationship with the law. LOAC determines which actions are lawful and are therefore permissible. Government then places further limitations upon the ADF (for operational, political, diplomatic and legal reasons) and does so by the use of ROE. ROE do not override the inherent right of individual or self defence.

2.14 ROE are of particular importance for multinational forces operating in the same theatre. It is important for agreement to be reached between the states on the interpretation to be given to the terms of the ROE to ensure they comply with the domestic law of each state and to avoid confusion and inconsistent application of the ROE during the operation.

CHAPTER 3

APPLICATION OF THE LAW OF ARMED CONFLICT

Executive summary

- International agreements or customary international law bind all nations in the law of armed conflict (LOAC).
- The LOAC is binding on individuals and must be applied without discrimination irrespective of which country is the aggressor and without any adverse distinction founded on race, nationality, colour, political, philosophical or religious opinions, or other similar criteria.

Parties to whom the law of armed conflict applies

3.1 Nations are bound by the LOAC either by way of an international agreement or under customary international law. Where the LOAC is applicable in a particular conflict it is not only binding on nations but also on individuals, and in particular on the individual members of the armed forces of nations. The LOAC must be applied without discrimination irrespective of which country is the aggressor and without any adverse distinction founded on race, nationality, colour, political, philosophical or religious opinions, sex, language, birth, social standing, wealth or any other criteria.

United Nations Charter

3.2 The United Nations (UN) Charter requires all nations to settle their international disputes by peaceful means and to refrain from the threat or use of force against the territorial integrity or political independence of other nations. However, the UN Charter does permit nations to engage in armed conflict in the exercise of the right of individual or collective self-defence against aggression. An example of that right occurred with the initial international response to the armed invasion of Kuwait by Iraq where the UN affirmed 'the inherent right of collective self-defence, in response to the armed attack of Iraq against Kuwait'. In general, the LOAC applies to such conflicts.

Resort to war

3.3 A formal declaration of war is not an essential condition for the application of the LOAC. The LOAC applies to any armed conflict (whether there is a declared war or not) and whether or not a state of armed conflict is recognised by all parties to the conflict. The Geneva Conventions also apply to all cases of partial or total occupation of the territory of a party to the Convention, even if that occupation meets with no armed resistance.

Definition of armed conflict

3.4 Neither the Geneva Conventions nor Additional Protocols contain any definition of the term 'armed conflict' but the following may serve as guidance:

- 'any difference arising between States [sic] and leading to the intervention of members of the armed forces is an armed conflict'[1];
- 'an armed conflict exists whenever there is a resort to armed force between States [sic] or protracted armed violence between governmental authorities and organised armed groups within a State [sic]'[2].

3.5 These definitions do not deal with the threshold for an armed conflict. Whether any particular fact situation meets the threshold so as to become an armed conflict will depend on all circumstances surrounding a particular event. For example, the replacing of border police with soldiers or an accidental border incursion by members of the armed forces would not, in itself, amount to an armed conflict. At the other extreme, a full-scale invasion would amount to an armed conflict.

International armed conflict

3.6 The LOAC applies to situations of international armed conflict—whether there is an attack or self-defence. What constitutes an attack or self-defence is a matter of fact. Once an attack or self-defence has been identified, the LOAC applies regardless of what political decisions may be made about the official recognition of a state of armed conflict.

3.7 The operation of the LOAC gives inalienable legal rights to various categories of persons: eg wounded soldiers, civilian women and civil defence personnel. Those rights cannot be diminished or denied for political reasons. The duration and intensity of the conflict are not relevant to whether an armed conflict exists.

1 Commentary on Common Article 2 of the Geneva Conventions.

2 Decision on the defence motion for interlocutory appeal on jurisdiction by Appeals Chamber in *The Prosecutor v Dusko Tadic* 02 October 1995 IT–94–1 AR72 (RP D6413–D6491).

Non-international armed conflict

3.8 A non-international armed conflict is distinct from an international armed conflict because of the legal status of the entities opposing each other; the parties to the conflict are not sovereign states, but the Government of a single state in conflict with one or more armed forces within its territory.

3.9 The 1949 Geneva Conventions, by Common Article 3, make provision for the application of certain basic humanitarian safeguards during armed conflicts which are not of an international character and which occur in the territory of one of the parties to the Geneva Conventions.

3.10 Additional Protocol II (G.P.II) develops and supplements Common Article 3 of the Geneva Conventions. Its provisions apply to all armed conflicts that are not covered by Article 1 of Additional Protocol I (G.P.I) and provide for humanitarian treatment in conflicts which take place solely within the territory of a party to the Protocol (an internal armed conflict), and in which its armed forces and dissident armed forces or other organised armed groups under responsible command are involved. The Protocol specifically provides that situations of internal disturbances and tensions such as riots and other isolated and sporadic acts of violence are not armed conflicts.

Beginning and end of application

3.11 The point of commencement of armed conflict is often open to argument, eg there may be no formal declaration of war. Similarly, the precise point at which hostilities are terminated may also be unclear. Although the clearest way of indicating a formal end to hostilities may be by way of a peace treaty, the conclusion of a formal peace treaty may not occur. Armed conflicts may also conclude on the declaration of a general armistice.

HISTORICAL EXAMPLE—BOUGANVILLE 1998



Figure 3–1: Unarmed peacekeeping by negotiation, Bougainville 1998

The Australian-led multinational Peace Monitoring Group, with contingents from New Zealand, Fiji and Vanuatu, was designed to facilitate a peace earnestly desired, but still mired in long-held mutual animosity and suspicion, both within island factions and with the Papua New Guinea central Government.

A significant aspect of gaining agreement, by avoiding the appearance of an occupying force, was that the peacekeepers were unarmed, there by consent and under protection of the warring parties. The mission was completed successfully in 2003 after five years. **(source: Army Magazine December 1998)**

3.12 Article 3 of G. P. I does essentially govern, however, when the provisions of the Geneva Conventions and Protocols apply. Article 3 provides that the Conventions and Protocols apply from the beginning of any situation referred to in Article 1 of G. P. I and cease on the general close of operations. The application of the Geneva Conventions and G. P. I will also cease, in the case of occupied territory, on the termination of the occupation, notwithstanding that military operations may have ceased at an earlier time. Persons who continue to remain in the power of an adversary until repatriation will continue to benefit from the relevant provisions of the Conventions and Protocols until their final release, repatriation or re-establishment.

CHAPTER 4

WEAPONS

Executive summary

- Certain weapons are totally prohibited. The blanket prohibitions are based on concerns that the weapons in question are either indiscriminate in their effect or cause unnecessary suffering.
- Legal weapons are limited in the way in which they may be used. They cannot be used indiscriminately, against protected persons or places, or in a manner calculated to cause unnecessary suffering.

INTRODUCTION

4.1 Weapons, projectiles, materials and means of warfare which cause unnecessary injury or suffering are not permissible, that is, when the practical effect is to cause injury or suffering which is out of proportion to the military effectiveness of the weapon, projectile, material or means. Limitations on the use of weapons fall into two broad categories, namely:

- prohibited weapons, and
- the illegal use of lawful weapons.

4.2 Defence Instructions (General) OPS 44–1—*Legal Review of New Weapons* requires legal review of all proposed new weapon acquisitions to determine whether their intended use is consistent with the Australian Government's obligations under international law. While Australian Defence Force (ADF) members can be confident that their issued weapons do not violate the law of armed conflict (LOAC), care must be taken to ensure that they are used and employed in a manner that complies with the LOAC. Weapon use will be unlawful under the LOAC when it breaches the principle of proportionality by causing unnecessary injury or suffering.

4.3 In a major or extended conflict, ADF members could be called upon to utilise captured enemy weapons. While the LOAC recognises that such weapons may be used (after enemy markings are removed and provided they do not cause unnecessary injury or suffering), prior command approval should normally be obtained if the captured weapon is not currently in the ADF inventory.

PROHIBITED WEAPONS

General

4.4 Some weapons and weapons systems are totally prohibited. These blanket prohibitions, which may be traced to treaty or customary international law, are justified on the grounds that the weapons in question are either indiscriminate in their effect or cause unnecessary suffering.

HISTORICAL EXAMPLE—PROGRESSIVE WEAPONS RESTRICTION

Although the Hague Conventions of 1899 and 1907 proscribed the use of poisonous gases, when Germany initiated chemical warfare in April 1915, free-for-all use resulted in 1.3 million casualties. Similarly the use of flame warfare became a standard option. In 1922 the major powers signatory to the Washington Treaty joined in prohibiting chemical weapons, underpinned in part by the 1925 Geneva Protocol, which prohibited *first* use of chemical and bacteriological weapons, but not their development or production. Although there has been relatively restricted usage of such weapons—Italy in Ethiopia 1935–1936, Egypt in North Yemen 1963–1967 and Iran-Iraq 1983–1988, there was no use in World War II other than by Japan in China 1937–1945. The 1993 Chemical Weapons Convention (CWC) now totally prohibits their use.



Figure 4–1: Disposal of chemical and biological weapons following the Gulf War 1991

HISTORICAL EXAMPLE—(cont)

Parallel strong pressure to limit all 'weapons of mass destruction' has resulted in bilateral moves to reduce arsenals of nuclear weapons by Russia and the United States of America, South African destruction of its nuclear weapons, and pressure on countries attempting to join the nuclear club to desist. This has not been effective with India-Pakistan, and other countries of dubious responsibility have also continued their attempts—Iraq, now forestalled, Iran and North Korea remain serious aspirants and threats. Biological weapons, prohibited under a 1972 convention, also remain an achievable goal for many third world countries, which either do not subscribe to the Protocol or are prepared to flout it. As with chemical weapons, these are in reach of countries with a modest industrial base. Other techniques which were standard up to the Vietnam War, such as incendiary, flame and fragmentary weapons, and blinding lasers, have been restricted by the 1980 Convention on Prohibitions or Restrictions on the use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (CCW).

Anti-personnel mines were targeted for proscription in the 1990s. With over 100 million mines already laid, and an annual rate exceeding the recovery rate by a factor of more than 100, the need for action was clear. Now 147 countries, including Australia, subscribe to the 1997 Ottawa Convention. This Treaty proscribes the use of anti-personnel landmines as a method of warfare. The nations party to the Convention have also committed to an aggressive campaign to destroy existing minefields throughout the world. **(source: various)**

Indiscriminate weapons

4.5 It is prohibited to employ weapons which cannot be directed at a specific military objective or the effects of which cannot be limited as required by Additional Protocol I (G.P.I) and are therefore of a nature that they may strike military objectives and civilians or civilian objects without distinction or which may be expected to cause incidental loss to civilians or civilian objects which would be excessive in relation to the military advantage anticipated.

4.6 G. P. I operates as an effective prohibition on the use of weapons that are so inaccurate that they cannot be directed at a military target. The Scud rockets used during the Gulf conflict of 1990–1991 are examples of weapons likely to be caught by this provision. Further clarification of what constitutes indiscriminate use or effect is covered in chapter 5—'Targeting'.

Weapons calculated or modified to cause unnecessary suffering

4.7 Weapons such as irregularly shaped bullets, projectiles filled with broken glass, bullets which have been scored, have had their ends filed, have been altered or which have been smeared with any substance likely to exacerbate a trauma injury are prohibited. 'Dum dum' bullets (those with a hard envelope that does not entirely cover the core or which have been pierced with incisions or which have had their points filed off) come within this category of weapon.

Poison

4.8 Poison or poisoned weapons are illegal because of their potential to be indiscriminate. So, for example, the poisoning or contamination of any source of drinking water is prohibited and the illegality is not cured by posting a notice that the water has been so contaminated or poisoned.

Non-detectable fragments

4.9 Weapons which cause injury by the use of fragments that are undetectable by X-ray in the human body are prohibited.

Exploding small arms projectiles

4.10 Bullets or other projectiles weighing less than 400 grams which are either explosive or contain fulminating or inflammable substances (exploding small arms projectiles) are prohibited. It should be noted however, that tracer and incendiary ammunition are not prohibited.

Environment altering weapons

4.11 Environmental modification techniques having widespread, long lasting or severe effects are prohibited. An example of this is defoliant chemicals used by militaries to deprive the enemy of ground cover or kill food crops. The United States used Agent Orange during the Vietnam War for this purpose. These chemicals are not discriminating and are difficult to contain, often resulting in effects to water supplies and creation of toxins dangerous to humans. Further details are contained in chapter 5.

Laser weapons

4.12 Under the 1995 Protocol IV of the CCW (CCW P. IV), laser weapons are prohibited from use where they are specifically designed to cause permanent blindness. While CCW P. IV does not prohibit use of lasers for other purposes, precautions must be taken when using laser systems for other purposes in order to avoid causing permanent blindness.

Gas

4.13 Asphyxiating, poisonous or other gases are prohibited. Smoke grenades, smoke ammunition from indirect fire weapons and tank smoke ammunition, all primarily used to conceal position or movement or mask a target are not prohibited.

Bacteriological warfare

4.14 Bacteriological methods of warfare are prohibited.

Chemical weapons

4.15 Under the CWC, States Parties, including Australia, undertake:

> *never under any circumstances:*
>
> *to develop, produce, otherwise acquire, stockpile or retain chemical weapons, or transfer, directly or indirectly, chemical weapons to anyone;*
>
> *to use chemical weapons;*
>
> *to engage in any military preparations to use chemical weapons; and*
>
> *to assist, encourage or induce, in any way, anyone to engage in any activity prohibited to a State Party under the convention.*
>
> **Article 1 of the Chemical Weapons Convention**

4.16 The Convention contains a definition of chemical weapons as follows:

> *'chemical weapons' means the following, together or separately:*
>
> *toxic chemicals and their precursors, except where intended for purposes not prohibited under this Convention, as long as the types and quantities are consistent with such purposes;*
>
> *munitions and devices, specifically designed to cause death or other harm through the toxic properties of those toxic chemicals specified in sub-paragraph (a), which would be released as a result of the employment of such munitions and devices; and*
>
> *any equipment specifically designed for use directly in connection with the employment of munitions and devices specified in sub-paragraph (b).*
>
> **Article 2 Chemical Weapons Convention**

4.17 Permitted uses of chemicals include industrial, agricultural, research, medical, pharmaceutical or other peaceful purposes; purposes directly related to protection against toxic chemicals and chemical weapons; military purposes not connected with the use of chemical weapons and not dependent on the use of the toxic properties of chemicals as a method of warfare; and law enforcement, including domestic riot control purposes.

4.18 The CWC also requires States Parties to destroy existing chemical weapons and chemical weapons production facilities. It establishes an Organisation for the Prohibition of Chemical Weapons and contains very detailed provisions for verification, including short notice challenge inspections.

4.19 The use of riot control agents, including tear gas and other gases which have debilitating but non-permanent effects as a means of warfare is prohibited under the CWC. This does not mean riot control agents cannot be used in times of conflict to maintain order, for example, in a prisoner of war camp, or to contain a riot by the civilian population. Legal advice should be sought on the occasions when their use is considered.

Biological weapons

4.20 Nations are prohibited from manufacturing, storing and using biological weapons. Both chemical and biological weapons are prohibited because they cause unnecessary suffering and may affect the civilian population in an indiscriminate fashion. Australia is a party to the international convention prohibiting the development, production and stockpiling of bacteriological (biological) and toxin weapons. As a party, Australia has

undertaken not to develop, produce, stockpile or otherwise acquire or retain biological agents or toxins that have no justification for prophylactic, protective or other peaceful purpose. Further, Australia has undertaken not to develop, produce, stockpile or otherwise acquire or retain weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

EXPLOSIVE REMNANTS OF WAR

4.21 In 2003 States Parties to the CCW negotiated a new protocol to deal with explosive remnants of war (ERW). After two years of discussions and negotiations by a group of governmental experts, the States Parties to the CCW, including Australia, adopted Protocol V (CCW P. V) on ERW in November 2003. It will enter into force once 20 States Parties have consented to be bound by the protocol.

Obligations imposed on States

4.22 The Protocol requires each party to an armed conflict to remove and to provide assistance for the removal of these weapons and to take other measures to reduce the threat to civilians. This is the first international agreement to require the parties to an armed conflict to clear all unexploded munitions that threaten civilians, peacekeepers and humanitarian workers once the fighting is over. What characterises CCW P. V is that it provides for both post-conflict remedial measures and preventive measures that aim, in so far as possible, to minimise future risks. Remedial measures mainly include the marking of ERW-affected areas as well as the clearance, removal or destruction of ERW. Although CCW P. V primarily applies to future cases, it also calls upon States Parties to cooperate in the clearance, removal or destruction of existing ERW.

Remedial and preventative measures

4.23 The Protocol addresses the post-conflict humanitarian problems caused by ERW, by proposing remedial measures of a generic nature, as well as generic preventive measures. It also addresses issues such as: clearance, removal and destruction of ERW, recording, retaining and transmission of information on the (potential) location of ERW, protection of civilians and humanitarian missions, and cooperation and assistance. Its technical annex also includes preventive measures aimed at minimising the occurrence of ERW. States Parties are encouraged to apply these measures when manufacturing, storing, and transferring munitions. As a preventive measure, States Parties have agreed to improve the reliability of munitions in order to minimise the occurrence of ERW.

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LANDMINES

Anti-personnel landmines

4.24 Parties to the Ottawa Convention 1997, including Australia, accept a prohibition on the possession or use of anti-personnel landmines as well as assistance, encouragement or inducement to any other person to possess or use these mines. Members of the ADF will not, however, be guilty of an offence merely by reason of taking part in joint operations with forces of an ally not bound by the Ottawa Convention which deploy landmines.

Anti-vehicle landmines

4.25 The use of anti-vehicle landmines is permitted so long as:

- they are not designed to be detonated by mine detectors;
- any anti-handling device is deactivated when the mine deactivates;
- they are either cleared, removed, destroyed, or appropriately maintained after cessation of active hostilities.

HISTORICAL EXAMPLE—ANTI-PERSONNEL MINEFIELDS



Figure 4–2: Clearing the anti-personnel minefield, Nui Dat 1969

In 1967, a barrier minefield of jumping anti-personnel mines, fitted with anti-lift devices, was laid south of the 1 Australian Task Force base, and expected to be protected by the Army Republic of Vietnam troops. This protection did not eventuate, so the minefield became both a lying-up haven at night for passing enemy, and as well a magazine from which to take mines which were used with great success in ambushing Australian forces. Several attempts to clear the minefield safely failed until a system of rollers towed by armoured personnel carriers, fast enough to out-run the hails of ball bearings which had defeated tank mine-clearers, enabled safe and rapid destruction of the mines. Australia now subscribes to the international ban on anti-personnel mines. **(source: Australian War Memorial BEL/69/0575VN)]**

4.26 Restrictions on use. The following rules apply to anti-vehicle mines:

- they may only be deployed against or to protect military objectives,
- they may not be directed against civilians,
- indiscriminate use is prohibited,

- feasible precautions must be taken to protect civilians from their effects,
- effective advance warning must be given of any deployment of mines that might affect the civilian population unless circumstances do not permit, and
- mines must not be of a nature to cause superfluous injury or unnecessary suffering.

4.27 Civilian protection factors. In considering the protection of the civilian population, regard should be had to the following factors, though these are not exclusive:

- the short and long-term effect of mines on the local civilian population;
- possible measures to protect civilians (for example fencing, signs, warning and monitoring);
- the availability and feasibility of using alternatives to mines; and
- the short and long-term military requirements for a minefield.

4.28 Self-deactivation. It is prohibited to use remotely delivered anti-vehicle mines 'unless, to the extent feasible, they are equipped with an effective self-destruction or self-neutralisation mechanism and have a back-up self-deactivation feature, which is designed so that the mine will no longer function as a mine when the mine no longer serves the military purpose for which it was placed in position'[1].

4.29 Recording. The recording of information about minefields, mined areas and mines (as well as booby traps and other devices) is mandatory.

LIMITATIONS ON LAWFUL WEAPONS

General

4.30 All legal weapons are limited in the way in which they may be used. Specifically, no weapons may be used indiscriminately or in such a way as to cause unnecessary injury or suffering. Similarly, non-combatants and those who have not been or are no longer in the fight (sick and wounded, shipwrecked, medical personnel, chaplains and most civilians) must not be targeted.

1 Article 6 of the CCW Protocol II as Amended.

Incendiary weapons

4.31 Incendiary weapons include any weapon or munition which is designed to set fire to objects or to cause burn injury to humans through the action of flame, heat or a combination of the two caused by a chemical reaction of a substance delivered on a target. They include flame throwers, shells, rockets, grenades, mines, bombs and other containers of incendiary materials.

4.32 Incendiary weapons do not include munitions which have incidental incendiary effects such as illuminants, tracers, smoke or signalling devices; nor do they include munitions designed to combine penetration, blast or fragmentation effects with an additional incendiary effect, such as armour piercing projectiles, fragmentation shells, explosive bombs and similar combined effects ammunition in which the incendiary effect is not specifically designed to cause burn injury to humans, but to be used against military objectives such as armoured vehicles, aircraft and installations and facilities.

4.33 Specific rules prohibit the use of incendiary weapons:

- in all circumstances to attack the civilian population, individual citizens or civilian objects with incendiary weapons;
- in all circumstances to make any military objective located within a concentration of civilians the object of attack by air-delivered incendiary weapons;
- to make any military objective located within a concentration of civilians the object of an attack by other than air delivered incendiary weapons, except where the military objective is clearly separated from the civilians and all feasible precautions are taken to minimise incidental loss of civilian life and damage to civilian objects (separation in this context can mean a barrier (such as an air raid shelter or a hill) or distance); and
- on forests or plant cover except when the forests or plant cover are either being used to cover, conceal or camouflage military objectives or are military objectives themselves (if it is necessary to use incendiaries on a forest to clear a field of fire or facilitate an advance or attack against an enemy, the forest has become a military objective and may legitimately be attacked).

Sea mines

4.34 There are very few restrictions on the use of sea mines. Sea mines must be able to self neutralise if control over them is lost. Their location must be recorded. They must not be laid in neutral waters and when first laid in the territorial waters of the nation laying them, there must be provision for free exit of neutral shipping located in ports of the nation laying the mines. More detailed discussion concerning sea mines is contained in chapter 6—'Maritime operations and the law of armed conflict'.

Torpedoes

4.35 International law prohibits the use of torpedoes that do not sink or otherwise become harmless when they have completed their run.

Landmines, booby traps and other devices

4.36 In addition to the specific prohibition on the use of anti-personnel mines, all feasible precautions must be taken to protect civilians from the effects of mines, booby traps and similar devices. They must not be directed at civilians nor may they be used indiscriminately. It is indiscriminate to place them so that they are not on or not directed at a military objective, to use a means of delivery which cannot be directed at a military target, or to place them so that they may be expected to cause excessive collateral damage, that is injury, loss or damage to civilians which is excessive in relation to the concrete and direct military advantage anticipated.

4.37 Booby traps and similar devices must not be used in areas containing civilian concentrations if combat between ground forces is neither imminent nor actually taking place unless they are placed on, or in the vicinity, of an enemy military objective or there are protective measures for civilians such as warning signs, sentries, fences or other warnings to civilians.

4.38 The location of all pre-planned minefields and areas in which there has been large scale and pre-planned use of booby traps must be recorded. A record should also be kept of all other minefields, mines and booby traps so that they may be disarmed when they are no longer required.

Landmines

4.39 Landmines other than anti-personnel mines, are defined as any munition on, under or near the ground or other surface area and designed to be detonated by the presence, proximity or contact of a vehicle and includes remotely delivered mines, that is, mines delivered by artillery, rocket, mortar or aircraft. Time delayed weapons are not landmines.

4.40 Remotely delivered landmines can only be used within the area of a military objective if their location can be accurately recorded and they can be neutralised when they no longer serve the military purpose for which they were placed in position. Either each mine must have an effective self neutralising or destroying mechanism or a remotely controlled mechanism designed to render the mine harmless or destroy it. If circumstances permit, effective advance warning should be given where remotely delivered mines are likely to affect civilians.

Booby traps

4.41 Booby traps are objects that are designed to injure or kill and which explode when a person approaches or disturbs an apparently harmless object or performs an apparently safe act.

4.42 Booby traps that appear to be apparently harmless portable objects which are specifically designed and constructed to contain explosive material are prohibited. In particular they should not be attached to or associated with:

- internationally recognised protective emblems;
- corpses, casualties or the sick;
- burial, cremation sites or graves;
- medical facilities, equipment, supplies or transportation;
- children's toys or objects designed for feeding, health, hygiene, clothing or education of children;
- food or drink;
- kitchen utensils or appliances (except those in military establishments, locations or supply depots);
- objects of a religious nature;
- historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of peoples; or
- animals or their carcasses.

4.43 Where booby traps are not prohibited, those that are used must not be designed to cause unnecessary injury or suffering.

Other devices

4.44 'Other devices' are manually emplaced munitions and devices designed to kill, injure or damage and which are activated either remotely or by time delay. Restrictions on the use of these other devices are as for landmines and booby traps.

Nuclear weapons

4.45 The United Nations General Assembly has condemned nuclear weapons as illegal, although the international community itself is divided on this question. In 1996 the International Court of Justice handed down an advisory opinion on the legality of the threat or use of nuclear weapons determining that '...the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law'. The Court could not however, conclude definitely whether the threat or use of nuclear weapons would be lawful or unlawful in an extreme circumstance of self-defence, in which the very survival of a state would be at stake.

4.46 The commentary to G. P. I states that 'there is no doubt that during the four sessions of the Conference agreement was reached not to discuss nuclear weapons'. Nevertheless, general humanitarian law principles aimed at limiting unnecessary suffering and protecting the civilian population, as further clarified by G. P. I, must be considered in the employment of all weapons of war, including nuclear weapons. The International Court of Justice took the view that only in cases of extreme necessity, where the very survival of the nation is at stake, would the use of a nuclear weapon possibly be appropriate.

4.47 In 1985 Australia ratified the Treaty of Rarotonga, which brought into effect the South Pacific Nuclear Free Zone. Pursuant to the terms of this Treaty, Australia has undertaken to prevent the stationing of any nuclear explosive device on Australian territory. The treaty preserves Australia's right to decide whether to allow visits by foreign aircraft or ships which might be either nuclear-powered or nuclear-armed.

Rockets, missiles and bombardment

4.48 The LOAC restrictions of proportionality and unnecessary suffering apply to all facets of aerial warfare. With the advent of modern technology many defence forces are now able to deliver weapons with much greater precision. However, nations are not obliged to use only precision munitions; attack by conventional, free-fall weapons or 'dumb' weapons is lawful provided that the overriding the LOAC principles of proportionality and unnecessary suffering and other applicable rules are not violated.

CHAPTER 5

TARGETING

Executive summary

- Targeting must be based on the three principles of the law of armed conflict (LOAC). These are military necessity, avoidance of unnecessary suffering and proportionality.
- Commanders have duties to take care to spare civilians and civilian objects to the maximum extent possible in an armed conflict.

INTRODUCTION

5.1 The LOAC will affect military decisions concerning targeting. These may range from what weapons to use against an objective, to whether an object or person is a legitimate military target. Attacks can only be directed against military objectives and all reasonable precautions must be taken to avoid civilian deaths and damage to civilian objects. Due regard must be paid to the principle of proportionality and all feasible precautions must be taken to gather relevant intelligence and ensure attacks are directed against military objectives.

5.2 This chapter will set out the legal rules applicable to all international armed conflict. Targeting in the three combat environments will be briefly outlined, but the specialised rules governing the conduct of combat on land, at sea and in the air are comprehensively covered in chapter 6—'Maritime operations and the law of armed conflict', chapter 7—'Land operations and the law of armed conflict' and chapter 8—'Air operations and the law of armed conflict' respectively. This chapter also should be considered with chapter 4—'Weapons' when making targeting decisions. For the purposes of this publication the following terms are defined:

- **Attacks.** Attacks are defined as acts of violence directed against an adversary. This includes both defensive and offensive operations.
- **Indiscriminate attacks.** Indiscriminate attacks are those:
  - which are not directed against a specific military objective;
  - involve use of a weapon that cannot be directed against a specific military objective; or
  - the effect of which cannot be limited, as required by the LOAC.

An example of an indiscriminate attack would be to bomb a city, town, village or area as though it were a single military objective when it contains a number of separate and distinct military objectives mixed in with a similar concentration of civilians and civilian objects. Similarly an indiscriminate attack is one which is expected to cause incidental loss, injury or collateral damage to civilians or civilian objects which is excessive in relation to the concrete and direct military advantage anticipated as a result of the attack.

– **Collateral damage and incidental injury.** Collateral damage and incidental injury are damage to civilian property and incidental death or injury to civilians respectively which arises out of any attack against a legitimate military objective.

Targeting principles

5.3 Targeting is premised on the basic principles set out in chapter 2—'Principles of the law of armed conflict'. These principles lead to the following rules:

- the right to adopt means of defeating the enemy is not unlimited;
- attacks directed against the civilian population or civilian objects are prohibited; and
- distinction must be drawn between combatants and non-combatants, with every effort being made to avoid involving non-combatants in the conflict.

APPLICATION OF LAW OF ARMED CONFLICT PRINCIPLES TO TARGETING

Distinction

5.4 The LOAC establishes a requirement to distinguish between combatants and civilians, and between military objectives and civilian objects. This requirement imposes obligations on all parties to a conflict to establish and maintain the distinction. Inherent in this requirement, and to make it effective, is the obligation not to use civilians to protect military objectives. Civilians may not be used as shields as the Iraqi President Saddam Hussein threatened to do on the eve of the Gulf War of 1991. Any party who uses civilians in this manner violates international law including its obligations to protect its own civilian population.

Military necessity

5.5 As detailed in chapter 2, military necessity is one of the fundamental LOAC principles. The four factors critical to adherence to the concept of military necessity are:

- combatants can only use such force as is necessary to achieve a military objective,
- the particular use of such force is not prohibited by the LOAC,
- the use of such force must result in the least expenditure of life and damage to property as is possible under the prevailing circumstances, and
- the force used is regulated by the user.

5.6 These factors are relevant to targeting decisions particularly if collateral damage is a possibility. While Additional Protocol I (G. P. I) does not define military necessity it does make a number of implied concessions to the principle. Article 51(5) provides, in the context of civilian protection, that unlawful indiscriminate attacks include any:

> *... which may be expected to cause incidental loss of civilian life which would be excessive in relation to the concrete and direct military advantage anticipated.*
>
> **Article 51(5) of G. P. I**

5.7 Despite the use of negative language, the implied concession to military necessity is the recognition that 'the concrete and direct military advantage' to be gained from some attacks might outweigh collateral damage which might otherwise be considered excessive. This is one of the most delicate military judgments demanded of commanders by international law.

Unnecessary suffering

5.8 Related to the principle of military necessity, and implicitly contained within it, is the principle of unnecessary suffering. This concept forbids any attack on an enemy, which inflicts unnecessary suffering, injury or destruction. The principles applicable are that:

- the force used must not exceed the minimum required to achieve the military objective;
- there must be a valid military objective;

- destruction as an end in itself is prohibited;
- any destruction of property must contribute to the defeat of the enemy; and
- wanton killing and wilful infliction of suffering, as revenge, are prohibited.

Proportionality

5.9 Proportionality requires a commander to weigh the military value arising from the success of the operation against the possible harmful effects to protected persons and objects. There must be an acceptable relationship between the legitimate destruction of military targets and the possibility of consequent collateral damage.

5.10 Additional Protocol I and proportionality. In relation to G. P. I, Australia has made a declaration to the effect that the Australian Government's understanding is that references to military advantage in Articles 51(5)(b) and 57 mean:

> *the advantage anticipated from the attack as a whole and not only from isolated or particular parts of the attack.*

5.11 In addition, the declaration makes it clear that military advantage involves a number of considerations, including the security of attacking forces. The Australian Government's Declarations of Understanding also recognise that Australian Defence Force (ADF) commanders will, by necessity, have to reach decisions on the basis of their assessment of the information available to them at the relevant time. Australia's Declarations of Understanding to the Additional Protocols are in annex A.

PERSONNEL

Combatants

5.12 For the LOAC purposes people are either combatants or non-combatants. Subject to the exceptions below, combatants are legitimate targets for attack whereas non-combatants are not. Combatants comprise all organised armed forces, groups and units (except medical service and religious personnel) which are under the command of a party to a conflict and are subject to an internal disciplinary system, which enforces compliance with the LOAC. Where persons are not members of armed forces, they must also have a fixed distinctive sign recognisable at a distance and carry arms openly.

5.13 Enemy identification. A member of the armed forces does not lose combatant status merely by operating covertly or as a guerrilla. That is, while combatants are normally expected to distinguish themselves from the civilian population by wearing a uniform, the LOAC recognises that they do not have to wear a uniform on operations to retain their status as combatants. This is conditional on combatants who cannot so distinguish themselves because of the nature of hostilities, openly carrying arms during:

- each military engagement, and
- at such times as they are visible to the adversary while engaged in a military deployment preceding the launching of an attack in which they are to participate.

5.14 Levee en masse. Where the inhabitants of a country or territory spontaneously 'take up arms' to resist an invader, the LOAC recognises them as combatants provided they do so when there has not been time to form themselves into units and they respect the LOAC. Individuals acting on their own are not entitled to combatant status nor the benefits or detriment flowing from that status.

5.15 Saboteurs. Targeting and the LOAC aspects with respect to saboteurs, spies and espionage are covered in paragraphs 7.18 to 7.26.

5.16 Significance of combatant status. The significance of combatant status is that, subject to the qualifications listed in paragraphs 5.17 to 5.24, combatants are liable to attack and, if captured, must be treated as prisoners of war (PW). Further, they receive immunity for their lawful warlike acts and must be repatriated at the end of a conflict.

5.17 Terrorists. Terrorists do not comply with the LOAC and are not accorded combatant status. They are not entitled to PW status. While they are entitled to minimum standards of humane treatment, they are fully accountable for actions and will face punishment for violations of international and domestic laws.

Non-combatants

5.18 Non-combatants may not be attacked, although the LOAC recognises that, in certain circumstances, unavoidable non-combatant casualties may occur during operations.

5.19 PW, military personnel who are surrendering or attempting to surrender, and those who are wounded or sick must not be attacked. The basic principle is that any combatant who is hors de combat[1], whether by choice or circumstance, is entitled to be treated as a PW provided they refrain from any further participation in hostilities.

Prisoners of war

5.20 Protected from the moment of their surrender or capture, PW must not be made the object of attack or reprisals. Similarly, PW camps and any transports used to convey PW are protected and may not be attacked. Military commanders should also ensure that PW are not located near military objectives and that they mark PW camps and transports with the protective distinctive emblem shown in annex A to chapter 9—'Protected persons and objects'. Chapter 10—'Prisoners of war and detained persons' contains a full description of the responsibilities associated with the care of PW and detained persons.

5.21 Civilians. Civilians must be protected from the dangers of military operations. They must not be the object of attack nor of acts or threats of violence which are intended to create terror. They must not be subjected to indiscriminate attacks. Further treatment of civilians is covered in paragraphs 5.33 to 5.42.

5.22 Refugees and displaced persons. The situation of refugees and internally displaced persons in wars and civil wars raises significant legal issues encompassing elements of human rights and refugee law as well as the laws of war. Refugees and displaced persons are civilians and as such are protected persons and must be afforded corresponding protection.

5.23 Medical personnel. Included in the category of non-combatants are all medical personnel. They are protected so long as they do not participate in hostilities. The carriage of light individual weapons for self-defence or for defence of wounded or sick in their care is not considered participation. Medical personnel include persons on the permanent staff of medical establishments and any person temporarily assigned to medical duties such as soldiers who are carrying wounded from the battlefield. The underlying principle is that care of the wounded and sick (who are now non-combatants) is paramount and nothing should interfere with that care.

5.24 Religious personnel. Religious personnel, including military chaplains, are protected persons in the same way as are medical personnel. Religious personnel who participate directly in combat operations lose their protected status.

5.25 Civil Defence personnel. People assigned exclusively to civil defence tasks, administration and transport are protected persons.

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1 A person is hors de combat if they are 'out of combat'. Paragraph 7.8 provides a full definition.

MILITARY OBJECTIVES

5.26 Only military objectives are legitimate objects of attack. During an armed conflict, and subject to the overriding considerations of proportionality and unnecessary suffering, the ADF may target any military objective.

5.27 The term 'military objective' includes combatant members of the enemy armed forces and their military weapons, vehicles, equipment and installations. It may include other objects that have military value such as bridges, communications towers, electricity and refined oil production facilities. Objects are however, only military objectives if they come within the following definition:

'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 neutralisation, in the circumstances ruling at the time, offers a definite military advantage'. (Article 52 (2) G. P. I)

5.28 These criteria require commanders and others planning, deciding on or launching attacks to exercise their discretion. In doing so they must necessarily reach their decisions on the basis of their assessment of the information from all sources which is practicably available to them at the relevant time.

5.29 The taxonomy of defining of military objectives contains a number of elements:

- The second part of the definition limits the first. Both parts must apply before an object can be considered a military objective.
- **Nature** refers to the type of object, for example, military transports, command and control centres or communications stations.
- **Location** includes areas which are militarily important because they must be captured or denied to the enemy or because the enemy must be made to retreat from them. An area of land can, thus, be a military objective.
- **Purpose** means the future intended use of an object while 'use' means its present function.
- The words **nature, location, purpose or use** seem at first sight to allow a wide discretion, but they are subject to the qualifications later in the definition of 'effective contribution to military action' and the offering of 'a definite military advantage'. There does not have to be geographical proximity between 'effective contribution' and 'military advantage'. That means that attacks on military supply dumps in the rear or diversionary attacks, away from the area of actual military

operations, can be launched.

- **Military action** means military action generally, not a limited or specific military operation.

- The words **in the circumstances ruling at the time** are important. If, for example, the enemy moved a divisional headquarters into a disused textile factory, an attack on that headquarters would be permissible (even though the factory might be destroyed in the process) because of the prevailing circumstances. Once the enemy moved their headquarters away, the circumstances would change again and the protection of the factory as a civilian object would be restored.

- **Definite** means a concrete and perceptible military advantage rather than a hypothetical and speculative one.

- The **military advantage** anticipated from an attack refers to the advantage anticipated from the attack considered as a whole and not only from isolated or particular parts of the attack. The advantage need not be immediate.

5.30 The presence of non-combatants, including civilians, in or around a military objective does not change its nature as a military objective. Non-combatants in the vicinity of a military objective must share the danger to which the military objective is exposed. Attacks on military objectives that cause incidental loss or damage to civilians are not prohibited as long as the proportionality rule is complied with.

5.31 Military objectives may include a very wide range of persons, locations and objects. Some examples are:

- military equipment, units and bases;

- power stations, industry and transport facilities which support military operations;

- facilities which support or enhance command and control, such as communications facilities;

- all persons taking a direct part in hostilities, whether military or civilian;

- civilian aircraft, vessels, vehicles and buildings which contain combatants, military equipment or supplies;

- transportation systems for military supplies, transportation centres where lines of communication converge, rail yards, industrial installations producing materiel for combat forces, fuel dumps and

distribution centres supplying military users, industrial installations that repair and replenish lines of communication and other economic targets the destruction, capture or neutralisation of which offers a definite military advantage;

- economic targets that indirectly but effectively support operations are also military objectives if an attack will gain a definite military advantage;

- areas of land which are of direct use to defending or attacking forces, eg land through which an adversary is likely to move its forces or which may be used as a forming up point preceding an attack; and

- objects, normally dedicated to civilian purposes, but which are being used for military purposes, eg a school house or home which is being used temporarily as a battalion headquarters.

5.32 In cases of doubt whether objects which are normally dedicated to civilian purposes, such as a church, are being used to make an effective contribution to military action, they are presumed to be civilian objects.

CIVILIANS AND CIVILIAN OBJECTS

Definitions

5.33 Under G. P. I a civilian is 'any person who is not a member of the armed forces'. Similarly, the civilian population comprises all persons who are 'civilians'. In cases of doubt about civilian status, the benefit of the doubt must be given to the person concerned. A civilian has no general right to take part in hostilities.

5.34 G. P. I defines 'civilian objects' as all objects which are not military objectives. In cases of doubt about whether an object, normally dedicated to civilian purposes, is being used to make an effective contribution to military action, the presumption is that it is a civilian object. For this purpose, 'use' does not necessarily mean occupation. For example, if enemy soldiers use a school building as shelter from attack by direct fire, then they are clearly gaining a military advantage from the school. This means the school becomes a military objective and can be attacked.

Protection of civilians and civilian objects

5.35 There is a fundamental rule that parties to a conflict must direct their operations only against military objectives. G. P. I expressly provides that the civilian population and civilian objects are to be protected against attack.

Acts or threats of violence primarily intended to spread terror among the civilian population are prohibited. Reprisal actions against civilians are also prohibited.

HISTORICAL EXAMPLE—TERRORIST ATTACK IN BALI



Figure 5–1: Result of the terrorist attack, Bali 2002

The attack on the Sari nightclub with the clear intention of causing maximum civilian casualties was part of the unfolding attack of Jemaah Islamiah extremists on western interests. Attacking civilians demonstrates a flagrant disregard for the essential principle that civilians shall not be made the object of attack. The ability of civilised nations to respond to acts of terrorism represents one of the great challenges of our time. **(source: various)**

5.36 Civilians are only protected as long as they refrain from taking a direct part in hostilities. Whether or not a civilian is involved in hostilities is a difficult question, which must be determined by the facts of each individual case. Civilians bearing arms and taking part in military operations are clearly taking part in hostilities; civilians working in a store on a military air base may not necessarily be taking such a direct part. However, stores depots, supply columns and military installations are clearly military objectives which may be attacked, regardless of the presence of civilian workers.

5.37 Towns, villages, dwellings or buildings which are undefended are also protected from attack. Starvation of the civilian population as a method of warfare is forbidden. G. P. I expressly forbids attacks against objects that are indispensable to the survival of the civilian population. Examples given in the Protocol are: foodstuffs, agricultural areas, crops, livestock and drinking water installations. This prohibition relates to attacks made for the specific purpose of denying these items to the civilian population. Collateral damage to foodstuffs is not a violation of the rules as long as the intention was to gain a military advantage by attacking a military objective.

Collateral damage

5.38 Collateral damage may be the result of military attacks. This fact is recognised by the LOAC and, accordingly, it is not unlawful to cause such injury and damage. The principle of proportionality dictates that the results of such action must not be excessive in light of the military advantage anticipated from the attack.

5.39 Commanders must take all practicable precautions, taking into account military and humanitarian considerations, to keep civilian casualties and damage to a minimum consistent with mission accomplishment. This is one of the most difficult decisions a commander will make and one of the most difficult to describe. The commander is required to make a reasonable and honest effort to minimise civilian injuries and damage after they have considered all the available information, and the requirement to complete the mission. Further guidance is set out in G. P. I and specialist legal advice may need to be sought when making targeting decisions which may cause collateral damage.

OBJECTS AFFORDED SPECIAL PROTECTION

5.40 Protected persons, objects and localities must not be attacked. Protected persons are those categories of persons classified as non-combatants described in paragraphs 5.18 to 5.25. Particular classes of protected objects are described below.

Medical units and facilities

5.41 Medical units, materials and means of transportation are protected. This applies to any form of medical transportation, whether by sea, land or air. Medical units include hospital ships. Medical materials are any equipment and supplies which are exclusively used for the benefit of the wounded and sick. Civilian medical facilities are entitled to the same protection as military medical units. Military commanders should ensure that medical units and facilities are situated such that they are not endangered by military attacks.

5.42 The distinctive Red Cross, Red Crescent or Red Crystal[2] should be clearly displayed on all these facilities. If medical facilities are used for military purposes, inconsistent with their humanitarian purposes, the right to special protection is lost. Any medical facility is protected regardless of whether it is marked with a Red Cross, Red Crescent or Red Crystal. These distinctive protective symbols are shown in chapter 9, annex A. Chapter 10 has further guidance on medical units and their protection.

5.43 Transports of wounded and sick or of medical equipment shall be respected and protected in the same way as mobile medical units. Should such transports or vehicles fall into the hands of the adverse party, they shall be subject to the laws of war, on condition that the party to the conflict who captures them shall in all cases ensure the care of the wounded and sick they contain.

5.44 Medical aircraft, that is, aircraft exclusively employed for the removal of wounded and sick for the transport of medical personnel and equipment, shall not be attacked, but shall be respected by the belligerents, while flying at heights, at times and on routes specifically agreed upon between the belligerents concerned. These aircraft should bear clearly marked, distinctive emblems, together with their national colours on their upper and lower surfaces.

Religious, cultural and charitable buildings and objects

5.45 Buildings devoted to religion, the arts, or charitable purposes; historic monuments; and other religious, cultural, or charitable facilities should not be attacked, provided they are not used for military purposes. It is the responsibility of the local population to ensure that such buildings are clearly marked with the distinctive emblem. These emblems are also shown in chapter 9, annex A.

5.46 Cultural property is generally protected. This includes, but is not limited to, all buildings, locations, manuscripts, objects, works of art, archives, archaeological sites, historical documents and book collections which have any cultural significance. Also included in this category are places of worship which constitute the cultural or spiritual heritage of people.

5.47 Religious objects, including articles of a religious character and objects or equipment used exclusively by military religious personnel.

2 In 2005 a third additional protocol to the Geneva Conventions introduced the ‘Red Crystal’ as another protective symbol for the purposes of the Geneva Convention.

Civil defence establishments

5.48 Establishments and transport used exclusively for civil defence tasks, where organised and authorised by governmental authorities are also protected. Civil defence establishments should bear the distinctive international emblem which is shown in chapter 9, annex A. Chapter 10 has further guidance on the protection of civil defence personnel and facilities.

Dams, dykes and nuclear power stations

5.49 Dams, dykes and nuclear power stations may not be made the object of an attack if such attack may cause the release of dangerous forces and consequent severe losses amongst the civilian population. This is the position even if such installations are military objectives. Such objects should be identified using the distinctive emblems shown in chapter 9, annex A. Failure to display the emblem does not remove the protection afforded the installation. In exceptional circumstances, the protection ceases if the installation is used in 'regular, significant and direct support of military operations'. In any case, such an attack must be the only feasible way to stop the support, and any such attack would be approved at the highest command level.

Environment

5.50 Those responsible for planning and conducting military operations have a duty to ensure that the natural environment is protected. Specific rules are in effect which protect the environment. In addition, the environment remains under the protection and authority of customary international law, principles of humanity and dictates of public conscience. Some of the specific rules are shown below:

- The natural environment is not a legitimate object of attack. Destruction of the environment, not justified by military necessity, is punishable as a violation of international law.
- It is prohibited to employ methods or means of war which cause widespread, long term and severe damage to the environment or may be expected to cause such damage and prejudice the health or survival of the population.
- The general prohibition on destroying civilian objects, unless justified by military necessity, also protects the environment.
- Attacks on forests or other types of plant cover with incendiary weapons are prohibited, unless such natural elements are used to cover, conceal or camouflage combatants or other military objectives, or are themselves military objectives.

- It is prohibited to use environmental modification techniques, ie any technique for changing, through deliberate manipulation of natural process, the dynamics, composition or structure of the earth; including its biota (plant or animal life), lithosphere, hydrosphere and atmosphere, or of outer space; having widespread, long lasting or severe effects as the means of destruction, damage or injury to an enemy.

- Attacks against the environment by way of reprisal are prohibited.

- In times of armed conflict, parties to the conflict shall facilitate and protect the work of impartial organisations contributing to the prevention of damage, or repair of damage to the environment (eg civil defence organisations). This shall be done by agreement between the parties to a conflict or with the permission of a party to a conflict. Any such work shall be done with due regard to the security interests of the party concerned.

- In the event of breaches to the rules protecting the environment, commanders are required to stop the violations, take action to prevent further breaches and report violations to higher authority so further action can be taken.

OFFENSIVE SUPPORT AND STRIKE OPERATIONS

5.51 Offensive support and strike operations include the use of naval gunfire support, fire support from any ground-based weapon system other than small arms and any air strike. In the Geneva Conventions and Protocols the use of these types of weapons and weapons systems is referred to as bombardment. Because of their potential to cause collateral damage, commanders should take particular care when carrying out offensive support or strike operations.

5.52 In order to ensure that any combat action complies with the LOAC, there are a whole range of matters which must be considered in the targeting process but are also relevant to the planning of any type of military attack. These factors will influence the choice of axes, objects of attack, and the siting of defences, and include:

- clear identification of persons, objects or locations to be attacked to ensure as little risk as possible to protected persons, objects and locations, consistent with military advantage;

- a concrete and direct military advantage in any proposed course of action;

- the least possible collateral damage; and

- prohibitions on the use of weapons, projectiles or other means and methods of warfare that cause superfluous injury or unnecessary suffering.

Precautions in attack

5.53 Attacks must only be made against military objectives. All reasonable precautions must be taken to avoid injury, loss or damage to civilians and civilian objects and locations. It is therefore important to obtain accurate intelligence before mounting an attack. While the LOAC recognises that civilian casualties are unavoidable at times, a failure to take all reasonable precautions to minimise such damage may lead to a breach of those laws. The same principles apply to the risk of damage or injury to any other protected persons, places and objects.

5.54 Accordingly, the best possible intelligence is required concerning:

- concentrations of civilians;
- civilians who may be in the vicinity of military objectives;
- the nature of built-up areas such as towns, communities, shelters, etc;
- the existence and nature of important civilian objects and specifically protected objects; and
- the environment.

5.55 Civilians who are not directly involved in combat but are performing military tasks are not combatants. If they are killed or injured during an attack on a legitimate military objective there is no breach of the LOAC provided the death or injury is not disproportionate to the direct and concrete military advantage anticipated from the attack. The presence of civilians on or near the proposed military objective (either in a voluntary capacity or as a shield) is one of the factors that must be considered when planning an attack.

5.56 When a planned attack is likely to affect the civilian population, those making the attack are required to give, if practicable, effective advance warning of the attack to the authorities or civilian population. This requirement must obviously be applied in a commonsense manner in light of all other factors. If the proposed action is likely to be seriously compromised by a warning then there is no requirement to provide any warning.

Axis of attack

5.57 Objects and axes of attack should be chosen to minimise collateral damage wherever possible. Where a similar military advantage may be gained by attacking any one of several military objectives, the attack should be made against the objective that is likely to cause the least collateral damage. The same principle applies to choosing axes of advance or attack where more than one practicable and reasonable axis is available.

Defensive locations

5.58 Defences and defensive positions should also be sited, if practicable, to avoid or minimise collateral damage. Ideally, all military objectives, including defensive positions, should be sited outside heavily populated areas. As in offensive operations, where a location or object may be equally successfully defended from any one of several defensive positions, the LOAC requires that the defence should be conducted from the position which would cause the least danger to civilians and civilian objects.

Terrorisation of civilian population

5.59 Offensive support or strike operations against the civilian population for the sole purpose of terrorising the civilian population is prohibited.

Non-lethal bombardment

5.60 The use of non-lethal technologies for bombardment is permitted if the technologies used and results expected comply with the general protection afforded the civilian population, non-combatants and civilian objects under the LOAC. In addition, they must accord with any other LOAC rules which may impact on the use of chemical or biological agents. In the past, a common and successful tactic has been the use of radio broadcasts and pamphlet drops for propaganda purposes as part of psychological operations. These are permitted.

DUTIES OF AUSTRALIAN DEFENCE FORCE COMMANDERS

5.61 One of the most significant consequences of G. P. I has been the emphasis placed on commanders to comply with the LOAC. The Protocol reminds commanders that, in the conduct of military operations, constant care must be taken to spare the civilian population and civilian objects to the maximum extent possible. This includes:

- removing civilians and civilian objects from the vicinity of military objectives;

- refraining from locating military objectives within or near densely-populated areas;
- taking precautions to protect civilians and civilian objects from the dangers of military operations;
- doing everything feasible to verify that objects being attacked are military objectives;
- taking all feasible precautions, in the choice of means and methods of attack, to minimise collateral damage; and
- refraining from launching any attack which may be expected to cause collateral injury, or collateral damage, which would be excessive in relation to the concrete and direct military advantage anticipated.

5.62 While some of the above obligations rest primarily on civilian authorities, the commander's responsibility is to protect those civilians under their control, and those who may be affected by any attacks that they plan or carry out. As a part of a targeting process, a targeting directive will be issued for operations by the Chief of the Defence Force. The targeting directive will include a number of steps outlining the methodology of the LOAC underlying targeting decisions. These steps would include:

- locate and observe the potential target,
- assess the target as a valid military objective and otherwise unprotected by the LOAC,
- take all necessary means to minimise collateral damage,
- assess collateral damage as proportional,
- release weapon to achieve best possible chance of impacting the selected aim point commensurate with the tactical situation, and
- cancel or suspend the attack should it become apparent that the assessment made under dot points 2 and 4 are no longer valid.

Annex:
A. Australia's Declarations of Understanding to the Additional Protocols

AUSTRALIA'S DECLARATIONS OF UNDERSTANDING TO THE ADDITIONAL PROTOCOLS

1. In depositing its instrument of ratification for Protocol 1, Australia hereby makes declarations of understanding in relation to Articles 5, 44 and 51 to 58 inclusive of the said Protocol.

2. It is Australia's understanding that in relation to Article 5, with regard to the issue whether, and in what measure, Protecting Powers may have to exercise any functions within the combat zone (such as may be implied by provisions in Parts II and IV of the Protocol), the role of the Protecting Power will be of a like character to that specified in the First and Second Conventions and Part II of the Fourth Convention, which apply mainly to the battlefield and its immediate surroundings.

3. It is the understanding of Australia that in relation to Article 44, the situation described in the second sentence of paragraph 3 can exist only in occupied territory or in armed conflicts covered by paragraph 4 of Article 1. Australia will interpret the word 'deployment' in paragraph 3(b) of the Article as meaning any movement towards a place from which an attack is to be launched. It will interpret the words 'visible to the adversary' in the same paragraph as including visible with the aid of binoculars, or by infra-red or image intensification devices.

4. In relation to Articles 51 to 58 inclusive it is the understanding of Australia that military commanders and others responsible for planning, deciding upon, or executing attacks, necessarily have to reach their decisions on the basis of their assessment of the information from all sources, which is available to them at the relevant time.

5. In relation to paragraph 5(b) of Article 51 and to paragraph 2(a)(iii) of Article 57, it is the understanding of Australia that references to the 'military advantage' are intended to mean the advantage anticipated from the military attack considered as a whole and not only from isolated or particular parts of that attack and that the term 'military advantage' involves a variety of considerations including the security of the attacking force. It is the further understanding of Australia that the term 'concrete and direct military advantage anticipated', used in Articles 51 and 57, means a bona fide expectation that the attack will make a relevant and proportional contribution to the objective of the military attack involved.

6. It is the understanding of Australia that the first sentence of paragraph 2 of Article 52 is not intended to, nor does it, deal with the question of incidental or collateral damage resulting from an attack directed against a military objective.

CHAPTER 6

MARITIME OPERATIONS AND THE LAW OF ARMED CONFLICT

Executive summary

- Hostile actions by naval forces may be conducted in, on or over the territorial sea and internal waters, the land territories, the exclusive economic zone (EEZ), continental shelf and, where applicable, the archipelagic waters of belligerent states; on the high seas; and in the EEZ, contiguous zone and continental shelf of neutral states.
- Rights of passage and activities in various maritime zones vary depending on the type of passage, the nature of the vessel, and the status of the state, whether neutral or belligerent, controlling the water.
- All efforts must be made to search for and rescue the shipwrecked, wounded and sick.

INTRODUCTION

6.1 The purpose of this chapter is to state the legal rules governing the conduct of hostilities at sea. The parties to an armed conflict at sea are bound by the principles and rules of International Humanitarian Law (IHL), already expounded in chapter 2—'Principles of the law of armed conflict'.

6.2 The principles of necessity and proportionality apply equally to armed conflict at sea and require that the conduct of hostilities by a state should not exceed the degree and kind of force, not otherwise prohibited by the law of armed conflict (LOAC), required to repel an armed attack against it and restore its security.

DEFINITIONS

6.3 For the LOAC purposes, the following definitions additional to those included in the glossary apply. The definitions are sourced from the 1982 United Nations Convention on the Law of the Sea (UNCLOS).

Archipelagic sea lanes passage

6.4 An archipelagic state may designate archipelagic sea lanes suitable for continuous and expeditious transit by vessels and aircraft through and over the archipelago. Such sea lanes are defined by axis lines. Ships and

aircraft are not to deviate more than 25 nautical miles on either side of such axis lines, except in congested areas where this amount of sea room is not available, ships and aircraft must not navigate closer to the coast than 10 per cent of the distance between the nearest bordering islands. All vessels and aircraft may exercise the right of archipelagic sea lanes passage through these sea lanes. (The right of archipelagic sea lanes passage is the right to conduct continuous and expeditious transit of the archipelago in the normal mode of operation observing the same conditions applicable to transit passage through straits used for international navigation). Where an archipelagic state has not designated archipelagic sea lanes, the right of archipelagic sea lanes passage may be exercised through all routes normally used for international navigation. Archipelagic sea lanes passage may not be suspended or obstructed by the archipelagic state.

Archipelagic state

6.5 An archipelagic state is a nation consisting wholly of islands and which meets certain established criteria in UNCLOS.

Auxiliary vessel

6.6 An auxiliary vessel is a vessel, other than a warship, that is owned by or under the exclusive control of the armed forces of a state and used for the time being on government non-commercial service.

High seas

6.7 High seas are those waters seaward of declared territorial waters and EEZ.

Innocent passage

6.8 All vessels may exercise the right of innocent passage in the territorial seas of foreign nations. The right of innocent passage entitles a vessel to traverse a foreign nation's territorial sea continuously and expeditiously without entering internal waters unless it is proceeding to or from internal waters. Submarines are to navigate on the surface and fly state flag. Passage is innocent so long as it is not prejudicial to the peace, good order or security of the coastal state. Activities inconsistent with innocent passage include:

- the threat or use of force against the territorial integrity or political independence of the coastal state;
- any exercise or practice with weapons;
- intelligence collection activities;

- the carrying out of research or survey activities;
- the launching, landing or taking on board of military devices or aircraft; or
- any other activity not having a direct bearing on passage.

Innocent passage may be temporarily suspended by the coastal state in specified areas of the territorial sea if such suspension is essential for the protection of its security. Innocent passage does not apply to aircraft.

Innocent passage in archipelagic waters

6.9 Vessels transiting archipelagic waters outside archipelagic sea lanes or routes normally used for international navigation, as the case may be, have the right of innocent passage through these waters. This right of innocent passage may be temporarily suspended by the coastal state for reasons essential to the protection of its security, including weapons practice and military exercises. Such a temporary suspension must be published in 'Notices to Mariners'.

International waters

6.10 International waters include all areas of the ocean not subject to territorial sovereignty. All waters seawards of the territorial sea are international waters in which high seas freedoms of navigation and overflight apply. International waters thus include contiguous zones, EEZ and the high seas.

Vessel

6.11 Every description of water craft, including non-displacement craft and seaplanes, used or capable of being used as a means of transportation on water.

Warship

6.12 A warship is a ship belonging to the armed forces of a state bearing the external marks distinguishing such ships of its nationality, under the command of an officer duly commissioned by the government of that state and whose name appears in the appropriate Service list or its equivalent, and manned by a crew which is under armed forces discipline.

AREAS OF NAVAL OPERATIONS

General area of naval operations

6.13 Hostile actions by naval forces may be conducted in, on or over:

- the territorial sea and internal waters, the land territories, the EEZ, the continental shelf and, where applicable, the archipelagic waters of belligerent states;
- the high seas; and
- the EEZ, the contiguous zone and the continental shelf of neutral states (*see* chapter 11—'Rights and duties of neutrals').

6.14 In carrying out operations, commanders should endeavour to avoid conducting hostile actions in marine areas containing:

- rare or fragile ecosystems; or
- the habitat of depleted, threatened or endangered species or other forms of marine life.

6.15 In carrying out operations in areas where neutral states enjoy sovereign rights or jurisdiction, belligerents shall have due regard for the legitimate rights and duties of those neutral states (*see* chapter 11).

Immediate area of naval operations

6.16 Within the immediate area or vicinity of naval operations, a belligerent may establish special restrictions upon the activities of neutral vessels and aircraft and may prohibit altogether such vessels and aircraft from entering the area. Neutral vessels and aircraft which fail to comply with a belligerent's orders expose themselves to the risk of being fired upon or captured. This traditional belligerent right to control neutral vessels and aircraft in the immediate area or vicinity of naval operations should be distinguished from the concept of exclusion zones (EZ).

6.17 Within the immediate area or vicinity of naval operations, a commanding officer of a belligerent warship may exercise control over the communications of any neutral merchant vessel or aircraft whose presence might otherwise endanger the success of the belligerent operation. Legitimate distress communications by neutral vessels and aircraft should be permitted if they do not prejudice the success of operations.

PASSAGE RIGHTS DURING ARMED CONFLICT AT SEA

Internal waters, territorial sea and archipelagic waters

6.18 Neutral waters consist of the internal waters, territorial sea, and, where applicable, the archipelagic waters of neutral states. Within and over neutral waters, including neutral waters comprising an international strait and waters in which the right of archipelagic sea lanes passage may be exercised, hostile actions by belligerent forces are forbidden. Hostile actions for this purpose include:

- attack on or capture of persons or objects located in, on or over neutral waters or territory;
- use as a base of operations, including attack on or capture of persons or objects located outside neutral waters, if the attack or seizure is conducted by belligerent forces located in, on or over neutral waters;
- laying of mines; and
- visit, search, diversion or capture.

These prohibitions on hostile actions by belligerent forces in neutral waters do not include the exercise of the right of unit self-defence when units are subjected to a hostile act or demonstration of hostile intent. In such circumstances proportionate use of force in self-defence may be exercised no matter where a unit finds itself.

6.19 In addition, belligerent forces may not use neutral waters as a sanctuary.

6.20 A neutral state may, without discrimination, place conditions on, restrict or prohibit the entrance to or passage through its internal waters, territorial waters and archipelagic waters outside archipelagic sea lanes by belligerent warships and auxiliary vessels. A neutral state may also, without jeopardising its neutrality, permit within its neutral waters:

- passage through its territorial sea and where applicable its archipelagic waters, by warships, auxiliary vessels and prizes of belligerent states;
- replenishment by a belligerent warship or auxiliary vessel of its food, water and fuel sufficient to reach a port in its own territory; and
- repairs of belligerent warships or auxiliary vessels found necessary by the neutral state to make them seaworthy but not to restore or increase their fighting strength.

6.21 A belligerent warship or auxiliary vessel may not extend the duration of its passage through neutral waters, or its presence in those waters for replenishment or repair, for longer than 24 hours unless unavoidable on account of damage or weather.

International straits and archipelagic sea lanes

6.22 The rights of transit passage and archipelagic sea lanes passage applicable to international straits and archipelagic waters in peacetime continue to apply in time of armed conflict. Belligerent and neutral surface ships, submarines in normal mode and aircraft have the rights of transit passage and archipelagic sea lanes passage through, under and over all straits and archipelagic waters to which these rights apply. Neutral states may not suspend, hamper or otherwise impede the right of transit passage nor the right of archipelagic sea lanes passage.

6.23 A belligerent in transit passage through, under or over a neutral international strait, or in archipelagic sea lanes passage through, under or over neutral archipelagic waters, is required to proceed without delay, to refrain from the threat or use of force against the territorial integrity or political independence of the neutral littoral or archipelagic state and otherwise to refrain from any hostile actions or other activities not incidental to their transit.

6.24 Belligerents passing through, under or over neutral straits or archipelagic sea lanes are permitted to take defensive measures consistent with their security, including launching and recovery of aircraft, screen formation steaming, and acoustic and electronic surveillance. Belligerents in transit or archipelagic sea lanes passage may not, however, conduct offensive operations against enemy forces, nor use such neutral waters as a place of sanctuary or base of operations.

6.25 In time of armed conflict, belligerent and neutral surface ships and submarines also continue to have the right of non-suspendable innocent passage, ascribed to certain international straits by international law.

MEANS AND METHODS OF ARMED CONFLICT AT SEA

6.26 In conducting hostilities at sea, surface ships, submarines and aircraft are bound by the same principles and rules outlined in chapter 2. The use of weapons in armed conflict at sea must comply with the principles of necessity, unnecessary suffering and proportionality as well as the duty to avoid indiscriminate attacks and the taking of all reasonable precautions to avoid loss of civilian lives and damage to civilian objects. As with any armed conflict, the right of the parties to the conflict to choose the means or methods of warfare is not unlimited.

Means of armed conflict at sea

6.27 Mines. Mines may only be used in armed conflict at sea for legitimate military purposes, including the denial of sea areas to the enemy. Mines may not be laid off coasts with the sole object of intercepting commercial shipping. The parties to the conflict shall not lay mines unless effective neutralisation occurs when they have become detached or control over them is otherwise lost. In the case of free floating mines, they should not be used unless they are directed against a military objective and they become harmless within an hour after loss of control over them.

6.28 Belligerents are to record the locations where they have laid sea mines to ensure accurate notification of danger areas to shipping of other states and facilitate subsequent removal or deactivation. Mining of neutral waters by a belligerent should not occur. Mining operations in the internal waters, territorial sea or archipelagic waters of a belligerent state should provide, when the mining is first executed, for free exit of shipping of neutral states. Where mines are laid in international waters, belligerents should pay due regard to the legitimate uses of international waters by providing safe alternative routes for passage of neutral shipping. Likewise, transit passage through international straits and archipelagic sea lanes should not be impeded by belligerent minelaying unless safe and convenient alternative routes are provided.

6.29 Following an armed conflict, parties to the conflict are obliged under international law to do their utmost to remove or render harmless the mines they have laid and to cooperate with other states and international organisations to remove sea mines and render them harmless.

6.30 Torpedoes. Torpedoes should only be employed in armed conflict at sea if they sink or otherwise become harmless when they have completed their run.

6.31 Missiles and other projectiles. These means of armed conflict at sea, including those with over the horizon capabilities, may be used in conformity with the principles of target discrimination contained in chapter 5—'Targeting'.

Methods of armed conflict at sea

6.32 Exclusion zones. Maritime exclusion zones (MEZ), variously referred to as defensive sea areas, total EZ, maritime control areas or operational zones, are areas of ocean space from which a belligerent declares some or all types of ships or aircraft to be excluded. MEZ must be distinguished from EEZ which bear no relationship to armed conflict at sea. An MEZ may be moving or stationary and is sometimes declared to include the airspace above

it. MEZ differ from the immediate area of naval operations because they normally encompass quite large water areas and are not confined to areas in the close vicinity of naval operations.

6.33 There is no specific international law treaty provision referring to MEZ, however, their use has acquired a degree of validity under customary international law. The International Military Tribunal at Nuremberg held that establishment of EZ in which neutral merchant ships were subjected to a 'sink on sight' policy was illegal. However, the Tribunal implicitly accepted the legitimacy of an EZ in which belligerent merchant ships were subjected to a sink on sight policy where such ships were incorporated into the belligerent war effort.

6.34 The establishment of an MEZ does not relieve the belligerent of its duties under IHL to avoid adversely affecting the legitimate uses of defined areas of ocean space. Where a belligerent establishes an MEZ the following conditions should apply:

- The extent, location and duration of the zone and the measures imposed should not exceed what is strictly required by military necessity and the principle of proportionality.
- Due regard must be given to the rights of neutral states in their exercise of the legitimate uses of the seas.
- The commencement, duration, location and extent of the zone, as well as the restrictions imposed, must be publicly declared and appropriately notified to other states.
- Necessary safe passage through the zone for neutral vessels and aircraft should be provided:
  - where the geographical extent of the zone significantly impedes free and safe access to the ports and coasts of a neutral state; or
  - in other cases where normal navigation routes are affected, except where military requirements do not permit.

6.35 Ruses of war and perfidy in armed conflict at sea. The basic definitions applicable to ruses of war and perfidy in armed conflict on land also apply to these methods of warfare at sea. However, there are some methods of lawful and unlawful deception peculiar to the naval environment. Warships and auxiliary vessels may fly a false flag up until the moment of launching an attack but are prohibited from launching an attack whilst flying a false flag, and at all times from actively simulating the status of:

- hospital ships, small coastal rescue craft or medical transports;

- vessels on humanitarian missions;
- passenger vessels carrying civilian passengers;
- vessels protected by the United Nations (UN) flag;
- vessels guaranteed safe conduct between the parties, including cartel vessels;
- vessels entitled to be identified by the emblem of the Red Cross, Red Crescent or Red Crystal; or
- vessels engaged in transporting cultural property under special protection.

6.36 Perfidious acts also include the launching of an attack while feigning:

- exempt, civilian, neutral or protected UN status; or
- surrender or distress, eg by sending a distress signal or by the crew taking to life rafts.

RESTRICTIONS ON TARGETING

6.37 As outlined in chapter 5, the principle of distinction applies equally to armed conflict at sea. Attacks must be directed only at military objectives. In common with land warfare, maritime 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 neutralisation, in the circumstances ruling at the time, offers a definite military advantage. Merchant vessels and civil aircraft are civilian objects unless they are military objectives. Principles of neutrality are described in chapter 11.

6.38 Enemy warships and military aircraft. Enemy warships, auxiliary vessels and military aircraft are military objectives and may be attacked unless contained in the list of exempt categories of vessels and aircraft given below.

6.39 Enemy merchant vessels. Enemy merchant vessels may only be attacked if they meet the definition of military objective given above. The following activities may render enemy merchant vessels military objectives:

- engaging in belligerent acts on behalf of the enemy;
- acting as an auxiliary to an enemy's armed forces, eg carrying troops or replenishing warships;

- being incorporated into or assisting the enemy's intelligence gathering system;
- sailing under convoy of enemy warships or military aircraft;
- refusing an order to stop or actively resisting visit, search or capture;
- being armed to an extent that could inflict damage to a warship; and
- otherwise making an effective contribution to military action.

6.40 Enemy civil aircraft. Enemy civil aircraft may likewise only be attacked if they meet the definition of a military objective. The following activities may render enemy civil aircraft military objectives:

- engaging in acts of war on behalf of the enemy;
- acting as an auxiliary aircraft to an enemy's armed forces, eg transporting troops or military cargo or refuelling military aircraft;
- being incorporated into or assisting the enemy's intelligence gathering system;
- flying under the protection of accompanying enemy warships or military aircraft;
- being armed with air-to-air or air-to-surface weapons; or refusing an order to identify itself, divert from its track, or proceed for visit and search to a belligerent airfield that is safe for the type of aircraft involved and reasonably accessible, or operating fire control equipment that could reasonably be construed as part of an aircraft weapon system, or on being intercepted clearly manoeuvring to attack the intercepting belligerent aircraft; or
- otherwise making an effective contribution to military action.

6.41 Neutral merchant vessels. Merchant vessels flying the flag of neutral states may not be attacked unless they:

- are believed on reasonable grounds to be carrying contraband or breaching a blockade, and after prior warning they intentionally and clearly refuse to stop, or intentionally and clearly resist visit, search or capture;
- engage in belligerent acts on behalf of the enemy;
- act as auxiliaries to the enemy's armed forces;
- are incorporated into, or assist the enemy's intelligence gathering system;

- sail under convoy of enemy warships or military aircraft; or
- otherwise make an effective contribution to the enemy's military action, eg by carrying military material, and it is not feasible for the attacking forces to first place passengers and crew in a place of safety.

6.42 The mere fact that a neutral merchant vessel is armed provides no grounds for attacking it.

6.43 Neutral civil aircraft. Civil aircraft bearing the marks of neutral states may not be attacked unless they:

- are believed on reasonable grounds to be carrying contraband and, after prior warning or interception, they intentionally and clearly refuse to divert from their destination, or intentionally and clearly refuse to proceed for visit and search to a belligerent airfield that is safe for the type of aircraft involved and reasonably accessible;
- engage in belligerent acts on behalf of the enemy;
- act as auxiliaries to the enemy's armed forces;
- are incorporated into or assist the enemy's intelligence gathering system; or
- otherwise make an effective contribution to the enemy's military action.

6.44 Classes of vessels exempt from attack. The following classes of enemy vessels are exempt from attack:

- hospital ships;
- small craft used for coastal rescue operations and other medical transports;
- vessels granted safe conduct by agreement between the belligerent parties including:
  - cartel vessels, eg vessels designated for and engaged in the transport of prisoners of war (PW); and
  - vessels engaged in humanitarian missions including vessels carrying supplies indispensable to the survival of the civilian population, and vessels engaged in relief actions and rescue operations;
- vessels engaged in transporting cultural property under special protection;

- passenger vessels when engaged only in carrying civilian passengers;
- vessels charged with religious, non-military scientific or philanthropic missions (vessels collecting scientific data with likely military application are not protected);
- small coastal fishing vessels and small boats engaged in local coastal trade;
- vessels designed or adapted exclusively for responding to pollution incidents in the maritime environment;
- vessels which have surrendered; and
- life rafts and lifeboats.

6.45 The above vessels are exempt from attack only if they:

- are innocently employed in their normal role,
- submit to identification and inspection when required, and
- do not intentionally hamper the movement of combatants and obey orders to stop or move out of the way when required.

MEASURES OF NAVAL WARFARE AGAINST TRADE

Visit and search of merchant vessels

6.46 In exercising their legal rights in international armed conflict at sea, belligerent warships and military aircraft have a right to visit and search merchant vessels outside neutral waters in order to determine their character (enemy or neutral), the nature of their cargo, their manner of employment and other facts which bear on their relationship to the armed conflict. Historically, visit and search was considered the only legally acceptable method for determining whether a merchant vessel was subject to capture. It is now recognised that changes in warfare may render this method either hazardous or impracticable in some circumstances.

6.47 Procedures for visit and search. In the absence of special instructions issued during a period of armed conflict, the following procedures should be adhered to:

- In general, a belligerent's right of visit and search should be exercised with tact and consideration.

- Before summoning a vessel to lie to, a warship's own flag should be hoisted. The summons should be made by firing a blank charge, international flag signal or other recognised means. The summoned vessel, if neutral, is bound to stop, lie to and display its colours; if an enemy, it may resist by force, but thereby assumes all risks of resulting damage. On the other hand, a neutral merchant vessel is obliged not to resist the belligerent's right of visit and search.

- If a summoned vessel takes flight, it may be pursued and brought to by forcible means.

- When a summoned vessel is brought to, a boat with at least one officer is to be sent to conduct the visit and search. Arming of the officers and the boat's crew is left to the discretion of the commanding officer of the visiting ship.

- If visit and search at sea of a neutral merchant vessel is deemed hazardous or impracticable, the neutral vessel may be escorted by the summoning vessel, or by another vessel, to the nearest place where search may be made.

- A boarding officer should first examine a ship's papers in order to determine its character, ports of departure and destination, nature of its cargo and employment, and other essential facts. Ship's papers generally found on board a merchant vessel include:

  – certificate of registry of nationality;

  – crew list;

  – passenger list;

  – log book;

  – bill of health;

  – clearance;

  – charter party, if chartered;

  – invoices or manifest of cargo;

  – bills of lading; and

  – a consular declaration certifying the innocence of the cargo may be included.

- Evidence furnished by papers against a vessel may be taken as conclusive:

  – Regularity of papers and evidence of innocence of cargo or destination furnished by papers are not necessarily conclusive, and if any doubt exists, the personnel of the vessel are to be questioned and a search made, if practical, of the ship or cargo. If search, under suspicious circumstances, does not satisfy a boarding officer, the vessel is to be captured and sent in for adjudication to the nearest port of the belligerent apprehending.

- Unless military security prohibits, the boarding officer must record in the log book the facts concerning the visit and search of the vessel, including the date and position. The entry in the log book should be authenticated by the signature and rank of the boarding officer. Neither the names of the visiting vessel nor the name and rank of the commanding officer are to be disclosed.

Exemptions from visit and search of merchant vessels

6.48 A neutral merchant vessel is exempt from the right of visit and search, if:

- it is bound for a neutral port;

- it is under the convoy of an accompanying neutral warship of the same nationality or a neutral warship of a state with which the flag state of the merchant vessel has concluded an agreement providing for such convoy;

- the flag state of the neutral warship warrants that the neutral merchant vessel is not carrying contraband or otherwise engaged in activities inconsistent with its neutral status; and

- the commander of the neutral warship provides, if requested by the commander of an intercepting belligerent warship or military aircraft, all information as to the character of the merchant vessel and its cargo as could otherwise be obtained by visit and search.

6.49 In order to avoid the necessity of visit and search, belligerent states may establish reasonable measures for the inspection of cargo of neutral merchant vessels and certification that a vessel is not carrying contraband.

Contraband

6.50 Contraband consists of all goods which are destined for an enemy and which may be suspected to be of use in war. Contraband goods are divided into two categories; absolute and conditional. Absolute contraband consists of goods which are used primarily for war or goods whose very character makes them destined for use in war. Conditional contraband consists of goods which are equally suitable for use either for peaceful or warlike purposes. The distinction between absolute and conditional contraband is of declining importance, at least in major maritime conflicts, as there is a tendency to assume that all goods, which one party considers important enough to import during armed conflict must be of some value to its war effort.

6.51 On the initiation of armed conflict, belligerents may declare contraband lists setting forth the classification of articles to be regarded as contraband, as well as the distinction to be made between goods considered as absolute contraband and those considered conditional. Goods consisting of absolute contraband are liable to capture if their destination is the territory belonging to or occupied by an enemy, or the armed forces of an enemy. It is immaterial whether the carriage of such goods is direct or involves trans-shipment or transport overland. In the case of absolute contraband, a destination of territory belonging to or occupied by an enemy or its armed forces, is presumed to exist when:

- the transporting vessel is to call at an enemy port before arriving at a neutral port for which the goods are documented;
- goods are documented to a neutral port serving as a port of transit to an enemy, even though the goods are consigned to a neutral; or
- goods are consigned ‘to order’ or to an unnamed consignee, but destined to a neutral state in the vicinity of enemy territory.

6.52 Goods consisting of conditional contraband are liable to capture if destined for the use of an enemy government or its armed forces. It is immaterial whether the carriage of such goods is direct or involves trans-shipment or transport overland.

6.53 Goods not on the belligerent’s contraband lists are ‘free goods’, that are not subject to capture. As a minimum, ‘free goods’ shall include:

- religious objects;
- articles intended exclusively for treatment of the wounded and sick and prevention of disease (particulars concerning the carriage of such articles must be transmitted to the adverse party and approved by it);

- clothing, bedding, essential foodstuffs, and means of shelter for the civilian population in general, and women and children in particular, provided there is not serious reason to believe that such goods will be diverted to other purposes, or that a definite military advantage would accrue to the enemy by their substitution for enemy goods that would thereby become available for military purposes;

- items destined for PW, including individual parcels and collective relief shipments containing food, clothing, education, cultural and recreational articles;

- goods otherwise specifically exempted from capture by international treaty or by special arrangement between the belligerents; and

- other goods not susceptible for use in armed conflict.

Capture of enemy vessels and goods

6.54 Enemy vessels, whether merchant or otherwise, and goods on board such vessels may be captured outside neutral waters. Prior exercise of visit and search is not required. Categories of vessels exempt from capture correspond to those listed in paragraph 6.44. Capture of a merchant vessel is exercised by taking such vessel as a prize for adjudication. If military circumstances preclude taking such a vessel as a prize at sea, it may be diverted to an appropriate area or port in order to complete capture.

6.55 A captured enemy merchant vessel may, as an exceptional measure, be destroyed when military circumstances preclude taking, or sending such a vessel for adjudication, as an enemy prize, only if the following conditions are met beforehand:

- the safety of passengers and crew is provided for (for this purpose, the ship's lifeboats are not regarded as a place of safety unless the safety of the passengers and crew is assured in the prevailing sea and weather conditions by the proximity of land or the presence of another vessel which is in a position to take them on board);

- documents and papers relating to the prize are safeguarded; and

- if feasible, personal effects of the passengers and crew are saved.

6.56 The destruction of enemy passenger vessels carrying only civilian passengers is prohibited at sea. For the safety of the passengers, such vessels shall be diverted to an appropriate area or port in order to complete capture.

Capture of neutral merchant vessels and goods

6.57 Neutral merchant vessels are subject to capture outside neutral waters if they are engaged in any of the activities described in paragraph 6.41 or if it is determined, as a result of visit and search, or by other means, that they:

- are carrying contraband;
- are on a voyage especially undertaken with a view to the transport of individual passengers who are embodied in the armed forces of the enemy;
- are operating directly under enemy control, orders, charter, employment or direction;
- present irregular or fraudulent documents, lack necessary documents, or destroy, deface or conceal documents;
- are violating regulations established by a belligerent within the immediate area of naval operations; or
- are breaching or attempting to breach a blockade.

Capture of a neutral merchant vessel is exercised by taking such vessel as a prize for adjudication. Goods on board neutral merchant vessels may only be captured if they are contraband (*see* paragraphs 6.50 to 6.53).

6.58 A neutral vessel, which is captured in accordance with the criteria given above may, as an exceptional measure, be destroyed when military circumstances preclude taking or sending such a vessel for adjudication as an enemy prize only if the following conditions are met beforehand:

- the safety of passengers and crew is provided for (for this purpose the ship's boats are not regarded as a place of safety unless the safety of the passengers and crew is assured in the prevailing sea and weather conditions by the proximity of the land, or the presence of another vessel which is in a position to take them on board);
- documents and papers relating to the captured vessel are safeguarded; and
- if feasible, personal effects of the passengers and crew are saved.

6.59 Every effort should be made to avoid destruction of a captured neutral vessel. Destruction shall not be ordered without there being entire satisfaction that the captured vessel can neither be sent into a belligerent port, nor diverted, nor properly released. The destruction of captured neutral

passenger vessels carrying civilian passengers is prohibited at sea. For the safety of the passengers, such vessels should be diverted to an appropriate port to complete the capture.

Blockade

6.60 A blockade is a belligerent operation intended to prevent vessels of all states from entering or leaving specified coastal areas which are under the sovereignty, occupation, or control of an enemy. Such areas may include ports, harbours, the entire coastline or part of it. A blockade is accomplished by establishing a cordon which separates the enemy from international waters and airspace. A blockade by sea may be extended to include the airspace above those portions of the high seas in which the blockading forces are operating.

HISTORICAL EXAMPLE—BLOCKADE, SOUTH ASIA, WORLD WAR I

Part of Germany's plan for disruption of the British Empire in World War I was promotion of revolution in India. An Indian National Group was attached to the German General Staff in Berlin. The Group had ambitious plans for gun-running from San Francisco, the Netherlands East Indies (NEI) and Philippines to Bengal, and for releasing and arming of Indian convicts in penal settlements in the Andaman Islands to attack Rangoon. With agents throughout South-East Asia and 74 German merchant ships sheltering in neutral NEI, there was both the will and physical potential to cause serious disruption to British possessions and trade in South Asia.

Responding to an Admiralty request, the Royal Australian Navy (RAN) commissioned, armed and crewed the mothballed cruiser HMAS PSYCHE and survey vessel HMAS FANTOME in Sydney for protective duties in the Persian Gulf. The India-Burma plots caused their diversion on 04 September 1914 to join in a combined patrol in the Bay of Bengal, searching all vessels detected in the area and landing shore parties to search suspected landing areas.

Collapse of the plot in India by January 1915 shifted the centre of gravity of the blockade from British waters to the international and neutral waters east of Singapore, HMAS FANTOME moving to British Borneo, HMAS PSYCHE remaining in the Bay of Bengal.

HISTORICAL EXAMPLE—(cont)

These patrols were 'very active and admirably carried out, and the Germans find grave difficulty in developing or carrying out any plans'. After a year of this grindingly tedious work, some were relieved by the new destroyers HUON, SWAN and TORRENS, with PARRAMATTA and YARRA remaining until 1917.

These blockaders also had ongoing political problems. The countries from which German agents operated were neutral—Siam, NEI, and America's colony the Philippines. The neutral waters surrounding these countries enabled suspect traffic, posing as merchantmen, to sail coastwise and claim sanctuary in the neutral ports. Inspection of vessels was also a problem, neutral captains objecting to search in international straits and claiming neutral waters in the Archipelago. This work, in a backwater of the war, demonstrated careful, restrained execution and strong self-discipline. **(source: Official History of Australia in the War of 1914–1918 volume 9)**

Meanwhile, the RAN destroyer flotilla completed operations in the capture of German New Guinea by the Australian Naval and Military Naval Force. HMA Ships PARRAMATTA, WARREGO, YARRA and UNA were diverted to Singapore, joined there by the light cruiser HMAS ENCOUNTER from Fiji. This force patrolled from Java to Siam, based variously at the British ports of Singapore, Sandakan and the French-owned Saigon.

6.61 In order to be binding, a blockade must be established by a belligerent government. A blockade shall be declared and notified to all belligerents and neutral states. The declaration should include the date of commencement, duration, location, extent of the blockade and the period within which vessels of neutral states may leave the blockaded coastline. Notification of a blockade is an essential element in establishing whether a vessel or aircraft has breached a blockade.

6.62 A blockade must be effective. Its effectiveness is a question of fact. As a guide, however, a blockade should be maintained by a force sufficient to render ingress and egress from the blockaded area dangerous. The force maintaining the blockade may be stationed at a distance determined by military requirements. A blockade may be enforced and maintained by a combination of legitimate methods and means of warfare. A blockade must not bar access to or departure from neutral ports or coasts and must be applied equally to the vessels and aircraft of all states.

6.63 Vessels and aircraft are liable to capture for breach of blockade. Merchant vessels believed on reasonable grounds to be breaching a blockade may be captured. Merchant vessels which, after prior warning, clearly resist capture may be attacked. The liability of a blockade runner to capture begins with the commencement of its voyage or flight and terminates with the end of its journey.

6.64 Neutral warships and neutral military aircraft have no positive right of entry to a blockaded area. However, they may be allowed to enter or leave a blockaded area as a matter of courtesy. Permission to visit a blockaded area is subject to any conditions, such as the length of stay, that the blockading force may deem necessary and expedient. Neutral vessels and aircraft in urgent distress may be permitted to enter and leave a blockaded area under conditions prescribed by the commander of the blockading force.

6.65 The declaration or establishment of a blockade is prohibited if:

- it has the sole purpose of starving the civilian population or denying it other objects essential for its survival; or
- the damage to the civilian population is, or may be expected to be, excessive in relation to the concrete and direct military advantage anticipated from the blockade.

6.66 If the civilian population of the blockaded territory is inadequately provided with food and other objects essential for its survival, the blockading party must provide for free passage of such foodstuffs and other essential supplies, subject to:

- the right to prescribe the technical arrangements, including search, under which such passage is permitted; and
- the condition that the distribution of such supplies shall be made under the local supervision of a Protecting Power or a humanitarian organisation which offers guarantees of impartiality.

6.67 The blockading belligerent shall allow the passage of medical supplies for the civilian population or for the wounded and sick members of armed forces, subject to the right to prescribe technical arrangements, including search, under which such passage is permitted.

RESCUE AND CARE OF THE WOUNDED, SICK AND SHIPWRECKED IN ARMED CONFLICT AT SEA

6.68 General rules. All possible measures are to be taken to search for and collect the shipwrecked, wounded and sick in armed conflict at sea and ensure their adequate care in accordance with the provisions of the Second Geneva Convention (G. II) and Additional Protocol I. Rescued personnel shall be respected and protected. The parties to an armed conflict at sea may agree for humanitarian purposes to create a zone in a defined area of the sea in which only activities consistent with those humanitarian purposes are permitted.

6.69 Protected persons. Persons on board vessels and aircraft having fallen into the power of a belligerent or neutral shall be respected and protected. Members of the crews of hospital ships may not be captured during the time they are in the service of these vessels. Members of the crews of rescue craft may not be captured while engaging in rescue operations. Religious and medical personnel assigned to the spiritual and medical care of the wounded, sick and shipwrecked shall not be considered PW. They may however, be retained as long as their services are required for PW.

6.70 Nationals of an enemy state, in the context of armed conflict at sea are entitled to PW status if they are:

- members of the enemy's armed forces;
- persons accompanying the enemy's armed forces;
- crew members of auxiliary vessels;
- crew members of enemy merchant vessels; or
- crew members of neutral merchant vessels that have taken a direct part in the hostilities on the side of the enemy or served as an auxiliary of the enemy.

6.71 Nationals of a neutral state:

- who are passengers on board enemy or neutral vessels are to be released and may not be made PW unless they are members of the enemy's armed forces or have committed acts of hostility against the enemy;
- who are members of the crew of enemy warships or auxiliary vessels are entitled to PW status; and
- who are members of the crew of enemy or neutral merchant vessels are to be released and may not be made PW unless the vessel or the

crew member has personally committed an act of hostility against the captor.

6.72 Medical transports. In order to provide maximum protection for hospital ships from the moment of the outbreak of hostilities, states may beforehand give general notification of the characteristics of their hospital ships as specified in Article 22 of G. II. Hospital ships may be equipped with purely passive means of defence, such as chaff and flares. The presence of such equipment should be notified. In order to fulfil their humanitarian mission, hospital ships should be permitted to use cryptographic equipment provided such equipment is not used to transmit intelligence data nor in any other way to acquire military advantage.

CHAPTER 7

LAND OPERATIONS AND THE LAW OF ARMED CONFLICT

Executive summary

- The law of armed conflict (LOAC) allows certain methods of combat to be used to engage the enemy such as surprise and camouflage. Other methods are prohibited such as perfidy and improper use of protected symbols.
- The three principles of military necessity, avoidance of unnecessary suffering and proportionality must be obeyed during land operations.

INTRODUCTION

7.1 The purpose of this chapter is to state the legal rules concerning the conduct of military operations on land. Reference should be made to chapter 2—'Principles of the law of armed conflict', where the basic principles of the LOAC are outlined. chapter 4—'Weapons', chapter 5—'Targeting', chapter 9—'Protected persons and objects' and chapter 10—'Prisoners of war and detained persons' contain specific guidance on those particular areas.

METHODS OF COMBAT

Stratagems and ruses

7.2 Ruses of war and the employment of measures necessary for obtaining information about the enemy and the enemy country are permissible. Ruses of war are used to obtain an advantage by misleading the enemy. They are permissible provided they are free from any suspicion of treachery or perfidy. Legitimate ruses include surprises, ambushes, camouflage, decoys, mock operations and misinformation. Psychological operations are also permitted.

Perfidy

7.3 **Perfidy is forbidden.** Acts which constitute perfidy are those inviting the confidence of an adversary, thus leading that adversary to believe that there is an entitlement, or an obligation, to accord protection provided under the LOAC, with an intent to betray that confidence. Acts which constitute perfidy include feigning of:

- an intent to negotiate under a flag of truce or surrender;
- an incapacitation by wounds or sickness;
- civilian or non-combatant status; and
- protected status by the use of protective symbols, signs, emblems or uniforms of the United Nations (UN) or of neutral or other states not involved in the conflict.

7.4 Difference between perfidy and ruses. It would be perfidious, for example, to falsely declare to the enemy that an armistice had been signed so as to gain the element of surprise for a subsequent attack. It would be lawful however, for a few soldiers to summon an enemy force to surrender on the false ground that it was surrounded, or to threaten bombardment when no guns were actually in place. To demand a cease-fire and then to break it by surprise, or to violate a safe conduct or any other agreement, in order to kill, wound or capture enemy troops would be perfidious. On the other hand, it has been considered a legitimate ruse to utilise an informal cease-fire for the purpose of collecting wounded and dead (which is sometimes arranged during a battle) to withdraw unseen by the enemy.

Improper use of protective symbols and emblems

7.5 It is prohibited to improperly use the distinctive emblem of the Red Cross, Red Crescent or Red Crystal. Deliberate misuse of other protective symbols and emblems, signs and signals, including the flag of truce and the protective emblem of cultural property, is also prohibited. Use of the distinctive emblem of the UN is prohibited except as authorised by the UN.

7.6 In armed conflict it is prohibited to use flags, military emblems, insignia or uniforms of neutral or other nations not party to the conflict. It is also prohibited to use the flags or military emblems, insignia or uniforms of the enemy while engaging in attacks or in order to shield, favour, protect or impede military operations. Enemy uniforms may otherwise be worn. Any soldier who is captured not wearing a military uniform risks being treated as a spy.

Quarter must be granted

7.7 It is prohibited to order that no prisoners will be taken, threaten an enemy that such an order will be given or conduct hostilities on the basis that no prisoners will be taken. Ambiguous orders, such as, ‘take that objective at any cost’ should be avoided.

Persons 'hors de combat'

7.8 Those who do not participate in hostilities must not be the direct object of an attack. Soldiers who are 'out of combat' and civilians are to be treated in the same manner and cannot be made the object of attack. A person is *hors de combat* if that person:

- is under the control of an enemy;
- clearly expresses an intention to surrender; or
- has been rendered unconscious, or is otherwise incapacitated by wounds or sickness, and therefore incapable of defending himself.

Provided that person abstains from any hostile act and does not attempt to escape.

7.9 Other persons who are not taking a direct part in hostilities are also considered to be out of combat. Those persons include medical personnel, chaplains and any person parachuting from an aircraft in distress.

Starvation and devastation—scorched earth

7.10 Starvation of civilians as a method of warfare is prohibited. Objects indispensable to the survival of the civilian population cannot be attacked, destroyed, removed or rendered useless for the specific purpose of denying them for their sustenance value to the civilian population, such as foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works. This includes starving civilians or causing them to move away.

7.11 Foodstuffs and agricultural areas producing them, crops, livestock and supplies of drinking water intended for the sole use of the armed forces may be attacked and destroyed. Extreme care will need to be exercised when making some objectives a military target, eg drinking water installations, as such objects are likely not used solely for the benefit of armed forces.

7.12 When objects are used for a purpose other than sustenance of members of the armed forces but such use is in direct support of military action, attack on such objects is lawful unless that action can be expected to leave the civilian population with such inadequate food or water as to cause its starvation or force its movement.

7.13 It is permissible to destroy objects which are indispensable to the survival of the civilian population in the course of ordinary military operations only if it is militarily imperative to do so, for example, to destroy a wheat field to deny concealment to enemy forces, because this is a tactical measure and does not amount to a scorched earth policy.

Protection of the environment

7.14 Any method or means of warfare which is planned, or expected, to cause widespread, long-term and severe damage to the natural environment and thereby jeopardise the survival or seriously prejudice the health of the population is prohibited. In this context, 'long-term' means continuing for decades. Means or methods which are not expected to cause such damage are permitted even if damage results.

7.15 Australia, as a signatory to the UN's Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification (ENMOD) Techniques has undertaken not to engage in any military or hostile use of ENMOD techniques which would have widespread, long lasting or severe effects as the means of destruction, damage or injury to any other state which is a party to the Convention.

7.16 For the purposes of ENMOD, the terms 'widespread', 'long lasting', and 'severe' are interpreted as follows:

- 'widespread': encompassing an area on the scale of several hundred square kilometres;
- 'long lasting': lasting for a period of months, or approximately a season; and
- 'severe': involving serious or significant disruption or harm to human life, natural economic resources or other assets.

7.17 ENMOD techniques are defined by ENMOD as any technique for changing, through deliberate manipulation of natural processes, the dynamics, composition or structure of the earth, including:

- animal and plant life (forbidding long-term defoliation and the like);
- the earth's crust (forbidding artificial earthquakes);
- the earth's water surface; and
- the gaseous envelope surrounding the earth.

Espionage and sabotage

7.18 International law recognises the right of belligerents to employ spies and other secret agents to obtain information about the enemy. Espionage is the clandestine collection of information behind enemy lines or in the area of operations with the intention of communicating that information to a hostile party to the conflict. A member of an armed force who is in territory controlled by an adverse party to a conflict gathering, or attempting to gather,

information is not considered as a spy if that person is wearing a military uniform. Any person captured while engaging in espionage is not entitled to the status of prisoner of war (PW) and is liable to be tried by the civil courts of the adversary.

7.19 Sabotage is permitted if directed against a legitimate military objective. Saboteurs in uniform are combatants and entitled to PW status if captured. Civilian saboteurs or saboteurs not in uniform are not so protected. Generally speaking, saboteurs are persons operating behind the lines of the enemy to commit acts of destruction. If they are operating in civilian clothing they are liable to be treated as spies.

7.20 Members of forces participating in acts of espionage or sabotage should wear uniform whenever possible while in enemy or enemy-occupied territory. Otherwise, they run the risk of being treated as spies if captured.

7.21 Civilian residents of occupied territory who commit sabotage or espionage in that territory may be punished if captured. This does not apply to members of:

- national liberation movements engaged in a conflict seeking self-determination;
- resistance or properly organised guerrilla movements; and
- a levee en masse while acting in those capacities.

These people are to be treated as PW.

7.22 A person engaged in gathering intelligence and captured in an aircraft or vessel while dressed in civilian clothes may only be charged with espionage if they are engaged in such activities. However, the crew of an aircraft carrying spies cannot be treated as spies in the absence of clear evidence that they are spying.

7.23 Should combatants, including personnel from crashed aircraft, wear civilian clothing to facilitate escape, the burden of proving they are not spies is upon them. When the question arises as to whether a captive is to be treated as a PW, the person should be presumed to be a PW and given that status until the contrary is proved.

7.24 Persons assisting the escape of saboteurs, spies, aircrew or escaped PW are liable to face trial in accordance with the national laws of the belligerent against whose interests they have been acting, or if within occupied territory, in accordance with the law of the occupying authority. They may be accused of espionage even though their acts do not technically fall within this definition and may jeopardise any civilian or other protected status they may have. Offenders are entitled to a proper trial.

Assassination

7.25 Assassination is the sudden or secret killing by treacherous means of an individual who is not a combatant, by premeditated assault, for political or religious reasons. Assassination is unlawful. In addition, it is prohibited to put a price on the head of an enemy individual. Any offer for an enemy 'dead or alive' is forbidden. If prior information of an intended assassination or other act of treachery should reach the party on whose behalf the act is to be committed, that party should endeavour to prevent its occurrence.

7.26 The prohibition against assassination is not to be confused with attacks on individual members of the enemy's armed forces as those persons are combatants and are legitimate military targets.

Undefended localities

7.27 The attack or bombardment, by whatever means, of towns, villages, dwellings, or buildings which are undefended is prohibited. The reason for this rule is that there is no military need to attack a place that is not being defended. It can simply be occupied without resistance or bypassed. The concept of an undefended place does not apply to places in rear areas behind enemy lines. It applies only to places that are open to occupation by ground forces.

Non-defended locality

7.28 It is prohibited for parties to a conflict to attack, by any means whatsoever, non-defended localities.

7.29 The parties to the conflict may declare as a non-defended locality any inhabited or uninhabited place near or in a zone where armed forces are in contact which is open for occupation by an adverse party. In order to be considered a non-defended locality, the following conditions must be fulfilled:

- all combatants, weapons and military equipment, must have been evacuated or neutralised;
- no hostile use is made of fixed military installations or establishments;
- no acts of hostility are to be committed by the authorities or the population; and
- no activities in support of military operations shall be undertaken.

HISTORICAL EXAMPLE—NON-DEFENDED LOCALITY, VIETNAM 1970



Figure 7–1: Cordon and search of a village, South Vietnam 1970

Villages suspected of harbouring enemy soldiers and equipment were surrounded, and then systematically searched, with interrogation of the inhabitants on enemy intelligence. This Montagnard village has been cordoned and searched by a mobile strike force battalion; the Australian Army Training Team Vietnam officer commanding the battalion and an interpreter are questioning the village headman.

As non-defended localities, no force was used against villages unless initiated from within it by enemy occupants. Civil and medical assistance was provided to the inhabitants. **(source: Australian War Memorial FAI/70/0590/VN)**

7.30 The presence in this locality of protected persons and police forces retained for the sole purpose of maintaining law and order, does not change the character of a non-defended locality.

7.31 The declaration of a non-defended locality must describe the geographical limits of the locality and be addressed to the relevant party to the conflict which must acknowledge its receipt and from that time treat the locality as a non-defended locality unless the conditions for establishment of the locality are not met. In that case, the locality continues to enjoy the protection provided by other provisions of Additional Protocol I and other rules of international law applicable in armed conflict.

7.32 The parties to the conflict may also agree to grant the status of a non-defended locality to a particular area even if the conditions referred to in paragraph 7.29 are not fulfilled. Although there is no specific format or content for any such agreement, the principal points should be:

- the exact geographical limits of the area;
- the date and time of entry into force;
- the duration;
- the rules on marking the limits of the area and the type of marking to be used;
- persons or classes of persons authorised to enter the locality;
- if necessary, the methods of supervision; and
- the ultimate fate of the locality and the possible conditions under which the area may be occupied by enemy troops.

7.33 Non-defended localities are to be signposted and although the status may be lost when the conditions upon which it was established are no longer being satisfied, the locality shall continue to enjoy any other protection afforded by the LOAC.

7.34 Even though all the conditions are not met, the parties may agree between themselves to treat an area as a non-defended locality. The agreement should be in writing and should specify the exact geographical limits of the locality, the date and time of the entry into force of the agreement and its duration, rules on marking the locality and agreed signs, persons authorised to enter the locality, methods of supervision (if any), whether and under what conditions the locality may be occupied by enemy troops.

Siege warfare

7.35 Attack on towns, villages, habitations or buildings that are undefended is prohibited unless they have become military objectives.

7.36 If the attack is likely to affect the civilian population, the commander of an attacking force shall give effective advance warning unless circumstances do not permit. If there are non-combatants in the locality, the anticipated collateral damage must not be excessive in relation to the concrete and direct military advantage expected to result from the bombardment. Buildings devoted to religion, art, science and charity, hospitals and places where the sick and wounded are collected, should not be made the specific subject of attack unless they are being used for military purposes, subject to

warning requirements. The besieged population should indicate by visible signs the buildings or places to be protected and should notify the attacking force of these signs.

7.37 Diplomatic and consular personnel of a neutral nation should not be prevented from leaving a besieged place before hostilities commence. This privilege cannot be claimed while hostilities are in progress. Should they voluntarily decide to remain, they are subject to the same risks as other inhabitants.

7.38 The commander of the besieging force has the right to forbid all communications and access outside the besieged place. The opposing parties are required to try and conclude local agreements for the removal from besieged or encircled areas of wounded, sick, infirm and aged persons, children and maternity cases, and for the passage of ministers of all religions, medical personnel and medical equipment on their way to such areas. Similar considerations are made for the passage of consignments of medical and hospital stores and objects necessary for the religious worship of civilians and of essential foodstuffs, clothing and tonics intended for children under 15, expectant mothers and maternity cases.

7.39 The commander of a besieging force is not required to permit non-combatants to leave a besieged locality. A commander cannot direct fire at non-combatants who attempt to leave or enter a besieged place.

Demilitarised zone

7.40 Demilitarised zones are areas in which, by express agreement between the parties to the conflict, military operations are not conducted. The aim of these zones is common to that of non-defended localities. The differences between the two areas relate to how they are established and their situation. A non-defended locality may be created by unilateral declaration, whereas a demilitarised zone is created by express agreement between the parties. From the commander's point of view, protection granted to each zone is identical. Therefore, as long as sufficient notice is given of the zones and they are adequately marked, they are protected from attack.

Civil affairs

7.41 Commanders should give consideration to establishment of civil affairs units or teams to aid military operations by providing a means of communication between local authorities and military forces to assist in ensuring that planning and conduct of operations is in accordance with obligations under the LOAC. Areas in which civil affairs teams or units may support commanders include:

- assisting the commander in meeting legal and moral obligations to the civilian population (eg liaison, advice, coordination, warning);

- advising the commander on civil affairs aspects of current and proposed plans and operations;
- advising the commander on actions to minimise civilian interference with military operations; and
- identifying and coordinating acquisition of local resources.

Law of armed conflict profiles

7.42 The LOAC profiles should be prepared where possible for populated areas within an area of operations, to be included in the operational planning process. A LOAC profile format is in annex A.

PROPERTY ON THE BATTLEFIELD

Destruction or seizure of civilian property

7.43 Public and private property. The destruction or seizure of civilian property, whether it belongs to private individuals or the state, to other public authorities or to social or cooperative organisations is permitted if imperative for military purposes. Otherwise such action is forbidden.

7.44 Municipal, religious, charitable and cultural property. The property of municipalities and that of institutions dedicated to religion, charity, education, the arts and sciences is treated as private property and any seizure or destruction of that property is prohibited. If that property is located in any area that is subject to seizure or bombardment, then it must be secured against all avoidable damage and injury.

Booty

7.45 All enemy military equipment captured or found on a battlefield is known as booty and becomes the property of the capturing state. Booty includes all articles captured with PW and not included under the term ‘personal effects’. Personal effects are considered to be those items listed in paragraph 10.35.

Pillage

7.46 Pillage, the violent acquisition of property for private purposes, is prohibited. In this regard the pillage of a town or place, even when taken by assault, is prohibited.

Annex:
A. Law of armed conflict profile format

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Item 3 Document 1

LAW OF ARMED CONFLICT PROFILE FORMAT

LOAC PROFILE FOR OPERATIONS IN THE ..... AREA

1. Civilian population:

a. What is the populated area?

b. What are the concentration centres of the population and what are their geographic parameters?

c. What materials are used, in the majority of cases, for the construction of domestic dwellings?

d. What objects are indispensable to the civilian population and where are they?

2. Protected objects:

a. What is the location, size, and construction of any hospital, medical centre, medical storage facility, research or health facility in the populated area or vicinity?

b. What is the location and number of shrines, churches, religious objects or houses of worship?

c. What is the location of any civil defence facility?

d. What is the location and nature of the major:

(1) water supply systems including dams, reservoirs or dykes;

(2) power stations, both conventional and nuclear;

(3) transport systems, railheads, harbour facilities and airports;

(4) food distribution; and

(5) food production areas, for the civilian population?

3. Dangerous substances/hazards:

a. Are there any bulk handling or storage facilities for:

(1) petroleum or other inflammable substances,

(2) explosives,

(3) chemicals or other toxic substances, or

(4) radioactive materials,

the release of which will endanger the civilian population?

b. Of the facilities mentioned above, which are located below ground level, at what depth, what is their construction and what would be the likely effects upon the civilian population should they be destroyed or damaged?

c. Should they be damaged or destroyed, would any dams, dykes, channels or other systems either carrying domestic water supplies or withholding the effects of the ocean be likely to cause serious or catastrophic damage to the civilian population?

d. Are there any other facilities, substances or materials not mentioned above which would cause irreparable consequences to the civilian population?

e. Are there any medical or research facilities in the area which are likely to hold dangerous viruses or bacteria, the escape of which is likely to significantly risk the civilian population?

4. LOAC guidance:

a. Care is required in the planning of operations to avoid or minimise the damage to protected objects or inflicting casualties on the civilian population.

b. The use of indirect fire or close air support should be avoided where the civilian population is concentrated.

c. Immunity is to be given to targets which, if damaged or destroyed, will pose major environmental hazards.

d. Damage from other dangerous substances stored in the vicinity of military objects should be limited to the immediate area so as to cause as few civilian casualties as possible and minimum damage to the environment.

e. Commanders should be reminded that LOAC requires that if there is more than one military option open in achieving an objective, the option involving the least civilian casualties and collateral damage should be chosen.

f. Commanders are prohibited from launching indiscriminate attacks.

g. Further LOAC guidance is to be included depending on the nature of the operation.

CHAPTER 8

AIR OPERATIONS AND THE LAW OF ARMED CONFLICT

Executive summary

- Airspace is divided into zones similar to maritime zones. Aircraft do not have a right of overflight through national airspace, particularly if it is the airspace of a neutral during armed conflict.
- The Convention on International Civil Aviation 1944 (Chicago Convention) and the International Civil Aviation Organisation (ICAO) rules do not bind military and state aircraft.

INTRODUCTION

8.1 An attempt was made in 1923 by some international jurists from a number of nations to reach international consensus on aerial warfare. These rules, which are referred to as the 1923 Draft Hague Rules for Aerial Warfare, were never formally adopted although some of the rules have now become part of customary international law. By the end of hostilities in 1945 there was little law of armed conflict (LOAC) relating specifically to the conduct of air warfare.

8.2 Since 1944 international law has developed to encompass the regulations of international aviation through the Chicago Convention and the formation of the ICAO. In addition, Additional Protocol I (G. P. I) and Additional Protocol II have included specific provisions which deal with air warfare and aircraft operations. This chapter addresses these general issues as they apply to the conduct of Australian Defence Force (ADF) air operations. Reference should also be made to the Air Force publication Australian Air Publication (AAP) 1003—*Operational Law for RAAF Commanders*.

8.3 Airspace has traditionally been classified either as national or international airspace. This division closely follows the maritime regime whereby oceans are regarded as national waters or international waters. Air law and the law of the sea are closely related and an understanding of each is critical when planning and conducting ADF operations. The LOAC considerations relating to maritime operations are covered in chapter 6—'Maritime operations and the law of armed conflict'.

CONTROL OF AIRSPACE

8.4 International law recognises that the legal status of airspace is akin to that of a nation's territory, internal waters and territorial seas. Sovereignty extends to national airspace. The concept of territorial sovereignty includes the right to regulate, and if necessary prevent access, exit or transit of both personnel and aircraft, whether manned or not. This right in relation to civil aircraft has been modified by the provisions of the Chicago Convention.

Airspace

8.5 Lateral extent of airspace. The Chicago Convention provides that every state has complete and exclusive sovereignty over the airspace above its territory. For the purposes of the convention the territory of a state shall be deemed to be the land areas and territorial waters adjacent thereto under the sovereignty, suzerainty, protection or mandate of such state. Despite the fact that this convention applies only to civil aircraft, this definition reflects accepted customary law regarding the lateral extent of airspace.

8.6 Vertical extent of airspace. While views differ as to the precise vertical and horizontal extent of airspace, for practical purposes, it can be said that the upper limit to a state's rights in airspace is above the highest altitude at which an aircraft can fly and below the lowest possible perigee of an earth satellite in orbit. The result is that anything in orbit or beyond can safely be regarded as in outer space.

8.7 International airspace. Aircraft have freedom of overflight over exclusive economic zones (EEZ) of other states and over other areas of the high seas. The airspace in question is often known as 'international airspace'. It is lawful for a military aircraft of one state to fly in international airspace adjacent to the national airspace of another state, for example, for the purpose of surveillance and observation of activities within that other state's national airspace or territory.

8.8 Chicago Convention. In accordance with the Chicago Convention the aircraft of one nation may not enter another nation's airspace without permission. The Chicago Convention is primarily concerned with the regulation of civil aviation. State aircraft are generally not subject to its provisions and do not enjoy its privileges. Some nations have, however, concluded bilateral agreements, which grant overflight rights to their respective state aircraft.

Legal division of the oceans and airspace

8.9 An understanding of the legal division of the oceans is necessary so that aircrew are aware of the rights of aircraft which transit above these ocean space divisions. The legal regimes of airspace and oceans directly affect

military operations because they determine the degree of control that a coastal nation may exercise over foreign aircraft and vessels within these zones. Details of the legal divisions of oceans are detailed in chapter 6, AAP 1003 and in the Royal Australian Navy Publication Australian Book of Reference 5179—RAN *Manual of International Law*.

Outer space

8.10 Outer space, while not having a clearly defined boundary, is still recognised as a zone to which particular legal obligations apply. All nations enjoy equal access to outer space and none may claim it as national airspace or for exclusive use.

Status of military aircraft and personnel

8.11 Military aircraft are classified as state aircraft under the terms of the Chicago Convention. This means that military aircraft are not subject to the provisions of the Chicago Convention and, therefore, the standards, practices and procedures of the ICAO do not apply. Likewise, military aircraft do not enjoy the overflight rights of civil aircraft accorded by the transit agreements negotiated under the Chicago Convention.

8.12 Nationality and markings. A nation's aircraft, like its ships, bear the nationality of the country in which they are registered. Civil aircraft must bear markings indicating their nationality. Military aircraft must bear markings indicating both nationality and military status.

8.13 Immunity. Military aircraft, similar to warships, have sovereign immunity from foreign laws in relation to search and inspection. This means that military aircraft should not be boarded, searched or inspected by foreign authorities without permission. Because military aircraft require diplomatic clearance to enter another nation's airspace, they may be required to submit to search as a condition of entry.

8.14 Military contract aircraft. Civilian aircraft that are contracted to support ADF operations are not normally regarded as state or military aircraft. If used exclusively by the ADF, civil aircraft could be designated as state aircraft and thus enjoy sovereign immunity, and not be subject to ICAO regulation. However, only military aircraft can exercise the combat rights of a belligerent. Examples of such rights include attacking military objectives and overflying enemy territory. Civilian owned and registered aircraft would enjoy the rights of a military aircraft if they carried the markings of a military aircraft, were manned by ADF personnel and were used for national tasks.

Air navigation rights

8.15 General principles. Military and civil aircraft are free to operate in international airspace without interference. Civil aircraft are able to enter another nation's airspace without diplomatic clearance, if they have followed ICAO procedures. The Chicago Convention reaffirmed the principle that every nation has complete sovereignty over its national airspace. Crew of military aircraft must always seek permission to enter another nation's airspace. This may be a specific clearance or general permission granted by agreement. The clearance can be made conditional and any aircraft entering national airspace are subject to the agreed terms and conditions. Aircraft in distress are entitled to such measures of assistance as are necessary and practicable.

8.16 Innocent passage. Unlike warships, which have right of innocent passage in other nations' territorial seas, aircraft have no right of innocent passage through the airspace over those territorial seas.

8.17 International straits passage. International straits are those straits used for international maritime navigation. They are international waterways, including territorial waters, which join areas of the high seas or EEZ. All aircraft have the right to unimpeded transit passage through national airspace above international straits. Any transit must be continuous and expeditious though aircraft may conduct air-to-air refuelling. Aircraft must not threaten or use force against the aircraft of the nation, or nations, bordering the strait. In addition, all aircraft must monitor the internationally designated air-traffic control circuit or distress frequency while engaged in transit passage. This right of transit cannot be suspended in peacetime for any reason.

8.18 Archipelagic sea lanes passage. All aircraft and ships enjoy the right of archipelagic sea lanes passage in designated archipelagic sea lanes. The right of archipelagic sea lanes passage is the right to conduct expeditious and continuous transit in the normal mode of operation, observing the same conditions applicable to transit passage through international straits. This right of transit exists even if the nation has not declared such sea lanes. In common with vessels, aircraft can use all routes normally used for international navigation to transit the archipelago in the absence of designated archipelagic sea lanes.

8.19 Innocent passage in archipelagic waters. Unlike vessels, aircraft have no right of innocent passage over archipelagic waters outside archipelagic sea lanes.

Navigation in international airspace

8.20 International airspace is that airspace over the high seas, EEZ, contiguous zone and territory not subject to territorial sovereignty (eg the Arctic). International airspace is open to aircraft of all nations. Accordingly, military aircraft are free to operate in international airspace without interference from any other nation. While in international airspace, military aircraft are free to engage in normal flight operations, including weapons testing and firing, surveillance, intelligence gathering, and support of naval activities. All such operations must be conducted with due regard to the safety and rights of other aircraft and vessels.

8.21 International Civil Aviation Organisation flight procedures. ICAO flight procedures are established under the terms of the Chicago Convention. As military aircraft are generally not subject to this convention, they are not bound by ICAO regulations, other than the requirement to operate with due regard to the safety of civil aircraft. It is ADF practice to follow ICAO procedures, unless operational circumstances dictate otherwise. Operational circumstances which may not lend themselves to ICAO flight procedures include security contingencies and classified missions.

8.22 Flight information regions. Flight information regions (FIR) are defined areas within which flight information and alerting services are provided. FIR are established by ICAO for the safety of civil aviation and encompass both national and international airspace. As a matter of policy, ADF aircraft on routine missions follow ICAO procedures and utilise FIR services. Acceptance by a nation's government of responsibility for an FIR does not grant that government sovereignty over that international airspace. Furthermore military aircraft retain the right to transit international airspace without interference and are not required to use FIR services.

Air defence identification zones

8.23 An air defence identification zone (ADIZ) is a defined area within which civil aircraft are required to identify themselves. The asserted legal basis for such zones is the right of nations, under the Chicago Convention, to establish conditions and procedures for entry into their national airspace. These zones are established above the high seas adjacent to the coast, and over the territorial sea, land and territory. Declaration of an ADIZ does not constitute a claim of any sovereign rights. Australia, from time to time, has declared an ADIZ for military exercise purposes. Nations who have standing ADIZs include Indonesia (over Java), United States, Japan, Canada and France.

8.24 Air defence identification zone procedures. An aircraft approaching an ADIZ can be required to identify itself as a condition of entry to national airspace. ADIZ regulations generally require aircraft, bound for national airspace, to file flight plans and periodic position reports.

Failing voluntary identification, aircraft can expect to be identified by intercept aircraft. The declaration of an ADIZ does not confer on an intercepting pilot the right to engage an aircraft. Rules of engagement (ROE) will provide guidance on the circumstances in which an aircraft may be engaged. There is no right to require an aircraft to identify itself if it does not intend to enter national airspace. These procedures reflect the peacetime position. In the case of imminent or actual hostilities, a nation may take self-defence measures, which will affect overflight in international airspace.

8.25 Promulgation of an air defence identification zone. The activation of an ADIZ is effected by promulgation through military and civil agencies. In Australia, Air Services Australia, in concert with Headquarters Joint Operations Command, promulgates ADIZs by the issue of Notices to Airmen.

8.26 In order to avoid exposing a medical aircraft to unnecessary harm, international law allows nations that operate medical or prisoner of war (PW) transport aircraft to enter into agreements with belligerents and neutrals to ensure safe passage of the aircraft over foreign territory.

Security zones

8.27 In the interests of safety, any nation may declare a temporary closure, or warning area, on and over the high seas to advise other nations of the conduct of hazardous activities. These warnings are cautionary, not mandatory. International law does not recognise the right of any nation to restrict the right of navigation of military aircraft in international airspace. Some nations have declared exclusion zones (EZ) in times of conflict, pursuant to the inherent right of self defence. The United Nations (UN) also sanctioned an air EZ over Bosnia following Security Council resolutions, in an effort to protect areas from attack.

8.28 Claims of security zones. Some nations have asserted claims that purport to restrict the activities of military aircraft and warships in so-called ‘security zones’ that extend beyond national airspace. These zones have no basis in international law except in times of conflict. Customary international law does not determine the extent of security zones, beyond having a requirement that they be reasonable in relation to the needs of national security.

Exclusion zones

8.29 In situations of international conflict and times of tension, a nation is entitled, under the UN Charter, to exercise measures of individual or collective self-defence against an imminent threat of armed attack or an actual armed attack. On many occasions this century, nations have declared an EZ in areas adjacent to national territory, invoking the principle of individual or collective self-defence.

8.30 An EZ is an area declared by a nation, or military force, into which entry by designated forces is prohibited. An EZ may be stationary or moving. Neutral aircraft and ships should avoid such zones; those that enter navigate at their own risk. The use of EZ is expected to increase, as not only nations but also the UN, seek ways to localise conflicts. Because acceptability of the EZ will depend on factors unique to each situation, providing clear guidance on the legal acceptability of an EZ is difficult. In times of conflict a belligerent is not barred from using force outside the zone to eliminate enemy threats. Further guidance on the use of EZ can be obtained from Australian Defence Doctrine Publication 06.1—*Rules of Engagement* and ADF legal advisers.

Interception of aircraft

8.31 Where national airspace is violated by intrusion without permission it is considered that the following rules reflect current international law:

- Intruding aircraft must obey all reasonable orders to land at a determined place, to turn back or to fly on a prescribed course.

- In attempting to control the movement of an intruding aircraft an intercepting aircraft may not expose the intruder to unnecessary or unreasonable danger. The ‘reasonableness’ of the action must be determined by such factors as the character of the intruding aircraft, its probable motives for intrusion, the possibility of control without the use of force, the proximity of the aircraft to important installations and the frequency of previous intrusions.

- In peacetime, when there is no reason to believe the intrusion is hostile or harmful to the security or other appropriate interests of the nation, the intruder may not be attacked merely because it disobeys orders to land. On the other hand, if the intruder’s intentions are unknown and cannot reasonably be ascertained, the intruder may, after disregarding appropriate warnings, be required to land. Article 3 of the Chicago Convention stipulates that ‘contracting states’ are to: ‘refrain from the use of weapons against civil aircraft in flight and that, in case of interception, the lives of persons on board and the safety of the aircraft must not be endangered’.

HISTORICAL EXAMPLE—INTERCEPTION OF AIRLINERS 1978, 1983

Two South Korean airliners were shot down by Soviet warplanes within five years—in the first event a fortuitous minimum loss of life, in the second, total. The circumstances were as follows:

Boeing 707 KAL Flight 902 on 20 April 1978: Flying on the polar route from Amsterdam to Anchorage, the aircraft veered slowly to the right, apparently due to a miscoded magnetic correction, until it was over the Kola Peninsula. Here it was intercepted by a Soviet fighter who positioned itself on the right rather than on the left side as required by ICAO procedures. The airliner captain, in accordance with ICAO procedures, reduced speed, lowered his landing gear and flashed his lights as a demonstration of his willingness to obey the interceptor's instructions. The fighter pilot was ordered to attack, and after he protested the order, launched a missile, which blew off part of a wing and killed two passengers with the shrapnel. The pilot dived sharply through a cloud to gain breathable atmosphere, and in so doing evaded the fighter and Soviet radar, later landing safely on a frozen lake.



Figure 8–1: Flight 902 landed safely on the ice

Boeing 747 KAL Flight 007 on 01 September 1983: The flight from New York to Seoul via Anchorage began veering slowly to the north after leaving the latter, so that it passed over the Kamchatka restricted zone. Soviet fighter aircraft were scrambled, but it left their airspace over the Sea of Okhotsk and the fighters returned to base. Still veering off course, it passed into Soviet airspace again over Sakhalin and fighters again took off to intercept.

HISTORICAL EXAMPLE—(cont)

The crew of the airliner was unaware of the presence of the interceptors and the interceptors were neither certain of the identity of the aircraft, nor did they comply with the ICAO challenging and warning conventions. The fighters were ordered to engage the airliner, with the result that it crashed with the loss of all 269 lives on board.

These were but two incidents of many in the Cold War stand-off, where both sides continuously flew intelligence missions at the fringes of each other's airspace.

There are many excuses, counter-claims and conspiracy theories that have arisen on the above incidents, however, the unavoidable facts are that:

- The ICAO has established procedures to protect civil air traffic passing by or through sensitive areas, including positive identification, interrogation, warning standards and procedures.
- The established ICAO procedures were not complied with in these cases, resulting in unnecessary loss of protected aircraft and lives. **(source: Oberg Uncovering Soviet Disasters)**

Neutral airspace during armed conflict

8.32 The national airspace of a neutral nation must be respected by belligerents. ADF aircraft should avoid overflying airspace of a neutral country without permission during times of armed conflict. However, archipelagic sea lanes and transit passage overflight are two exceptions. If a belligerent aircraft enters neutral airspace without permission the neutral nation is obliged to take appropriate action to expel it. If a neutral nation repeatedly fails to assert the territorial integrity of its airspace, a belligerent nation may be justified in taking appropriate action against another belligerent nation inside neutral airspace on the basis of self-defence.

8.33 In times of armed conflict neutral nations may impose conditions and restrictions impartially on belligerent aircraft entering their national airspace. If a belligerent military aircraft enters neutral airspace without permission and must land in that territory (whether because of disability or at the direction of

the neutral nation), the aircraft and its crew will be interned by the neutral state until the cessation of hostilities and released in accordance with provisions similar to those for PW.

8.34 ADF medical aircraft that are engaged solely in humanitarian functions must have prior approval to overfly or land in neutral territory. If permission is not obtained, the law is uncertain and the practice of nations varies. The most widely accepted view is that aircraft that violate neutral airspace may be asked to land by the nation in whose airspace they are flying. If their protected status is confirmed by subsequent search they are to be allowed to proceed. If a violation has occurred then aircraft and crews are to be held until the conclusion of hostilities.

METHODS OF COMBAT

Targeting

8.35 An attack must be cancelled or suspended at any stage where it becomes apparent that the objective is not a military one, is subject to special protection, or the attack 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.

8.36 The LOAC principles of proportionality, military necessity and unnecessary suffering determine which targets may be attacked by military aircraft. Target selection is based on current intelligence and information. However, aircrew have a special and personal responsibility, under the Additional Protocols, to ensure LOAC compliance if they acquire information that was not available at the planning stage. For example, aircrew may be ordered to bomb what the mission planner believes to be a command and control centre. If, in the course of the mission, the command and control centre is displaying an unbriefed symbol of protection, eg Red Cross symbol, then aircrew must refrain from completing their attack. The Red Cross symbol indicates the facility is a protected installation and is immune from attack unless intelligence, or higher authority, determines that the facility has lost its protected status because the emblem is being misused.

8.37 As targeting decisions have the potential to lead to extensive collateral damage, air planners and commanders need to pay close attention to the LOAC considerations that will impact on their decisions. Guidance on targeting is provided in chapter 5—‘Targeting’.

Precision-guided weapons

8.38 The existence of precision-guided weapons, such as GBU 10 and Harpoon missiles, in a military inventory does not mean that they must necessarily be used in preference to conventional weapons even though the latter may cause collateral damage. In many cases, conventional weapons may be used to bomb legitimate military targets without violating the LOAC requirements. It is a command decision as to which weapon to use. This decision will be guided by the basic principles of the LOAC: military necessity, avoidance of unnecessary suffering and proportionality.

Quarter must be granted

8.39 It is illegal to order that no prisoners will be taken, to make a threat that such an order might be given or to conduct hostilities on this basis.

8.40 The LOAC forbids the killing or wounding of an enemy who, in good faith, surrenders or is otherwise *hors de combat* (out of combat). Surrenders in air combat are rarely offered. Nevertheless, actions or signals that suggest surrender should be respected. The surrendered aircraft should then be escorted to a suitable landing place.

8.41 Although relatively rare, surrenders by defecting enemy aircrew of military aircraft do offer valuable intelligence and psychological opportunities, and should be encouraged.

8.42 Disabled enemy aircraft in air combat are frequently pursued to destruction because of the difficulty of verifying their true status and inability to enforce surrender. Although disabled, the aircraft may or may not have lost its combat capability. Moreover, it may still represent a valuable military asset. If an aircraft in distress is clearly *hors de combat* from the information known to the attacking force at the time, then its destruction offers no military advantage, and the attack should be broken off to permit possible evacuation by crew or passengers. If the aircraft is a support or civil aircraft it is particularly important that this rule be observed.

8.43 Aircraft may not open fire on any personnel who have indicated an intention to surrender. This applies to ships as well as land forces. Additionally, aircraft may not fire upon shipwrecked personnel, including those who may have parachuted into the sea or otherwise come from downed aircraft, so long as the personnel have not been picked up. These rules do not alter the fact that any attempt by the enemy to recover downed crew may be opposed.

Propaganda

8.44 The use of military aircraft for the purpose of disseminating propaganda from the air is well established in warfare. Dissemination of propaganda by military aircraft includes dropping of leaflets, air-to-ground broadcasts and the like.

8.45 Propaganda for the purposes of inducing enemy combatants to rebel, desert, or surrender is not prohibited. Inducements may take the form of monetary rewards. Although the LOAC sanctions the use of military aircraft and aircrews to deliver propaganda, not all forms of propaganda are lawful. Propaganda that would incite illegal acts of warfare, as for example killing civilians, killing or wounding by treachery or the use of poison or poisonous weapons, is forbidden.

RESTRICTIONS ON THE USE OF AERIAL WEAPONS

8.46 The rules covering air-delivered incendiary weapons and air-delivered mines are outlined in chapter 4—'Weapons'.

AIR–TO–AIR OPERATIONS

8.47 Generally for air operations, the LOAC is the same as for the maritime and land environments.

8.48 Enemy military aircraft may be attacked and destroyed in any airspace other than neutral airspace. Enemy military aircraft may be captured anywhere other than in neutral jurisdiction. Ownership of captured aircraft passes to the captor's government by virtue of the capture.

8.49 A military aircraft is generally a legitimate target in armed conflict. There will be exceptions such as a medical aircraft or aircraft that have been granted specific protection by agreement between the parties concerning non-hostile uses such as negotiations to conclude hostilities, cease-fire, surrender, exchange of prisoners or the exchange of official communications. In all such circumstances, the agreement should include appropriate markings and other means of identification. In the absence of entitlement to protection, the status of personnel on board a military aircraft is irrelevant; their individual status is subsumed by the military character of the aircraft until such time as they leave it.

8.50 All reasonable precautions should be taken during the conduct of military operations in the air to avoid loss of civilian lives and damage to civilian objects.

Parachutists and downed airmen

8.51 Aircrew descending by parachute from a disabled aircraft are immune from attack. If such personnel land in enemy territory they must be given an opportunity to surrender before being made the object of an attack, unless it is apparent that they are engaging in some hostile act.

8.52 If personnel from a disabled aircraft do not surrender on being called upon to do so, they may be attacked in the same way as any other combatant. While they may be captured by non-combatants, they may not be subject to violent assault by them. This does not include such violence as may lawfully be used by a police officer or other non-combatant in effecting their capture.

8.53 If the crew of a disabled aircraft lands by parachute in territory occupied by their own forces or under the control of their own national authority, they may be attacked in the same way as any other combatant, unless wounded, in which case they are protected. If in a raft or similar craft at sea after parachuting, they are to be treated as if shipwrecked and may not be attacked.

8.54 Paratroopers and other airborne troops may be attacked, even during their descent. If the carrying aircraft has been disabled it may be difficult to distinguish between members of the crew abandoning such aircraft who are immune from attack, and the airborne troops who are not so protected.

Search and rescue operations

8.55 It is permitted to attack those who are not protected persons under the Conventions while they are attempting to rescue aircrew who have crashed. However, rescuers such as medical personnel attempting to rescue injured airmen are protected. In such cases, the airman and his rescuers are protected in accordance with the Geneva Conventions.

Civil aircraft and occupants

8.56 Civil aircraft in flight (including state aircraft, which are not military aircraft) should not be attacked. They are presumed to be carrying civilians who may not be made the object of direct attack. If there is doubt as to the status of a civil aircraft, it should be called upon to clarify that status. If it fails to do so, or is engaged in non-civil activities, such as ferrying troops, it may be attacked. Civil aircraft should avoid entering areas that have been declared conflict zones by the belligerents.

HISTORICAL EXAMPLE—UNITED STATES SHIP VINCENNES



Figure 8–2: United States Ship VINCENNES which mistakenly shot down an Iranian airliner, Persian Gulf 1988

On duty to protect tanker traffic in the Persian Gulf from Iranian interdiction, this leading-edge air defence cruiser mistook a climbing Iranian civil Airbus for an Iranian military F–14 apparently on a downward attack course. Several Iranian Revolutionary Guard vessels were simultaneously harassing the USS VINCENNES. The United States ROE were followed, and permission to engage the aircraft was sought and received from a superior headquarters. A series of ship crew errors aboard the cruiser, combined with the failure of the Airbus crew to respond to warnings, led to the airliner overflying the sea skirmish and being shot down, with the loss of all 290 lives aboard. **(source: USN Image 165)**

8.57 Civil aircraft, which have been absorbed into a belligerent's air force and are being ferried from the manufacturer to a belligerent for this purpose, may be attacked.

8.58 Civilian crew members of a military aircraft, together with those responsible for ferrying aircraft intended for military use, become PW if captured by the enemy.

8.59 Civil aircraft on the ground may only be attacked in accordance with the normal rules relating to military objectives. However, since they may be used for transporting troops or supplies, their status will frequently depend

upon the prevailing military situation. In addition, airfields maybe subject to attack, and collateral damage to civil aircraft on the ground does not render the attack unlawful, provided that damage is not excessive in relation to the concrete and direct military advantage anticipated.

Medical aircraft

8.60 Medical aircraft, correctly identified and exclusively used as such, must not be attacked. Like other medical facilities, medical aircraft have special protected status. Medical aircraft must be clearly marked with the Red Cross, Red Crescent or Red Crystal and national emblem on their lower, upper and lateral surfaces. Medical aircraft are those aircraft assigned exclusively to medical transportation and under the control of a competent authority of a party to the conflict. Medical aircraft may fly over areas controlled by their own forces and over sea areas not controlled by the enemy.

8.61 Flights over enemy controlled areas are forbidden without prior agreement. The parties to a conflict may agree to confer immunity from attack upon specific aircraft. Such aircraft remain protected only so long as they take no part in hostilities and rigorously respect the conditions laid down in the agreement.

8.62 In the absence of any agreement, medical aircraft flying over the battle zone do so at their own risk.

8.63 Regardless of any agreement, aircraft recognised as medical aircraft cannot be attacked, but may be ordered to land and be inspected. They can be attacked if they do not comply with such directions. Medical aircraft must not be used to gain any military advantage. G. P. I contains seven articles which outline the rules applicable to medical aircraft, and these should be considered by those ADF commanders involved in the use of medical aircraft during armed conflict.

CHAPTER 9

PROTECTED PERSONS AND OBJECTS

Executive summary

- Civilians and other particular groups, objects, buildings and facilities are provided protection under the law of armed conflict (LOAC).
- The use of certain symbols assists in recognising protected persons and objects.

INTRODUCTION

9.1 The LOAC provides rules for both the conduct of hostilities and the protection of victims of hostilities. This chapter focuses on groups and objects, which have special protection under the LOAC, and is mainly concerned with the protection of non-combatants, and civilians and civilian objects. In modern times, the civilian population has become increasingly involved in hostilities as nations have waged 'total war'.

9.2 Apart from civilians, other particular groups, objects, buildings and facilities are given special protection. These include:

- medical personnel, equipment, transport and facilities;
- all religious personnel, including chaplains;
- sick, wounded and shipwrecked;
- civil defence personnel and facilities;
- installations containing dangerous forces;
- neutrals and neutral property;
- prisoners of war (PW), PW camps and internment camps;
- cultural, religious and historic buildings and items; and
- the environment.

PROTECTED SYMBOLS

9.3 In order for protected persons, transport, buildings and facilities to be identified, several internationally recognised symbols and markings are provided in international conventions. The main symbols and markings are explained in the following paragraphs and are illustrated in annex A. Use of the protected symbols is strongly recommended but not compulsory. Not displaying a symbol does not automatically leave a protected facility or person open to attack. If a belligerent has knowledge that a person or facility is protected under the Geneva Conventions, then the protected status of the facility or person must be respected. The practical problem is that it may be very difficult in combat for an attacker to identify and distinguish the unmarked protected person or facility.

9.4 Protected symbols will be used by the Australian Defence Force (ADF) and the civilian population unless overriding military considerations dictate otherwise. To conceal a military deployment, a commander may choose not to display the Red Cross, Red Crescent or Red Crystal symbol on field ambulances or medical facilities which by necessity must be located close to a military objective such as a medical transit post adjacent to a military airfield.

Red Cross, Red Crescent and Red Crystal

9.5 A red cross on a white background is the internationally accepted symbol for protected medical and religious personnel, facilities, transports and activities. Moslem countries utilise a red crescent on a white background. In 2005 a third additional protocol to the Geneva Conventions introduced the Red Crystal (a hollow red diamond on a white background) as another protective symbol for the purposes of the Geneva Convention.

HISTORICAL EXAMPLE—SINKING OF CENTAUR 1943



Figure 9–1: Her Majesty's Australian Hospital Ship CENTAUR as she was marked when sunk, Moreton Island 1943

A Japanese submarine off Moreton Island sank HMAHS CENTAUR at night, her lights brilliantly lit and Red Cross markings unmistakable. While there was suggestion that there were warlike stores aboard, these were confined to the lawful personal weapons of the drivers of the field ambulance embarked. The idea that Japanese intelligence was so acute in Australia as to detect and disseminate this in time is not credible, and was not claimed as a defence by the Japanese Government. This was a blatant disregard of a protected symbol. **(source: Australian War Memorial 302800)**

9.6 Wearing of military uniform. In addition to identity cards, medical and religious personnel, regardless of whether they are permanent or temporary, are to wear the distinctive emblem on both their headgear and clothing.

Other protective symbols

9.7 Other protective symbols include an oblique red band on a white background to designate hospital zones and safe havens for noncombatants. PW and PW camps are marked by the letters 'PW' or 'PG' (prisonnier de guerre) and civilian internment camps with the letters 'IC' (internment camp). A royal-blue diamond and royal-blue triangle on a white shield is used to designate cultural buildings, museums, historic monuments, and other cultural objects that are exempt from attack. In some countries, a red circle with triple red spheres in the circle, on a white background (the 'Roerich Pact' symbol) is also used for that purpose.

9.8 Two new protective symbols were established by Additional Protocol I (G. P. I). They are for 'Works and Installations Containing Dangerous Forces', ie dams, dykes, and nuclear power plants, which are to be marked by three bright orange circles of equal size on the same axis; and for 'Civil Defence' facilities and personnel who are to be identified by an equilateral blue triangle on an orange background.

Identity cards

9.9 Identity cards are to be issued to both medical and religious personnel regardless of whether they are of permanent or temporary status. Under no circumstances are they to be deprived of this identification. Should circumstances prevent the issue of an identity card, a certificate may be issued temporarily until such time as a proper card can be issued. Identity cards are to:

- bear the distinctive emblem and be capable of being carried in a pocket;
- be as durable as practicable and be worded in the national or official language (it may carry an additional language);
- state the capacity of the holder and carry the name, date of birth, distinguishing features, identity number, photograph and signature or thumbprint of the holder; and
- bear the stamp and signature of the issuing authority, date of issue and expiry date of the card.

A model identity card for medical and religious personnel is in annex B.

White flag

9.10 International law recognises the white flag as symbolising a request to cease-fire, negotiate, or surrender. An adversary displaying a white flag should be permitted the opportunity to communicate a willingness to surrender, or to communicate a request for cease-fire or negotiation. The feigning of an intent to negotiate under a flag of truce or surrender is perfidious conduct.

LOSS OF PROTECTED STATUS

9.11 Protected personnel lose their protected status when:

- as medical, religious or shipwrecked personnel they engage in hostile acts, or attempt to shield military objectives from attack, other than circumstances in which:
  - they use arms in self-defence or for the defence of the wounded and sick;
  - they are used as guards, pickets and sentries for unit protection; and
  - small arms and ammunition taken from the wounded and sick are found within a medical unit;
- an otherwise protected person, in the territory of one of the belligerents is suspected of, or engaged in, activities hostile to the security of that state; and
- an otherwise protected person in an occupied territory is detained as a spy or saboteur.

PROTECTION FOR CIVILIANS AGAINST THE EFFECTS OF HOSTILITIES

Basic rule

9.12 A basic rule of the LOAC expressed in G. P. I is that:

- ‘In any armed conflict the right of the parties to the conflict to choose methods of or means of warfare is not unlimited’.

9.13 The basic rule in respect of civilians which flows from this is that a distinction must be made between the civilian population and combatants, and between civilian objects and military objectives, in order that military operations will only be directed against military objectives.

Definition of civilian

9.14 G. P. I defines a civilian in a negative fashion, namely, any person not belonging to the armed forces. The definition covers civilians collectively as well, when they are referred to as the 'civilian population'. In cases of doubt about civilian status, the benefit of the doubt is given to the person concerned.

Journalists

9.15 Special provision is made for civilian journalists engaged in dangerous professional missions in areas of armed conflict. They are to be afforded the protection that normally applies to civilians. Granting of this protection is subject to the journalists not engaging in conduct that is inconsistent with their civilian status. Such journalists are normally issued with special identity cards. Protection does not extend to war correspondents who are members of the military forces of a nation. War correspondents are detained as PW upon capture whereas civilian journalists are deemed protected persons and would not normally be detained.

Civilian objects

9.16 Civilian property or objectives are defined as anything that are not military objectives.

Protection of civilians and civilian objects

9.17 Military operations may only be directed against military objectives and not against the civilian population and civilian objects. To give effect to this general protection the LOAC contains a number of specific prohibitions.

9.18 It follows from the general rule that it is forbidden to attack the civilian population, individual civilians and civilian objects as a deliberate method of warfare. Furthermore, acts or threats of violence, the primary object of which is to spread terror among the civilian population are also prohibited. Objects, which are normally civilian objects, can become military objects due to the military situation, in the same way civilians who take part in the conflict become unlawful combatants and legitimate targets.

9.19 The failure of one party to comply with the specific rules below concerning the protection of civilians does not release the other party from its duty to protect civilians.

9.20 Refugees and internally displaced persons in war always raise issues involving elements of human rights and the laws of war. Refugees and those fleeing armed conflict are protected persons who must at all times be treated humanely and shall not be attacked or threatened with acts or threats of violence. Refugees are entitled to the same rights and privileges as other protected persons. They are entitled to respect for their person, honour, their family rights, their religious convictions and practices and their manners and customs. Women shall be especially protected against attack in particular against rape and any form of indecent assault. Furthermore, the party to the conflict in whose hands protected persons may be, shall be responsible for their treatment and for making available to such persons facilities to enable such persons to make contact with and application to international humanitarian organisations such as the International Committee of the Red Cross (ICRC).

HISTORICAL EXAMPLE—REFUGEES PROBLEM, KAPYONG 1951

In response to the successful Chinese offensive down the main route to Seoul in April 1951, 27 Britcom Brigade was rushed into deployment near the village of Kapyong to stem the tide. 3 Royal Australian Regiment occupied the exposed forward right position covering the road south, taking up its positions by last light, at which stage the flow of rearward-moving Korean soldiers and transport had increased to a torrent, indicating that the lead Chinese division had broken through and could be expected on the heels of this influx.

Subsequently, this flow changed to mostly civilians, and it was expected that, as usual, Chinese soldiers would mix amongst them to infiltrate to the rear. As some shots were heard, the commander of A Company described it as:

'It looked like the infiltration stage had been reached and I reckoned a few bursts of MMG (medium machine gun) fire would sort the situation out—the civilians scurrying off the road, leaving the Chinese to declare their hand. I requested permission to open fire but, in the absence of identified enemy, I was refused'.

The battalion commander's refusal of this counter-infiltration measure in conformity with the rules of engagement did him no personal benefit. The infiltrators were in strength and shortly were attacking his headquarters and the mortar platoon which were located to the rear of the infantry companies, and they were fighting for survival. These enemy troops then further disrupted the other fire support units, denying their cover to the forward troops.

HISTORICAL EXAMPLE—(cont)

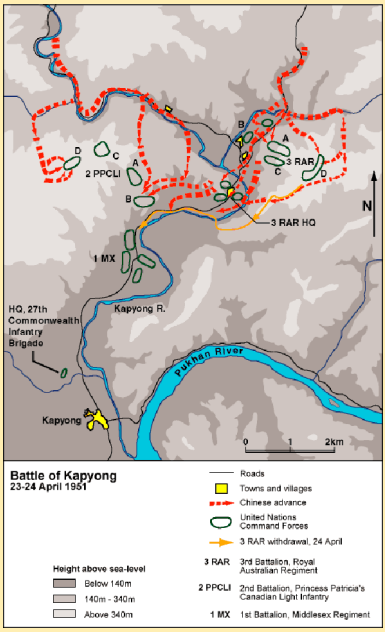


Figure 9–2: A map of the Battle of Kapyong

Such situations place commanders in a quandary. Refugees are classed as protected persons, and so should not be fired on. On the other hand, they provide an effective human shield and camouflage for belligerents to use to their distinct military advantage. The battalion commander correctly took responsibility for rejecting the suggestion of random firing when it was impossible to discriminate between fleeing civilians and oncoming troops. There are circumstances, however, when it is necessary to engage enemy forces using civilians as shields. In such circumstances, military forces must make every effort to minimise civilian casualties. **(source: Official History of Australia in the Korean War 1950–1953 volume 2, Anzac Day Magazine)**

9.21 Reprisals. A reprisal is an otherwise illegal act done in response to a prior illegal act by the enemy. A reprisal aims to counter unlawful acts of warfare and to force the enemy to comply with the LOAC. Reprisals are prohibited against civilians and civilian objects.

9.22 Indiscriminate attacks. An extension of the general rule for the protection given to civilians is that indiscriminate attacks, that is, attacks not directed at military targets but likely to strike at both military and civilian targets without distinction, are forbidden.

9.23 Shielding military objectives. The civilian population shall not be used to attempt to render military objectives immune from attack or to shield, favour or impede military operations.

9.24 Other general prohibitions. Other general prohibitions which provide for the protection of civilians or their property are as follows:

- It is prohibited to attack or bomb undefended towns, villages, dwellings or buildings. This prohibition does not apply where the undefended building or place becomes a military objective and its destruction is necessary. An example is a munitions factory or a railway yard used to support the enemy war effort.
- It is forbidden to destroy or requisition enemy property unless it is militarily necessary to do so. In the same manner pillage is also forbidden, even if the town or place concerned is taken by assault.
- Starvation of civilians cannot be used as a method of warfare.
- Enemy nationals cannot be compelled to take part in operations against their own country even if they were in your service before the outbreak of hostilities.

9.25 Warning requirement. Where a military objective is to be attacked and civilians may be in danger, there is a general requirement to warn them of the attack, unless circumstances do not permit. An example would be where surprise is essential to the mission. This rule specifically applies in cases of bombardment where civilians are likely to be endangered.

Relief operations for civilians

9.26 In addition to the special immunity granted to civilian and military medical services there are numerous civilian bodies which are given special protection. These include the ICRC, the Red Cross and Red Crescent Societies, personnel engaged in the protection of cultural property, personnel involved in relief operations and civil defence organisations.

SPECIALLY PROTECTED OBJECTS

Cultural objects

9.27 The LOAC provides for the specific protection of cultural objects and places of worship, which supplements the general protection given to civilian objects. Buildings dedicated to religion, science or charitable purposes, and historic monuments, are given immunity from attack as far as possible, so long as they are not being used for military purposes. Such places are to be marked with distinctive and visible signs, which must be notified to the other party.

Cultural property

9.28 Cultural property is also protected. Cultural property includes movable and immovable objects of great importance to the cultural heritage of people, whether their state is involved in the conflict or not, such as historical monuments, archaeological sites, books, manuscripts or scientific papers and the buildings or other places in which such objects are housed. Obligations are placed upon all parties to respect cultural property by not exposing it to destruction or damage in the event of armed conflict and by refraining from any act of hostility directed against such property. These obligations may be waived where military necessity requires such waiver, as in the case where the object is used for military purposes.

9.29 Historic monuments, places of worship and works of art, which constitute the cultural and spiritual heritage of peoples, are protected from acts of hostility. These objects must not be used in support of any military effort or be the subject of reprisals.

Objects indispensable to survival

9.30 Protection is provided from certain types of attack upon civilian populations by providing special protection for certain types of objects. The first relates to objects indispensable to the survival of the civilian population.

9.31 Starvation of civilians as a method of warfare is forbidden. G. P. I further prohibits the attacking, destruction, spoiling or removal of objects indispensable to the survival of the civilian population whatever the motive of such destruction. Examples of such objects include foodstuffs, agricultural areas producing foodstuffs, crops, livestock, drinking water installations and irrigation works.

9.32 Loss of protection. Objects indispensable to the survival of the civilian population are excluded from protection if:

- they are used solely for the sustenance of the armed forces;
- they are used in direct support of military action, but the civilian population may not be thus reduced to starvation or forced to move; or
- the military necessity for the defence of territory against invasion so requires.

9.33 Details on the protection of objects is in chapter 7—'Land operations and the law of armed conflict'.

Installations containing dangerous forces

9.34 The works or installations containing dangerous forces are specifically limited to dams, dykes and nuclear electrical generating stations. Even where these objects are military objectives, they shall not be attacked if such attack may cause the release of dangerous forces and consequently severe losses amongst the civilian population. The purpose of this rule against such attacks is to avoid excess damage or loss to the civilian population.

9.35 Military objectives at or in the vicinity of an installation mentioned in paragraph 9.34 are also immune from attack if the attack might directly cause the release of dangerous forces from that installation in question and subsequent severe losses upon the civilian population.

9.36 The release of the dangerous forces may have a consequent severe loss among the civilian population. This is an absolute standard rather than the relative one set by the rule of proportionality. If massive civilian losses are foreseeable, the attack would be prohibited regardless of the anticipated military advantage.

9.37 Loss of protection. In the case of a dyke or dam, the protection afforded ceases if three special conditions are evident. These are that:

- it is used for other than its normal function;
- it is used in regular, significant and direct support of military operations; and
- an attack is the only feasible way to terminate such support.

9.38 In relation to nuclear electrical generating stations and other military objectives located in the vicinity, only the last two conditions in paragraph 9.37 apply.

9.39 Defensive weapons. Defensive weapons systems may be erected to protect works or installations from attack. These systems may only be used for the limited purpose for which they are intended. The erection of such defence facilities is not without danger and could lead to the work or installation losing its protection.

Protected zones and localities

9.40 The LOAC allows various zones to be set up for the protection of civilians from the effects of hostilities. They include hospital, safety, neutralised and demilitarised zones and non-defended localities.

9.41 Hospital and safety zones. Hospital and safety zones are established for the protection from the effects of war of the wounded, sick and aged persons, children under 15 years, expectant mothers and mothers of children under seven years. Such zones are:

- generally permanent in character;
- located outside the combat zone in either a state's own or occupied territory; and
- established in peacetime or during war by agreement between the parties. (Such agreement may be reached through the offices of any protecting power or the ICRC.)

9.42 Neutralised zones. Neutralised zones may be established in regions where fighting is taking place to shelter wounded and sick combatants or non-combatants and civilian persons who take no part in hostilities and who perform no work of a military character. The zones are set up by written agreement, which includes details of location, administration and duration of the neutralisation of the zone.

9.43 Non-defended localities. Generally non-defended localities are protected from attack. Further detail is covered in paragraphs 7.28 to 7.33.

9.44 Demilitarised zones. Generally, demilitarised zones are protected from attack. Further detail is covered in paragraph 7.39.

GENERAL PROTECTION OF ALL PERSONS AFFECTED BY ARMED CONFLICT

Basic standards of treatment

9.45 All persons are to be treated humanely in all circumstances and without any adverse distinction based upon race, colour, sex, language, religion or belief, political or other opinion, national or social origin, wealth, birth or other status or on any other similar criteria. Their person, honour, convictions and religious practices must be respected. G. P. I provides 'fundamental guarantees' or basic human rights to all persons who find themselves under the control of one of the parties to an international armed conflict, and who do not benefit more favourably from other LOAC provisions. This would include a party's own nationals such as German Jews and dissidents who were brutally treated by the Nazis during World War II.

Prohibited acts

9.46 The following acts are prohibited at any time and in any place whatsoever:

- Violence to the life, health or physical or mental well-being of persons, in particular:
  - murder;
  - torture of all kinds, whether physical or mental;
  - corporal punishment; and
  - mutilation;
- outrages upon personal dignity, in particular humiliating and degrading treatment, enforced prostitution and any form of indecent assault;
- the taking of hostages;
- collective punishments; and
- threats to commit any of the foregoing acts.

Arrest, detention and internment

9.47 Where a person is arrested, detained or interned for actions related to the armed conflict, they must be informed promptly in a language that they understand of the reason for these measures. Unless the arrest or detention is for penal offences, they must be released 'with the minimum delay possible

and in any event as soon as the circumstances justifying the arrest, detention or internment have ceased to exist'. Pending release, they retain the protection of G. P. I.

Protection of women

9.48 Women must be accorded 'special respect and shall be protected in particular against rape, forced prostitution and any other form of indecent assault'.

9.49 Women arrested, detained or interned for reasons connected with the armed conflict must be kept in separate quarters from men and under the immediate supervision of women. In cases where families are detained or interned, they should, whenever possible, be held in the same place and accommodated 'as family units'.

Protection and welfare of children

9.50 Children are to be respected and protected, especially against indecent assault. The care and aid needed by children must be provided. As is the case with women, children are granted special protection under the LOAC. Important rules are shown below:

- because of their age children should receive all the aid and care they require;
- children under 18 years of age should not take a direct part in hostilities[1];
- in case of arrest, children should be kept in separate quarters from those of adults;
- the death penalty must not be executed on children who are under the age of 18 at the time the offence was committed; and
- children who are not nationals of the state may not be evacuated by that state to a foreign country unless the evacuation is temporary and accords to certain conditions set out in G. P. I.

9.51 Recruitment. There is a minimum voluntary recruitment age of 17 years, the exception being for entrants to military schools, apprentices and members of Service cadet schemes. All feasible measures are to be taken to ensure minors are not deployed to an area of operations.

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1 Note that G. P. I and the Convention on the Rights of the Child (CROC) stipulate 15 years of age. The 2000 Optional Protocol to the CROC on the involvement of children in armed conflict, and the preferred position of Australia, is 18 years of age.

9.52 Arrest and detention. If arrested, detained or interned for reasons connected with the armed conflict, children must be kept in quarters separate from adults unless they belong to an interned family unit.

Free passage of relief supplies

9.53 The free passage of medical and hospital stores, essential foodstuffs, clothing, bedding, means of shelter and articles necessary for religious worship, which are intended for civilians including those of an enemy, must be allowed.

RULES FOR THE TREATMENT OF PROTECTED PERSONS

9.54 The majority of the Fourth Geneva Convention (G. IV) deals with a specific group of civilians called 'protected persons'. The rules applicable to these persons are in addition to the general rules that apply to all civilians.

Protected persons

9.55 Protected persons are defined as: '... those persons who, at any given moment and in any manner whatsoever, find themselves, ... in the hands of a party to the conflict or occupying power of which they are not nationals'. The words, 'in the hands of', mean that the person concerned is in a territory which is under the control of that party. The most common groups within the definition are:

- enemy nationals who are in their own territory,
- the whole population of an occupied territory other than persons of the occupying power,
- persons considered as refugees or stateless persons under international law, and
- military and civilian medical personnel.

9.56 Persons excluded from the definition of a protected person include:

- nationals of that party;
- nationals of neutral states who are present in the territory of a party to the conflict;
- nationals of states not parties to the conventions;
- persons protected by the other three Geneva Conventions, for example, crews of merchant ships if protected under one of the other Geneva Conventions;

- an otherwise protected person in the territory of one of the parties who is suspected of, or engaged in, activities hostile to the security of the state; and

- an otherwise protected person in an occupied territory who is detained as a spy or saboteur.

9.57 The rights of a protected person cannot be renounced by them.

General treatment of protected persons in both their own territory and occupied territory

9.58 Basic rule. The general rule for the treatment of protected persons is similar to that outlined in the previous section dealing with fundamental rights. An obligation is imposed on all parties to deal humanely with protected persons. The person, honour, family rights, religious convictions, manners and customs of protected persons shall be respected. Women are granted specific protection. Violence, torture, biological experiments, intimidation or coercion to obtain information, imposition of corporal or collective punishment, pillage and the taking of hostages are all forbidden.

Treatment of foreigners in a territory of a party to the conflict

9.59 Foreign inhabitants (aliens) who desire to leave the territory of one of the parties to the conflict are normally entitled to do so. Special rules apply to aliens who fall within the category of enemy aliens and thus the definition of a protected person under G. IV. Such persons will not be allowed to leave if their departure is contrary to the national interests of the state. Procedures exist for those who are not allowed to leave to appeal to an appropriate court or administrative board set up by the detaining power. For those that do leave, special procedures dictate the method of repatriation.

THE ENVIRONMENT

Civil defence

9.60 The nature of modern warfare has the potential to cause significant losses, damage and suffering to the civilian population. Organised protection of the civilian population is commonly referred to as civil defence. The method and application of civil defence differs from country to country. Protection under G. P. I is based on the specific functions performed by the person or object, not the type of organisation to which the person or object belongs. The similarity of civilian civil defence organisations to military organisations, and indeed national compulsory service in them, shall not deprive them of protection.

9.61 Australia's position is that ADF members will not be attached to civil defence organisations for the purposes of conducting civil defence tasks. ADF personnel may undertake military tasks in support of civil defence requests, but not under their command or control and not within the immediate vicinity of civil defence personnel. ADF members will not wear the civil defence emblem, nor will they receive the protection afforded to civil defence personnel.

Tasks

9.62 G. P. I describes civil defence for the LOAC purposes as 'the performance of some or all of the tasks intended to protect the civilian population against the dangers, and to help it recover from the immediate effects of hostilities or disasters, and to provide the conditions necessary for its survival'.

9.63 There are 15 specific civil defence tasks, namely:

- warning;
- evacuation;
- management of shelters;
- management of blackout measures;
- rescue;
- medical services, including first aid and religious assistance;
- firefighting;
- detection and marking of danger areas;
- decontamination and similar protective measures;
- provision of emergency accommodation and supplies;
- emergency assistance in the restoration and maintenance of order in distressed areas;
- emergency repair of indispensable public utilities;
- emergency disposal of the dead;
- assistance in the preservation of objects essential for survival; and
- complementary activities necessary to carry out any of the tasks included above including but not limited to planning and organisation.

General protection

9.64 Scope of protection. Civilian civil defence organisations and their personnel must be respected and protected under the same conditions and considerations as apply to civilians. The provisions also apply to civilians who, although not members of a civilian defence organisation, respond to a request from the appropriate authority and perform civil defence tasks under their control. Civil defence buildings, material and shelters have no greater protection from attack than any other prima facie civilian object. The purpose of granting civil defence organisations a special status is to ensure that the general protection given to them applies when they are performing their tasks, some of which could be mistaken for military tasks.

9.65 Carriage of weapons. Civilian civil defence personnel may carry light individual weapons for the purpose of self-defence, or maintaining order, without losing their protection. If operating where fighting is likely to take place, such weapons must be confined only to hand guns to assist in recognition. Australia's interim policy is that civilians will only perform civil defence tasks and they will not be armed while doing so.

Identification

9.66 The international distinctive symbol for civil defence is an equilateral blue triangle on an orange square background, and for distinctive purposes must be clearly visible. Civil defence personnel must also carry an identity card if they are in areas where fighting is taking place, or in occupied territories. A model identity card is in annex C.

Australian civil defence organisations

9.67 Australia does not have totally dedicated civil defence organisations. Emergency Management Australia (EMA) maintains a civil defence responsibility at the national level. EMA is a new division of the Attorney-General's Department. EMA's role includes: 'to promote and support the development of a core civil defence capability'. At the state level the civil defence function is handled by the various State and Territory Emergency Services.

MEDICAL PERSONNEL, TRANSPORT AND FACILITIES

Medical personnel

9.68 Military and civilian medical personnel are protected persons. Similarly, civilian medical facilities, transports and supplies are not to be made the target of attack or unnecessarily destroyed.

9.69 Military medical personnel, facilities and equipment are also entitled to general protection. However, they may lose this protection if they engage in acts harmful to the enemy. Before the protection of medical personnel and facilities is lost, a warning will normally be provided and reasonable time allowed to permit cessation of improper activities. In extreme cases, overriding military necessity may preclude such a warning. Protection will not be lost if medical members act in self-defence. Weapons may be carried.

9.70 Captured military medical personnel are not PW and so they should be repatriated to their home country unless their medical services are required by PW. Similarly, civilian medical personnel should not be detained and must be permitted to continue to provide medical assistance.

9.71 Medical personnel are those persons, military or civilian, assigned exclusively to medical tasks or to the administration of medical units or the operation or administration of medical transports. Such assignment may be permanent or temporary. In addition to doctors, dentists, nurses, medical orderlies and hospital administrators attached to the forces or military and civilian establishments, medical personnel include:

- personnel of national Red Cross and other voluntary aid societies recognised and authorised by a party to the conflict;
- medical personnel attached to civil defence units; and
- any persons made available for humanitarian purposes by a neutral state, a recognised and authorised aid society of such a state, or an impartial international humanitarian organisation.

9.72 Medical personnel, military or civilian, cannot be compelled to give preferential treatment to any sick or wounded person, except on medical grounds, nor may they be compelled to carry out any act incompatible with their humanitarian mission or medical ethics. No person may be punished for carrying out medical activities in accordance with medical ethics, regardless of the nationality or status of the person treated.

9.73 Medical personnel, whether belonging to the belligerents, relief societies or neutral powers, are generally required to wear on their left arm a water-resistant armlet bearing the protective emblem, issued and stamped by the military authority to which they are attached. They are also required to carry an official identity card. Members of the military who are detailed to act as orderlies or stretcher bearers must also wear the armband when so employed.

9.74 In the most extreme circumstances, for example where an enemy was unlawfully targeting medical personnel, a military commander may order military personnel to not wear their brassard. The military commander may order the medical personnel to reinstate the brassard without jeopardising their special protection.

Medical facilities and transports

9.75 As far as possible given the circumstances of a conflict, medical personnel, units and transports must be clearly marked with the Red Cross, Red Crescent or Red Crystal, each on a white background. Fixed or mobile units like hospitals or ambulances should fly a flag portraying this emblem and if the unit belongs to a neutral state, the national flag should be flown together with the flag of the belligerent to which they are attached.

9.76 Military hospital ships, hospital ships used by national Red Cross Societies, recognised relief societies or private persons, whether belonging to or nationals of a party to the conflict or a neutral, and small craft employed by the state or officially recognised lifeboat institutions for coastal rescue work, must be painted white, with a large dark red cross on the sides and on horizontal surfaces so they may be visible from the sea and the air.

9.77 Medical aircraft must be marked clearly with the protective emblem together with the national emblem on their lower, upper and lateral surfaces, as well as with any other emblems, which may be agreed upon by the parties to the conflict.

Medical facilities

9.78 Medical facilities on land, hospital ships and medical aircraft must be respected and protected at all times and must not be attacked. Their immunity ceases once they are used for purposes hostile to the adverse party and outside their humanitarian purpose.

9.79 Medical units are establishments, whether military or civilian, organised for medical purposes, and may be fixed or mobile, permanent or temporary; medical transports are any means of transportation, military or civilian, permanent or temporary, assigned exclusively to medical transportation and under control of a competent authority of a party to the conflict; and the rights guaranteed by the LOAC apply equally to both temporary and permanent personnel, units and transports.

9.80 The material of mobile medical units falling into enemy hands must be reserved for the care of wounded and sick. The buildings, materials and stores of fixed medical establishments are subject to the LOAC, but may not be diverted from their purpose as long as they are required for the care of the

wounded and sick. Commanders may use them in the event of urgent military necessity, as long as proper arrangements are made for the care of the wounded and sick nursed in them.

9.81 The sick bay on a warship must, in case of a fight on board, be respected and protected as far as possible, but, provided proper care is taken of the wounded and sick therein, a captor may use the sick bay for other purposes in situations of military necessity.

9.82 Hospital ships and other craft employed on medical duties are subject to control and search. They may be required to follow a particular course; their radios and other means of communication may be controlled; and if the gravity of the circumstance so requires, they may be detained for up to seven days. Neutral observers may also be put on board to ensure that the provisions of the LOAC are obeyed. Hospital ships found in a port at the time of its occupation by an adverse party must be allowed to leave.

Medical transport

9.83 Medical aircraft may fly over land physically controlled by their own or friendly forces, and over sea areas not under enemy control. However, it is advisable that the enemy be informed if such flights are likely to bring the aircraft within range of enemy surface-to-air weapon systems.

9.84 In accordance with the LOAC, flight of such aircraft over enemy or enemy-occupied territory is forbidden without prior agreement. In the absence of such agreement, medical aircraft operating in parts of the zone controlled by friendly forces, and over areas the control of which is doubtful, do so at their own risk, but once they are recognised as medical aircraft they must be respected.

9.85 Provided prior agreement has been obtained from the enemy, medical aircraft belonging to a combatant remain protected while flying over land or sea areas under the physical control of the enemy. If it deviates for any reason from the terms of such an agreement, the aircraft shall take immediate steps to identify itself. Upon being recognised as a medical aircraft, the adverse party may order it to land, or take such other steps to safeguard its own interests, and must allow time for compliance before attacking the aircraft.

9.86 Known medical aircraft are entitled to protection when performing medical functions. The detailed rules to be applied may legitimately take into account the nature and flight characteristics of the particular medical aircraft, for example helicopters operating locally, or fixed wing aircraft in transit at higher altitudes. Medical aircraft must not be used in order to gain any military advantage and while carrying out flights in accordance with the two preceding paragraphs, shall not, without prior agreement, be used to search for the wounded, sick and shipwrecked.

9.87 According to the LOAC medical aircraft are entitled to fly over neutral territory, land on it if necessary, or use it as a port of call. They are required to give notice of their passage and must land if ordered to do so. When flying on routes, at heights and times agreed between the parties to the conflict and the neutral concerned, they are immune from attack, but the neutral may place restrictions on flights over, or landing, on its territory. Unless otherwise agreed by the neutral and the parties to the conflict, the wounded and sick or shipwrecked who are disembarked shall be detained by the neutral and prevented from taking any further part in hostilities. If a medical aircraft is ordered by the enemy to land, it must obey such orders and permit inspection. Wounded and sick on board may only be removed if this is essential to enable the inspection to proceed, and only if such removal does not adversely affect their welfare. If the inspection of an aircraft, discloses that the aircraft is in fact a medical aircraft, has not violated any of the restrictions imposed upon the activities of such aircraft and is not in breach of any prior agreement, the aircraft and its occupants must be allowed to leave. If the aircraft does not satisfy these requirements it may be seized, but if it had been assigned as a permanent medical aircraft it may be used by the captor only for this purpose. If the aircraft makes an involuntary landing in enemy or enemy-occupied territory, the sick, wounded and shipwrecked as well as the crew become PW, but the medical personnel must be treated in the same way as other medical personnel falling into enemy hands.

Chaplains and religious personnel

9.88 Religious personnel are defined as those military or civilian personnel, who are exclusively engaged in their ministry and who are permanently or temporarily attached to one of the protagonists, their medical units or transports, or to civil defence. Religious personnel are to wear and display the same distinctive emblem as for medical personnel. Like medical personnel, chaplains may not be attacked but must be protected and respected. As with medical personnel, religious personnel do not become PW, but may be retained as required to attend to the spiritual welfare of PW. They must be repatriated as early as possible.

Wounded, sick and shipwrecked

9.89 Parties to the conflict may make special agreements relating to the sick, wounded and shipwrecked, other than those relating to PW generally, provided that such agreements do not adversely affect the position of such persons or medical personnel or chaplains as provided by the LOAC. It is not permissible for the persons protected by the LOAC to renounce any of their rights.

9.90 Reprisals against the wounded, sick, shipwrecked and medical personnel, buildings and equipment are forbidden.

Collection of wounded, sick and shipwrecked

9.91 The parties to a conflict must take all possible measures to search for and collect the wounded, sick and shipwrecked, to protect them from pillage and ill-treatment, and to ensure their care. Parties must search for the dead and take measures to protect the bodies from being despoiled. Commanders may make agreements for the exchange, removal and transport of the wounded left on the field, besieged or encircled areas and to allow the passage of medical personnel and chaplains proceeding to any such area.

9.92 While there is no absolute obligation to accept civilian wounded and sick, once civilian patients have been accepted, discrimination against them, on any grounds other than medical, is not permissible.

9.93 Parties holding wounded, sick and shipwrecked personnel are obliged to record and forward the same details of identity and capture as in the case of any other PW and the rules with regard to burial at sea are adjusted to meet the requirements of the situation.

9.94 All belligerent warships have the right to demand the handing over of wounded, sick and shipwrecked, whether they are being carried on hospital ships or any other vessels, except neutral warships, provided they are fit enough to be handed over and the warship involved has sufficient facilities for their proper care and treatment. If they have been taken on board a neutral warship or military aircraft, care should be taken that they take no further part in military operations. If they fall into enemy hands they become PW, but the captor may convey them to a port of its nationality, to a neutral port, or even to a port of the captive's own forces. In the latter case, such personnel must take no further part in the hostilities.

Treatment of wounded, sick and shipwrecked

9.95 Sick, wounded and shipwrecked combatants are to be protected and respected, treated humanely, and cared for by any detaining power without any adverse discrimination. Attempts upon their lives and violence against them are prohibited. They shall not be:

- murdered or subjected to biological experiments,
- left without proper medical care and attention, or
- exposed to conditions which might result in contagion or infection.

9.96 G. P. I defines wounded, sick and shipwrecked, to include civilians, so that the provisions of the Protocol apply to civilians, although those of the Geneva Conventions do not.

9.97 Priority in medical treatment can only be determined on the basis of medical need, although women are to be treated with all consideration due to their sex.

9.98 A party to an armed conflict if compelled to abandon wounded and sick must, so far as military considerations permit, leave medical personnel and equipment to care for those left behind. The presence of such medical personnel does not, however, exempt the enemy from providing additional assistance that may be necessary.

MISSING AND DEAD

Search for missing and dead

9.99 As soon as possible each party to an armed conflict must search for those reported missing by the enemy. Any requests and all information which may assist in tracing or identifying such persons shall be transmitted through the Protecting Power or the Central Tracing Agency of the ICRC or the national Red Cross societies.

Missing persons

9.100 General. The request for information relating to either the missing or the dead must be humanitarian in nature and stem from the need for relatives to be notified of their whereabouts and subsequent repatriation, or re-internment. Should there be any controversy resulting from the request for information, the humanitarian needs and interests of the families concerned must prevail. The term generally accepted as common usage for missing combatants is ‘missing-in-action’.

9.101 The search. As soon as circumstances permit, but at the latest once active hostilities have ceased, all protagonists to the conflict shall commence to search to the fullest extent possible for persons reported missing by one of the belligerents. The report of a missing person is to be notified by each belligerent’s national bureau direct, or through a protecting power to the Central Tracing Agency of the ICRC.

9.102 Particulars of missing persons. In order to facilitate the search for missing combatants, protected persons, civilians and persons who would not receive more favourable considerations under either the Geneva Conventions or Additional Protocols, each of the protagonists shall:

- record the following information for each person detained, imprisoned or otherwise held in captivity for a period of two weeks, or who has died:
  - surname, all first names and nationality;

  - place and date of birth;
  - location of last residence and any distinguishing features;
  - the first name of the father and the maiden name of the mother;
  - the circumstances of captivity or detainment, including the date and place of detainment;
  - the address to which correspondence may be sent to the captive or detainee; and
  - the name and address of the person to be informed.

- provide regular reports on the state of health of seriously ill or wounded persons held in captivity or detention who cannot be immediately repatriated because of their medical state.

The dead

9.103 The remains of the dead, regardless of whether they are combatants, non-combatants, protected persons or civilians are to be respected, in particular their honour, family rights, religious convictions and practices and manners and customs. At all times they shall be humanely treated and protected against pillage and despoilment. The minimum respect for the remains of the dead is a decent burial or cremation in accordance with their religious practices.

9.104 The burial or cremation of the dead shall be carried out individually in accordance with the religious rites and practices of the deceased. In the case of burial the deceased shall be honourably interred, their graves respected and grouped by nationality. They are to be correctly marked to allow future exhumation. Bodies shall be buried with one half of a double identity disc placed in the mouth of the deceased. The other half is to be kept for records by Graves Registration. In the event of only one identity disc, that is to remain with the body.

9.105 Bodies shall only be cremated for imperative reasons of hygiene and health, or for the requirements of the deceased. The ashes of the deceased shall be forwarded to Graves Registration and the ashes exchanged as soon as practicable following the conclusion of hostilities.

9.106 As soon as is practical following the death of a combatant, a belligerent shall record the following information to aid identification. Such information is to be passed to the national bureau direct, or through a protecting power to the Central Tracing Agency of the ICRC as follows:

- nationality;

- regimental or serial number and rank;
- surname and all first names;
- date of birth, religion and any other particulars shown on the body's identity card or identity discs; and
- the date, cause and place of death and if the body is given a field burial, the exact location of the remains to enable future exhumation of the body, or remains if necessary.

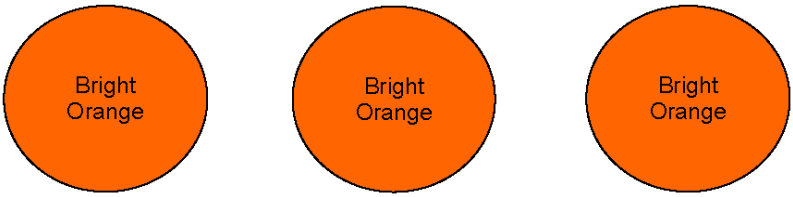
9.107 Prisoners of war. The notification of the death of a PW is to be forwarded as soon as possible to the Central Tracing Agency along with the same information required immediately above. A death certificate is to accompany this notification along with a medical report establishing the cause of death.

9.108 Internees. The requirements for disposal of an internee is no different to the processes described above for combatants and PW. Notification of death is to be forwarded to the national bureau direct, or through a protecting power to the Central Tracing Agency of the ICRC.

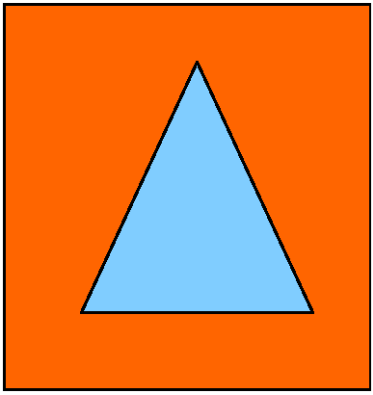
9.109 Search teams. All of the protagonists to a conflict shall attempt to agree to form special teams to undertake the search, identity and recovery of their dead from a belligerent's battlefield. This will include any arrangement for such teams to be accompanied by members of the belligerent force upon whose land they are searching. In the course of their duties search teams are deemed to be protected persons.

Annexes:
A. Protective symbols
B. Identity card for medical/religious personnel
C. Identity card for civil defence personnel

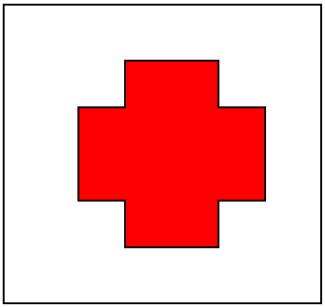
PROTECTIVE SYMBOLS

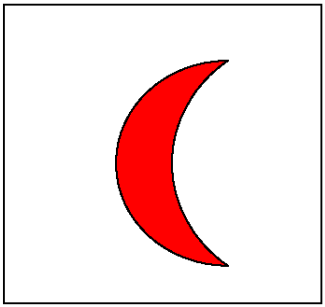


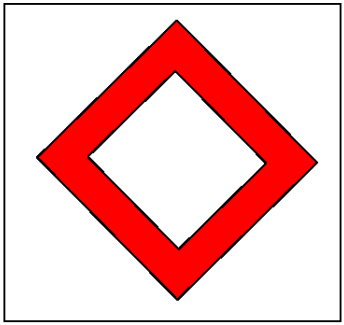
1. International special sign for works and installations containing dangerous forces. Special sign for dams, dykes and nuclear power stations protected under Additional Protocol I (three bright orange circles of equal size on the same axis).



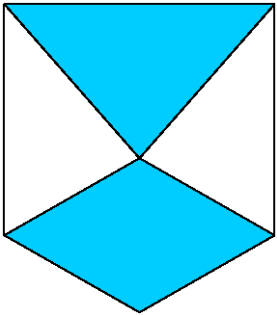
2. International sign for civil defence. International distinctive sign for civil defence provided for in Additional Protocol I (equilateral blue triangle on an orange background).





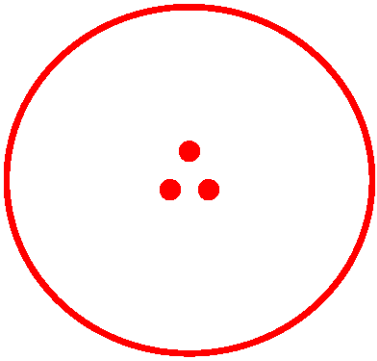


3. Emblems for medical activities (Red Crescent, Red Cross or Red Crystal[1] on a white background).

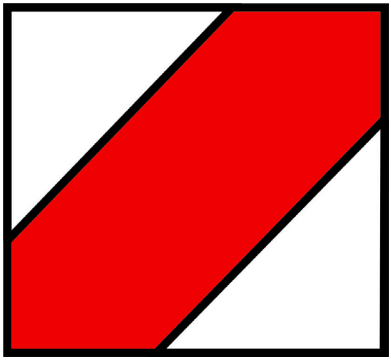


4. Emblem for cultural property under the 1954 Hague Convention (royal blue square and triangle on white square).

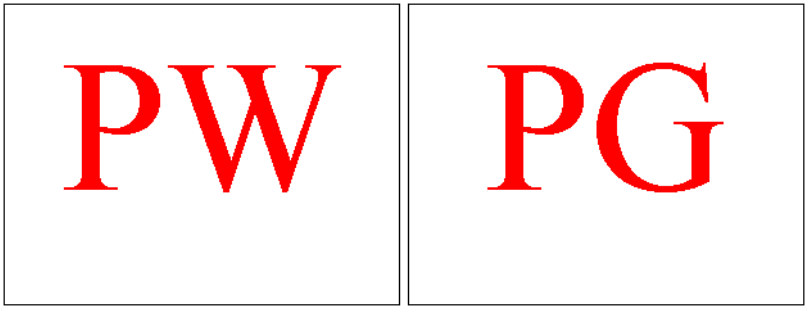
1 In 2005 Additional Protocol III introduced the 'Red Crystal' as another protective symbol for the purposes of the Geneva Convention.



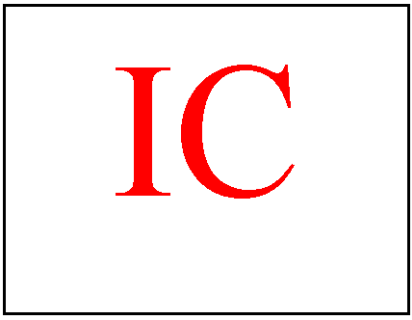
5. Flag of the 'Roerich Pact' (1935). To be used on historic monuments, museums, scientific, artistic, educational and cultural institutions, among Western Hemisphere States (red circle with triple red spheres in the circle, on white background).



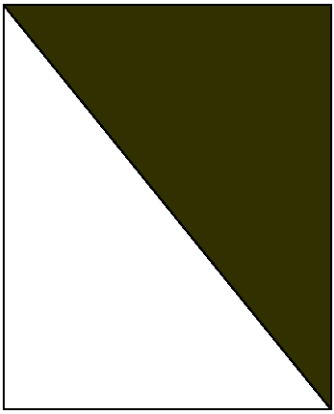
6. Marking for hospital and safety zones for civilians and sick and wounded (oblique red band on a white background).



7. Markings for prisoner of war camps (red letters on a white background).



8. Markings for civilian internment camps (red letters on a white background).



9. The 1907 Hague sign. The Convention on Naval Bombardment established this sign for sacred edifices; buildings used for artistic, scientific or charitable purposes; historic monuments and hospitals (rectangular panel divided diagonally into two triangular portions, the upper portion black, the lower white).

IDENTITY CARD FOR MEDICAL/RELIGIOUS PERSONNEL

FRONT




Space reserved for the name of the country and authority issuing this

IDENTITY CARD

For PERMANENT/TEMPORARY civilian medical/ religious personnel

Name……
……..

Date of Birth (or age)……

Identity No. (if any) ……

The holder of this card is protected by the Geneva Conventions of 12 August 1949 and by the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) in his capacity as ……

……..

Date of Issue…… No. of card …….

Signature of issuing authority

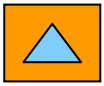
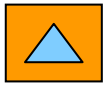
Date of Expiry ……..

REVERSE SIDE

Height…….	Eyes…….	Hair……..
Other distinguishing marks or information: …… …… ……		
PHOTO OF HOLDER		
Stamp	Signature of holder or thumbprint or both	

IDENTITY CARD FOR CIVIL DEFENCE PERSONNEL

FRONT

Space reserved for the name of the country and authority issuing this

IDENTITY CARD

For civilian defence personnel

Name……
……..

Date of Birth (or age)……

Identity No. (if any) ……

The holder of this card is protected by the Geneva Conventions of 12 August 1949 and by the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) in his capacity as …….

……..

Date of Issue…… No. of card …….

Signature of issuing authority

Date of Expiry ……..

REVERSE SIDE

Height…….	Eyes…….	Hair……..
Other distinguishing marks or information: …… …… ……		
PHOTO OF HOLDER		
Stamp	Signature of holder or thumbprint or both	

CHAPTER 10

PRISONERS OF WAR AND DETAINED PERSONS

Executive summary

- Prisoners of war (PW) are victims of war and are not criminals. Accordingly they are entitled to proper treatment in accordance with the law of armed conflict (LOAC).

INTRODUCTION

10.1 The fundamental principle underlying the treatment of PW is that they are war victims, not criminals and are entitled to humane treatment throughout their captivity. Once combatants are captured they must not be attacked, but should be handed over without undue delay to PW processing authorities.

10.2 The fundamental rules for the treatment of PW are:

- they must be treated humanely and honourably;
- any discrimination on the grounds of race, nationality, religious belief or political opinions is unlawful; and
- reprisals against them are prohibited.

Action to be taken at the start of hostilities

10.3 As soon as hostilities start each party involved should, where appropriate, take certain immediate steps for the benefit of PW. These include:

- appointing a protecting power, a neutral state whose duty it is to safeguard the interests of a belligerent and its nationals with regard to the enemy;
- setting up an official Information Bureau for the PW it holds; and
- issuing identity cards to all persons liable to become PW.

The following, although not mandatory, are desirable:

- notifying the enemy of the location and marking of PW camps and transports,

- notifying the enemy of arrangements made to enable PW to exercise their right of correspondence and to receive relief supplies and of any changes to those arrangements.

Prisoner of war status

10.4 Not all persons falling into the hands of a belligerent become PW or are entitled to PW status. Civilian nationals of an enemy, for example, when taken into custody do not fall into this category and if captured are entitled to treatment in accordance with the provisions of the Fourth Geneva Convention (G. IV), unless they have been taking part in hostilities when they may be liable to trial as unlawful combatants.

10.5 In most cases, captured combatants are entitled to claim PW status. If any doubt arises about a captured person's status, PW status is to be granted until such time as a proper tribunal established under the Third Geneva Convention (G. III) can determine their status.

10.6 The five categories of persons who may be entitled to claim PW status are:

- members of the armed forces of a party to the conflict (other than medical personnel and chaplains);

- members of militias, volunteer corps or organised resistance groups, belonging to a party to the conflict and operating in or outside their own territory provided that:

  – they are commanded by a person responsible for them as subordinates;

  – they have a fixed, distinctive sign recognisable at a distance;

  – they carry their arms openly; and

  – they conduct their operations in accordance with the LOAC;

- those who accompany the armed forces without actually being members thereof (for example, civilian members of military aircraft crews, war correspondents, supply contractors, members of labour units or of services responsible for the welfare of the armed forces which they accompany): an identity card is required to be provided to those persons to ensure PW status is given (a model identity card is in annex A);

- members of crews, including masters, pilots and apprentices, of the merchant marine and the crew of civil aircraft of the parties to the conflict, who do not benefit by more favourable treatment under any other provisions of international law; and

- levee en masse, ie inhabitants of a non-occupied territory, who on the approach of the enemy spontaneously take up arms to resist the invading forces, without having had time to form themselves into regular armed units, provided they carry arms openly and comply with the LOAC.

10.7 Prisoner of war at sea. Persons on board vessels and aircraft that have fallen into the power of a belligerent or neutral shall be respected and protected while at sea and thereafter until their status is determined. Persons so detained are entitled to PW status and may be made PW if they are:

- members of the enemy's armed forces;

- persons accompanying the enemy's armed forces, who have received authorisation from the armed forces they accompany;

- crew members of auxiliary vessels or auxiliary aircraft;

- crew members of enemy merchant vessels or civil aircraft who do not benefit from more favourable treatment under international law; or

- crew members of neutral merchant vessels or civil aircraft that have taken a direct part in the hostilities on the side of the enemy or served as an auxiliary for the enemy.

10.8 Status of captured medical and religious personnel. Medical personnel and chaplains who fall into enemy hands do not become PW but, until they are returned, are to be treated in accordance with the provisions of the G. III. They must be treated as PW and be provided with all necessary medical facilities to care for their own PW. PW who are medically qualified but not attached to the medical branch of their own forces may be required by the detaining power to exercise their medical functions on behalf of PW. Although prisoners, they are to be treated as other medical personnel and are exempt from any other work.

10.9 The wounded and sick. Wounded and sick combatants who are captured are PW, but are evacuated initially through medical channels. Until fully recovered they have the additional protection of the First Geneva Convention and Additional Protocol I (G. P. I).

10.10 Mercenaries. Mercenaries are not entitled to be PW, although their captors may afford them the protection of such status. Even if not treated as PW, captured mercenaries remain entitled to fundamental guarantees provided by G. P. I.

10.11 Deserters and defectors. Deserters in the military law sense become PW if they are captured. PW who defect during captivity retain their status and cannot be deprived of it.

10.12 Civilians. Civilians authorised to accompany the armed forces become PW on capture. Other civilians, including officials who are not considered part of the armed forces, are not PW, but have the protection of G. IV. If captured, they may for security reasons be interned or placed in an assigned residence.

10.13 Diplomatic staff. Accredited diplomatic staff must be given the opportunity to leave the receiving state on the outbreak of hostilities. Where necessary, they must be assisted with their transport requirements.

10.14 Journalists. Apart from war correspondents accredited to the armed forces, who have PW status on capture, journalists engaged in professional missions in areas of armed conflict are entitled to the protection afforded to civilians. A special identity card certifying status as a journalist may be issued by the state of which the individual is a national, or in which they resides or where his employer is located.

Determination of status

10.15 Presumption of prisoner of war status. There is a presumption in favour of entitlement to PW status if:

- the person concerned claims, or appears to be entitled to, that status; or
- the party to the conflict to which they belongs claims that status on their behalf by notification to either the detaining power or the protecting power.

In view of the difficulties of distinguishing combatants from non-combatants, it may not be easy to decide whether to give PW status to a person who has taken part in hostilities and has subsequently been captured, so the law makes this presumption in favour of PW status.

10.16 Cases of doubt. In cases of doubt as to entitlement, the person concerned continues to have the protection of G. III and G. P. I until his status has been determined by a competent tribunal.

10.17 Claiming prisoner of war status. Where a person in the power of an adverse party is not held as a PW and is to be tried by that party for an offence arising out of the hostilities, they have the right to claim PW status and to have that question adjudicated by a judicial tribunal. Whenever procedurally possible, this adjudication shall occur before the trial for the offence. Representatives of the protecting power are entitled to attend the adjudication proceedings unless, exceptionally, in the interests of state security, they are to be held in camera in which event the protecting power is to be advised accordingly by the detaining power.

10.18 Duration of prisoner of war status. The protected status of a PW begins at the moment when they falls into the power of the adverse party and continues until their final release and repatriation. PW are not permitted to renounce 'in part or in entirety' their rights as PW.

The reason for this is that PW, like other victims of armed conflict, are in a poor position to bargain with their captors who might otherwise be tempted, for example, to persuade PW to 'volunteer' to enlist in the forces of the capturing power.

PROTECTION OF PRISONERS OF WAR

10.19 PW must be treated humanely at all times. It must be remembered that PW when captured are the responsibility of an enemy power and not the individuals or military units that have captured them. The detaining power has overall responsibility for treatment of PW.

HISTORICAL EXAMPLE—SURVEILLANCE OF PRISONER OF WAR TREATMENT, SOUTH VIETNAM 1966–1972

By agreement with the host country, PW captured by Australian forces were passed to the armed forces of South Vietnam for custody. This transfer did not, however, under the Geneva Convention, diminish Australia's responsibility for their subsequent welfare. As detaining authority, Australia was still obligated to oversee that their ongoing treatment and welfare continued to be satisfactory under the Convention.

HISTORICAL EXAMPLE—(cont)

In consequence, a staff officer from Headquarters Australian Force Vietnam kept records of these PW and their location and, accompanied by an interpreter, visited the various PW camps each month to inspect their conditions, accept complaints and report on their overall treatment. Any problems with the Australian-detained prisoners were taken up with the Republic South Vietnam Government, rectification sought and this was rechecked on subsequent visits. Lurid stories by the media of bad treatment of prisoners by Republic South Vietnam authorities were not borne out by these inspections.

In this way, Australia met the wishes of the host country, saved itself of the responsibility, diversion of effort, and local and domestic problems, of holding prisoners in-theatre or at home, while still discharging its responsibilities properly under the Geneva Convention.

10.20 No PW may be subjected to physical mutilation or to medical or scientific experiments of any kind. They must be protected at all times, particularly against acts of violence or intimidation and against insults and public curiosity.

10.21 All PW shall be treated without distinction based on race, nationality, religious belief or political opinions or any other distinction subject to privileged treatment which may be given to them by reason of their rank and sex, state of health, age or professional qualifications.

10.22 Female prisoners must be treated with due regard to their sex and must in no case be treated less favourably than male prisoners. Their sex must also be taken into account in the allocation of labour and in the provision of sleeping and sanitary facilities. They must also be specially protected against rape and other sexual assaults.

Violations

10.23 Killing prisoners of war is prohibited. PW cannot be put to death for any reason including:

- because the captors are unable to provide the necessary facilities or personnel to restrict their movements;
- because they will have to be fed, thus reducing the supplies available to the captors; or
- because they may gain their liberty as a result of an early success by the forces to which they belong.

10.24 Any unlawful act or omission by the detaining power causing death or seriously endangering the health of a PW in custody is prohibited.

PRISONER OF WAR CAMPS

10.25 Prisoners must be evacuated to camps away from any danger areas as soon as possible. The only exception allowed is in respect of those who, because of wounds or sickness, would run a greater risk by being moved. PW may not be exposed to unnecessary dangers during evacuation.

10.26 PW camps must not be located near military objectives with the intention of securing exemption from attack for those objectives and must be provided with the same protective measures against aerial attack as the civilian population. Prisoners must be allowed to seek shelter as soon as possible after an alarm sounds. The location of PW camps shall be communicated to the enemy through the protecting power and whenever possible such camps should be clearly marked with the letters ‘PW’ or ‘PG’ visible from the air. These marks are protected and must not be used for any other purpose.

10.27 Evacuations must be conducted in conditions similar to those for the forces of the detaining power during changes of station. During the evacuation, prisoners must be provided with adequate food, clothing and medical attention, and lists must be maintained of those affected.

10.28 PW may only be interned on land and centres of internment must be established in healthy areas, with prisoners having facilities guaranteeing hygiene and health. They must not be detained in penitentiaries.

10.29 While officers should be housed separately, PW should be in camps according to nationality, language and customs, but should not be separated from other PW belonging to the forces with which they were serving at the time of capture, other than with their own consent.

RULES OF CAPTIVITY

10.30 Upon capture, any urgent or necessary medical treatment should be provided. If medical personnel or facilities are scarce they should be applied according to strict medical triage. The most gravely wounded or sick are to be given priority, irrespective of whether they are PW or soldiers of the capturing force. Immediate shelter, clothing and accommodation are to be provided and evacuation to a PW camp should be undertaken as soon as possible.

Identity cards

10.31 Every PW and person required to be treated as a PW must be issued with a capture card showing surname, first names, rank, Service, regimental or personal number and date of birth. The identity card must be shown by the PW on demand, but cannot be taken away from the PW at any time. A model capture card is in annex B.

10.32 Those captured who are entitled to PW status have that status from the moment of capture until their repatriation. They cannot, even of their own free will, surrender their rights of protection. Therefore, PW includes deserters and defectors.

Interrogation

10.33 When questioned, PW are bound only to give their surname, first names, rank, date of birth and Service number. Any information beyond those areas must be given voluntarily.

10.34 No physical or mental torture, or any other form of coercion may be inflicted on PW to obtain information of any kind.

Articles and equipment

10.35 After capture combatants may be disarmed and they and their possessions may be searched for the purpose of collecting military intelligence. PW must be allowed to retain:

- all their personal property, except vehicles, arms, and other military equipment or documents;
- protective equipment, such as helmets or respirators;
- clothing or articles used for feeding, even though the property of the government of the PW;
- badges of nationality or rank and decorations; and
- articles of sentimental value.

10.36 Money and articles of value may be taken from a PW only on the order of an officer. If this is necessary, then there must be a proper system of security and accountability established for that action, eg a receipt must be given. Any money or articles of value that are taken must be returned to the PW at the end of captivity.

Quarters, food and clothing

10.37 Housing. PW must be housed under conditions as favourable as those applicable to members of the detaining power housed in the same area.

10.38 Food. Food must be sufficient to keep prisoners in good health and the customs and normal diet of PW must be taken into account, ie PW dietary practices and customs must be accommodated if possible.

10.39 Clothing. Clothing, underwear and footwear must be sufficient and take into account the climate of the region where the PW is detained.

Medical and hygiene

10.40 The detaining power is bound to take all sanitary measures to ensure cleanliness of and health within the camps and to prevent epidemics. Every PW camp must have an infirmary.

10.41 Medical personnel of the PW are to be made available to attend to PW. Special facilities are to be made available for the care of the disabled, in particular the blind, and for the rehabilitation of those PW, pending repatriation. PW whose condition necessitates special treatment must be admitted to any civilian or military unit where such treatment can be given. PW cannot be prevented from seeking medical attention.

Religious, intellectual and physical activities

10.42 PW are completely free to exercise their religious duties and must be provided with adequate premises where religious services can be held. Chaplains retained by the enemy power are not PW and must be permitted to minister to PW.

10.43 The detaining power must encourage intellectual, educational and recreational pursuits, sports and games and provide adequate premises and equipment for that purpose.

Labour

10.44 Type of work. Officers and persons of equivalent status cannot be compelled to work but must be found work if they request suitable work. Non-commissioned officers may only be required to do supervisory work but, as with officers, they may request to do suitable work, and if that request is made, that work must be found if possible.

10.45 Permitted work. G. III (Article 50) lists the work that PW can be compelled to do. No PW can be employed on labour which is of an unhealthy or dangerous nature, which contributes to the war effort or which would be looked upon as humiliating for a member of the detaining power's own forces.

10.46 Conditions. The conditions of any work performed are not to be inferior to those enjoyed by the nationals of the detaining power employed in similar work. The duration of daily labour of PW cannot be excessive and cannot exceed that permitted for civilian workers in the area who are nationals of the detaining power and who are employed on the same work.

10.47 Wages. PW shall be paid a fair working rate of pay by the detaining authorities.

HISTORICAL EXAMPLE—ITALIAN PRISONER OF WAR CAMP 1944



Figure 10–1: Italian prisoner of war camp, Australia 1944

Transfer of German, Italian and Japanese PW to camps in Australia not only removed them from danger in operational areas, as is required by the Geneva Convention, but also facilitated their custody and maintenance.

Camp guards and administration were provided by Garrison Battalions drawn from men unfit for operational service. Where possible, prisoners were given paid employment in camp support and trades, while the more tractable ones were allocated to farmers for food production work. **(source: Australian War Memorial 062914)**

Prisoner representatives

10.48 In general, in all places where there are PW, there will be prisoners' representatives entrusted with representing PW before the military authorities, the protecting powers, the International Committee of the Red Cross and any other organisation which may assist them. In officer camps, the senior officer shall be recognised as the representative. In all other camps, election of representatives is to occur every six months.

DISCIPLINARY AND JUDICIAL SANCTIONS

10.49 PW are subject to the same laws, regulations and orders applicable to members of forces of the detaining power, and judicial or disciplinary action can be taken for any offence committed against those laws. Minor offences will result in disciplinary action. More serious offences may result in judicial (penal) action. Disciplinary action rather than judicial measures are to be adopted wherever possible.

10.50 Acts by PW punishable by the laws of the detaining power, which are not punishable if committed by a member of the forces of the detaining power, can only result in disciplinary punishment.

10.51 PW undergoing disciplinary or judicial action cannot be subject to any more severe punishment than that applicable to members of forces of the detaining power.

Disciplinary punishment

10.52 The types of disciplinary punishments available are set out in G. III. The duration of any punishment cannot exceed 30 days.

Judicial sanctions

10.53 PW must be tried by military courts unless the laws of the detaining power permit trial by civil courts for members of forces of the detaining power for similar offences.

10.54 A number of procedural rules apply in respect of trial. They are as follows:

- investigations must be conducted as rapidly as possible;
- PW cannot be confined awaiting trial unless members of the detaining power can be confined in similar circumstances;

- notice of proceedings must be given to:
  - the accused notifying the particulars of the charges in good time before trial; and
  - the protecting power at least three weeks prior to trial; and
- PW are entitled to be represented by a qualified lawyer of their choice and assisted by another PW; where the PW does not elect to choose a lawyer, the protecting power must appoint a defence lawyer within one week of being notified of the proceedings.

10.55 Consequences of escape. PW who have made good their escape and who are recaptured shall not be liable to any punishment in respect of their escape. The escape of a PW shall be deemed to have succeeded when the escapee:

- has joined friendly or allied armed forces,
- has entered neutral territory or otherwise left the territory under control of the detaining power, or
- has joined a ship in the territorial waters of the detaining power which is not under the control of the detaining power.

10.56 A PW who has been captured in an attempt to escape, even if a repeated attempt, shall be liable to camp disciplinary sanction for offences committed solely to facilitate the escape and which do not entail violence against life and limb (eg the use of false papers, wearing of civilian clothing, theft without intention of self-enrichment). Violent crimes, such as killing or wounding a guard, committed during an escape attempt can result in trial and punishment for the offence committed.

Repatriation

10.57 With the general exception of the categories mentioned below, PW are to be repatriated immediately to their own country at the conclusion of hostilities.

10.58 Seriously wounded and sick PW must be repatriated as soon as they are fit to travel except that PW cannot be involuntarily repatriated during hostilities. The incurably wounded or sick, those who will not recover within one year, or those who are gravely and permanently disabled are to be repatriated direct to their own country. PW who may recover within a year and those whose mental or physical health may be seriously threatened by captivity, may be accommodated in a neutral country.

10.59 Agreements may also be concluded between the parties to the conflict for the repatriation and internment in a neutral country of able-bodied PW who have undergone a long period of captivity.

Effect of repatriation

10.60 PW who are repatriated for medical reasons or for reasons of prolonged captivity are not permitted to rejoin the conflict. No such restrictions apply where PW are repatriated for any other reason.

Annexes:
A. Identity card for a person who accompanies the armed forces
B. Capture card for prisoner of war

IDENTITY CARD FOR A PERSON WHO ACCOMPANIES THE ARMED FORCES

FRONT

Photograph of the bearer	(Name of the country and military authority issuing this card) IDENTITY CARD

FOR A PERSON WHO ACCOMPANIES THE ARMED FORCES

Name……
First Names……..
Date and Place of Birth……..
Accompanies the Armed Forces as……..

Date of issue
……

Signature of bearer
……

REVERSE SIDE

Height ……	Weight ……	Eyes ……	Hair ……
Any other mark of identification	Fingerprints (optional) (Left forefinger) (Right forefinger)	Blood Type …… Religion	Official seal imprint
		Notice This identity card is issued to persons who accompany the Armed Forces of ……. but are not part of them. The card must be carried at all times by the person to whom it is issued. If the bearer is taken prisoner, he shall at once hand the card to the detaining authority.	

CAPTURE CARD FOR PRISONER OF WAR

FRONT

PRISONER OF WAR MAIL CAPTURE CARD FOR PRISONER OF WAR	Postage free
IMPORTANT This card must be completed by each prisoner immediately after being taken prisoner and each time his address is changed (by reason of transfer to a hospital or to another camp). This card is distinct from the special card which each prisoner is allowed to send to his relatives.	**CENTRAL PRISONERS OF WAR AGENCY** INTERNATIONAL COMMITTEE OF THE RED CROSS **GENEVA** SWITZERLAND

REVERSE SIDE

Write legibly and in Block letters	1. Power on which the prisoner depends …….
2. Name 3. First names (in full) 4. First name of father …… 5. Date of birth……...6. Place of birth …….. 7. Rank…….. 8. Service number …….. 9. Address of next of kin ……	
*10. Taken prisoner on: (or) Coming from (Camp - No., hospital, etc) …….. *11. (a) Good health - (b) Not wounded - (c) Recovered - (d) Convalescent - (e) Sick - (f) Slightly wounded - (g) Seriously wounded.	
12. My present address is: Prisoner No …….. Name of camp …… 13. Date ……14. Signature ……..	
* Strike out what is not applicable - Do not add any remarks - See explanations overleaf.	

CHAPTER 11

RIGHTS AND DUTIES OF NEUTRALS

Executive summary

- A nation may avoid being involved in armed conflict by maintaining a neutral status.
- A neutral nation is entitled to have its sovereignty and commercial activities respected by other nations involved in armed conflicts.

INTRODUCTION

11.1 The law of neutrality defines the relationship under international law between nations engaged in armed conflict (belligerents) and nations seeking to avoid direct involvement in the conflict (neutrals). The law of neutrality originally developed to localise armed conflict, to limit the conduct of war on both land and sea and to lessen the impact of conflict on international commerce.

11.2 At the time the law of neutrality was developed, transition to armed conflict was relatively clear-cut and usually accompanied by a declaration of war. Since that time, several legal developments have occurred to change the environment in which the law of neutrality operates. First, nations no longer customarily declare 'war' before engaging in hostilities and there is therefore no formal delineation between war and peace. Secondly, the use of force by member nations, other than in individual or collective self-defence or pursuant to authorisation under Chapter VII of the United Nations (UN) Charter, is now outlawed under the Charter. Thirdly, collective security arrangements, either through the UN Charter or by way of regional security compacts mean that very few nations will be able to remain 'neutral' in the true sense in the event of armed conflict. Notwithstanding these uncertainties, the principles developed under the law of neutrality continue to play an important role in containing the spread of hostilities, in regulating the conduct of belligerents with respect to nations not participating in the conflict and in reducing the harmful effects of such hostilities on international commerce.

Neutral status

11.3 Under customary international law, all nations, in the absence of an international commitment to the contrary, have the right to refrain from participation in an armed conflict by adopting neutral status. There is no requirement in international law for a 'declaration of neutrality'. However, all nations which do not expressly declare the contrary, by word or action,

are neutral and the rights and duties of neutrality apply to them. Neutral status remains in effect unless and until the neutral nation abandons its neutral stance and enters into the conflict, or is itself the subject of an attack by a belligerent.

Primary rights and duties of neutral states

11.4 The law of armed conflict (LOAC) reciprocally imposes duties and confers rights upon neutral states and upon belligerents. The primary right of a neutral is that of inviolability, that is, the right to have its territorial sovereignty and its activities, such as international trade and commerce, respected and unaffected by armed conflict occurring between other nations. There is a corresponding right on the part of the neutral to preserve its neutrality by excluding armed forces of the belligerents from its territory. As a corollary, a neutral has a duty to abstain from taking part in the conflict and to remain impartial by according rights of passage or providing goods and services to belligerents on a non-discriminatory basis.

11.5 A belligerent has a right to insist that a neutral not violate its duties of abstention and impartiality and has limited rights, mainly in respect to neutral shipping and commerce, to pursue its war aims by acts that would not be permitted in peacetime (further detail is covered in chapter 7—'Land operations and the law of armed conflict'). Likewise, a belligerent has a duty to respect the territorial sovereignty of a neutral state and the immunity of its activities, such as international commerce.

Neutrality and the United Nations Charter

11.6 The UN Charter requires nations to settle their disputes peacefully and to refrain from the threat or use of force in international relations. In the event of a threat to or breach of international peace or security, the UN Security Council is empowered to take enforcement action, on behalf of all member nations, involving or not involving the use of force, to maintain or restore international peace. When called upon by the UN Security Council to do so, all member nations are required to provide assistance to the UN in any action it takes. A nation which provides elements of its armed forces to a UN force or lends other assistance in support of UN peace operations cannot assume neutral status. Should the UN Security Council determine not to institute an enforcement action or is unable to do so, due to the use of the veto by one of its members, member nations remain free to assume neutral status.

Neutrality and its relationship to regional and collective security arrangements

11.7 The obligation in the UN Charter for member nations to refrain from the threat or use of force is qualified by the right of individual or collective self-defence, which member nations may exercise until such time as the

Security Council has taken the measures necessary to restore international peace. This inherent right of self-defence may be exercised by individual nations or through regional or collective security arrangements. The possibility of maintaining neutral status under such arrangements depends upon the extent to which the parties to the arrangements are obligated to provide assistance in a regional action, or in the case of collective self-defence, to come to the aid of a victim of an armed attack.

NEUTRAL TERRITORY

11.8 As a general rule of international law, all acts of hostility in neutral territory, including neutral land, neutral waters and neutral airspace are prohibited. A neutral state has a duty to prevent the use of its territory as a sanctuary or a base of operations by the belligerent forces of any side. If the neutral state is unable or unwilling to enforce effectively its right of inviolability, an aggrieved belligerent may resort to acts of hostility in neutral territory against enemy forces, including warships and military aircraft, making unlawful use of that territory. Belligerents are also authorised to act in self-defence when attacked or threatened with attack while in neutral territory or when attacked or threatened from neutral territory.

Neutral land territory

11.9 Belligerent forces. Belligerents are prohibited from moving troops or war materials and supplies across neutral land territory. Belligerent troops that enter neutral land territory or who are on neutral land territory at the outset of an armed conflict must be disarmed and interned until the end of the armed conflict. Internees under these rules must be afforded treatment at least to the same standard as laid down in the Third Geneva Convention.

HISTORICAL EXAMPLE—INVASION VIA NEUTRAL THAILAND 1941

The operation order issued by Commander-in-Chief Far East Air Chief Marshal Brooke-Popham's headquarters in January 1941 correctly predicted the Japanese invasion points nearly a year later. One area was at Singora and Patani, 150 kilometres (km) across the border in neutral Thailand, which posed the question of how to deal with this expected breach of neutral territory by the enemy, which could not be reciprocated until the enemy landing was made.

HISTORICAL EXAMPLE—(cont)



Figure 11–1: A map of the invasion through Thailand to Malaya

With two enemy divisions expected to be sea-landed, and a third one to move overland, it was estimated that three brigade groups and six squadrons of aircraft would be necessary to forestall the landing.

As it would take some 36 hours after the go-ahead to position the ground force at Singora, Plan MATADOR would obviously fail to achieve its objective—by then the invasion force would be firmly lodged. However, the 11th Indian Division was readied for this operation and stood by pointlessly on a half-hour notice from 06 December 1941 until after the Japanese landing on 08 December, when the orders were belatedly changed to taking up defensive positions obstructing their advance into east Malaya.

HISTORICAL EXAMPLE—(cont)

But these positions were now outflanked by the simultaneous landing behind them at Kota Bahru.

The other plan to counter an expected enemy thrust into west Malaya was Krocol—a battalion group based at Kroh, transported by 2/3 Australian Reserve Motor Transport Company to block a pass at 'The Ledge', 50 km beyond the frontier. This force was fired on by Thai police on crossing the border late 08 December, and was stopped for the night. When Thai opposition ceased on the afternoon of the following day and the advance was resumed, the force ran into Japanese tanks and infantry 8 km short of its objective, which forestalled the mission, due to the delay caused by Thai resistance focused on the British force, but not the Japanese one. The Australian Transport Company eventually had to dismount and fight its way in to extract the surrounded force.

Military forces willing to violate neutral territory may gain a military advantage, though there is always a risk of bringing the neutral into a conflict where their territory is violated. Planners need to recognise the possibility of the misuse of neutral territory and develop a realistic counter strategy. **(source: Official History of Australia in the War 1939–1945 volume 1.4)**

11.10 Sick, wounded and shipwrecked. A neutral state may accept sick and wounded of a belligerent into its territory but must ensure that they are guarded and do not again take part in military operations. Neutral states are also required to cooperate with belligerents in the accommodation or internment of sick and wounded in neutral territory. Neutral states are required to apply, by analogy, the same standards to sick and wounded and shipwrecked received or interned in their territory as is required of belligerents.

11.11 Medical aircraft and transports. A neutral state may authorise passage through its territory of wounded and sick belonging to the armed forces of either side on condition that the vehicles transporting them carry neither combatants nor materials of war. If passage of sick and wounded is permitted, the neutral nation assumes responsibility for providing for their safety and control. If any sick or wounded are left in neutral territory, they must not be allowed to take any further part in the conflict. Medical aircraft are not permitted to fly over neutral land territory without prior permission except in cases of emergency. The neutral state may impose conditions on such flights

on a non-discriminatory basis. Where an aircraft is ordered to land it must be inspected to verify its status, with the minimum disruption to the sick and wounded and to the aircraft's flight.

11.12 Prisoners of war. Prisoners of war (PW) that have escaped their captors and made their way to neutral territory may be either repatriated or left at liberty in the neutral state, but must not be allowed to take part in belligerent activities while there. The neutral state may assign them a place of residence. Neutral states are obligated to seek agreement with detaining powers with a view to interning PW on neutral territory. A neutral state which has received PW on its territory must set up an Information Bureau with the same rights and entitlements to receive information as those established in belligerent territory.

11.13 Medical personnel and chaplains. Medical personnel and chaplains of the armed forces of a belligerent who are received into neutral territory may only be retained if necessary for the medical and spiritual care of interned members of the armed forces. They must otherwise be repatriated. They must be accorded the same standard of treatment as applies to other internees.

11.14 War criminals. Where an individual seeking asylum in a neutral state is alleged to have committed grave breaches of the LOAC, and a prima facie case can be established, the neutral state is obligated either to place the individual on trial or hand them over to another party to the Geneva Conventions for trial.

11.15 Recruitment and neutral territory. A neutral state must not permit a belligerent to establish recruiting depots within its territory, nor may it permit the organisation of groups intending to proceed to belligerent territory in order to enlist there. The neutral state is not under an obligation, however, to prevent isolated individuals or disorganised groups from crossing its frontiers in order to enlist in the forces of one of the belligerents; nor is it under an obligation to prevent its own nationals from enlisting in the forces of belligerents but any such restriction it does impose must be non-discriminatory between belligerents. Active members of the armed forces of a neutral state must not be permitted to enlist, or to continue serving on exchange or otherwise in the armed forces of a belligerent nation.

NEUTRAL WATERS

11.16 Neutral waters are the internal waters, territorial sea and archipelagic waters of a neutral. The peacetime rights and duties of a neutral in relation to neutral waters and other waters under its jurisdiction, such as the contiguous zone and the exclusive economic zone, and the peacetime rights and duties of belligerent vessels entering and transiting such waters continue to apply during armed conflict subject to certain modifications necessary to observe the laws of neutrality. Further detail is covered in chapter 6—'Maritime operations and the law of armed conflict'.

11.17 As a general rule, belligerent warships and auxiliary vessels must abstain from acts of hostility in neutral waters except those necessitated by self-defence or undertaken as a self-help enforcement action against enemy forces that are in violation of the neutral status of those neutral waters and where the neutral cannot, or will not, enforce its neutrality. Belligerents are prohibited from using neutral waters as a base of operations or as a sanctuary from their enemies.

Neutral internal waters

11.18 Neutral states may, on a non-discriminatory basis, close their internal waters, including their ports and roadsteads, to belligerents but they are not obliged to do so. Belligerent vessels retain a right of entry in distress whether caused by force majeure or damage resulting from enemy action. In the absence of special provisions to the contrary in the national law and regulations of the neutral, belligerent warships or auxiliary vessels are forbidden to remain in a neutral port or roadstead in excess of 24 hours. Belligerent warships may be permitted by a neutral to extend their stay in neutral ports and roadsteads on account of stress of weather or damage involving seaworthiness. It is the duty of the neutral to intern a belligerent warship, together with its officers and crew that will not or cannot depart a neutral port or roadstead where it is not entitled to remain.

11.19 Unless the neutral has adopted laws or regulations to the contrary, no more than three warships of any one belligerent nation may be present in the same neutral port or roadstead at the same time. When warships of opposing belligerent nations are present in a neutral port or roadstead at the same time, not less than 24 hours must elapse between the departure of the respective enemy vessels. The order of departure is determined by the order of arrival unless an extension of stay has been granted to a particular vessel.

11.20 Belligerent warships may carry out such repairs in neutral ports and roadsteads as are absolutely necessary to render them seaworthy. They may not add to or repair weapons systems or enhance any other aspect of their war-fighting capability.

11.21 A prize (a captured neutral or enemy merchant ship; *see* chapter 6) may only be brought into a neutral port or roadstead because of unseaworthiness, stress of weather, or want of fuel or provisions and must leave as soon as such circumstances permit.

Neutral territorial waters

11.22 A neutral may, on a non-discriminatory basis, close its territorial waters, except in international straits and archipelagic sea lanes, to belligerent vessels. When properly notified of its closure, belligerents are obliged to refrain from entering a neutral territorial sea except to transit through international straits or archipelagic sea lanes or as necessitated by distress. A neutral may, however, allow the 'mere passage' of belligerent vessels, including warships and prizes, through its territorial waters. Such passage must be innocent in nature and, in the absence of specific national law or regulations of the neutral state to the contrary, must not exceed 24 hours in duration unless a longer time is unavoidable on account of damage or the stress of weather. This rule does not apply in neutral international straits and neutral waters in which the right of archipelagic sea lanes passage is exercised. Although the general practice has been to close neutral territorial waters to belligerent submarines, a neutral may elect to allow mere passage of submarines, either on the surface or submerged. Neutral nations customarily authorise passage of vessels carrying the wounded, sick and shipwrecked, whether or not those waters are otherwise closed to belligerent vessels.

Neutral international straits

11.23 Belligerent and neutral surface ships, submarines and aircraft have a right of transit passage through, under and over all straits used for international navigation. Neutral nations cannot suspend, hamper or otherwise impede this right of transit passage through international straits. Belligerent forces transiting through international straits overlapped by neutral waters must proceed without delay, must refrain from the threat or use of force against the neutral nation and must otherwise refrain from acts of hostility and activities not incident to their transit. Belligerent forces in transit may take defensive measures consistent with their security, including the launching and recovery of aircraft, screen formation steaming, and acoustic and electronic surveillance. Belligerent forces may not use neutral international straits as a place of sanctuary nor a base of operations, and belligerent warships may not exercise the right of visit and search or capture vessels in those waters.

HISTORICAL EXAMPLE—AE2 IN THE DARDANELLES 1915

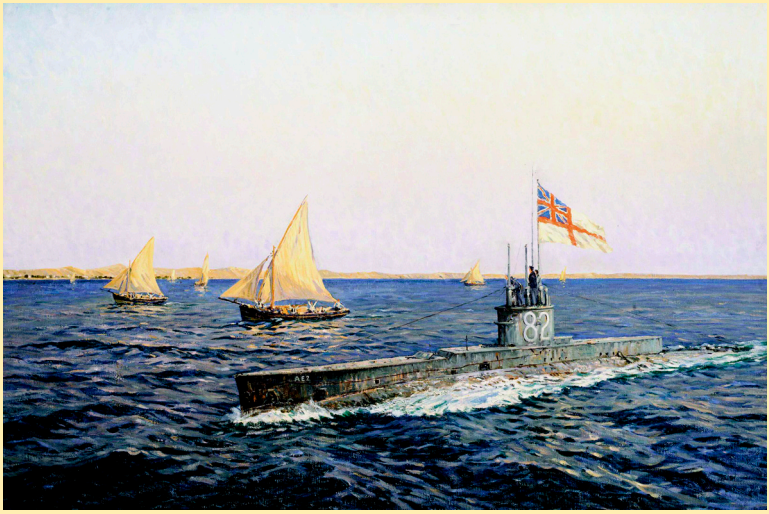


Figure 11–2: A painting of Australian E class submarine AE2 interdicting enemy shipping, Sea of Marmora 1915

The Treaty of Paris ending the Crimean War prohibited warships from the Dardanelles while Turkey was at peace and merchant ships had the right to use the straits. From 15 August 1914, Turkey, under German direction, began breaches of freedom of passage, finally closing it on 27 September 1914 and so blocking the shipment of munitions to Russia, and Russian grain and oil to France and the United Kingdom. This led to an attempt to force the straits with warships, and the subsequent landing attempt at Gallipoli.

Australian submarine AE2 managed to penetrate the Dardanelles during the landings at Anzac and Helles, and harass Turkish shipping until forced to scuttle after mechanical problems. **(source: Australian War Memorial ART 09016)**

Neutral archipelagic waters

11.24 Belligerent forces must refrain from acts of hostility in neutral archipelagic waters and from using them as a sanctuary or base of operations. All belligerent ships or aircraft, including submarines, retain the right of unimpeded archipelagic sea lanes passage through, over and under neutral archipelagic sea lanes. Belligerent forces exercising the right of archipelagic sea lanes passage in neutral archipelagic waters may engage in those activities that are incidental to their normal mode of continuous and expeditious passage, and are consistent with their security. Belligerent warships on archipelagic sea lanes passage are not permitted to conduct visit and search or capture of vessels while in archipelagic waters.

11.25 A neutral may close its archipelagic waters (other than archipelagic sea lanes whether designated or those routes normally used for international navigation) to the mere passage of belligerent ships but it is not obliged to do so. The neutral archipelagic nation has an affirmative duty to police its archipelagic waters to ensure that the inviolability of its neutral waters is respected. If a neutral is unable or unwilling to effectively detect or expel belligerent forces unlawfully present in its archipelagic waters, the opposing belligerent may undertake such self help enforcement actions as may be necessary to terminate the violation of its neutrality. Such actions may include surface, sub-surface and air penetration of archipelagic waters and airspace, and the use of proportional force as necessary.

11.26 Neutral states have a duty to prevent violation of neutral airspace by belligerent aircraft, to compel offending aircraft to land and to intern both aircraft and crew. If a neutral state is unable or unwilling to prevent the unlawful entry or use of its airspace by belligerent aircraft, belligerent forces of the other side may undertake such self-help enforcement measures as the circumstances may require.

NEUTRAL COMMERCE

11.27 A principal purpose of the law of neutrality is the regulation of belligerent activities with respect to neutral commerce. Neutral commerce comprises all commerce between one neutral nation and another not involving materials of war or armaments destined for a belligerent nation and all commerce between a neutral nation and a belligerent that does not involve the carriage of contraband or otherwise sustain the belligerent's war-fighting capability. Neutral merchant vessels and non-public civil aircraft engaged in legitimate neutral commerce are subject to visit and search, but may not be captured or destroyed by belligerent forces. The conditions under which neutral vessels and aircraft may be visited and searched and subsequently

captured together with other measures of naval and air warfare which affect neutral commerce are dealt with extensively in chapter 6—'Maritime operations and the law of armed conflict'.

11.28 The law of neutrality does not prohibit neutral nations from engaging in commerce with belligerent nations. However, a neutral state cannot supply materials of war or armaments to a belligerent without violating its neutral duties of abstention and impartiality and risking loss of its neutral status. Although a neutral state may forbid its citizens from carrying on non-neutral commerce with belligerent nations, it is not obliged to do so. In effect the law establishes a balance of interests that protects neutral commerce from unreasonable interference on the one hand and the right of belligerents to interdict the flow of war materials to the enemy on the other.

NEUTRAL PERSONS AND PROPERTY

Neutral nationals and property in belligerent territory

11.29 Neutrals who remain in the territory of a belligerent are only entitled to treatment as a protected person under the Fourth Geneva Convention if their country of nationality does not maintain normal diplomatic relations with the belligerent nation. The rules in relation to property outlined in the following paragraph apply in respect of belligerent territory.

11.30 A neutral ship in the territorial or internal waters of a belligerent may be requisitioned by a belligerent in the case of public need or necessity justifying the seizure. The owner must be fully compensated for any damage caused by use or destruction of the ship. Only a ship and not its cargo may be seized in this manner.

Neutral nationals or property in a theatre of war

11.31 A belligerent is not responsible for accidental injury or damage to neutral national property occurring in a theatre of war; however, if a belligerent has requisitioned neutral property, the belligerent is liable to pay compensation.

Neutral nationals in occupied territory

11.32 Neutral nationals in occupied territories may leave the territory unless their departure is contrary to the interests of the occupying power.

Loss of neutral status

11.33 Neutral nationals lose neutral status if they commit hostile acts against a belligerent, or acts in favour of a belligerent, particularly by joining the armed forces of the belligerent.

BREACH OF NEUTRALITY

11.34 Failure by a neutral national to observe or prevent violation of their neutrality can take a number of forms, including:

- direct participation in the conflict,
- providing assistance to a belligerent by way of supply of munitions or organised bodies of men, or
- failure to prevent a belligerent using neutral territory or neutral waters for its war aims contrary to the law of neutrality.

11.35 Where there are severe breaches of the rules of neutrality, for instance by the commission of an armed attack or by assistance in such an attack, it may justify a conclusion that the nation is no longer neutral. This may then give rise to a legitimate exercise of the right to self-defence by the belligerent which was the subject of such an attack.

11.36 In instances short of this situation, particularly where the neutral has been unable to prevent its territory or waters being violated by a belligerent, the nation would not lose its neutral status. The principal remedy in this case would be for the belligerent nation to seek reparations as it would for any other international wrong. To respond to such violations by a declaration of war or by armed attack directed against the neutral is contrary to international law.

CHAPTER 12

OCCUPATION

Executive summary

- Military occupation may take many forms. 'Belligerent occupation' occurs when one belligerent in an armed conflict is in control of some of the adversary's territory and is directly responsible for administering that territory.
- 'Belligerent occupation' is governed by the provisions of the Regulations Respecting the Laws and Customs of War on Land (H. IV. R) and the Fourth Geneva Convention (G. IV).

INTRODUCTION

12.1 Occupation is the military occupation of enemy territory in the course of, or following, an armed conflict under the Geneva Laws. Further guidance with respect to this subject is available from Australian Defence Force (ADF) legal officers.

12.2 Military occupation may take many forms. This chapter deals with 'belligerent occupation'. This refers to the occupation of enemy territory, that is, when one belligerent in an armed conflict is in control of some of the adversary's territory and is directly responsible for administering that territory. 'Belligerent occupation' is governed by the provisions of the Regulations Respecting the H. IV. R and G. IV.

12.3 This chapter does not cover situations where the military forces of one state are in the territory of another allied state in pursuance of a treaty or agreement between allies. In those cases, the matter is governed by the treaty or agreement. Nor does this chapter apply to cases of international administration of territory, for example by the United Nations or other international organisations, which will usually be governed by a complex of legal instruments establishing and regulating such administrations.

12.4 Where the ADF is sent in to a collapsed state to restore law and order, it may not always be possible to conclude a civil affairs agreement with the authorities of the country concerned in advance so that there will be de facto military rule by the liberating power. The rules of international law applying to occupied territory should, so far as possible, be applied by analogy until an agreement is concluded.

COMMENCEMENT AND TERMINATION OF BELLIGERENT OCCUPATION

Commencement

12.5 A territory is considered occupied when it is actually placed under the authority of the enemy armed forces. The occupation extends only to the territory where such authority has been established and can be exercised. The territory is considered occupied even if the occupation meets with no armed resistance.

12.6 Small armed groups, including special forces units, which move on or withdraw after carrying out their mission, do not normally occupy territory since they are not present in an area for sufficient time to establish an administration. When hostilities continue in enemy territory, occupation only arises in areas coming under the control of the adverse party, even if that control is only temporary, provided that measures are taken to administer the areas in question.

MILITARY OCCUPATION OF JAPAN 1946–1951

Aims of the British Commonwealth Occupation Force in Japan:

To maintain and enhance the prestige of the British Commonwealth of Nations by worthily representing it in the Occupation and,

To demonstrate to the Japanese the democratic way of life.

(source: Official History of Australia in the War of 1939–1945 volume 1.7)

12.7 Occupation does not take effect merely because the main forces of the country have been defeated but depends on whether authority has actually been established and can be exercised over the civilian population. However, for occupation of an area it is not necessary to keep troops permanently stationed throughout that area. It is sufficient that the national forces have withdrawn, that the inhabitants have been disarmed, that measures have been taken to protect life and property and to secure order and that troops are available, if necessary to enforce authority in the area. The existence within an occupied area of a defended zone makes no difference so long as it is surrounded and effectively cut-off.

12.8 Occupation does not cease where the forces of the occupying power continue their advance, leaving only a few troops behind, so long as they have disarmed the inhabitants and made arrangements for the administration of

the occupied area and so continue to exercise control over such territory. However, the authority of the occupying power should be represented by the presence of a commissioner or civil officials.

Termination

12.9 Occupation may be terminated in at least three ways, shown below:

- The occupying power may withdraw.
- The occupying power may be ejected either by the population of the territory or by the armed forces of the sovereign nation, or by the armed forces of their allies or by a combination of the above.
- The sovereign government of the occupied territory may be defeated and part or all of the occupied territory may be annexed by the occupying power or by some other power. A legally valid annexation cannot occur while allies of the defeated sovereign nation are still in the field against the occupying power.

12.10 The general termination of hostilities does not automatically terminate occupation. Occupation does not terminate until a nation exercises sovereign authority over the area as part of its own territory.

GENERAL EFFECTS OF OCCUPATION

Limits on legislative power of occupying power

12.11 The powers of an occupying power are of a provisional nature and it should only take measures which are necessary for the purposes of the war, the maintenance of order and safety and the proper administration of occupied territory. Generally speaking, the occupying power is not entitled to alter the existing form of government, to disregard the constitution and domestic laws of the occupied territory or to set aside the rights of the inhabitants.

Constitutional position

12.12 Sovereignty of an occupied territory does not pass to the occupying power. The occupying power may not change the constitution and domestic laws of the occupied territory nor set aside the rights of the inhabitants except to the extent permitted under the law of armed conflict (LOAC).

12.13 The occupying power has a duty to maintain orderly government, public order and security and to meet the humanitarian needs of the population. While it is not open to the occupying power to reconstruct every aspect of the economic and social life, the occupying power may assist the population to work towards economic recovery.

12.14 The occupying power should not alter fundamentally the existing body of law and the judicial structures and administration, and when considering how to work within these limitations, account must be taken of the state of existing laws, administration and judicial structures.

12.15 If an aspect of administration is degraded to the point where it cannot function, then the occupying power may put in place an effective system. If aspects of existing laws are inconsistent with fundamental human rights, or not sufficient for the maintenance of public order, those laws may be altered.

12.16 The occupying powers may issue new laws that are essential to meet their obligations to maintain orderly government, or to ensure security, and may also create courts to deal with such provisions.

Annexation prohibited

12.17 It is unlawful for an occupying power to annex occupied territory while hostilities continue. The right to annex territory once hostilities have ended is beyond the scope of this publication. The inhabitants of occupied territory are not subjects of the occupying power and the territory does not belong to the occupying power. Neither annexation nor agreements between the occupying power and authorities of the occupied territory have any effect on the rights of protected persons under the LOAC.

Maintenance of public order

12.18 Inhabitants of occupied territory cannot be compelled to swear allegiance to the hostile power. Notwithstanding this prohibition, the occupying power has a right to demand and enforce such measures of obedience from the population of the territory as are necessary for the security of its forces, the maintenance of order, and the proper administration of the country. The occupying power has an obligation to maintain public order.

ADMINISTRATION OF OCCUPIED TERRITORY

12.19 All functions of the legitimate government in the occupied territory cease when occupation commences. The occupying power may, however, allow civil servants and other officials of the local government to continue to

perform their routine duties. Where municipal officials are involved in particular, this course of action is usually in the best interests of the occupying power.

Officials, civil servants, police and judges

12.20 Officials of the occupied territory owe no duty of allegiance to the occupying power and may refuse to serve that power. If they have fled, the occupying power will have to form its own administration. Local authority officials who remain may be employed for this purpose.

12.21 Duties of officials. The occupying power may not alter the status of officials, nor apply any sanctions or take measures of coercion or discrimination against them if they decide to abstain on grounds of conscience from fulfilling their functions. A belligerent cannot compel officials to take part in military operations against their own country, even if they were in the belligerent's service before the commencement of the armed conflict.

Law applicable in occupied territory

12.22 The occupying power does not bring with it the ordinary laws and jurisdiction of its own country. Generally speaking, laws of the occupied country continue to be valid and the courts continue to sit. The courts usually continue to try all criminal charges against the inhabitants which are not of a military nature and do not affect the safety of the army of occupation. The courts should be suspended only if:

- judges abstain from fulfilling their functions,
- the courts are corrupt or unfairly constituted, or
- local judicial administration has collapsed.

12.23 If the exigencies of war, the maintenance of order, or the welfare of the population so require, it is within the power of the occupying power to alter or suspend or repeal any existing laws, or to promulgate new laws in areas such as:

- legislation constituting a threat to its security, such as laws relating to recruitment and the bearing of arms;
- legislation dealing with the political process, such as laws regarding the rights of suffrage and of assembly; and
- legislation, the enforcement of which would be inconsistent with the duties of the occupying power, such as laws establishing racial discrimination.

12.24 In occupied territory possessing an adequate legal system conforming with generally recognised principles of law, significant changes should be avoided. The occupying power may, however, issue regulations fixing prices and securing the equitable distribution of foodstuffs and other commodities.

12.25 The occupying power may not declare that the rights of enemy subjects are abolished, suspended, inadmissible or unenforceable in a court of law in the occupied territory.

12.26 Jurisdiction. The courts of occupied territory retain jurisdiction to deal with any of the inhabitants' cases that are neither of a military nature, nor affect the safety of the occupying forces. Jurisdiction in the latter two cases is a matter for the authorities of the occupying power.

Occupying force exempt from local laws

12.27 Members of an occupying force are not subject to the jurisdiction of the local courts but their offences will be dealt with under the military law of their own armed forces. The occupying power will generally ensure that some system of law is available to handle legal problems arising between inhabitants of the occupied territory and members of the occupation forces.

Welfare measures

12.28 Foodstuffs and medical supplies in the occupied territory may only be requisitioned for use by the occupation forces and administration personnel so long as the requirements of the civilian population have been taken into account. If the local food and medical resources are inadequate for the purposes of the local population, the occupying power is, to the fullest means and extent available to it, under a duty to bring in such supplies as are necessary. Civilian hospitals may only be temporarily requisitioned, and only in the event of urgent necessity for the care of military wounded and sick, provided adequate arrangements are made for the care of the local population. The occupying power must also ensure the provision of clothing, bedding, means of shelter and other supplies essential to the survival of the civilian population together with those objects which are required for religious worship.

12.29 The occupying power must take necessary steps to ensure that children under 15 years of age and who are separated from their families are not left to their own resources, and that proper steps are taken to maintain their education and religious welfare. They must also enable all persons in the occupied territory to exchange news of a personal nature with members of their families, whether the latter be in the occupied territory or elsewhere, and shall facilitate inquiries made by families which have been dispersed as a result of the conflict and shall encourage relief organisations seeking to assist in this task.

Relief measures

12.30 The occupying power is under an obligation to allow free passage of all consignments of medical and hospital stores and objects necessary for religious worship intended for civilians in occupied territory, as well as of essential foodstuffs, clothing and medical supplies intended for children under 15 years of age, expectant mothers and maternity cases, although it may require that distribution of such supplies be under the supervision of the protecting power.

HISTORICAL EXAMPLE—AUSTRALIAN OCCUPATION IN JAPAN 1946



Figure 12–1: Japanese queue for food in the Australian Occupation Zone, Kure 1946

Participation in the British Commonwealth Occupation Force (BCOF) marked the first time that Australians were involved in the military occupation of a sovereign nation, which it had defeated in war. The task of exercising military government over Japan was the responsibility of the United States forces. BCOF maintained military control and supervised the demilitarisation and disposal of Japan's war making capability.

The end of a prolonged war is rarely completed without some level of shortage or starvation facing civilians and demobilising servicemen. This was a problem Australia, as an occupying force, had to contend with. While the objective was to return the defeated country to self-sufficiency, either or both of the provision of emergency food relief, and relocation and controlled issue of existing stocks of basic food and water supplies, were necessary until normal production and distribution was restored. **(source: Australian War Memorial P01205.012)**

Population movements into occupied territory prohibited

12.31 The occupying power is forbidden to move parts of its own population into the occupied territory with the intention of changing the nature of the population or annexing or colonising the area.

The economy

12.32 Occupation costs. The economy of an occupied country may only be required to bear the expense of the occupation and only to the extent that this can be reasonably expected of it.

12.33 Taxation. The occupying power may tax the inhabitants. If the occupying power collects taxes, duties and tolls which were payable in the occupied state, it is bound to apply them towards the cost of administering that territory to the extent that the legitimate government was so bound. As far as possible, it must do so in accordance with the existing tax laws but any additional taxes levied shall only be for the needs of the army or the administration of the territory. However, local rates may only be used for the purposes for which they were levied. If tax officials continue to work normally, taxes will be collected by them in the usual way. Otherwise, the occupying power may require each local authority to collect and pay a proportion of total revenue.

12.34 Funds raised must not be used for the enrichment of the occupying power or its personnel, nor be used as a collective punishment.

12.35 The occupying power may tax the inhabitants. Funds raised may only be applied to the needs of the occupying forces or to the administration of the territory and only in so far as those requirements are not met by existing taxation. Funds raised must not be used for the enrichment of the occupying power or its personnel, nor be used as a collective punishment.

EFFECTS OF OCCUPATION ON THE POPULATION

Rights of inhabitants of occupied territory

12.36 The inhabitants are entitled to respect for their person, their honour, their family rights, their religious beliefs and practices, and their manners and customs. They must be humanely treated at all times and be especially safeguarded against all acts of violence or threats of violence and against insults and public curiosity. Women must be protected against any attack on their honour, in particular against rape, enforced prostitution or any other form of indecent assault. All protected persons must be treated with the same consideration, without any adverse distinction based, in particular, on race, religion or political opinion.

12.37 Any measure of such a character as to cause the physical suffering or extermination of protected persons in their hands is prohibited. That prohibition applies not only to murder, torture, corporal punishment, mutilation and medical or scientific experiments not necessitated by the medical treatment of a protected person, but also to any other measures of brutality whether applied by civilian or military agents.

Control of persons in occupied territory

12.38 Military authorities in occupied territories have the right to perform police functions and to protect their own security.

12.39 Measures for the control of the population which are prohibited include:

- violence;
- physical or moral coercion, particularly to obtain information;
- brutality;
- reprisals or collective penalties; and
- deportations.

Compulsory labour

12.40 The occupying power may only compel persons over the age of 18 to work, and then only on the needs of the army of occupation, the public utility services, or for the feeding, clothing, sheltering, transportation or health of the population of the occupied territory. The population cannot be compelled to participate in any work which would involve participation in military operations, nor may they be compelled to employ forcible means to ensure the security of the installations where they are performing compulsory labour. No contract made with any worker by the occupying power can impair the right of the worker, even though they are performing compulsory labour, of access to the protecting power.

12.41 The occupying power must not requisition labour to an extent that leads to the mobilisation of workers in any organisation of a military or semi-military nature. Nor may the occupying power use any measures to stimulate unemployment or restrict the opportunities for work open to the population of the occupied territory so as to induce them to work for the occupying power.

ENEMY PROPERTY IN OCCUPIED AREA

Destruction prohibited

12.42 Any destruction of enemy property, whether it belongs to private individuals or the state, is prohibited unless the destruction is absolutely necessitated by military operations. Extensive destruction and appropriation not justified by military necessity and carried out unlawfully and want only is a grave breach of G. IV.

12.43 Private property. Private property must be respected. Requisitions must be proportionate to the resources of the occupied territory and limited to the needs of the occupying power. Seizure is limited to public property.

12.44 Private property includes property, regardless of ownership, which is dedicated to religion, charity, education or to the arts or sciences.

12.45 The requirement to respect private property is subject to conditions necessitated by armed conflict. For example, military operations inevitably cause damage to private property and occupying forces are entitled to requisition property for necessary military purposes. Nevertheless, the principle of respect is important. Plundering and looting is subversive of military discipline. Theft and robbery remain punishable crimes in peace and war. The soldier in an enemy country must observe the same respect for civilian property as they would at home.

12.46 Public property. Military land and buildings belonging to the state, such as supply depots, arsenals, dockyards and barracks, as well as airfields, ports, railways, canals, bridges, piers, and their associated installations, remain at the disposal of the occupying power until the end of the occupation. The occupying power is liable for any waste or destruction resulting from such use. Structures of this type may only be destroyed or damaged if military operations render this absolutely necessary.

Pillage prohibited

12.47 Pillage is prohibited. Pillage is the seizure or destruction of enemy private or public property or money by representatives of a belligerent, usually armed forces, for private purposes. A soldier may, under certain circumstances seize enemy property but once such property has been seized it belongs to the state. A military person is not allowed to become a thief or a bandit merely because of involvement in a war. The rule against pillage is directed against all private acts of lawlessness committed against enemy property.

Confiscation

12.48 Confiscation is the taking of enemy public movable property without the obligation to compensate the state to which it belongs. All enemy public movable property which may be useable for the operations of war may be confiscated. Private property may not be confiscated. Enemy public immovable property may be administered and used but it may not be confiscated.

Seizure

12.49 The seizure of private movable property is governed by H. IV. R Article 53. By this rule all appliances adapted for the transmission of news or for the transport of persons or goods by land, sea or air, except where naval law governs, stores of arms and in general every kind of war material, even if they belong to private individuals, may be seized, but they must be restored and the indemnity fixed when peace is made.

12.50 These objects may be seized by, but they do not become the property of, the occupying power. The seizure operates merely as a transfer of the possession of the object to the occupying power while ownership remains with the private owner. In so far as the objects seized are capable of physical restoration, they must be restored at the conclusion of peace, and in so far as they have been consumed or have been destroyed or have perished, a cash indemnity must be paid when peace is made.

Requisition

12.51 Requisition may be made of all commodities necessary for maintenance of the occupying army such as: food and fuel supplies, liquor and tobacco, cloth for uniforms, leather for boots, and the like. The taking of such articles is forbidden unless they are actually required for the needs of the occupying forces. Goods or medical supplies available in the occupied territory are subject to requisition because they are needed for the forces of occupation and for administrative personnel. They may be requisitioned only after the requirements of the civilian population have been taken into account. In every case, the articles taken must be duly requisitioned, and be in proportion to the resources of the country.

12.52 Articles requisitioned should be paid for in ready money, but if this is not possible a receipt must be given for them and payment of the amount due must be made as soon as possible. Articles properly requisitioned become the property of the occupying power and pass out of the ownership of their former owner.

12.53 The prices to be paid for requisitioned supplies may be fixed by the commander of the occupying force. The prices of commodities on sale may also be regulated.

12.54 The right to billet troops on the inhabitants follows from the rights to requisition.

CHAPTER 13

COMPLIANCE

Executive summary

- All Australian Defence Force (ADF) members are responsible for complying with the law of armed conflict (LOAC) and are trained in its principles.
- Commander's have a responsibility for the actions of their personnel even in cases where they have not ordered certain actions.

13.1 Australia has ratified many of the major international treaties governing armed conflict, such as The Hague Conventions, Geneva Conventions and the Additional Protocols. In addition, Australia is also bound by customary international law which has not been incorporated into treaties. For these reasons, Australia is responsible for ensuring that its military forces comply with the LOAC.

13.2 All ADF members are responsible for ensuring that their conduct complies with LOAC. They are to be trained in its basic principles and avoid breaches of these laws.

Unilateral compliance

13.3 The ADF obligation to comply with LOAC is not conditional upon an enemy's compliance; unilateral compliance by the ADF is required. The limited specified exceptions, which are matters of national policy are beyond the scope of this publication but include the concept of reprisals and specific aspects of Additional Protocol I (G. P. I).

Orders and instructions

13.4 States are under a general obligation to issue orders and instructions requiring compliance with the LOAC and to take steps to see that those orders and instructions are observed. Whilst ignorance of the law is not generally accepted as a defence, the first step to enforcement of the LOAC is to ensure as wide a knowledge of its provisions as possible both within and outside the armed forces.

Yamashita principles

13.5 After World War II, Japanese General Yamashita was put on trial and subsequently executed for the widespread destruction, murder and rape, which occurred in Manila just prior to its liberation. Out of this case, principles were established for the standard of responsibility of commanders for LOAC violations. In particular, the concept of indirect responsibility was established. The principles of this doctrine are that the commander will be held responsible if the commander:

- knows subordinates are going to commit war crimes and does not prevent them,
- knows subordinates have committed war crimes and does not punish them,
- should know subordinates are going to commit war crimes and does not prevent them, or
- should know subordinates have committed war crimes and does not punish them.

HISTORICAL EXAMPLE—WAR CRIMES TRIALS 1945–1951

At the conclusion of World War II, the United Nations (UN) Allies conducted a series of trials of those accused—under new, retrospective offences—of war crimes. As well as participating, where it had a material interest, in the trials conducted by the United Kingdom and United States of America, Australia determined to conduct its own trials of enemy nationals in its possession who were accused of atrocities against Australian servicemen, associated allies and civilians. By bilateral agreement with its Allies, responsibility for war crimes trials rested with the country which had custody both of the accused and of the necessary evidence to prosecute the alleged offences.

Under the specially-enacted *Australian War Crimes Act 1945*, a legal basis for the specific charges was provided, and as well the trials were authorised to be conducted by military courts in the area of the alleged crimes. By bilateral agreement with each ally, where a crime was alleged to have been committed against a national of one of those allies, wherever practicable a representative from that country was included in the court. The accused were provided with Australian legal officers, and Australian interpreters were used to avoid contamination of evidence or defence.

HISTORICAL EXAMPLE—(cont)

These trials were based on the 1943–1945 investigations of Queensland Supreme Court Chief Justice Sir William Webb, commissioned by the Federal Government to take statements under oath from witnesses to atrocities in the Australian area of operations. Consequently 296 trials were conducted in six series at Morotai, Labuan, Wewak, Rabaul, Manus, Singapore, Hong Kong and Darwin, with 924 indicted, some jointly for the same crime. The outcome was conviction in 236 trials, no conviction in 60. Of the individuals charged, 148 were sentenced to death, 496 sentenced to imprisonment, and 280 found not guilty.

These and other post-war trials firmly established the principles of individual and command responsibility for war crimes and greatly contributed to the development of the LOAC. **(source: Australian War Memorial files)**

Commander's responsibilities

13.6 Military commanders of all Services and at all levels bear responsibility for ensuring that forces under their control comply with LOAC. Specifically, a commander will be held accountable for ordering a subordinate to commit a war crime or for failing to intervene if the commander knows that a breach is occurring. A commander is also accountable if the commander fails to prevent a breach of the LOAC of which the commander should have known.

Individual responsibility

13.7 ADF members are open to prosecution for breaches of LOAC. Individual responsibility for compliance cannot be avoided and ignorance is not a justifiable excuse. ADF members will be held to account for any unlawful action that leads to a serious breach of LOAC. If such acts are committed, compliance with unlawful orders of a superior officer is not a justifiable excuse. If an order is ambiguous, clarification should be sought. If clarification is unavailable, any action taken must comply with LOAC.

Dissemination

13.8 In time of peace and war, states are required to disseminate the texts of the Geneva Conventions 1949 and the two Additional Protocols 1977 as widely as possible within their respective countries. This may facilitate the principles of the Conventions and Protocols becoming known to the entire population.

13.9 The manner of dissemination is left to the states themselves and may be by means of orders, courses of instruction, commentaries or manuals. There is a specific requirement to instruct medical personnel, chaplains and those responsible for handling prisoners of war (PW) and the administration of protected persons. There is a general requirement to disseminate to the armed forces as a whole. Those civilians or military who have responsibility for applying the conventions or protocols must be fully acquainted with the texts.

Training

13.10 G. P. I also requires states to endeavour, with the assistance of their national Red Cross or Red Crescent societies, to train qualified persons 'to facilitate the application of the Conventions and of this Protocol, and in particular the activities of the Protecting Powers'. The parties are encouraged to send lists of such qualified persons to the International Committee of the Red Cross (ICRC).

Legal advisers

13.11 Legal advisers are required to be available, when necessary, to advise military commanders at the appropriate level on the application of the LOAC and also on the appropriate instruction to be given to members of the armed forces in this subject.

FACT FINDING

Role of the United Nations

13.12 The UN, and in particular the Security Council, has taken a wide range of measures regarding the enforcement of the LOAC. These measures have included investigation of violations, urging parties to observe the law, authorising military action to prevent or respond to violations and the establishment of criminal tribunals.

13.13 During the Cold War, with frequent uses of the veto by the two super-powers, the Security Council was not active in taking such measures, its power was rarely utilised and the principal role of the UN was in acting through the 'good offices' of the Secretary-General. Successive Secretaries-General intervened and mediated with varying degrees of success and whilst their primary role was conflict resolution, efforts were also made in 'humanitarian' missions such as those to secure the release of Western hostages in Lebanon during the Lebanese civil war. The Security Council itself has raised the issue of violations of 'International Humanitarian

Law (IHL)' in numerous conflicts, including the Iran-Iraq conflict 1980–1988, the Gulf conflict 1990–1991, the conflicts in former Yugoslavia 1991–1999 and the events in Rwanda in 1994.

Fact finding

13.14 G. P. I also provides for the establishment of a permanent International Fact Finding Commission. The International Humanitarian Fact Finding Commission came into existence in 1991 after twenty States Parties to the Protocol agreed to accept its competence. It is competent to enquire into an allegation that a grave breach or other serious violation of the conventions or protocol has occurred but only in regard to the conduct of a party that has accepted its competence whether permanently or ad hoc. With the consent of the parties concerned, the commission can also enquire into other violations of the LOAC and, in all cases, can offer its good offices to assist in helping to restore respect for the Conventions and Protocol.

INDEPENDENT SUPERVISION

The protecting power

13.15 The parties to a conflict are under a duty at the beginning of the conflict or any occupation to appoint a protecting power. If no protecting power has been nominated or accepted, the ICRC or some other similar organisation is authorised to 'offer its good offices' to help the parties agree on the selection. If no agreement is possible, the ICRC or other organisation concerned may offer to act as a substitute. The parties to the conflict shall accept such an offer. Once protecting powers have been appointed, the parties must permit them to fulfil their role. This includes facilitating the activities of the representatives of the protective power, only restricting those activities exceptionally and temporarily for reasons of imperative military necessity.

13.16 The specific duties of protecting powers are laid down in various articles of the Geneva Conventions and G. P. I. These are dealt with in detail in the relevant chapters of this manual. However, their general responsibilities may be summarised as follows:

- to safeguard the interests of the parties, applying the Conventions and Protocol with the cooperation of the parties and under the scrutiny of the other protecting powers;
- to lend their good offices with a view to settling disagreements between the parties to the conflict as to the application or interpretation of provisions of the Conventions and Protocols; and

- to visit PW and civilian internees, including the conducting of interviews personally or through an interpreter. It is for the protecting power to select the places for these visits. These may be prohibited only exceptionally and temporarily for reasons of imperative military necessity. If mutually agreed and necessary, compatriots of those interned may be permitted to participate in these visits.

REPRISALS

Nature of reprisals

13.17 Reprisals are acts which would normally be illegal, resorted to after the adverse party has itself carried out illegal acts and refused to desist when called upon to do so and issued with a warning that such action would be taken if the prior illegal act is not terminated. They are not retaliatory acts or simple acts of vengeance. Reprisals are, however, an extreme measure of coercion. Nevertheless, in the circumstances of armed conflict, reprisals, or the threat of reprisals, may sometimes provide the only practical means of inducing the adverse party to desist from its unlawful conduct.

Conditions for reprisal action

13.18 In order to qualify as a legitimate reprisal, an act must comply with the following conditions when employed:

- It must be in response to serious and manifestly unlawful acts, committed by an adverse government, its military commanders or combatants for whom the adversary is responsible.

- It must be for the purpose of compelling the adversary to observe the LOAC. Reprisals serve as an ultimate legal sanction or law enforcement mechanism. Thus, if one party to an armed conflict breaches the law but then expresses regret, declares that it will not be repeated and takes measures to punish those immediately responsible, then any action taken by another party in response to the original unlawful act cannot be justified as a reprisal.

- Reasonable notice must be given that reprisals will be taken. What degree of notice is required will depend upon the particular circumstances of the case.

- The victim of a violation must first exhaust other reasonable means of securing compliance before reprisals can be justified.

- A reprisal must be directed only against the personnel or property of an adversary.

- A reprisal must be in proportion to the original violation. Whilst a reprisal need not conform in kind to the act complained of, it may not significantly exceed the adverse party's violation either in degree or effect. Effective but disproportionate acts cannot be justified as reprisals on the basis that only an excessive response will forestall further violations.

- It must be publicised. Since reprisals are undertaken to induce an adversary's compliance with the LOAC any action taken as a reprisal must be announced as such and publicised so that the adversary is aware of the reason for the otherwise unlawful act and of its own obligation to abide by the law.

- As reprisals entail state responsibility, they must be authorised at the highest level of government.

- Reprisal action may not be taken or continued after the enemy has ceased to commit the conduct complained of.

Unlawful reprisals

13.19 Reprisals are never lawful if directed against any of the following:

- the wounded, sick and shipwrecked, medical personnel and chaplains, medical units, establishments and transports;

- PW; or

- protected persons and their property.

13.20 G. P. I extends the categories of persons and objects against whom reprisals are prohibited to:

- civilians and the civilian population;

- civilian objects;

- historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of peoples;

- objects indispensable to the survival of the civilian population such as foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works;

- the natural environment; and

- works or installations containing dangerous forces, namely dams, dykes and nuclear electrical generating stations.

WAR CRIMES

Introduction

13.21 The principle of individual responsibility for violations of the LOAC is not a new concept. The Lieber Code during the American Civil War specifically imposed individual responsibility, whereas the Hague Conventions 1907 were silent on the point. This did not prevent the allied powers, at the end of World War I, seeking the trial 'before military tribunals [of] persons accused of having committed acts in violation of the laws and customs of war' under the Treaty of Versailles. Indeed Kaiser Wilhelm II of Germany was himself 'arraigned' under the same treaty.

13.22 Following World War II, the Allies established the Nuremberg Tribunal to try war crimes, crimes against humanity and crimes against peace. War crimes were defined as:

- ' … violations of the laws or customs of war. Such violations shall include, but not be limited to, murder, ill-treatment or deportation to slave labour or for any other purpose of civilian population of or in occupied territory, murder or ill-treatment of PW or persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns or villages, or devastation not justified by military necessity'.

13.23 Although there is some overlap with war crimes, crimes against humanity and crimes against peace are not covered in this manual.

Grave breaches and war crimes

13.24 The Geneva Conventions introduced a new concept, that of 'grave breaches'. These are war crimes of such seriousness as to invoke universal jurisdiction. Universal jurisdiction entitles any nation to exercise jurisdiction over any perpetrator, regardless of their nationality or the place where the offence was committed. In the case of grave breaches, states are obliged to introduce legislation to this effect. G. P. I extended the definition of grave breaches. Other serious offences against 'the laws and customs of war' whether proscribed by treaty or by customary law remain war crimes and are punishable as such.

Grave breaches

13.25 Grave breaches under the Geneva Conventions consist of any of the following acts against persons or property protected under the provisions of the relevant Convention:

- wilful killing;

- torture or inhuman treatment, including biological experiments;
- wilfully causing great suffering or serious injury to body or health;
- extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly;
- compelling a PW or other protected person to serve in the forces of a hostile power;
- wilfully depriving a PW or other protected person of the rights of fair and regular trial;
- unlawful deportation or transfer or unlawful confinement; and
- taking hostages.

13.26 G. P. I extends the definition of grave breaches to include the following:

- any wilful and unjustified act or omission which seriously endangers the physical or mental health or integrity of any person who is in the power of a party other than the one on which they depend;
- acts when committed wilfully, in violation of the relevant provisions of the protocol, and causing death or serious injury to body or health:
  - making the civilian population or individual civilians the object of attack;
  - launching an indiscriminate attack affecting the civilian population or civilian objects in the knowledge that such attack will cause excessive loss of life, injury to civilians or damage to civilian objects;
  - launching an attack against works or installations containing dangerous forces in the knowledge that such attack will cause excessive loss of life, injury to civilians or damage to civilian objects;
  - making non-defended localities and demilitarised zones the object of attack;
  - making a person the object of attack in the knowledge that they are hors de combat;

  - the perfidious use of the distinctive emblem of the Red Cross, Red Crescent, Red Crystal and other Red Cross societies, or of other protective signs recognised by the Conventions or the Protocol; and

- acts, when committed wilfully and in violation of the Conventions or the Protocol:

  - the transfer by the occupying power of part of its own civilian population into the territory it occupies, or the deportation or transfer of all or parts of the population of the occupied territory within or outside this territory;

  - unjustifiable delay in the repatriation of PW or civilians;

  - practices of apartheid and other inhuman and degrading practices involving outrages upon personal dignity, based on racial discrimination;

  - making the clearly recognised historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of peoples and to which special protection has been given by special arrangement, the object of attack, causing as a result extensive destruction thereof, where there is no evidence that the adverse party is using such objects in support of the military effort and when such historic monuments, works of art and places of worship are not located in the immediate proximity of military objectives; or

  - depriving a protected person of the rights of fair and regular trial.

War crimes

13.27 Aside from grave breaches of the Conventions and Protocols, other serious violations of the LOAC constitute war crimes and are punishable as such. A distinction must be drawn between crimes established by treaty or convention and crimes under customary international law. Treaty crimes only bind parties to the treaty in question, whereas customary international law is binding generally on all states. Many treaty crimes are merely codifications of customary law and to that extent binding on all states, even those that are not parties.

13.28 War crimes may be committed by nationals both of belligerent and of neutral states. A state may elect to deal with its own nationals under the appropriate municipal law for acts that amount to war crimes. Members of the ADF can be dealt with under the relevant provisions of Australian legislation for offences such as murder or manslaughter.

The Hague Regulations

13.29 Provisions of the Hague Regulations 1907 are now recognised as part of customary law. Those regulations provide that the following acts are 'especially forbidden':

- to employ poison or poisoned weapons;
- to kill or wound treacherously individuals belonging to the hostile nation or army;
- to kill or wound an enemy who, having laid down their arms, or having no longer means of defence, has surrendered at discretion;
- to declare that no quarter will be given;
- to employ arms, projectiles or material calculated to cause unnecessary suffering;
- to make improper use of a flag of truce, of the national flag or of the military insignia and uniform of the enemy, as well as the distinctive emblems of the Geneva Convention;
- to destroy or seize the enemy's property, unless such destruction or seizure is imperatively demanded by the necessities of war;
- to declare abolished, suspended or inadmissible in a court of law the rights and actions of the nationals of the hostile party; and
- to compel the nationals of the hostile party to take part in the operations of war directed against their own country, even if they were in the belligerent's service before the commencement of the war.

Customary law

13.30 Among other war crimes generally recognised as forming part of the customary LOAC are:

- mutilation or other maltreatment of dead bodies;
- looting;

- use of a privileged building for improper purposes;
- attacking a privileged or protected building;
- attacking a properly marked hospital ship or medical aircraft;
- firing on shipwrecked personnel; and
- using bacteriological methods of warfare.

13.31 The Rome Statute of the International Criminal Court (ICC) contains a longer list of war crimes including offences committed in international and non-international armed conflict. Though it is not necessarily an exclusive list, it is indicative of current international thinking in this area.

International tribunals

13.32 Persons charged with the commission of war crimes may also be tried by international tribunals.

13.33 The Nuremberg International Military Tribunal was established by agreement between the Allies to try the major war criminals of World War II. It followed the abortive attempts to bring war criminals to justice after World War I. The International Military Tribunal supplemented the military tribunals and national tribunals established by the authorities of the allied states. A further international military tribunal was established in Tokyo.

13.34 The principles of international law recognised in the Nuremberg Charter and judgements were unanimously affirmed by the UN General Assembly in 1946. In 1948, the General Assembly requested the International Law Commission to study the desirability and feasibility of an ICC. This work led to a draft statute for such a court, but the project foundered at the time owing to the absence of an internationally accepted definition of the crime of ‘aggression’ and the onset of the Cold War.

The International Criminal Court

13.35 While there were ad hoc attempts to deal with serious violations of IHL, including the creation of the tribunals for the former Yugoslavia and Rwanda, fresh attempts were made to resurrect the idea of an ICC. The International Law Commission produced a draft statute which was considered by a diplomatic conference. This resulted in the Rome Statute, and provides for the establishment of such a court.

13.36 The Statute came into force on 01 July 2002. Australia signed the Statute and introduced offences covered by the Statute into domestic law under the Commonwealth Criminal Code.

13.37 The ICC has jurisdiction only where nations having jurisdiction themselves are 'unwilling or unable genuinely' to exercise that jurisdiction. In addition, before any Australian national is surrendered to the ICC, the Attorney-General must authorise the surrender of the person. The Court's jurisdiction is complementary to national jurisdictions and does not have primacy over them as in the case of the Yugoslav and Rwanda tribunals. Indeed, under the Statute, a state may exclude war crimes committed by its nationals or on its territory for a period of seven years after the entry into force of the statute for that state.

13.38 The court will have jurisdiction over genocide, war crimes and crimes against humanity as defined in the statute. It will also have jurisdiction over the crime of aggression, although this cannot be exercised until a definition has been agreed and adopted by a formal review conference.

CRIMINAL RESPONSIBILITY

Individual criminal responsibility

13.39 Individuals are responsible for the war crimes that they commit themselves or which they order or assist others to commit.

HISTORICAL EXAMPLE—CRIMINAL RESPONSIBILITY



Figure 13–1: Breaker Morant—first Australian convicted as a war criminal

HISTORICAL EXAMPLE—(cont)

Three Australians were tried and convicted on charges of shooting surrendered Boers in the South African war in 1901.

The accused claimed both provocation—the murder of their commander—and that they were under verbal orders to shoot the prisoners. Against a court martial recommendation for clemency, Lieutenants H.H. Morant and P.J. Handcock were executed, with life imprisonment for Lieutenant G.R. Witton. Morant's final plea on behalf of the others of his total responsibility, as he authorised the shootings as senior officer present, was disregarded.

This early example of individual responsibility for war crimes was clouded by the politics involved, but it established some important principles. It also provoked a prohibition on Australian servicemen being sentenced to death by non-Australian courts. **(source: Australia War Memorial A50311)**

13.40 Article 7 of the Statute of the International Criminal Tribunal for the former Yugoslavia provides that 'a person who planned, instigated, ordered, committed or otherwise aided and abetted in the planning, preparation or execution of a crime ... shall be individually responsible for the crime'.

13.41 The Rome Statute of the ICC also confirms that an individual is responsible for a war crime if they:

- commit the crime themselves, on their own or jointly with others;
- order, solicit or induce a crime which is committed or attempted;
- aid, abet or otherwise assist in the commission of the crime, including providing the means for its commission; or
- contribute to the commission or attempted commission of the crime by a group of persons acting with a common purpose.

Such ancillary offences are also provided in Australian domestic law under the Commonwealth Criminal Code.

13.42 The fact that a subordinate was ordered to do an act, or make an omission, which was illegal does not, of itself, absolve the subordinate from criminal responsibility.

Defence FOI 018/21/22
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GLOSSARY

aircraft

An aircraft is any machine that can derive support in the atmosphere from the reactions of the air; and includes any aeroplane, balloon, kite, airship, remotely piloted vehicles or glider, but not hovercrafts.

airspace

Airspace is the zone next to the earth consisting of atmosphere capable of sustaining flight. While there is no general agreement, the boundary with outer space is somewhere between the outermost reach of airborne aircraft and the lower limit of spacecraft in orbit.

archipelagic waters

Those waters enclosed by archipelagic baselines drawn in accordance with Article 47 of the United Nations Convention on the Law of the Sea (UNCLOS). The sovereignty of an archipelagic state extends to the waters enclosed by the baselines, regardless of their depth or distance from the coast, as well as the associated seabed, subsoil and airspace.

armed conflict

Conflict between states in which at least one party has resorted to the use of armed force to achieve its aims. It may also embrace conflict between a state and organised, disciplined and uniformed groups within the state such as organised resistance movements.

attacks

Acts of violence against the adversary, whether in offence or defence.

belligerent

A state or other entity engaging in armed conflict, also combatants in some contexts.

civil aircraft

Civil aircraft are any aircraft not classified as state aircraft under the Chicago Convention.

civil defence

Mobilisation, organisation and direction of the civilian population, designed to minimise by passive measures the effects of enemy action against all aspects of civil life.

civil defence organisations

Those establishments and other units which are organised or authorised by the competent authorities of a party to the conflict to perform any of the following tasks: warning, evacuation, management of shelters, management of blackout measures, rescue, medical services including first aid and religious assistance, firefighting, detection and marking of danger areas, decontamination and similar protective measures, provision of emergency accommodation and supplies, emergency assistance in the restoration and maintenance of order in distressed areas, emergency repair of indispensable public utilities, emergency disposal of the dead, assistance in the preservation of objects essential for survival and complementary activities necessary to carry out any of the tasks mentioned including, but not limited to, planning and organisation, and which are assigned and devoted exclusively for such tasks.

collateral damage

Incidental damage to persons, objects or locations arising out of combat action against a legitimate military objective.

combatants

All organised armed forces, groups and units (except medical service and religious personnel) who are under the command of a party to a conflict and are subject to an internal disciplinary system.

contiguous zone

In a zone beyond and adjacent to the territorial sea, described as the contiguous zone, the coastal state may exercise the control necessary to prevent infringement of its customs, fiscal, immigration or sanitary laws and regulations within its territory or territorial sea; and punish infringement of the above laws and regulations committed within its territory or territorial sea. The contiguous zone may not extend beyond 24 nautical miles from the baselines from which the breadth of the territorial sea is measured.

cultural property

Movable and immovable objects of sufficient artistic or religious importance to constitute the heritage of all people, including that which has been renovated or restored. Cultural property includes historical monuments, archaeological sites, books, manuscripts or scientific papers and the buildings or other places in which such objects are housed.

exclusive economic zone (EEZ)

An area beyond and adjacent to the territorial sea, subject to the specific legal regime established in Part V of UNCLOS, under which the rights and jurisdiction of the coastal state and the rights and freedoms of other states are governed by the relevant provisions. The EEZ shall not extend beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured.

explosive remnants of war (ERW)

Unexploded ordnance and abandoned explosive ordnance.

feasible precautions

Precautions which are practicable or practically possible taking into account all circumstances ruling at the time including humanitarian and military considerations.

innocent passage

Innocent passage entitles a warship to traverse another state's territorial seas 'continuously and expeditiously'. Passage is innocent as long as it is not prejudicial to the peace, good order or security of the coastal or island state.

international straits

Straits which are used for international navigation between one part of the high seas or an EEZ and another part of the high seas or EEZ. In these straits all ships and aircraft enjoy the right of transit passage, which shall not be impeded; except that, if the strait is formed by an island of a state bordering the strait and its mainland, transit passage shall not apply if there exists seaward of the island a route through the high seas or through an EEZ of similar convenience.

law of armed conflict (LOAC)

The international law regulating the conduct of states and combatants engaged in armed hostilities. LOAC is often termed the 'law of war'.

levee en masse

Where the inhabitants of a country or territory spontaneously take up arms en masse to resist an invader, LOAC recognises them as combatants provided they do so when there has not been time to form themselves into organised units and they respect LOAC. Individuals acting on their own are not entitled to combatant status nor benefits or detriment flowing from that status.

medical personnel

Medical personnel include persons on the permanent staff of medical establishments and any person temporarily assigned to medical duties, such as soldiers who are carrying wounded from the battlefield. The underlying principle is that care of the wounded and sick (who are now non-combatant) is paramount and nothing should interfere with that care. All medical personnel, whether civilian or military, enemy or friendly are included in the category of non-combatants so long as they do not participate in hostilities.

medical transports

Any means of transportation, whether military or civilian, permanent or temporary, assigned exclusively to medical transportation and under the control of a competent authority of a party to the conflict.

medical units

Establishments and other units, whether military or civilian, organised for medical purposes, namely the search for, collection, transportation, diagnosis or treatment including first aid treatment of the wounded, sick and shipwrecked or for the prevention of disease. The term includes hospitals and other similar units, blood transfusion centres, preventative medicine centres and institutes, medical depots and the medical and pharmaceutical stores of such units. Medical units may be fixed or mobile, permanent or temporary.

mercenary

A mercenary is any person who:

a. is specially recruited locally or abroad in order to fight in an armed conflict;
b. takes part in hostilities;
c. is motivated to take part in hostilities essentially for the desire for private gain and is promised, by or on behalf of a party to the conflict, material compensation substantially in excess of that promised or paid to combatants of similar ranks and functions in the armed forces of that party;
d. is neither a national of a party to the conflict nor a resident of the territory controlled by a party to the conflict;
e. is not a member of the armed forces of a party to the conflict; and
f. has not been sent by a state which is not party to the conflict on official duty as a member of its armed forces.

merchant ship

A vessel engaged in mercantile trade except river craft, estuarial craft or craft which operate solely within harbour limits.

military aircraft

Military aircraft are any aircraft belonging to the armed forces of a nation. They must bear external marks distinguishing nationality, be under command of an officer and be manned by a crew that is subject to armed forces discipline. All military aircraft are state aircraft.

military objectives

Legitimate objects of attack comprise:

a. all combatants who are not hors de combat;

b. objects which, by their nature, location, purpose or use make an effective contribution to military action and whose total or partial destruction, capture or neutralisation, in the circumstances ruling at the time, offers a definite military advantage. The presence of non-combatants in or around a military objective does not change its nature as a military objective.

national airspace and waters

Areas subject to the territorial sovereignty of individual nations. National waters comprise all those waters landwards of the outer limit of a nation's territorial sea. All airspace above national waters, including internal waters, territorial sea and archipelagic waters and territory is national airspace.

outer space

The zone beyond airspace.

protecting power

The Geneva Conventions provide that the treatment of prisoners of war, interned civilians and inhabitants of occupied territory be monitored by a neutral nation known as a protecting power. As nations often disagree as to which nations are neutral or otherwise, the International Committee of the Red Cross has been authorised to perform some of the functions of the protecting power.

reprisal

An act, otherwise unlawful under the international law regulating armed conflict, utilised for the purpose of coercing an adversary to stop violating the recognised rules of armed conflict.

roadstead

Roadsteads are normally used for the loading, unloading and anchoring of ships, and which would otherwise be situated wholly or partly beyond the limits of the territorial sea, are included within the territorial sea. Roadsteads included within the territorial sea must be clearly marked on charts by the coastal or island nation.

rules of engagement (ROE)

ROE are directions endorsed by Government and issued by commanders, which delineate the circumstances, and limitations within which military force may be applied to achieve military objectives. They do not inhibit or replace but are part of the command function. ROE may be framed to limit certain actions; alternatively, they may authorise actions to the full extent permissible under domestic and international law.

shipwrecked

Persons, whether military or civilian, who are in peril at sea or in other waters as a result of misfortune affecting them or the vessel or aircraft carrying them and who refrain from any act of hostility. These persons, provided they continue to refrain from any act of hostility, shall continue to be considered shipwrecked during their rescue until they acquire another status under the Geneva Conventions or Additional Protocols.

state aircraft

Any aircraft used by a nation's military, police and customs services. The definition also includes any aircraft under the control of the national government and used for public service. Examples of this latter category are national very important person transports and aircraft on special missions.

targeting

The process of identifying targets for possible engagement and determining the attack system to capture, destroy, degrade or neutralise them.

territorial sea

An area of waters adjacent to a state over which it exercises sovereignty, subject to the right of innocent passage. Every state has the right to establish the breadth of its territorial sea up to a limit not exceeding 12 nautical miles, measured from the baselines.

transit passage

All vessels and aircraft have the right to unimpeded transit passage through and over straits used for international navigation. Transit passage must be continuous and expeditious and vessels and aircraft must not threaten or use force against nations bordering the strait. Transit passage is in the normal mode and includes activities such as fuel replenishment, submerged transit for submarines, organic flying operations and tactical manoeuvring.

United Nations Convention on the Law of the Sea (UNCLOS)

Much of what is now internationally accepted as the law of the sea is contained in the Official Text of UNCLOS (with annexes and index) and the Final Act of the Third United Nations Conference on the Law of the Sea.

wounded and sick

Persons, whether military or civilian, who, because of trauma, disease or other physical or mental disorder or disability, are in need of medical assistance or care and who refrain from any act of hostility. These terms also cover maternity cases, new born babies and other persons who may be in need of immediate medical assistance or care, such as the infirm or expectant mothers, and who refrain from any act of hostility.

ACRONYMS AND ABBREVIATIONS

AAP	Australian Air Publication
ADF	Australian Defence Force
ADIZ	air defence identification zone
BCOF	British Commonwealth Occupation Force
CJOPS	Chief of Joint Operations
CROC	Convention on the Rights of the Child
DFDA	Defence Force Discipline Act
EEZ	exclusive economic zone
EMA	Emergency Management Australia
ENMOD	Environmental Modification
ERW	explosive remnant of war
EZ	exclusion zone
FIR	flight information region
IC	Internment Camp
ICAO	International Civil Aviation Organisation
ICC	International Criminal Court
ICJ	International Court of Justice
ICRC	International Committee of the Red Cross
IHL	International Humanitarian Law
km	kilometres
LOAC	law of armed conflict
MEZ	maritime exclusion zone
NEI	Netherlands East Indies
PG	prisonnier de guerre
PW	prisoner of war
RAN	Royal Australian Navy
ROE	rules of engagement
UN	United Nations
UNCLOS	United Nations Convention on the Law of the Sea

MAIN INTERNATIONAL TREATIES ON THE LAW OF ARMED CONFLICT

Below are the internationally recognised abbreviations which are used for these treaties (listed in chronological order).

St Petersburg	Declaration Renouncing the Use, in Time of War, of Explosive Projectiles Under 400 Grams Weight. St Petersburg, 29 November–11 December 1868.
H. Decl	Declaration (IV, 3) Concerning Expanding Bullets. The Hague, 29 July 1899.
H. III	Convention (III) Relative to the Opening of Hostilities. The Hague, 18 October 1907.
H. IV	Convention (IV) Respecting the Laws and Customs of War on Land. The Hague, 18 October 1907.
H. IV. R	Regulations Concerning the Laws and Customs of War on Land. The Hague, 18 October 1907.
H. V	Convention (V) Respecting the Rights and Duties of Neutral Powers and Persons in Case of War on Land. The Hague, 18 October 1907.
H. VI	Convention (VI) Relating to the Status of Enemy Merchant Ships at the Outbreak of Hostilities. The Hague, 18 October 1907.
H. VII	Convention (VII) Relating to the Conversion of Merchant Ships into Warships. The Hague, 18 October 1907.
H. VIII	Convention (VIII) Relative to the Laying of Automatic Submarine Contact Mines. The Hague, 18 October 1907.
H. IX	Convention (IX) Concerning Bombardment by Naval Forces in Time of War. The Hague, 18 October 1907.
H. X	Convention (X) for the Adaptation to Maritime Warfare of the Principles of the Geneva Convention. The Hague, 18 October 1907.
H. XI	Convention (XI) Relative to Certain Restrictions with Regard to the Exercise of the Right of Capture in Naval War. The Hague, 18 October 1907.
H. XIII	Convention (XIII) Concerning the Rights and Duties of Neutral Powers in Naval War. The Hague, 18 October 1907.
H. XIV	Declaration (XIV) Prohibiting the Discharge of Projectiles and Explosives from Balloons. The Hague, 18 October 1907.

London Decl	Declaration Concerning the Laws of Naval War. London, 26 February 1909 (not ratified by any signatory).
Oxford	The Laws of Naval War Governing the Relations Between Belligerents. Manual adopted by the Institute of International Law (Oxford Manual of the Laws of Naval War). Oxford, 09 August 1913.
H. AW	Rules of Air Warfare. Drafted by a Commission of Jurists at The Hague, December 1922–February 1923 (this was not adopted in a binding form).
G. BC	Protocol for the Prohibition of the Use of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare. Geneva, 17 June 1925.
Havana	Convention on Maritime Neutrality. Havana, 20 February 1928.
Washington	Treaty on the Protection of Artistic and Scientific Institutions and Historic Monuments (Roerich Pact). Washington, 15 April 1935.
London PV	Proces-verbal relating to the Rules of Submarine Warfare set forth in Part IV of the Treaty of London of 22 April 1930. London, 06 November 1936.
Chicago Convention	Convention on International Civil Aviation. Chicago, 1944.
G. I	Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field. Geneva, 12 August 1949 (First Geneva Convention).
G. II	Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea. Geneva, 12 August 1949 (Second Geneva Convention).
G. III	Convention (III) Relative to the Treatment of Prisoners of War. Geneva, 12 August 1949 (Third Geneva Convention).
G. IV	Convention (IV) Relative to the Protection of Civilian Persons in Time of War. Geneva, 12 August 1949 (Fourth Geneva Convention).
H. CP	Convention for the Protection of Cultural Property in the Event of Armed Conflict. The Hague, 14 May 1954, with:
H. CP. R	Regulations for the Execution of the Convention for the Protection of Cultural Property in the Event of Armed Conflict. The Hague, 14 May 1954.

H. CP. P	Protocol for the Protection of Cultural Property in the Event of Armed Conflict. The Hague, 14 May 1954.
ENMOD	Treaty 1977—United Nations Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, New York, 18 May 1977.
G. P. I	Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts. Geneva, 08 June 1977 (Additional Protocol I).
G. P. II	Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-international Armed Conflicts. Geneva, 08 June 1977 (Additional Protocol II).
G. P. III	Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Adoption of an Additional distinctive Emblem (Additional Protocol III, 08 December 2005.
CCW	Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be Deemed to be Excessively Injurious or to have Indiscriminate Effects. Geneva, 10 October 1980.
CCW. P. I	Protocol on Non-detectable Fragments (Protocol I). Geneva, 10 October 1980.
CCW. P. II	Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II). Geneva, 10 October 1980.
CCW. P. III	Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III). Geneva, 10 October 1980.
CCW. P. IV	Protocol on Blinding Laser Weapons (Protocol IV). Vienna, 13 October 1995.
CCW. P. V	Protocol on Explosive Remnants of War (Protocol V). Vienna, 28 November 2003.
UNCLOS	1982 United Nations Convention on the Law of the Sea.
SPNFZ	South Pacific Nuclear Free Zone. Raratonga, 1985.
CROC	Convention on the Rights of the Child. New York, 20 November 1989.

CWC	Convention on the Prohibition of the Development, Production, Stockpiling and the Use of Chemical Weapons and on their Destruction.
Ottawa Convention	Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, 18 September 1997.
OP CROC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict. New York, 25 May 2000.
Rome Statute	Rome Statute of the International Criminal Court. Rome, 17 July 1998. (Entry into force on 01 July 2002).

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OPERATIONS SERIES

ADDP 3.0

CAMPAIGNS AND OPERATIONS

Australian Defence Doctrine Publication (ADDP) 3.0—*Campaigns and Operations,* edition 2, is issued for use by the Australian Defence Force and is effective forthwith. This publication supersedes ADDP 3.0—*Operations,* edition 1 (Provisional) 2008.



D.J. HURLEY, AC, DSC
General
Chief of the Defence Force

Department of Defence
Canberra ACT 2600

12 July 2012

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ADDP 3.0
First edition (Provisional) 2008
Second edition 2012

Sponsor:
Chief of Joint Operations
Headquarters Joint Operations Command

Developer:
Director
Australian Defence Force Warfare Centre
WILLIAMTOWN NSW 2314

Publisher:
Defence Publishing Service
Department of Defence
CANBERRA ACT 2600

Defence FOI 018/21/22
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FOREWORD

1. Australian Defence Doctrine Publications (ADDPs) and Australian Defence Force Publications (ADFPs) are authorised joint doctrine for the guidance of Australian Defence Force (ADF) operations. ADDPs are pitched at the philosophical and high-application level and ADFPs at the application and procedural level. Policy is prescriptive as represented by Defence Instructions, and has legal standing. Doctrine is not policy and does not have legal standing; however, it provides authoritative and proven guidance which can be adapted to suit each unique situation.

2. The focus of ADDP 3.0 is ADF joint warfighting. Warfighting is defined as government directed use of military force to pursue specific national objectives. The term armed conflict is used throughout this publication, and encompasses war and conflict. This publication describes the intellectual framework for the design and management of military campaigns and operations to achieve these objectives.

3. However, few security challenges can be resolved by the application of military force alone. National security is a whole-of-government approach. The ADF may be responsible for leading a multinational campaign or operation, or may contribute military assets to an activity led by another department.

4. The overarching context for campaigns and operations is laid down in ADDP–D—*Foundations of Australian Military Doctrine.* In addition to describing the nature of military doctrine, and the nature of armed conflict, ADDP–D covers Australia's strategic outlook and the Australian approach to warfare.

5. The intended audience of ADDP 3.0 is primarily the ADF and members of Defence. As a publicly released document it also informs those who have a need and an interest in understanding the philosophical basis for the conduct of campaigns and operations by the ADF.

6. Chapter 1 contains a synopsis of ADDP 3.0. The publication is then divided into three parts. Part 1 (chapters 2 and 3) describes the context for campaigns and operations. Part 2 (chapters 4–8) covers campaigning, and part 3 (chapters 9 and 10) focuses on operations.

7. ADDP 3.0 embraces complex and wide ranging subject matter, all of which cannot be fully detailed in a single volume. The reader should consult the following complementary publications:

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- ADDP–D—*Foundations of Australian Military Doctrine*;
- ADDP 00.1—Command and Control; and
- ADDP 5.0—Joint Planning.

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AMENDMENTS

Proposals for amendment of ADDP 3.0 may be sent by minute or email to:

Director Joint Doctrine
Australian Defence Force Warfare Centre
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WILLIAMTOWN NSW 2314

WLMADFWCDirectorjointdoctrine@defence.gov.au

Amendment		Effected	
Number	**Date**	**Signature**	**Date**
1. Chapters renumbered to be consecutive through parts. 2. Para 2.18 (Now 3.18) dot point 4 deleted.	11 Feb 13	Authorised by Director Joint Doctrine ADFWC	4 Mar 13

DOCTRINE PUBLICATION HIERARCHY

The hierarchy of ADDPs and ADFPs and the latest electronic version of all ADDPs and ADFPs are available on:

DRN located at: http://intranet.defence.gov.au/vcdf/sites/adfwc/; and
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CHAPTER 1

SYNOPSIS

Executive Summary

- Although the Australian Government requires the ADF to be able to respond to a range of contingencies, its principal task is to deter and defeat armed attack on Australia.
- The ADF must contend with a spectrum of armed conflict ranging from peaceful interaction to general war.
- Armed conflict is conducted at three levels: the strategic, operational and tactical. The strategic level comprises the national strategic and military strategic levels.
- The Australian approach to warfare is broadly characterised by manoeuvre, interoperability, networking, and decision superiority.
- At the operational level these four characteristics are expressed as the fundamentals of ADF warfighting, which are manoeuvre, the principles of armed conflict, and the set of six ADF warfighting functions.
- The six ADF warfighting functions are command, situational understanding, force generation and sustainment, force projection, force protection, and force application.
- A campaign is a set of military operations planned and conducted to achieve a strategic objective within a given time and geographical area.
- An operation is a designated military activity using lethal and/or non-lethal ways and means to achieve directed outcomes in accordance with national legal obligations and constraints.
- Campaigns and operations are inherently joint and require a fully networked capability to provide common situational understanding and decision superiority.

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- Campaigning is conducted at the operational level and imposes a governing logic on operations and tactics.
- Campaign design is comprised of the first two steps of the campaign cycle (situational understanding and planning), and campaign management is comprised of the remaining four steps (preparation, execution, assessment and adaptation).

1.1 This chapter is a synopsis of Australian Defence Doctrine Publication (ADDP) 3.0, which describes how campaigns and operations are conducted by the ADF. The publication is divided into three parts. Part 1 (chapters 2 and 3) details the context for campaigns and operations. Part 2 (chapters 4–8) covers campaigning, and part 3 (chapters 9 and 10) focuses on operations.

STRATEGIC CONTEXT

Primary area of interest

1.2 To guide defence planning, the Australian Government has decided that the primary area of interest for the ADF extends from the eastern Indian Ocean to the island states of Polynesia, and from the equator to the Southern Ocean. That area contains all Australian sovereign, offshore and economic territories, such as Cocos (Keeling) Islands, Christmas Island, Heard and McDonald Islands, Macquarie Island, Norfolk Island and also waters adjacent to the Australian Antarctic Territory.

1.3 The sea-air gap to Australia's north is the strategic centre of this area as it affords sufficiently early warning of potentially hostile military incursions to key Australian mainland population centres and infrastructure.

Tasks of the ADF

1.4 The principal task of the ADF is a product of Australia's enduring national interests and defence posture. As defined in the 2009 *White Paper*, the four tasks of the ADF (in descending order of importance) are as follows:

- **Deter and defeat attacks on Australia.** The principal task for the ADF is to deter and defeat attacks on Australia by conducting independent military operations in defence of

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Australian territory. Under Australia's policy of defence self reliance, the ADF must be able to undertake these operations without relying on the combat or combat support forces of other countries. The ADF must also be able to respond in support of domestic security and emergency response efforts.

- **Contribute to stability and security in the South Pacific and East Timor.** The second priority task for the ADF is to conduct military operations, in coalition with others as required, in the South Pacific and East Timor. These operations may relate to protecting our nationals, providing humanitarian assistance/disaster relief, or stabilising the security environment.

- **Contribute to military contingencies in the Asia-Pacific Region.** The next most important task for the ADF is to contribute to military contingencies in the Asia-Pacific Region. This task spans a full spectrum of potential military operations—from high-end armed conflict in support of our Southeast Asian partners, to humanitarian operations, or evacuation of our nationals.

- **Contribute to military contingencies in support of global security.** Finally, the ADF must be prepared to contribute to military contingencies in the rest of the world, in support of efforts by the international community to uphold global security. Such operations will generally be authorised by the United Nations (UN).

Refer to ADDP–D—Foundations of Australian Military Doctrine and the 2009 White Paper for further guidance.

CAMPAIGNS AND OPERATIONS

1.5 To conduct its principal task, the ADF must be able to control the air and sea approaches to Australia and safeguard Australian territory, critical sea lanes, population and infrastructure. The ADF is technologically advanced, well equipped, highly trained and has a well-deserved reputation for tactical excellence against a highly capable and determined adversary. However, quality equipment and tactical excellence alone are not enough. Strategic success can only be achieved by higher level orchestration of tactical actions. This requires the ADF to have the ability, within its own resources, to conduct campaigns and operations in the defence of Australia.

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1.6 A campaign is a set of military operations planned and conducted to achieve a strategic objective within a given time and geographical area. An operation is a designated military activity using lethal and/or non-lethal ways and means to achieve directed outcomes in accordance with national legal obligations and constraints.

1.7 When conducting campaigns and operations, the ADF is expected to:

- avoid combat on unfavourable terms,
- apply force in a precise manner and in ways not expected by an adversary,
- concentrate force at critical points, and
- avoid mass casualties.

1.8 The building blocks of campaigns are operations, and the building blocks of operations are actions at the tactical level. The essence of a campaign is the orchestration of operations and tactical actions to achieve the military strategic end state. If tactical actions do not lead to the desired end state, then, ultimately, they are wasted effort.

1.9 A conflict may consist of a single campaign or several campaigns. If there is more than one campaign, these may occur sequentially or simultaneously. A campaign may include a number of phases, with each phase involving a single operation or a series of operations.

1.10 Not all operations need be part of a campaign. A campaign is not required if the intended outcomes are attainable through a single operation. Although the focus of operations is at a lower level than campaigns, the planning methodology is the same. The ADF normally conducts operations, not campaigns.

1.11 Campaigns generally take place over longer periods of time than operations. In some situations, such as counterinsurgency, a campaign may span many years.

1.12 In the past the word campaign has been used very flexibly. Historians often refer to subordinate campaigns within larger ones.

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For example, the Allied Pacific campaign in the Second World War comprised subordinate campaigns by General Douglas MacArthur in the Southwest Pacific, Admiral William Halsey in the South Pacific, and Admiral Chester Nimitz in the Central Pacific. Halsey's campaign in the South Pacific itself included a smaller campaign in the Solomon Islands that lasted five months and consisted of operations ranging from Guadalcanal to Bougainville.

1.13 Campaigns and operations are inherently joint. A campaign will involve force elements (FE) from two or more Services operating together under one commander. Campaigns and operations may also be multinational, involving forces from two or more nations operating together under one commander. The term multinational includes combined and coalition and is described further in chapter 2—'The Operational Environment'.

1.14 Fighting power in campaigns is employed as part of a whole-of-government approach which coordinates all instruments of national power to achieve the strategic end state. In a multinational campaign, the ADF contingent may be required to work with a range of agencies and organisations[1]. These aspects are covered in more detail in chapter 2.

LEVELS OF CONFLICT

1.15 Armed conflict is generally regarded as being conducted at three levels: strategic, operational and tactical. The strategic level is further divided into the national strategic and the military strategic. These levels, shown in figure 1-1, provide a useful framework for designing and managing campaigns and operations, and for coordinating and orienting political/military activity.

1.16 The ADF will only be committed to campaigns and operations by the government in pursuit of national strategic objectives. This enables robust and transparent linkages between strategy, operations and tactical actions, which are coordinated with other instruments of national power in a whole-of-government approach. The level of military commitment by the ADF can vary greatly from large-scale combat and high intensity warfighting, the province of campaigns and operations, to smaller-scale military tactical actions.

[1] This may include Australian and international organisations, non-government organisations and private volunteer organisations.

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1.17 Overlapping levels. In practice, the levels overlap and the distinctions between them may not always be clear. This has substantial implications for command and control as tactical action may have disproportionate desired or undesired operational or strategic level consequences. Conversely, tactical FE may be tasked directly by the military strategic level to achieve strategic effects.

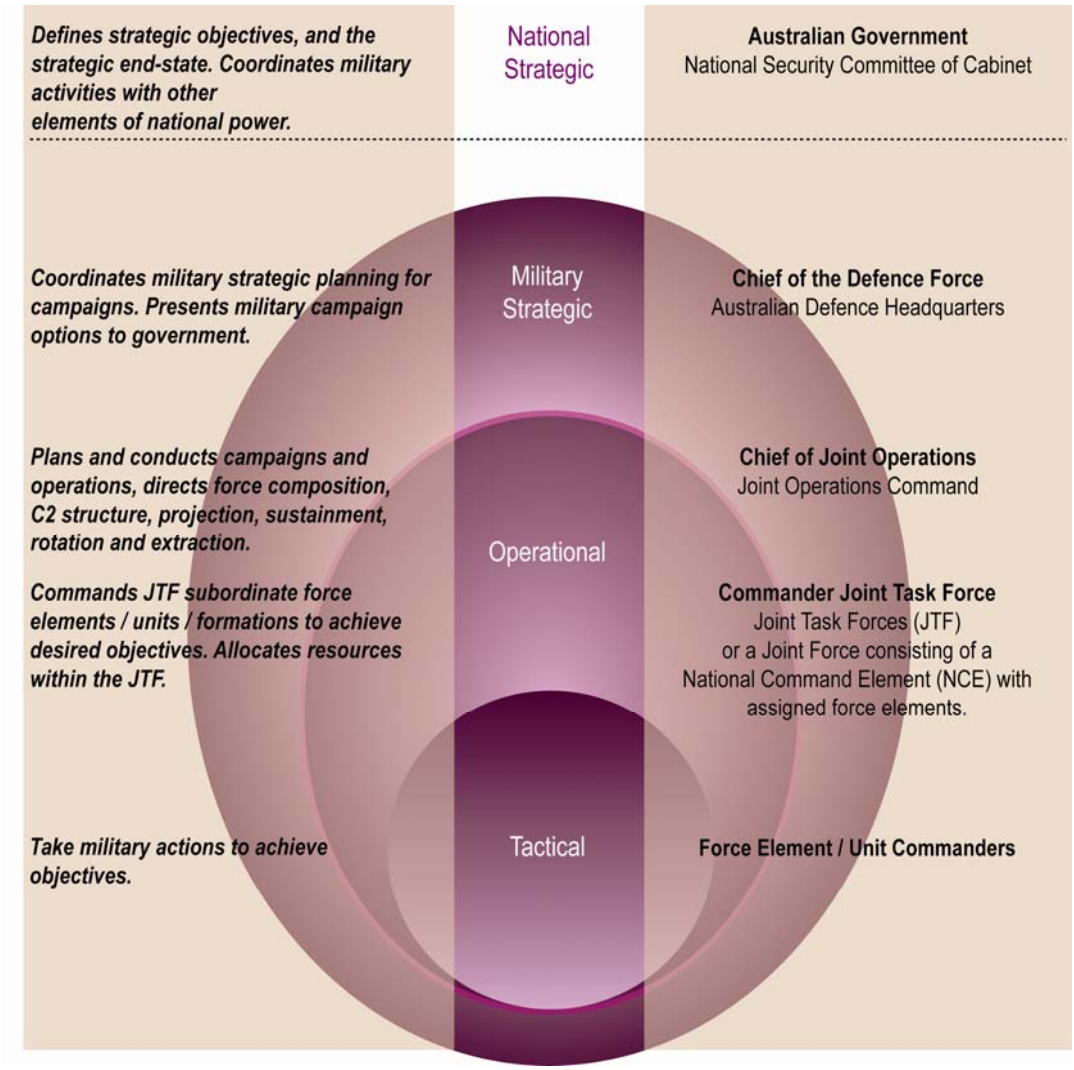


Figure 1–1: Levels of armed conflict

National strategic level

1.18 At the national strategic level the government defines the intended national strategic end state and objectives, and plans and

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coordinates a whole-of-government approach to achieve them. For example, it includes the work of a diplomat in a third country to isolate an adversary from a source of supply, political mobilisation of industry to increase the production of arms and equipment, and international diplomacy to rally people of other nations around the cause.

Military strategic level

1.19 The military strategic level is the interface between the national strategic level and the operational level. The military strategic level commander is the Chief of the Defence Force (CDF). CDF plans and coordinates the military response to support or achieve national strategic objectives.

1.20 Military strategic planning. Military strategic planning is carried out by the Military Strategic Commitments (MSC) Division which provides staff support to CDF. Broadly, MSC Division:

- in conjunction with International Policy Division (IPDiv) represents Defence at a range of interdepartmental forums;
- is the Defence point of entry for government agencies seeking Defence involvement or advice;
- conducts military strategic planning, including establishing the military strategic end state and objectives to achieve the national strategic end state;
- provides military strategic advice to CDF; and
- translates CDF direction into orders.

Refer to ADDP 5.0—Joint Planning for further guidance on military strategic planning.

Operational level

1.21 The operational level links the military strategic and tactical levels. In the Australian context the operational level commander is the Chief of Joint Operations (CJOPS) who plans and conducts campaigns and operations. This includes establishing operational level missions to achieve campaign objectives, and hence the military strategic end state.

Tactical level

1.22 At the tactical level, battles and engagements are planned and fought to achieve operational level objectives. Most ADF FE operate at the tactical level as part of a joint task force (JTF). The formation, structure, command arrangements and employment of a JTF are detailed in chapter 10—'Organising for Operations'.

Refer to ADDP 00.1—Command and Control for further guidance

SPECTRUM OF ARMED CONFLICT

1.23 Armed conflict can occur in many different situations and can be illustrated as a spectrum ranging from stable peace to general war (figure 1-2). At one end of the spectrum is a relatively stable peace with little or no violence. Moving along the spectrum, stable peace may degenerate into an unstable peace, where two or more factions threaten to use violence to achieve their objectives. At this point peace operations, including peace enforcement, may be required.

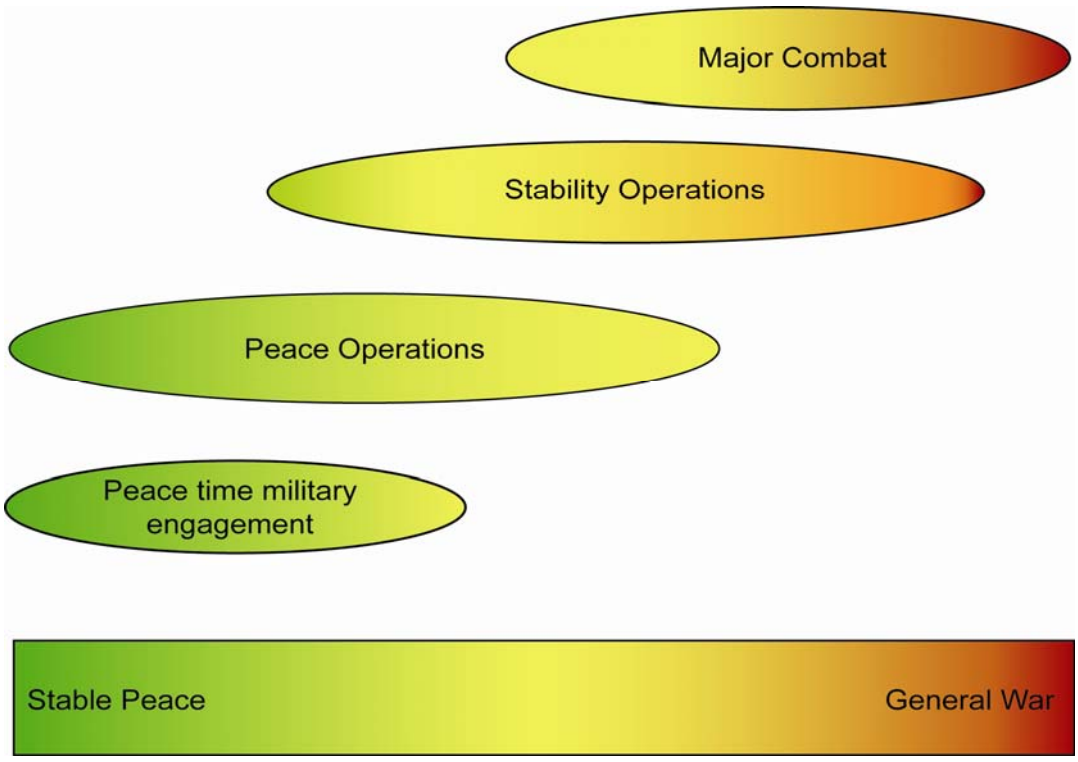


Figure 1–2: Spectrum of armed conflict

1.24 Continuing along the spectrum, unstable peace may further deteriorate to irregular warfare, characterised by terrorism,

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insurgency, criminality, political and sectarian violence, and civil war. At this point stability operations may be required.

1.25 Further along, at the other end of the spectrum, is true interstate conflict—general war. This term refers to armed conflict between nation states in which the total resources of the belligerents are employed, and the national survival of a major belligerent is in jeopardy. General war is widespread, and will affect combatant and non-combatant nations alike. World Wars I and II are classic examples.

1.26 At any stage within the spectrum of armed conflict the ADF may be required to contribute to humanitarian operations. However, the boundary between conflict and non-conflict is not always clear. Highly developed operational art, which can be described as a campaigning skill, is required for the full spectrum of armed conflict, even in a permissive environment such as humanitarian operations. Australia will either act alone or as part of a multinational operation (MNO). As MNOs are usually conducted as part of a campaign, the term MNO includes multinational campaigns. Thus, whether as lead nation of an MNO, or a contributing nation, the ADF must be able to demonstrate campaigning credibility.

THE OPERATIONAL ENVIRONMENT

1.27 The operational environment (OE), previously known as the battlespace, is defined as the composite of the conditions, circumstances and influences that affect the employment of capabilities and bear on the decisions of the commander. The OE cannot be defined in purely physical terms, and requires an understanding of:

- the nature of armed conflict in general and the character of the current conflict in particular;
- the domains within the OE;
- the whole-of-government and multinational approach (also known as the comprehensive approach); and
- the types of operational activities conducted within the OE.

1.28 Domains. A domain is a medium in the OE with discrete characteristics in which, or through which, military activity takes

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place. Domains are physical and non-physical. There are four physical domains: maritime (including sub-surface), land, air, and space, and two non-physical domains: information (including cyberspace and the electro-magnetic spectrum), and the human. Chapter 2 elaborates on the OE and its domains.

AUSTRALIAN APPROACH TO WARFARE

Principles of armed conflict

1.29 Over time, various general principles have been distilled which are fundamental to the successful conduct of armed conflict. Despite dramatic changes in the methods, techniques and weapons of armed conflict, these principles remain relevant. They are not dogmatic, and applying them with judgement and common sense will facilitate success, whilst disregarding them increases the risk of failure. The principles of armed conflict support the Australian approach to warfare.

1.30 Briefly, the ten principles are:

- **Selection and maintenance of the aim.** Military action is always a means to an end and never an end in itself. The end must always be kept clearly in view at all levels of conflict and is guided by the whole-of-government approach.

- **Concentration of force.** Superior military force is concentrated at the right time and place to achieve a decisive result.

- **Cooperation.** Cooperation harnesses the collective will and capabilities of all forces and agencies towards the end state. Interoperability and liaison are key elements.

- **Offensive action.** Offensive action is the application of lethal and/or non-lethal means to achieve effects and objectives across the spectrum of conflict.

- **Security.** Security underpins own force freedom of action whilst denying an advantage to the adversary.

- **Surprise.** Surprise is a key element of manoeuvre which was discussed earlier in this chapter

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- **Flexibility.** Flexibility is the ability to adapt to and capitalise on unforeseen circumstances, friction, resistance or setbacks.

- **Economy of effort.** Economy of effort is the prudent allocation and application of Defence and civil resources to achieve desired results.

- **Sustainment.** Sustainment includes all logistic and administrative action necessary for the efficient and effective support of a force.

- **Morale.** High morale engenders courage, energy, cohesion, endurance, steadfastness, determination, and a bold, offensive spirit. Morale is central to the intellectual and moral aspects of fighting power.

Refer to ADDP–D—Foundations of Australian Military Doctrine for further guidance.

Characteristics of ADF warfare

1.31 As described in ADDP–D the Australian approach to warfare is characterised by manoeuvre, interoperability, networking and decision superiority.

1.32 Manoeuvre warfare. Manoeuvre warfare emphasises the shattering, or at least disruption, of the adversary's cohesion and will to fight, rather than concentrating on destruction of adversary materiel or the holding of territory. Manoeuvre warfare is covered in more detail in chapter 3—'ADF Warfighting Functions', under 'Force Application'.

1.33 Interoperability. Interoperability is a critical enabler for the ADF and defines the extent of force integration and cooperation within the ADF and with non-ADF forces.

1.34 Networking. A networked force derives its power from the effective linking or networking of systems to support the conduct of campaigns and operations.

1.35 Decision superiority. Decision superiority assists the commander to make and implement more informed and accurate decisions while using tempo and leverage to best effect. Decision superiority relies on **situational understanding (SU)**, which is the

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accurate interpretation of a situation and the likely actions of groups and individuals within it. Awareness, analysis, knowledge, comprehension and judgement facilitate understanding, which enables timely and accurate decision making. Decision superiority is covered in more detail in chapter 3, under ‘Command’.

ADF warfighting functions

1.36 At the operational level, where campaigns and operations are conducted, the characteristics of ADF warfare find more specific expression as six warfighting functions. Like the principles of armed conflict they are a best practice list, also underpinned by the Australian approach to warfare. The warfighting functions are covered in more detail in chapter 3. In summary, they are:

- command,
- SU,
- force generation and sustainment,
- force projection,
- force protection, and
- force application.

Fighting power

1.37 Overlaying these fundamentals is the concept of fighting power. Fighting power is the result of integrating three interdependent components: the intellectual, moral and physical, as illustrated in figure 1-3.

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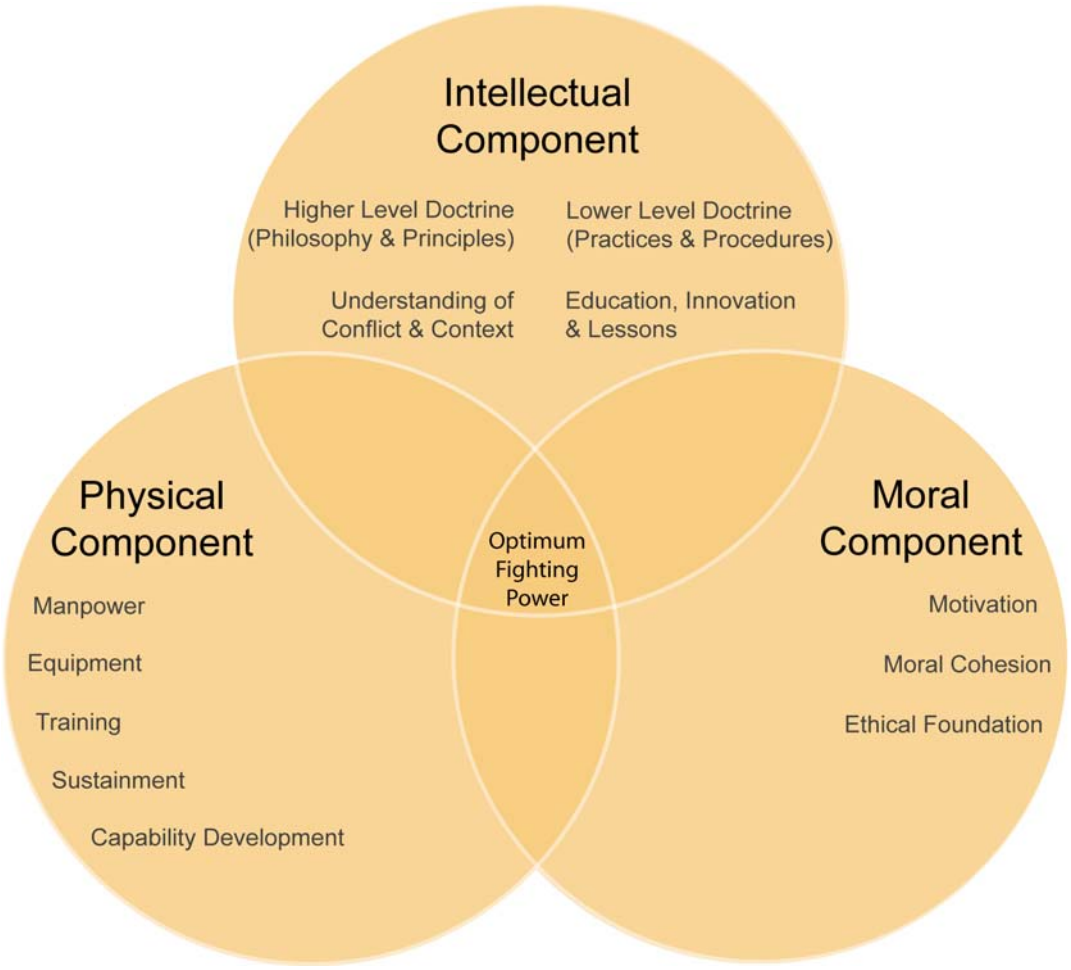


Figure 1–3: The components of fighting power

1.38 Intellectual. The intellectual component of fighting power provides the knowledge to fight. It is the way in which knowledge, creativity and analytical ability are applied to meet military challenges. The intellectual component provides the level of understanding necessary for success in complex operational environments.

1.39 Moral. The moral component of fighting power provides the will to fight. Ultimately the fighting power of the ADF relies on the readiness of its members to fight. The source of their willingness to place themselves and their subordinates at great risk lies in a shared sense of purpose, integrity and high morale.

1.40 Physical. The physical component of fighting power provides the ADF with the means to fight. It provides both a credible deterrent and the means to defeat an adversary.

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Moral basis for ADF operations

1.41 As Australia is a democratic member of the international community, the basis for ADF operations must be moral, just and legal. All operations must be conducted within a legal framework based on international, national domestic, and host nation law. Central to this framework will be a mandate that will determine the mission and desired end state. The mandate is the legal authority for the operation and commanders and subordinates must therefore understand the legal boundaries. The mandate may be derived from international law and not exclusively from a UN Security Council resolution.

1.42 Rules of engagement. Joint force activities and the use of force during operations are governed by rules of engagement (ROE) which reflect international and domestic law, treaties and conventions, political and military guidance, and operational and diplomatic considerations. ROE are dynamic, changing as the operation evolves. Compliance with ROE does not in itself ensure legality. Commanders are still responsible for the actions of subordinates, although as a fundamental principle ROE cannot undermine the right to self-defence. Multinational commanders must understand the differences and limitations of national interpretation of ROE. However, it is equally important for commanders to understand opportunities offered by differing ROE.

1.43 Law of armed conflict. While mandates will be mission specific, some aspects of the legal framework are common to all operations. The law of armed conflict (LOAC) consists of treaties, conventions and customary international law and seeks to provide protection for those involved in, or on the periphery of, armed conflict, and to regulate its conduct. LOAC provisions are grounded on the four fundamental principles of necessity, humanity, proportionality and distinction. Commanders are responsible for planning and conducting operations in accordance with LOAC and ensuring compliance with LOAC by those under their command.

1.44 This moral basis, together with professional mastery, enables individuals and small teams, isolated in a complex and chaotic operational environment, to understand and act despite friction, danger, uncertainty and chance.

Refer to ADDP 06.1—Rules of Engagement and ADDP 06.4—Law of Armed Conflict for further guidance on legal support to operations.

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Joint forces

1.45 Whenever military force is applied it is coordinated and synchronised with plans made by other elements of national power. All campaigns and operations are commanded, planned, executed and supported as a joint force. The joint nature of the ADF is emphasised by the integration and daily interaction of staff at all levels in times of peace and conflict.

1.46 At the basic level, a joint force comprises FE from two or more Services operating together under one commander. In a joint operation, the sum of the unique characteristics of maritime, land, and air elements operating together is potentially greater than the sum of the individual Service elements. This synergistic result is called the joint effect. Attainment of the joint effect substantially increases the chance of success and is why joint operations are conducted.

OPERATIONAL ART

1.47 Operational art is the skilful employment of military forces to attain strategic goals through the design, organisation, sequencing and direction of campaigns and major operations. Operational art translates strategic into operational and ultimately tactical actions.

1.48 The joint military appreciation process provides the necessary problem solving framework for operational art. However, the individual commander's experience, leadership, creativity and adaptability are central to success.

CAMPAIGNING

1.49 In campaigning, operational art is applied through the campaign cycle. The two main parts of the cycle are campaign design and campaign management. Each part consists of activities which interact and overlap, and which may be sequential or simultaneous.

1.50 While simple in concept, the campaign cycle is dynamic in execution. It is the basis for the integration of numerous processes and activities, consisting of hundreds of tasks executed throughout a headquarters, subordinate formations, and FE. The cycle is illustrated in figure 1-4.

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1.51 Campaign design. Campaign design comprises the first two steps of the campaign cycle: gaining SU, and planning. The focus throughout campaign design is the military strategic end state and its associated objectives. In broad terms campaign design determines and develops:

- a campaign end state,
- campaign objectives,
- a campaign plan, and
- assessment criteria.

1.52 Campaign management. Campaign management comprises the remaining four steps of the campaign cycle: preparation, execution, assessment and adaptation.

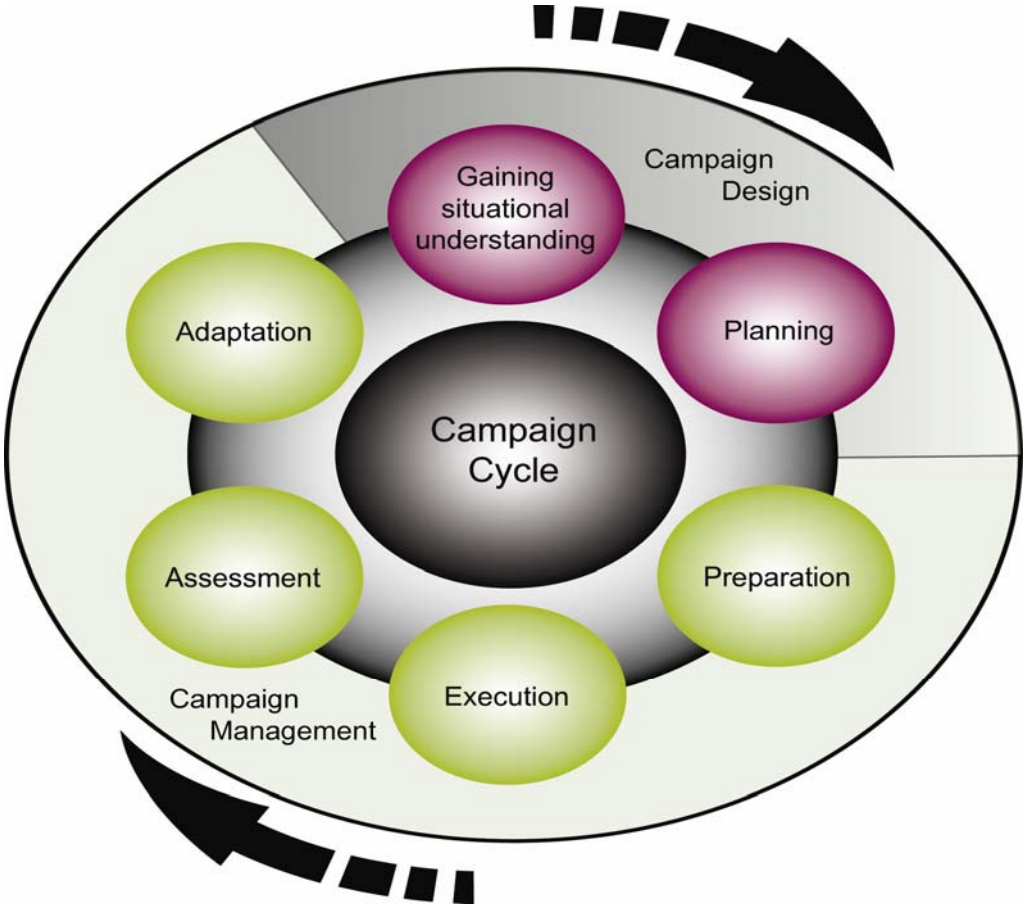


Figure 1–4: The campaign cycle

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Gaining situational understanding

1.53 SU is the basis for effective decision making. It results from analysis and judgement and is fundamental to campaigning. SU includes understanding the operational environment, understanding the problem, understanding partners and understanding the mission. Gaining SU is detailed in chapter 4—'Campaign Design—Situational Understanding'.

Campaign planning

1.54 Campaign planning progresses from the general to the specific by:

- developing the campaign approach;
- developing the campaign concept, including defining the lines of operation, and developing schemes of manoeuvre and supporting schemes; and
- developing the campaign plan, which is based on the campaign concept and describes what is to be accomplished and how it is to be done, and the mechanism for assessing, evaluating and reporting progress.

1.55 Planning time can be significantly shortened by collaborative and parallel planning between headquarters at different levels. Effective parallel planning relies on effective collaborative planning.

1.56 Unlike an operations plan, a campaign plan does not seek to direct or coordinate detailed operations or tactical actions. It is not a roadmap or a project management plan and should not have milestones or intermediate objectives. A campaign plan is most accurately described as a framework which enables and constrains the execution of operations to achieve the campaign objective.

1.57 Campaign planning is objectives based. The military objective is the single most important part of operations. Without a clearly stated, attainable and measurable objective, the entire military effort becomes pointless. The objective determines the method of employment, the number and size of necessary operational areas, the level of command, the type of planning, and the number and sequencing of operations.

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Example of a campaign objective

You will enter the continent of Europe and, in conjunction with the other United Nations, undertake operations aimed at the heart of Germany and the destruction of her armed forces

Directive from GEN Marshall, Chairman Allied Joint Chiefs of Staff, to GEN Eisenhower, Supreme Allied Commander Europe, prior to the landing in Normandy, WWII.

1.58 Primary campaign planning responsibility lies with CJOPS at Headquarters Joint Operations Command (HQJOC). However, other participants include:

- CDF and staff at the military strategic level;
- subordinate JTF commanders (CJTF) responsible for the conduct of individual operations within the overall campaign framework;
- subordinate JTF component commanders, such as air, maritime (including amphibious), land, special operations and logistics; and
- other government agencies, and non-government, international and commercial organisations.

1.59 MSC/IPDiv develops and manages initial advice from CDF to the National Security Council. CDF then issues a warning order or planning directive to CJOPS to develop a concept of operations.

1.60 HQJOC J5 planning staff then develop broad courses of action (COA) for CJOPS to present to CDF. These options describe general schemes of manoeuvre, but with enough detail to highlight risks and resources. Once a particular COA is agreed at the national strategic level, CDF tasks CJOPS with its execution through a CDF Directive.

1.61 At this stage there is still scope for CJOPS to decide how the campaign should progress in detail. HQJOC J5 planning staff develop the campaign plan, including supporting annexes. When the plan is approved by CJOPS, an operation order or operation instruction is issued to subordinate JTF. JTF staff then conduct planning to achieve the tasks identified at each decisive point along the line of operation.

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1.62 Although CDF should not issue overly prescriptive instructions to CJOPS, CDF, as the military strategic commander, is still ultimately responsible to the government for the application of military force. The military strategic commander can therefore still affect the campaign, by increasing or decreasing the size of the theatre, relaxing or tightening specific constraints, or assigning additional forces, for example.

1.63 Apart from achieving the end state, a good campaign plan should be sufficiently adaptable to enable rapid, effective action in the face of unforeseen events. Campaign planning is described in detail in chapter 5—'Campaign Design—Campaign Planning'.

Preparation

1.64 Preparation enables transition from planning to execution. Effective preparation ensures that appropriately prepared and equipped forces are in position at the required times and places. Preparations may commence during planning. Similarly, they may continue for some parts of a force, such as reserves, after execution has commenced. Preparation is detailed in chapter 6—'Campaign Management—Campaign Preparation'.

Execution

1.65 Execution is the implementation of the campaign plan, which sees fighting power applied in sequenced and coordinated operations to achieve campaign objectives. Execution is complex, placing sustained and heavy demands on staff. This requires flexibility, teamwork and rapid information exchange between the campaign headquarters and subordinate formations and FE.

1.66 When actual events differ markedly from planned events, execution demands subordinate commanders who are trained in independent decision making and risk taking in an environment of mission command. Execution is detailed in chapter 7—'Campaign Management—Campaign Execution'.

Assessment and adaptation

1.67 Assessment is the monitoring and evaluation of the progress of a campaign. Adaptation involves change, enabling retention of initiative over potentially extended periods against innovative adversaries in an ever changing operational environment. Continuous assessment, enabling rapid recognition of changing conditions and

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subsequent adaptation is crucial to successful campaigning. Assessment and adaptation are described in detail in chapter 8—'Campaign Management—Assessment and Adaptation'.

OPERATIONS

Types of operations

1.68 Operations are the building blocks of campaigns, and the three broad types of operations conducted by the ADF are shaping, decisive and transition. Shaping operations attempt to deter an adversary and/or create an environment conducive to successful ADF operations. Decisive operations seek to defeat an adversary's will and/or means to conduct operations, and transition operations aim to conclude an operation in an orderly fashion when authorised to do so by the government. They may occur sequentially or concurrently.

1.69 Chapter 5 examines how, in campaign planning, development of the campaign scheme of manoeuvre requires visualising how these operations relate to one another in time, space and purpose within the overall campaign.

Operational activities

1.70 Operational activities are different from the types of operations in that they are concerned more with the way operations are conducted, and in this respect are campaign themes. Operational activities are broadly categorised as offensive, defensive and stability. They may be complementary and conducted in combination—simultaneously, sequentially or both. The combination and balance between them depends on actual and anticipated conditions, tasks and available resources.

1.71 Operational activities are arranged along a line of operation and coordinated in time and space to accomplish objectives. Operational activities are covered in more detail in chapter 2.

Management of the operational environment

1.72 Management of the OE is critical to operational success. Management of the OE aims to achieve:

- shared SU on the location of friendly, adversary and neutral elements at all times;

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- coordination of joint fire support; and
- logistic control and asset tracking.

1.73 Management of the OE is detailed in chapter 9—'Conduct of Military Operations'.

PART 1

CONTEXT FOR CAMPAIGNS AND OPERATIONS

CHAPTER 2

THE OPERATIONAL ENVIRONMENT

Executive Summary

- The operational environment (OE) embraces all the elements, conditions and circumstances which may influence campaigns and operations.
- Although armed conflict is a violent clash of wills, it is subject to practical, legal, moral and political constraints.
- Professional military skills are crucial, not only in winning the war, but in minimising the human and material cost.
- The OE comprises four physical domains: maritime, land, air and space, and two non-physical: information, including cyberspace and the electromagnetic spectrum (EMS), and the human.
- Campaigns and operations will invariably be planned and conducted as part of a whole-of-government approach, and may be multinational.
- The three categories of operational activities are offensive, defensive and stability. They may be conducted sequentially or simultaneously, with varying levels of effort.

Introduction

2.1 The OE embraces all the elements, conditions and circumstances which may influence the employment of capabilities and the decisions of the commander during campaigns and

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operations. The chief characteristics of the OE are complexity, instability and persistent threat.

2.2 Professional mastery. To perform effectively under the demanding and complex conditions of the OE, commanders and subordinates require both the self confidence to act decisively and a clear knowledge of the purpose and consequences of their actions. These attributes are summarised as professional mastery.

2.3 Attainment of operational objectives depends not just on defeating the adversary, but also on how quickly joint forces can establish and maintain stability. For this reason forces may be involved in offensive, defensive and stability activities simultaneously. Operational activities are covered in more detail later in this chapter.

2.4 Continuous threats to combatants and non-combatants alike are a feature of the modern OE, exacerbated by the high lethality and range of advanced weapons systems, and the tendency of some adversaries to operate among the population. All adversaries, state or non-state, regardless of technological or military capability, are likely to use a combination of political, economic, informational and military measures.

2.5 Understanding the OE requires an understanding of:

- the nature of armed conflict in general and the character of the current conflict in particular;
- the domains within the OE;
- the whole-of-government and multinational approach; and
- the types of operational activities conducted within the OE.

THE NATURE OF ARMED CONFLICT

2.6 The decision to engage in armed conflict is an act or expression of policy, resulting in a violent relationship between two or more states or groups. The nature of armed conflict has certain enduring features:

- The measure of its success is the extent to which its political outcomes are deemed to have been favourable.

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- Armed conflict is always undertaken to maintain a position of advantage, establish a more advantageous (or less disadvantageous) situation, or otherwise change the attitudes or behaviour of another party; on occasion, however, it may be undertaken, or perpetuated, for its own sake.

- Belligerents may employ all the military and non-military ways and means available to them to seek success.

- Armed conflict reflects, amongst other things, the culture, society and political aspirations of belligerents and other interested parties.

- Armed conflict is an inherently unpredictable, often chaotic, human activity; success will often depend upon asserting some form of order or dominance on a situation and overcoming the inherent frictions and consequences of military activity.

Limitations

2.7 Although armed conflict is a violent clash of wills, its conduct is invariably subject to limitations. These can circumscribe the political aims of a conflict, the intensity of combat operations, the geographic extent of military action, the duration of hostilities, support of national objectives by the populace, and the kinds of military operations and activities conducted. Such constraints are:

- **Practical.** Hostilities may be constrained by the equipment and the respective military capabilities of the belligerents, by the cost of armed conflict, and by problems of distance, climate, weather, terrain and oceanography.

- **Legal.** Both international law and domestic law place limits on armed conflict.

- **Moral.** Moral considerations are now largely absorbed into international norms and values. Other moral and ethical considerations will shape and influence how the armed conflict is conducted.

- **Political.** These could include awareness by the belligerents of their mutual need to conduct political relations beyond the present hostilities. In the case of a coalition, political

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considerations are governed by what is acceptable to all coalition partners.

Enduring nature of armed conflict

2.8 Although its characteristics evolve over time, armed conflict is an enduring element of the international system and its essential nature is immutable. Armed conflict still invariably involves terror, violence, chaos, suffering, social and economic dislocation, and destruction of life and property. Professional military skills are therefore crucial, not only in winning the war, but in minimising the human and material cost. These skills include planning, analysis, organisation, communication, logistic support, and most importantly, leadership.

2.9 Characteristics common to most armed conflicts are:

- **Friction.** Friction is the pervasive accumulation of physical and psychological factors hindering accomplishment of the mission. Friction is serious, and no amount of training or planning can entirely eliminate it. Friction can be external to a fighting force (adversary resistance, restrictive rules of engagement (ROE), unfavourable terrain and climate, or logistic delays) or internal (fear, exhaustion, indecision, misunderstanding, internal rivalries, incompetence, or poor planning or training).

- **Uncertainty.** In armed conflict, uncertainty, disorder and disharmony are pervasive. The lack of accurate or timely information creates what is described as the ‘fog of war’. The effects of uncertainty can be mitigated by simple, flexible planning, clear command and control, and reliable intelligence and communications systems.

- **Violence and danger.** Armed conflict is inevitably accompanied by fear, trauma, injury and death; destruction, economic disruption and distortion; dislocation of populations; and severe political and social stress. Countering these pressures requires effective leadership, good discipline, a high level of morale, strong group cohesion and realistic training.

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Changing characteristics of armed conflict

2.10 In recent years intra-state conflict among different political or ethnic groups has come to the fore in places such as Afghanistan where conventional military forces have had to work alongside civilian agencies and non-government organisations. Moreover, threats from some non-state global actors such as al-Qaeda have meant that armed forces have had to be employed against new types of adversaries.

2.11 While state-based conventional combat operations are still a possibility, it is more likely that in future the ADF will have to contend with a non-state adversary conducting conventional and irregular warfare. Adversaries may use a range of conventional capabilities, irregular tactics and formations, terrorist acts (including indiscriminate violence and coercion) and criminal disorder. States no longer have the monopoly on advanced weaponry. Non-state groups with worldwide links and financial resources can acquire the means and knowledge to increase their lethality by rapidly exploiting new and/or 'dual use' products, such as ammonium nitrate fertiliser.

2.12 Non-state adversaries may operate within the population, using it for support, cover and concealment, to negate any ADF technological advantage. The adversary is likely to understand the key drivers of Australian military capability and be capable of employing strategies such as terror attacks and deny access to key points of entry such as ports or airfields. Adversary forces are also likely to pursue a long-term 'battle of wills' to engage the ADF in protracted operations while attempting to erode the Australian public's willingness to support military operations.

DOMAINS

2.13 As armed conflict is no longer delineated by traditional fronts and flanks of single opposing forces, there is a range of overlapping and interrelated physical and non-physical domains. A domain within the OE is a medium with discrete characteristics in which, or through which, military activity takes place. A characteristic is a distinct attribute that derives from the inherent nature of a domain.

2.14 This chapter is only intended to briefly describe the essential characteristics of each domain. Further detail on traditional force elements (FE) employed within each, their roles, and how they are commanded and controlled can be found in relevant single Service and joint doctrine publications.

2.15 The ADF recognises the following domains within the OE:

- **Physical**—maritime (including sub-surface), land, air and space.

- **Non-physical**—information, which includes cyberspace and the EMS, and the human domain.

Maritime domain

2.16 Operations in the maritime domain cover a range of military activities in peace or armed conflict to exercise sea control, sea denial, and project power ashore. Maritime forces offer presence without occupation, and deterrence without commitment. They can be sustained without significant reliance on land-based resources and are less restricted by national boundaries than air or ground forces, being able to transit the seas in accordance with international law.

2.17 Maritime forces may include organic air elements or rely on air support from air and/or land forces. Responsibility for operations in the maritime domain may be assigned to a maritime component or task group commander.

Land domain

2.18 Deployment of land forces is the most profound commitment available to the Australian Government. Only ground troops with a capacity for close combat can achieve many of the objectives across the spectrum of conflict. A key feature of land forces is their adaptability—they can quickly transition from stability to offensive or defensive activities, depending on mission requirements, or conduct all three simultaneously.

2.19 Command of land forces may be assigned to a land component commander or geographically aligned task force commander. In various phases the commander of the land force may have a supporting or supported relationship with other components such as maritime, air and special operations if established.

Air domain

2.20 Like the other domains, the air domain has unique physical characteristics that influence the conduct of military operations. Overlaying the maritime and land domains, the air domain has a

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unique perspective. Aircraft also operate with distinctly faster speed than force elements on land or sea, enabling greater range and penetration.

2.21 Likewise, aircraft are less constrained by physical barriers such as water and land and can potentially avoid ground/maritime forces to prosecute the adversary directly and indirectly. As the air domain overlays maritime and land domains, it is critical to have the required control of the air for the successful conduct of campaigns and operations.

2.22 The point at which the maritime, land and air domains intersect is termed the littoral. The littoral is defined as the areas to seaward of the coast which are susceptible to influence or support from the land and the areas inland from the coast which are susceptible to influence or support from the sea.

Space domain

2.23 The space domain overlays the maritime, land and air domains. Space-based capabilities support military operations at all levels across the OE. These include satellite communications, surveillance and reconnaissance, and space-derived products and services such as weather monitoring, Global Navigation Satellite System, and remote-sensing.

2.24 To ensure that scarce space-based assets are allocated effectively, Headquarters Joint Operations Command (HQJOC) is responsible for planning the support that augments and optimises the impact of space effects in any operation. The participation of HQJOC frees individual commanders and units to focus on the outcomes of an operation rather than the tools required to define the environment. Space support should be inextricably linked to the overall and subordinate plans of the commander joint task force (CJTF) and should support the commander's stated mission and objectives.

Refer to ADDP 3.18—Operational Employment of Space for further guidance.

Information domain

2.25 The information domain encompasses all information and related infrastructure that may influence operations. This includes collection and management of information and intelligence, information operations, and public domain information.

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2.26 Exploitation of the information domain facilitates the gaining of situational understanding, an essential prerequisite for campaigns and operations. The information domain includes cyberspace and the EMS.

2.27 Cyberspace. Cyberspace is a global domain consisting of the interdependent network of information technology infrastructures, including the Internet, telecommunications networks, computer systems, and embedded processors and controllers, and their resident data. All of the domains are susceptible to hostile cyberspace activity.

Refer to ADDP 3.13—Information Operations for further guidance.

2.28 Electromagnetic spectrum. The EMS comprises the range of frequencies in which oscillating electric and magnetic fields propagate radio waves at the speed of light.

Refer to ADFP 6.0.4—Radiofrequency Spectrum Management for further guidance.

Human domain

2.29 Armed conflict, as a clash of wills, has always been started by people. The human domain therefore embraces how people, individually and collectively, apply their non-materiel resources (intellect, emotions, motivation and leadership) to fight and win. It is within the human domain that decisions are made, individually or collectively.

2.30 A population comprises communities who are subject to the same political authority and occupy a common territory. They may have a common culture and share a sense of identity. Communities include diverse social structures. Social structure refers to the relations among groups of persons within a system of groups. It includes institutions, organisations, networks and similar groups.

2.31 Culture comprises shared beliefs, values, customs, behaviours and artefacts that society members use to cope with their world and with one another. Societies usually have a dominant culture but may have many secondary cultures. Different societies may share similar cultures, but societal attributes change over time. Changes may occur in demographics, religion, migration, urbanisation, standards of living and literacy, nature of education, and cohesiveness and activity of cultural, religious or ethnic groups.

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2.32 People base their actions on perceptions, assumptions, customs and values. Cultural understanding improves the commander's insight into individual and group intentions and may enhance operational effectiveness.

OPERATIONAL ACTIVITIES

2.33 All ADF operational activities, whatever the type or phase of a campaign or operation, fall into three broad categories: offensive, defensive and stability. They may be conducted sequentially or simultaneously by military forces, with varying levels of effort. Figure 2-1 is a generic illustration of how the level of effort (vertical axis) may vary for various operational activities (or campaign themes) across the spectrum of conflict (horizontal axis).

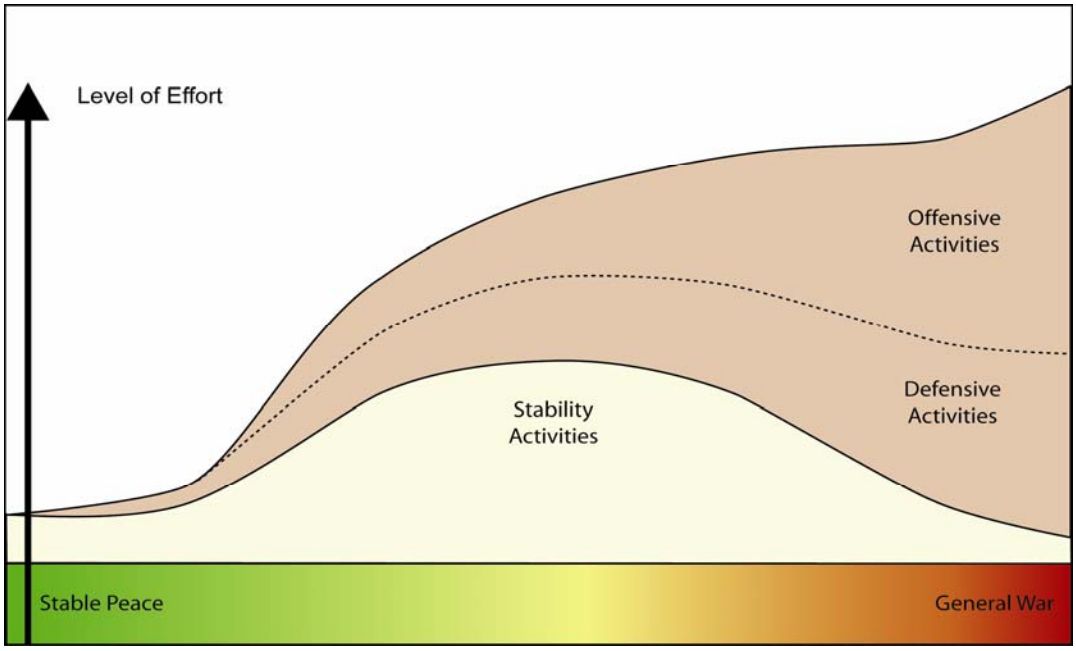


Figure 2–1: Operational activities

Offensive

2.34 Offensive activities directly target an adversary's centre of gravity (COG), critical capabilities, critical requirements (CR) and critical vulnerabilities. They require freedom of action and the ability to conduct simultaneous activities within the OE. A commander's freedom of action may be limited by military strategic guidance or due to an inability to generate or sustain adequate combat power.

Generating sufficient fighting power requires careful harnessing of resources, such as only conducting essential defensive activity to allow the remainder of the force to concentrate its combat power elsewhere.

2.35 Coordination of a wide range of capabilities and effects requires careful synchronisation in time and space. It may be possible to take the offensive at the start of an operation, however a period of shaping and force build-up is normally required.

2.36 Offensive activities seek to:

- seize and retain the initiative,
- maintain momentum,
- maintain flexibility and fluidity to exploit opportunities,
- control tempo to sustain own force operations and keep the adversary off balance, and
- achieve decisive results.

2.37 Offensive activities may include a mix of FE for information operations (IO), special forces (SF), counter-air, strategic air strike, close air support, interdiction, naval surface fire support, maritime strike, anti-submarine warfare, anti-surface warfare, anti-air warfare, mining, amphibious, airborne and land manoeuvre. FE may be used for the advance, attack and pursuit.

Defensive

2.38 Defensive activities are primarily conducted to protect one's own COG and critical factors (CF), and to preserve combat power. They provide a commander with a secure foundation and time to prepare for offensive activities. An effective defence is rarely passive as the defender resists and contains the adversary while seeking every opportunity to seize the initiative and move onto the offensive.

2.39 Defensive activities may include a mix of force protection (FP), IO, SF, control of the air (including defensive counter-air and anti-air warfare), close air support, maritime screening, defensive mining, anti-submarine warfare, anti-surface and land manoeuvre including delaying, deliberate and mobile defence, and counter attack.

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Defensive activities conducted for shaping and/or stability purposes may include the above but are generally governed by more limited and restrained ROE than during decisive operations.

2.40 Defensive activities in all domains aim to force the adversary to culminate due to loss of momentum, exhaustion, overextended lines of communication and diminished fighting power creating conditions for offensive and stability activities.

Stability

2.41 The aim of stabilisation is to achieve a political settlement between a host nation government, competing elites and the wider population. Stabilisation is conducted using a comprehensive approach involving various government, non-government and other actors. The Australian whole-of-government contribution may include the ADF conducting stability activities, but stabilisation can be conducted without military forces.

2.42 The military contribution to stabilisation can include:

- providing security for own and other agency operations, which may include countering an insurgency and/or terrorism;
- supporting humanitarian operations;
- supporting the restoration of law and order;
- providing essential services; and
- supporting governance and the restoration of a functioning civil authority.

2.43 Stabilisation may involve irregular warfare (IW), including counterinsurgency (COIN). It is unlikely that IW or COIN would be conducted without the use of military forces. When countering insurgency, it is usually necessary to isolate an adversary from the population. However, while insurgency can seriously inhibit the establishment of security, it is not usually the root cause of the instability. Long term and sustainable stability requires a coordinated response to economic, diplomatic, governance and security issues.

2.44 Isolation of an adversary can be achieved by one or more of the following:

- military action, including land forces for direct engagement, and maritime and air forces to enforce blockades and exclusion zones;
- IO, including public information activities;
- civil-military cooperation (CIMIC); and
- continual reinforcement of the legal and moral justification for ADF involvement, such as minimising chaos and promoting democracy.

2.45 Stabilisation may involve a coalition of nations, such as the Australian-led mission to East Timor in 1999, and the regional assistance mission to the Solomon Islands in 2003, or they may be solely Australian. Alternatively, stabilisation may be a phase of a wider campaign that may include shaping and decisive operations. As stability activities must be integrated and synchronised with offensive and defensive activities, planning for them should begin when operations planning begins.

Refer to JDN 1-11—The Military Contribution to Stabilisation for further guidance.

2.46 Civil-military cooperation. CIMIC is fundamental to stabilisation operations. The ADF will be working with a range of government, international and non-government agencies, host nation, media and local authorities. CIMIC promotes cooperation, coordination, mutual support, joint planning and information exchange at all levels, and is the key to winning the support and trust of local communities and countering resistance. The ADF provincial reconstruction team in Afghanistan is a good example of this concept.

Refer to ADDP 3.11—Civil-Military Operations for further guidance.

Balance between operational activities

2.47 Most combat will require a balance between offensive, defensive and stability activities, and this is particularly so in campaigns and major operations. Although defence may be the stronger force posture, it is the offence that is normally decisive in

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combat. In striving to achieve military strategic end states quickly and at the least cost, CJTF will normally seek the earliest opportunity to conduct decisive offensive operations.

2.48 Nevertheless, during sustained offensive operations, selected FE may need to pause, defend, resupply, or reconstitute, while other FE continue the attack. Further, FP includes certain defensive measures that are required throughout each campaign or operations phase. Forces at all levels must possess the agility to rapidly transition between offence and defence.

WHOLE-OF-GOVERNMENT APPROACH

2.49 The Australian Government's approach to planning and coordination at the national strategic level is described as whole-of-government and is based on a clearly articulated policy. Whole-of-government is defined as government departments and agencies working across portfolio boundaries to achieve a shared goal and an integrated government response to particular issues.

2.50 The whole-of-government approach is planned and managed by interdepartmental committees (IDC). An IDC is normally chaired by the department which has the lead responsibility for the relevant issue. The principal IDC is the Secretaries Committee on National Security (SCNS) which supports the National Security Committee (NSC) of Cabinet. An IDC can be formed for routine monitoring of an issue which is no longer an emergency.

2.51 For crisis management an interdepartmental emergency task force (IDETF) is formed to gather interdepartmental views on options for crisis management. The lead department for a particular crisis uses the IDETF to gain a comprehensive perspective on the issues.

Refer to ADDP 5.0—Joint Planning for further guidance.

WHOLE-OF-GOVERNMENT APPROACH—BALI BOMBINGS 2002

The 2002 Bali bombings occurred at 2315 local time on 12 October 2002 in the tourist district of Kuta on the Indonesian island of Bali. The attack was the deadliest act of terrorism in Indonesia's history, killing 202 people, including 88 Australians and 38 Indonesian

citizens. A further 240 people were injured.

The attack involved the detonation of three bombs: a backpack-mounted device carried by a suicide bomber; a large car bomb, both of which were detonated in or near popular nightclubs in Kuta; and a third much smaller device detonated outside the United States consulate in Denpasar, causing only minor damage.

An Australian whole-of-government approach was used to coordinate the response. The government directed the Department of Foreign Affairs and Trade (DFAT) to lead the coordination of the interagency response to international aspects of the crisis. At the same time, the Department of Family and Community Services coordinated the interagency response to domestic aspects of the recovery. The two departments worked alongside each other, attending each others' meetings where necessary, to provide a comprehensive overall response. This arrangement worked well to draw together key agencies and players, share information, coordinate policy and clarify leadership roles within government.

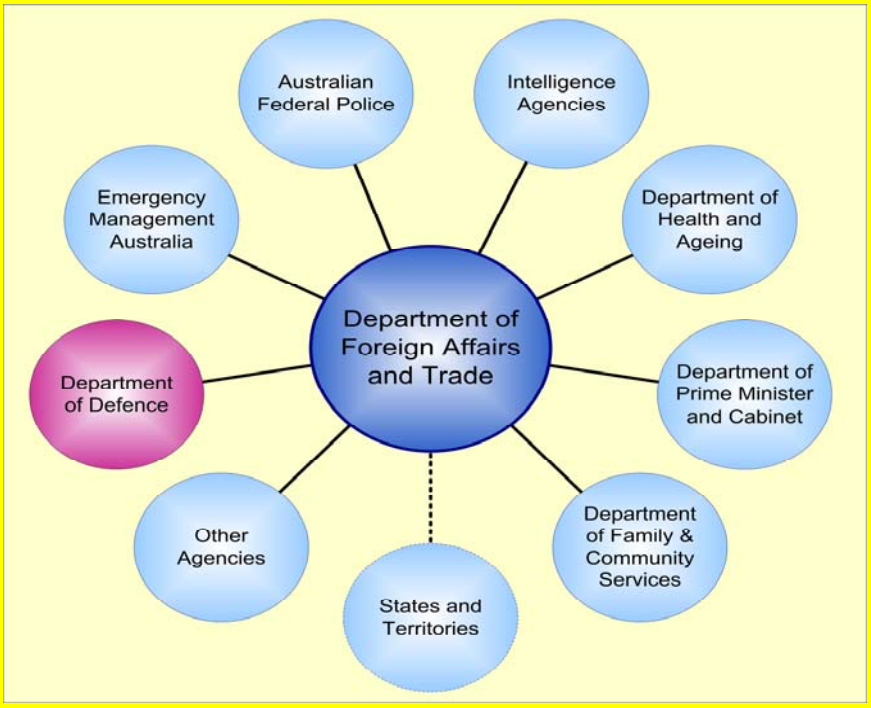


Figure 2–2: Whole-of-government response—Bali bombing 2002

Strategic objectives were set by government. The operational level headquarters planned and issued orders and instructions, which were converted by tactical units into rapid response actions. These

included assessing the incident, damage, likely casualties, nature of injuries, potential treatment requirements and capacity to respond locally. The next phase was the rapid evacuation of the injured by ADF FE, which was an outstanding success.

The Australian Federal Police (AFP) provided a high-tech crime team which was supported internationally by officers from the FBI, the German Bundeskriminalamt, and the Dutch National Police. To date, 36 people have been arrested in relation to the Bali bombings, and 33 have been convicted.

With several suspects still at large, the Indonesian National Police and the AFP continue to work closely together in critical areas including intelligence, investigations, technical operations, and capacity building to bring all those responsible to justice. The AFP continues to commit resources to the investigation, with members deployed on a rotating basis in Indonesia, and members continuing related activities in Australia.

Strategic communication

2.52 Strategic communication (figure 2–3) is a term describing a range of activities, in both the information and human domains, at all levels, to achieve information effects within the OE. Strategic communication is a whole-of-government activity utilising all elements of national power to mould the perceptions and behaviour of a target audience in support of national objectives.

2.53 Strategic communication establishes the dominance of the narrative. A narrative is the fundamental story, the default understanding, which a party to a conflict is aiming to establish as valid within the minds of members of one or more target audiences. The dominance of Australia's narrative with various local, regional and global audiences is central to convincing these audiences that our aims and actions are valid and beneficial, and to winning their support. To remain credible, and dominant, our narrative must evolve as circumstances evolve.

2.54 The means used are psychological (such as images and information), physical (such as shows of force and/or firepower) and humanitarian operations, to demonstrate intent and capability. Irrespective of whether psychological or physical means are used, the effect sought is psychological.

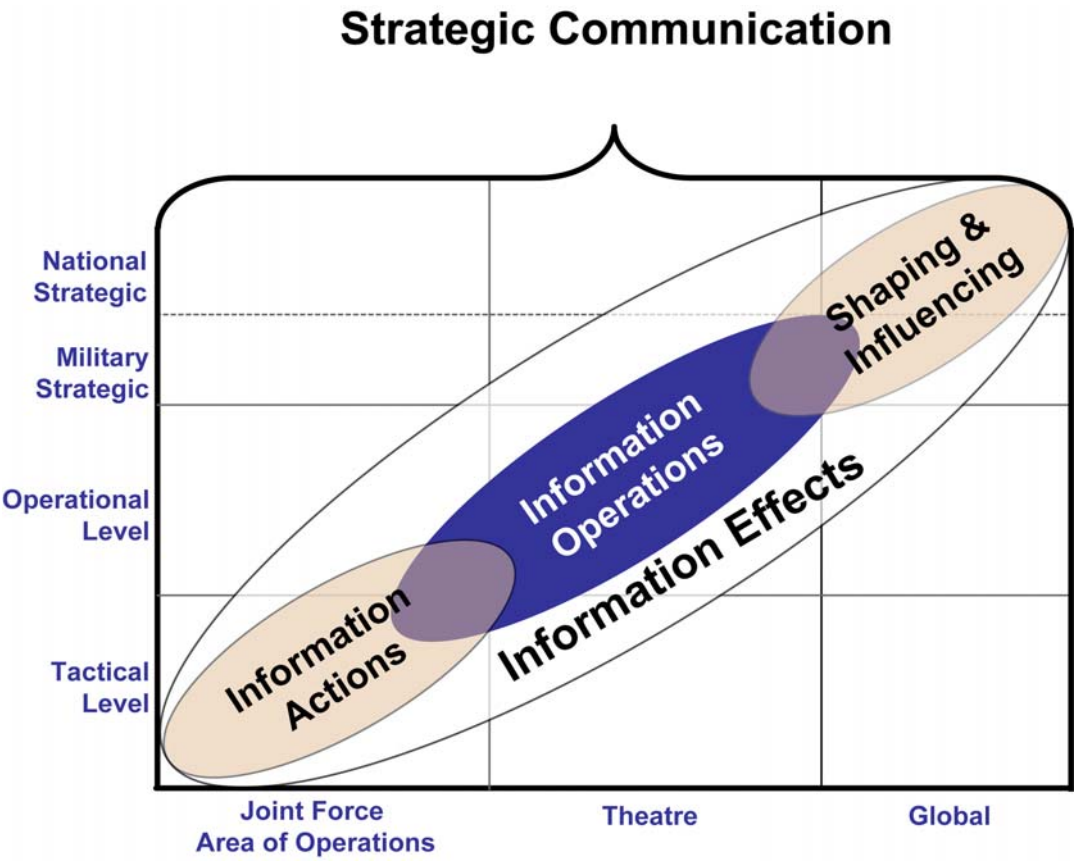


Figure 2–3: Strategic communication

2.55 Presence, posture and profile. Another contributor is presence, posture and profile. This is the demonstration by a force of its intent, attitudes and commitment in order to influence target audiences. Projection of the image of a professional, capable and disciplined force, displaying military prowess in a measured, constrained and focused way (especially when coupled with well timed and well designed announcements and actions) can have a significant impact on the perceptions of target audiences, including uncommitted or potential adversaries. It can also be a significant factor in establishing and reinforcing a force's credibility and legitimacy.

2.56 Although information effects are not easily planned, applied or assessed, their success may be fundamental to the whole campaign or operation. This is overwhelmingly so in counterinsurgency where the perceptions, attitudes and behaviour of the local population are central to the outcome.

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2.57 The media is fundamentally important to strategic communication and must be comprehensively and effectively engaged. Other major contributors include public affairs and public information, CIMIC and psychological operations.

Refer to ADDP 3.13—Information Operations for further guidance.

MULTINATIONAL FRAMEWORK

Multinational operations

2.58 Increasingly, the international community is supporting a multinational (MN) response to situations. Multinational operations (MNO) are military actions conducted by forces of two or more nations, undertaken within the structure of a coalition, alliance, or under the supervision of an international organisation such as the United Nations (UN). For the purposes of this publication the term MN is used to encompass all related terms such as allied, bilateral, coalition, combined or multilateral.

2.59 A coalition is an informal arrangement between two or more nations to undertake military action, usually limited by time and function. An alliance is the relationship that results from a formal agreement (such as a treaty) between two or more nations for broad, long-term objectives that further the common interests of the member nations. A military operation conducted by forces of two or more allied nations acting together is known as a combined operation.

2.60 The term MNO includes multinational campaigns. Most campaigns and operations conducted outside Australian territory will be with other nations' forces in an MN environment.

Multinational force

2.61 Multinational force (MNF) is a generic term for any force comprising military elements of two or more nations formed for a specific purpose. An MNF formed by alliance partners generally exhibits strong political resolve reflecting the enduring nature of the alliance or treaty. Alliance partners can be expected to be highly interoperable and regularly practice their procedures together.

2.62 However, to promote legitimacy and burden-sharing, non-alliance nations may volunteer or be invited to contribute. MNF

formed on this basis will face additional challenges to shared situational understanding (SU) that do not arise with alliance partners.

FIRST GULF WAR 1990–1991

The 1991 Gulf War remains an outstanding example of a successful multinational campaign. The invasion of Kuwait by Iraq on 2 August 1990 paved the way for the formation of an MNF to liberate Kuwait.

At the peak of operations against Iraq, coalition forces numbered approximately 620,000 men and women assembled from 37 different nations. A further 15 countries provided non-military and financial support.

US General H. Norman Schwarzkopf, the Commander in Chief of US Central Command, led an informal coalition to enforce UN Security Council Resolution 678, which gave him the authority to attack Iraq and recapture Kuwait.

Hostilities commenced on 17 January with a coalition air offensive that involved almost 1800 strike and support aircraft from 12 nations conducting more than 116,000 sorties. This was in addition to 288 Tomahawk land attack cruise missiles launched from US warships.

At sea there were more than 100 warships and auxiliaries from 15 nations inside the Arabian Gulf, operating some 200 fixed-wing and 300 rotary-wing aircraft. The coalition quickly gained control of the air and over a 42 day period incapacitated the Iraqi regime, interdicted Iraqi supplies and prepared the battlefield with direct attacks upon the Iraqi military. Coalition air action effectively reduced Iraqi fighting strength by 50 per cent before the ground offensive started.

After five weeks of air and missile combat, ground troops began their recapture of Kuwait. Close air support during this phase helped complete the victory. On 27 February coalition forces entered Kuwait City, and a ceasefire was declared the next day, 100 hours after the ground offensive had begun. Hostilities formally ended on 12 April.

The Gulf War was an unquestioned success and, despite the high intensity of the campaign, the total number of coalition casualties was relatively small (there were 148 US battle deaths). Of Iraq's 545,000 troops in the Kuwait theatre of operations, an estimated 100,000 were killed and 300,000 wounded.

Over 1800 ADF personnel were deployed in the First Gulf War from

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August 1990 to September 1991. The Australian contribution comprised elements from all Services of the ADF.

After the ceasefire, the Australian Army and Royal Australian Air Force also provided personnel to Operation HABITAT—the delivery of humanitarian assistance to Kurds living in the UN-declared exclusion zone of northern Iraq.

Comprehensive approach

2.63 MNO are conducted by a complex and fluid framework of agencies. An agency is any sized organisation, group or element, of any type whether national, international, military, non-military, government or non-government. The term multi-agency refers to activities, operations and organisations involving elements of more than one agency. The MN framework is illustrated in figure 2-4.

2.64 In an MNO when military forces are required to intervene after diplomatic efforts have not achieved resolution, or are inappropriate such as in a natural disaster, only a comprehensive approach can deliver an enduring outcome. A comprehensive approach is defined as ‘a multinational approach that responds effectively to complex crises by orchestrating, coordinating and de-conflicting military and non-military activities’.

2.65 Whilst broadly agreeing on the outcome, each contributing agency in the OE has its own aims and objectives. From a military perspective, strategic and operational level planners should, as far as practicable, accommodate the disparate entities within the OE that are working toward the common goal. Shared SU is critical.

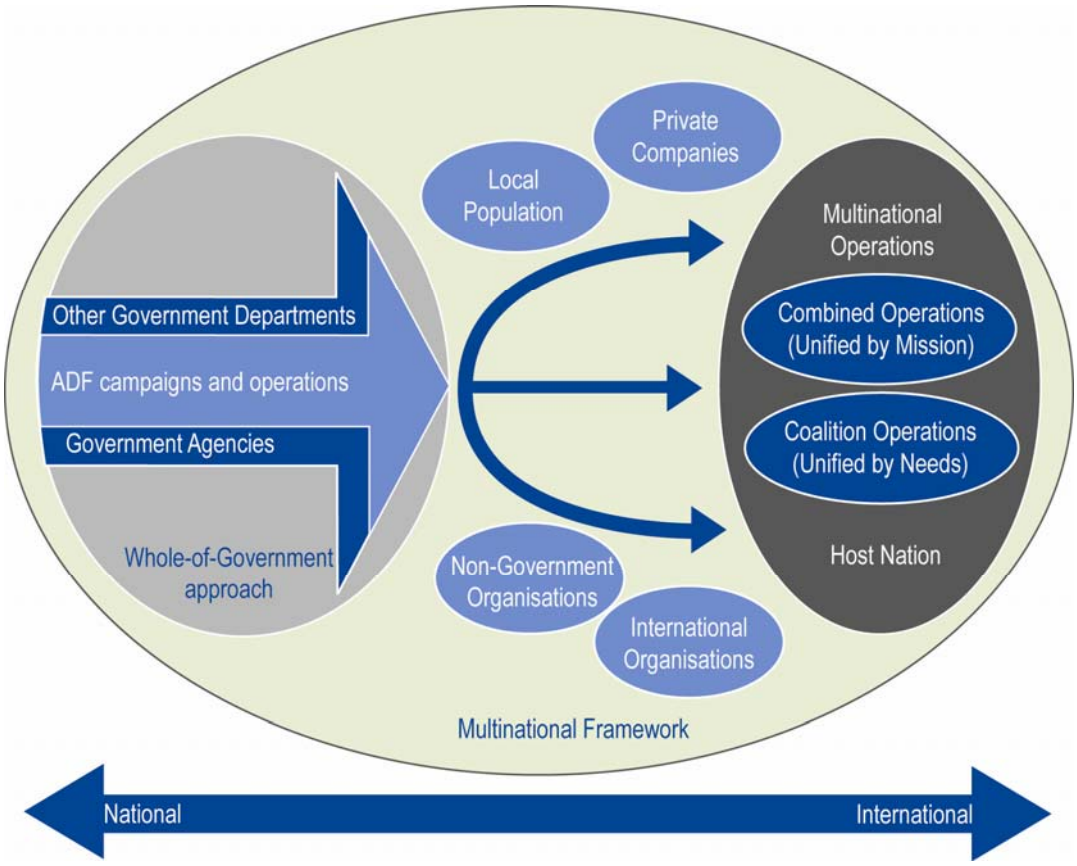


Figure 2–4: The multinational framework

Bilateral activities

2.66 Nations may concurrently conduct bilateral activities in support of a common host nation in the same area. These activities may involve a measure of MN coordination but are not classified as MNO because an MNF has not been formally constituted. For example, immediate humanitarian response is generally conducted multilaterally. However, such activities may exhibit many of the characteristics of an MNO, and therefore many aspects of this doctrine are applicable.

Interoperability, adaptability and liaison

2.67 Interoperability allows ADF elements to work together, and the ADF as a whole to work within an MN framework. Adaptability is facilitated by maintaining a broad base of single Service capability from which to form tailored joint forces that can switch rapidly between types of operational activity. Liaison is essential for the ADF

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to successfully network and conduct campaigns and operations within a growing multinational framework.

Refer to ADDP 00.1—Command and Control and ADDP 00.3—Multinational Operations for further guidance.

Lessons learned—Interoperability: The benefits of continuing high levels of interoperability with our friends and allies, especially the US, are a major factor in successful coalition operations. Defence will continue to develop international relationships and its ability to operate with allies and partners.

The war in Iraq: ADF operations in the Middle East in 2003

Department of Defence publication, 2004

PART 1

CONTEXT FOR CAMPAIGNS AND OPERATIONS

CHAPTER 3

ADF WARFIGHTING FUNCTIONS

Executive Summary

The ADF warfighting functions are capabilities and activities conducive to success at the operational level. They are:

- **Command.** Command is the overarching warfighting function that enables all the others. Decision superiority is a central aspect of command.
- **Situational understanding.** Situational understanding (SU) is an essential prerequisite for the conduct of campaigns and operations, facilitating decision superiority.
- **Force generation and sustainment.** Sustainment determines the depth and duration of campaigns and operations and is essential to retaining and exploiting the initiative.
- **Force projection.** The ability to project force is critical to exploiting the operational environment while denying it to an adversary. Force projection, or movement, is inextricably linked with manoeuvre.
- **Force protection.** Force protection is a broad concept embracing a range of measures to ensure the physical integrity and morale of the fighting force.
- **Force application.** Force application combines manoeuvre with offensive action. As well as attacking the physical component, manoeuvre targets the conceptual and moral components of an adversary's fighting power—'manoeuvring the mind'.

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- Sufficient offensive action must be generated to achieve military objectives. Integration of all military capabilities in time, space and purpose is critical.

Introduction

3.1 The ADF warfighting functions are a set of six related joint capabilities and activities grouped together to help joint commanders integrate, synchronise, and direct campaigns and operations. Successful campaigning requires integration across the functions. Action in any single function is rarely decisive. Maximum impact is achieved when all warfighting functions are harmonised to accomplish objectives.

3.2 At the operational level the six ADF warfighting functions are:

- command;
- SU;
- force generation and sustainment;
- force projection;
- force protection; and
- force application.

COMMAND

One of the most valuable qualities of a commander is a flair for putting himself in the right place at the right time.

Field Marshal Sir William Slim

Commander Allied Forces, Burma, WWII

3.3 Command is the authority which a commander in a military service lawfully exercises over subordinates by virtue of rank or assignment. Command is the overarching warfighting function that enables all the others.

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3.4 There are two aspects to command. The first is the formal organisation empowering designated commanders to exercise specified lawful authority and direction over assigned forces for missions and tasks. The second is the underlying philosophy within that organisation, which in the ADF is known as mission command.

Refer to Australian Defence Doctrine Publication (ADDP) 00.1—Command and Control for further guidance on command organisation and responsibilities, principles of command, states of command, degrees of delegation of authority, selection of appropriate command and control arrangements, mission command and the common joint staff system.

Qualities of command

3.5 Command at all levels incorporates three qualities: the ability to decide, the ability to lead and adaptiveness. At the operational level, these interwoven qualities, as described below, enable integration of all warfighting functions to create fighting power.

3.6 Decision making. Decision making involves first choosing if to decide, and then; when and what to decide. It also includes recognising the consequences of the act of deciding and anticipating outcomes. In executing campaigns and operations, time is critical as rapid decisions may be essential to generate and maintain tempo in order to achieve objectives. Time is not usually as critical during campaign design so those decisions need not be rushed.

3.7 Adaptiveness. Engaging the adversary invariably produces new challenges. Commanders must be able to adapt to changing circumstances and exploit opportunities rather than adhering to predetermined approaches and plans that have outlived their usefulness.

Command philosophy

> *I do not propose to lay down for you a plan of campaign…but simply to lay down the work it is desirable to have done and leave you free to execute it in your own way.*
>
> **General Ulysses S. Grant, in a letter to a subordinate commander during the Civil War, 1864**

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3.8 Mission command. The key to mission command is mutual trust and confidence amongst commanders at all levels, which encourages subordinate commanders to use their initiative when superior command guidance is not available. This is the essence of mission command; a philosophy of centralised intent and decentralised execution, which requires:

- clear, concise orders;
- unity of effort;
- decentralisation;
- trust and mutual understanding; and
- timely and effective decision making.

3.9 Commander's intent. A key aspect of mission command is the commander's intent. A statement of intent should be brief and compelling. Should the need arise, its purpose is to allow subordinate commanders to exercise judgement and initiative to depart from the campaign or operational plan in a way that is consistent with their higher commanders' intent.

3.10 There are two parts to any mission: a clear, concise statement of the task of the command and its purpose. The task describes the action to be taken while the intent describes the purpose of the action. Of the two, the intent is predominant. While a situation may change, making the task obsolete, the intent is more lasting and continues to guide actions.

> *Commanders at all levels had to act more on their own; they were given greater latitude to work out their own plans to achieve what they knew was the Army Commander's intention. In time they developed to a marked degree a flexibility of mind and a firmness of decision that enabled them to act swiftly to take advantage of sudden information or changing circumstances without reference to their superiors.*
>
> **Field Marshal Sir William Slim, on the command relationship within the British Army in WWII**

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Control

3.11 Control is the science supporting the art of command. Control is defined as that authority exercised by a commander over part of the activities of subordinate organisations, or other organisations not normally under his command, which encompasses the responsibility for implementing orders or directives. All or part of this authority may be transferred or delegated. While commanders assign responsibilities, control measures enable coordination and synchronisation between elements of a force and other organisations, imposition of restrictions and limits, and establishment of guidelines to regulate freedom of action.

3.12 Control measures can be permissive or restrictive. The former allow specific actions to occur, whilst the latter limit the conduct of certain actions. Primary control measures include planning guidance, operation orders, rules of engagement, airspace control measures, fire support coordination measures, and manoeuvre control measures such as axes of advance, boundaries, phase lines and objectives. Graphic control measures should relate to easily identifiable natural or man-made terrain features, but it is not uncommon for them to be coordinate based.

3.13 Command and control systems. Commanders exercise authority, direction and control through command and control systems, which consist of the people, equipment and facilities that collect, process, store, display, protect and disseminate information. They include communication information systems, as well as policies and procedures for their use, and are the basis for effective information and knowledge management.

Decision superiority

3.14 Decision superiority is the ability to make and implement more informed and accurate decisions at a rate faster than the adversary. Decision superiority flows from superior SU.

3.15 Decision cycle. A useful way of understanding the decision cycle is the ‘OODA (observation, orientation, decision, action) Loop’, shown diagrammatically in figure 3-1. Its theme of continuous adaptation is similar to that of the campaign cycle (figure 1-4).

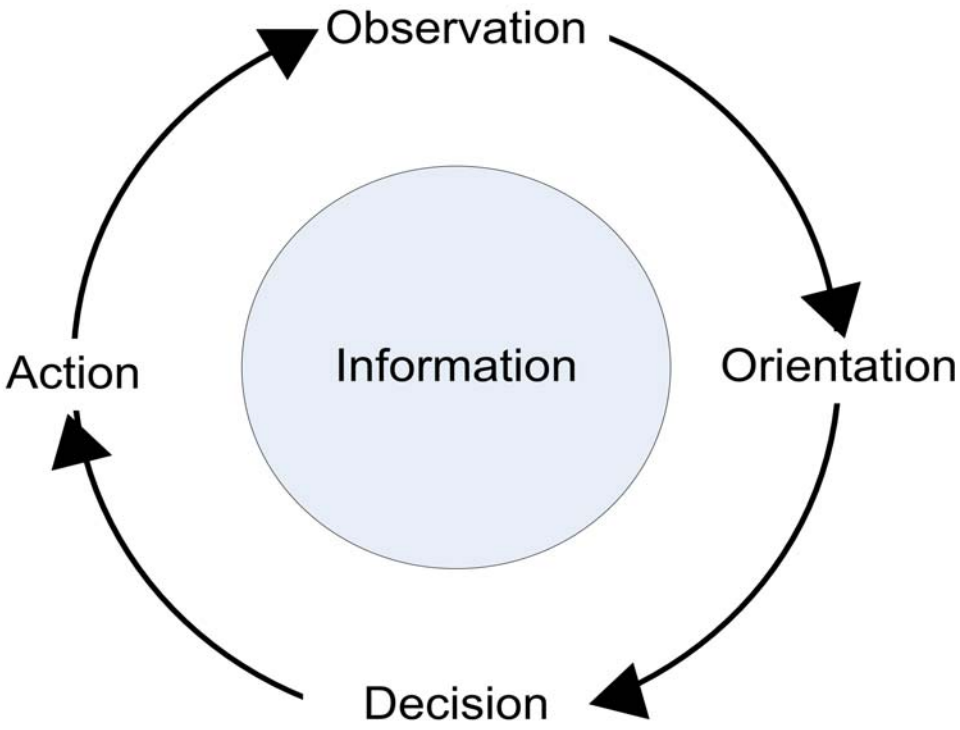


Figure 3–1: The 'OODA Loop'

Friction and the fog of war

3.16 Friction and the fog of war are concepts that describe the essentially chaotic nature of armed conflict. Friction, produced by danger, physical exertion and chance, is the force that makes the simplest things difficult. The fog of war is a metaphor that describes how the real situation is often obscured. Friction and the fog of war inhibit decision superiority. Commanders and staff should take measures to minimise their effect.

Counter command

3.17 Counter command is defined as information actions taken to deceive, destroy or disable enemy commanders and their key staff, and to disrupt, degrade, deny, or destroy the information and capabilities that enable them to make and implement timely and accurate decisions. Counter command exacerbates friction and the fog of war for an adversary, creating and contributing to uncertainty.

3.18 Counter command includes the following:

- **Kinetic attack.** Kinetic attack is described later in this chapter under ‘Force Application’. In this context the targeting priority

is the adversary's command and control system.

- **Deception.** Deception includes those measures designed to mislead the adversary by manipulation, distortion or falsification of evidence, to induce a reaction prejudicial to the adversary and to the benefit of friendly interests.

- **Electronic attack (EA).** EA is a division of electronic warfare involving the use of electromagnetic energy, directed energy or anti-radiation weapons to attack personnel, facilities or equipment with the intent of degrading, neutralising or destroying enemy combat capability and is considered a form of fires. EA may be employed to limit an adversary's use of the electromagnetic spectrum (EMS). EA can have lethal or non-lethal effects.

Refer to ADDP 3.13—Information Operations for further guidance.

While modern technology may help to clear some of the fog, it will never be fully dissipated because it exists primarily in the minds of combatants.

Carl von Clausewitz

***On War*, 1832**

SITUATIONAL UNDERSTANDING

3.19 SU is defined as the accurate interpretation of a situation and the likely actions of groups and individuals within it. Awareness, analysis, knowledge, comprehension and judgement facilitate understanding, which enables timely and accurate decision making. SU is an essential prerequisite for the conduct of campaigns and operations. SU underpins decision superiority, and is also the first step of the campaign cycle.

Intelligence

3.20 Intelligence contributes to understanding of the adversary and the environment in which operations are conducted. Intelligence is defined as the product resulting from the processing of information concerning foreign nations, hostile or potentially hostile forces or elements, or areas of actual or potential operations. The term is also applied to the activity which results in the product and to the organisations engaged in such activity. Information is unprocessed

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data of every description, which may be used in the production of intelligence.

3.21 Intelligence is therefore the result of the collection, evaluation, analysis, integration, interpretation and dissemination of information. Intelligence products inform decision making. Intelligence is aimed at reducing uncertainty and risk by considering possible future scenarios, including aspects such as capabilities and intentions, and assigning a probability to each. Intelligence is critical to all parts of the campaign cycle.

3.22 The three broad intelligence functions are:

- **The staff function.** The staff function provides input to decision making, intelligence planning and management of intelligence assets and their activities. The joint intelligence preparation of the OE and the intelligence estimate are essential parts of this function, and inform the operations plan and its subordinate intelligence, counterintelligence (CI), collection, and operations security (OPSEC) plans.

- **The analysis function.** The analysis function, also referred to as the production or agency function, involves the production of intelligence products.

- **The operator function.** The operator function is carried out by specialist intelligence collectors and other operators conducting intelligence, CI, force protection and field security activities. These activities can be conducted in support of a wider operation or may be a discrete intelligence activity.

3.23 The campaign focus for intelligence will be on the theatre of operations in which the campaign is being conducted, and on the broader areas of influence and interest. For a deployed joint task force (JTF) the focus will be on the joint force area of operations (JFAO) in which the JTF is conducting operations, and on associated areas of influence and interest.

3.24 The JTF commander (CJTF) is central to the success of the intelligence function and the quality and usefulness of intelligence products. Commanders drive and direct the intelligence process, ensuring that intelligence is fully integrated into the planning, execution and assessment of the campaign or operation.

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3.25 Prioritisation. As demand for intelligence generally exceeds production capabilities, commanders specify their priority intelligence requirements (PIR). As the campaign evolves, PIR must be updated. The quality and timeliness of intelligence support should be constantly assessed, with feedback to intelligence staffs and agencies, and refinement and refocusing of the intelligence effort undertaken where necessary.

Intelligence requirements

3.26 Intelligence requirements at the operational level are likely to centre on:

- adversary centre of gravity (COG) and associated critical factors (CF);
- adversary dispositions, intentions and probable courses of action;
- broad patterns of adversary activity and trends;
- key groups within the population;
- major geographical features such as mountain ranges, plains, internal waterways and relatively inaccessible areas;
- infrastructure, including ports, airfields, road networks, rail networks, power generation facilities and electricity grids, and communications networks and facilities;
- population centres;
- national and regional economic and political situations;
- cultural factors;
- climate and weather;
- water sources; and
- food production areas.

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3.27 In peace operations and irregular warfare there is likely to be a very strong intelligence focus on demographic, political, cultural, religious and economic aspects of the local population.

Intelligence staff support

3.28 Coordinated by intelligence staff at the strategic level and at Headquarters Joint Operations Command (HQJOC), a range of organisations both within Defence and the wider Australian intelligence community provide intelligence support to the conduct of campaigns and operations. Within a JFAO, JTF J2 staff coordinate intelligence support provided by Australian, allied and host nation intelligence assets.

Refer to ADDP 2.0—Intelligence and ADDP 2.1—Counterintelligence for further guidance.

Intelligence, surveillance and reconnaissance

3.29 Intelligence, surveillance and reconnaissance (ISR) operations, or collection operations, are driven by the commander's need for information to support decision superiority. The intelligence process is both a driver of collection operations and a user of the information collected. There are certain fundamental principles of collection operations which are closely allied to those of intelligence. The commander determines requirements for, and the conduct of, collection operations.

3.30 The primary interaction is with intelligence, planning and operations functions. Collection operations include the planning, tasking of assets, coordination and acquisition of timely, accurate, relevant and assured information to support the conduct of operations. They involve the use of ISR, target acquisition and other force elements (FE) to collect information.

3.31 Surveillance is the systematic observation of aerospace, surface or sub-surface areas, places, persons, or things, by visual, aural, electronic, photographic or other means. A JTF is likely to be supported by a range of surveillance assets within the JFAO, within the broader theatre, and external to the theatre.

3.32 Reconnaissance is a mission undertaken to obtain, by visual observation or other detection methods, information about the activities and resources of an enemy or potential enemy, or to secure data concerning the meteorological, hydrographic or geographic

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characteristics of a particular area. As with surveillance, a JTF is likely to be supported by a range of reconnaissance assets both organic to and external to the JFAO.

3.33 Surveillance and reconnaissance are complementary. Generally, surveillance is passive and may be continuous. Reconnaissance missions are typically shorter and use active means. Also, reconnaissance may involve fighting for information. Changes or anomalies detected during surveillance missions may be the basis for reconnaissance to confirm or deny the change. Surveillance increases the efficiency of reconnaissance by providing a focus for missions.

Refer to ADDP 3.7—Collection Operations for further guidance on roles and responsibilities and higher level integration of ISR.

Geospatial information and services

3.34 Geospatial information and services (GI&S) is the definition, assessment, collection, management, exploitation and dissemination of information about objects and attributes located in space and time, which provides a fundamental means to achieve an effect. GI&S helps define the OE, and plays a key role in achieving objectives across the spectrum of conflict.

3.35 The ADF has long recognised the need for environmental assessment to support operations. Information describing the physical environment will include natural phenomena and may be categorised, but not limited to, hydrographic, topographic, oceanographic or meteorological information. The physical environment also includes the built environment, such as bridges, buildings, port infrastructure and roads that may be of military significance.

3.36 Rapid environmental assessment (REA) is the direction, collection, processing and dissemination of relevant information to provide a comprehensive and thorough understanding of the physical operational environment and its impact on military operations. REA provides the underlying environmental data and information required to generate a suite of focussed mission-specific environmental products in response to specific operational requirements. Such data is essential for operational planning and execution.

Refer to ADDP 2.3—Geospatial Information and Services and Australian Defence Force Publication (ADFP) 2.3.1—Rapid

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Environmental Assessment for further guidance.

Counterintelligence

3.37 CI is that aspect of intelligence devoted to destroying the effectiveness of hostile foreign intelligence activities and to the protection of information against espionage, individuals against subversion, and installations, equipment, records or material against sabotage.

3.38 CI aims to counteract and exploit the adversary's intelligence capability by detecting, destroying and degrading adversary intelligence assets, systems, facilities and staffs, as well as concealing own FE from adversary ISR.

Refer to ADDP 2.1 for further guidance.

Information management

3.39 Information management is the framework and set of processes by which an organisation captures, analyses, prioritises, stores and ensures the timely dissemination of relevant information for decision making purposes. Information management includes managing the volume of information to prevent overload. It also includes management of intelligence regarding the adversary and the environment as well as own force information.

Knowledge management

3.40 Knowledge management adds further value to information through analysis, fusion and assessment. Knowledge management is the creation, gathering, organisation, analysis and refinement of information into collective knowledge to enhance situational understanding and decision making.

3.41 Rapid, distributed, and unconstrained dissemination of knowledge to the right person at the right time is critical. The commander's critical information requirements provide the basis for knowledge management, as well as preventing overload.

FORCE GENERATION AND SUSTAINMENT

3.42 Force generation involves preparedness and mobilisation and is the process of providing suitably trained and equipped forces, and

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their means of deployment, recovery and sustainment to meet all current and potential future tasks, within required readiness and preparation times. The single Services are responsible for raising, training and sustaining forces, which are assigned to Chief of Joint Operations (CJOPS) for campaigns and operations.

Refer to ADDP 00.2—Preparedness and Mobilisation for further guidance.

3.43 The ability to sustain a force during every stage of a campaign dictates what is possible and what is not. Sustainment determines the depth and duration of campaigns and operations and is essential to retaining and exploiting the initiative. Sustainment is a combination of logistics, administration, resources and organisation.

3.44 Sustainment is central to fighting power, lying at the heart of its intellectual, moral and physical elements. It therefore embraces the physical and psychological sustenance of personnel, maintenance and repair of vehicles, equipment and materiel, provision of combat supplies and service support, and the evacuation, treatment and replacement of casualties.

3.45 Effective sustainment ensures freedom of action, extends operational reach, prolongs endurance and maintains the ability to react effectively to the unforeseen. Operational reach is the distance and duration across which a force can successfully operate. Operational reach and associated culmination considerations are addressed in part 2—‘Campaigning’.

Strategic level

3.46 At the strategic level, sustainment links the national industrial base to a JTF. It is conducted primarily by relevant divisions of Defence and single Service headquarters in conjunction with HQJOC. Strategic sustainment involves the acquisition of materiel, building of stocks, and the generation and movement of forces, stocks and materiel to an ‘agreed point’ in the theatre.

Operational level

3.47 Operational level sustainment links the strategic source of the means of armed conflict to its tactical employment. In the conduct of a campaign, the focus of sustainment is on provision of necessary resources to support tactical actions and the management of resources to sustain operations throughout the course of the

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campaign. CJOPS has primary responsibility for sustainment of a JTF. CJTF is responsible for sustainment of the JTF within the theatre forward of the agreed point.

3.48 CJTF establishes priorities for sustainment. The J4 and JTF logistics component commander, if appointed, have primary responsibility on behalf of CJTF for sustainment of the force. This includes managing lines of communications forward of the 'agreed point', exercising command over assigned logistic assets, and control over processes and assets in support such as contractors.

3.49 At the operational level sustainment comprises pre-deployment, deployment, support to operations and redeployment.

3.50 Pre-deployment. Pre-deployment activities include defining requirements for lines of communication, developing a sustainability statement, preparing a force administratively and medically and determining command structures. Logistic preparation of the theatre and JFAO generally includes assessment of potential deployment areas and infrastructure such as ports of entry, storage space, road and rail systems and inland waterways; and required materiel and resources. It also indicates the potential for host nation support and support by allies and other sources.

3.51 Deployment. Deployment includes establishment of the lines of communication infrastructure; mounting and strategic deployment; and effective reception, staging, onward movement, and integration of FE in the JFAO.

3.52 Support to operations. Sustainment of operations must be continuous, flexible and robust, able to adapt rapidly to changing conditions, and able to support activities and actions along multiple lines of operation, shifting the point of effort across lines as required. Sustainment of other entities such as non-government organisations, Australian government agencies, and civilian contractors as well as FE may be required.

3.53 Redeployment. Redeployment is the transfer of forces and materiel to support another joint force commander's operational requirements, or to return personnel, equipment, and materiel to the home and/or demobilisation stations for reintegration and/or out-processing. Redeployment includes recovery into a port of embarkation, cleaning and refurbishment of equipment, repackaging of unused materiel, environmental rehabilitation, and movement out

of the JFAO. Redeployment at the end of a campaign or operation may require deployment of additional logistic assets into the theatre.

Tactical level

3.54 Tactical sustainment involves:

- supplying and maintaining the formations and FE which comprise the JTF;
- the provision and replacement of weapon systems and ammunition to meet the required availability and expenditure;
- fuelling the force;
- distributing materiel such as engineer stores, vehicles and equipment, spare parts, replacement engines and major assemblies;
- the recovery, repair and maintenance of equipment;
- the treatment and evacuation of casualties;
- the replacement of personnel; and
- the satisfaction of individual means through provision of rations, water, shelter, clothing, hygiene and sanitation services.

Refer to ADDP 4.0—Defence Logistics and ADDP 4.2—Support to Operations for further guidance.

Sustainability statement

3.55 A sustainability statement may be developed by operational level staff, reflecting strategic and tactical level advice, providing guidance to planners and resource providers, and enabling timely anticipation of requirements. A sustainability statement normally includes:

- the expected duration of the campaign and associated operations;

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- essential equipment requirements and availability;
- anticipated tempo and rates of expenditure of resources;
- predicted casualty rates for personnel and equipment; and
- information on the climate, environment, topography and human factors influencing sustainment.

3.56 The sustainability statement, and subsequent sustainment planning, is based on destination, distance, demand and duration. It may initially be based on assumptions and be further developed and refined as the campaign or operation progresses.

3.57 Destination. Destination is the theatre in which the campaign is to be conducted, and, more specifically, JFAO in which individual operations are to be conducted. Destination relates to aspects such as availability of host nation or other support; availability of infrastructure and facilities; required resources and likely rates and patterns of consumption, expenditure and wear and tear; specialist equipment requirements; degree of dispersal of the force; likely physiological and psychological impact of the environment on personnel; and medical support aspects.

3.58 Distance. Distance relates to the length of strategic lines of communication (LOC) and LOC within the theatre. It has implications for aspects such as stocking levels within and external to the theatre; transit times; design of the resupply and evacuation systems required for casualty management and equipment repair; and the requirement for forward bases and intermediate staging bases or facilities.

3.59 Demand. Demand is the collective requirement of the combat force for the supply of sustainment resources due to the attrition, consumption and wastage inherent in the conduct of operations. Demand has three elements: steady state, cyclical and surge demand. Steady state demand represents daily sustainment needs that have little variation such as predictable non-battle injuries or the consumption of rations. Cyclical demand represents additional needs to the steady state, caused by cyclical aspects such as seasonal conditions or training cycles. Surge demand is driven by activity and is the least easy to predict and the most susceptible to variation.

3.60 Duration. The estimated duration of the campaign and rates of demand indicate the quantities of personnel and materiel likely to

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be required. This has implications for aspects such as stocking levels and rotation and replacement of equipment and personnel.

3.61 These factors should be considered in relation to risk. Sustainment planning must assess where risks may be taken in order to increase agility and improve freedom of manoeuvre. This is done by expressing sustainment reach in terms of options available to the commander, with associated constraints and freedoms. Over-insurance should be avoided.

Logistics

3.62 Logistics is the science of planning and carrying out the movement and maintenance of forces. In its most comprehensive sense, it is the aspects of military operations which deal with:

- design and development, acquisition, storage, movement, distribution, maintenance, evacuation and disposal of materiel;
- transport of personnel;
- acquisition or construction, maintenance, operation and disposition of facilities;
- acquisition or furnishing of services; and
- medical and health service support.

3.63 Logistics is one of the essential pillars of sustainment. Operations support requires a logistic network which draws resources from national (and international) support bases and positions them to meet the supported force's needs. This type of support is usually short-term and is focused on supporting forces tasked with specific outcomes.

Refer to ADDP 4.0 and ADDP 4.2 for further guidance.

3.64 Further detail on the five broad functional areas of logistics is as follows:

- **Supply.** Supply is the acquisition, management, reception, storage and issue of materiel required by the operating forces to equip and sustain the force. The supply function includes

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requirements determination, procurement, contracting, provisioning, warehousing, inventory management, issuing, receipting and disposal.

- **Movements and transport.** Movements and transport includes the movement of units, personnel, equipment and supplies. It is essentially the support needed to put sustainability assets (personnel and materiel) in the correct location at the proper time in order to commence and maintain operations.

- **Materiel engineering and maintenance.** Materiel engineering and maintenance includes the design, construction, test and evaluation, and maintenance of equipment (especially platforms and combat systems) so that technical integrity can be assured. It also includes the actions taken to ensure that materiel and equipment is in a serviceable condition, to return it to service, or to update and upgrade its capability.

- **Infrastructure engineering and maintenance.** Infrastructure engineering and maintenance includes the construction, damage repair, operation and maintenance of roads and facilities, and logistics enhancements required to sustain military operations.

- **Personnel support.** Personnel support is a global term used to describe all personnel functions and activities undertaken for the efficient and effective employment of all personnel in the ADF, including their wellbeing and discipline. These functions include personnel administration, personnel services, and health services.

  – **Health services.** Health services minimise the effects of wounds, injuries and disease on ADF effectiveness, readiness and morale. This includes control of some medical and dental materiel, patient movement, casualty collection, treatment and temporary holding, primary care, hospitalisation, medical laboratory services, blood management, vector control, health protection services, veterinary services, dental services and preventative health care.

Refer to ADDP 1.2—Health Support to Operations, ADDP 1.1—Personnel Support to Operations, ADDP 4.5—Materiel Engineering

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and Maintenance and ADDP 4.6—Infrastructure Engineering and Maintenance for further guidance.

FORCE PROJECTION

3.65 Force projection is the ability to project the military element of national power in response to requirements for military operations. Force projection extends from mobilisation and deployment of forces to redeployment. The ability to project force is critical to allowing friendly forces to exploit the OE while denying it to an adversary.

3.66 Force projection is inextricably linked with manoeuvre. Force projection aims to position or deploy joint forces in the best possible position for manoeuvre to commence. Force projection can range from deployment of a large JTF into, or out of, a JFAO, or the redeployment of small tactical elements in a tactical area of responsibility.

3.67 Mounting. Mounting is defined as all preparations made in areas designated for the purpose, in anticipation of an operation. It includes the assembly in the mounting area, preparation, and maintenance within the mounting area, movement to loading points, and subsequent embarkation into ships, craft, or aircraft if applicable. Each move will have a nominated mounting authority responsible for ensuring assigned forces are at the required level of capability specified to meet the needs of the operational commander.

Refer to ADFP 3.0.3—Mounting Operations for further guidance.

3.68 Movement and manoeuvre encompass the following:

- deployment, regrouping, assembly or movement of joint formations or forces within the OE by any means (air, land or sea);
- manoeuvring of joint forces in the OE to achieve operational and tactical objectives;
- provision of mobility for joint forces to allow their movement and manoeuvre in the OE; and
- counter-mobility to delay, impede, channel or stop an adversary from effectively moving or manoeuvring in the OE. This may include sanctions, embargoes or blockades.

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FORCE PROTECTION

3.69 Force protection (FP) encompasses all measures and means (except offensive operations to defeat an adversary) taken to protect the capability of a force from operational, environmental and occupational threats. Each FP measure adopted may provide protection against one or more threats.

3.70 Rather than viewing FP as a totally defensive set of actions, it should be conducted in a way that directly contributes to the physical integrity and morale of the fighting force. FP is achieved through the application of multi-layered active and passive measures throughout the OE.

3.71 FP needs to be an integral part of campaign planning and execution. FP planning does not stop with the initial plan and needs to be constantly reviewed and updated as threats evolve. The key to efficient FP is risk management. Over-protection can needlessly divert valuable resources, while under-protection can result in unnecessary loss of capability.

Planning and execution

3.72 Intelligence and threat assessments must be constantly reviewed and updated to inform planning and implementation of FP strategies. In addition to operational threats such as physical, electronic, chemical, biological, radiological and nuclear (CBRN) and hostile ISR, a range of environmental and occupational health threats must be addressed.

3.73 All assigned FE are likely to have some FP responsibilities. Overall responsibility for FP planning and implementation rests with commanders at all levels using established command and control arrangements. CJTF will set the overarching FP policy for the force, which is coordinated by the J3 staff.

3.74 Some of the following FP measures require significant oversight and coordination by commanders and staff, while others require only occasional intervention.

In order to win victory we must try our best to seal the eyes and ears of the enemy, making him blind and deaf, and to create confusion in the minds of the enemy commanders, driving them insane.

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> **Mao Tse-Tung, 1938**

Command and information protection actions

3.75 Command and information protection actions are a sub-set of information operations. Command protection is focused on protecting commanders, staff and information systems operators from deception, destruction or disablement by the adversary or others. Information protection is focused on the protection from disruption, degradation, denial or destruction by the adversary or others of the information, information systems and information processors on which our commanders depend for situational understanding and timely and effective decision making.

3.76 Command and information protection actions include:

- OPSEC;
- electronic protection (EP);
- computer network defence (CND);
- CI;
- protective security; and
- information assurance (IA).

Operations security

3.77 OPSEC is the process which gives a military operation or exercise appropriate security, using passive or active means, to deny the enemy knowledge of the dispositions, capabilities and intentions of friendly forces. OPSEC aims to deny the adversary and others knowledge of our essential elements of friendly information (EEFI) and their indicators, using active and passive means to eliminate, reduce, conceal or protect them. These include counter reconnaissance and counter surveillance actions. In this way, the adversary's intelligence system is degraded and starved of information, which diminishes their SU and slows and degrades the quality of their decisions.

3.78 The ability to seize and retain the initiative, to consistently outthink the adversary, to be one step ahead of them, and to surprise them in the constant battle of innovation and adaption is dependent to a large extent on effective OPSEC. OPSEC also contributes to counter command actions by masking or denying accurate information to the adversary while deception provides false information, encouraging incorrect analysis and false deductions.

3.79 OPSEC is not intended to ensure protection of all information, or to completely hide all of the forces involved in an operation or action. Not only is this impossible, but it would be counter-productive in terms of resource costs and limitations on freedom of action. Although many aspects may be known by the adversary and others, if they do not know our EEFI, then OPSEC has been maintained.

Refer to ADDP 3.13 for further guidance on OPSEC.

OPERATIONS SECURITY—BATTLES OF FROMELLES AND HAMEL, WWI

The WWI Battles of Fromelles and Hamel stand in sharp contrast, graphically illustrating the critical importance of effective OPSEC.

Fromelles. On 19 July 1916, the 5th Division, Australian Imperial Force (AIF) launched an attack on German positions near the French village of Fromelles. Planning was characterised by indecisiveness of command, inadequate appreciation of terrain and enemy defences, confusion as to objectives and boundaries, inadequate fire support, primitive communications, poor coordination, and logistic shortcomings, including the supply and quality of artillery ammunition. However, the critical factor was inadequate understanding and appreciation of what is now termed OPSEC.

The attack was originally conceived as a demonstration to deceive the Germans and discourage them from moving troops from what was a quiet sector to reinforce hard pressed forces elsewhere. Planners therefore intended the enemy to be aware of an apparent imminent attack. Subsequently, it was decided to make an actual attack, but no effort was made to deceive and confuse the enemy.

Prior to the attack, major Australian troop movements were made in daylight in full view of the enemy. There was no ‘need to know’ and the plan was discussed openly. Two days before the attack it was a

topic of conversation among the troops and even local civilians. Communications security was poor. The enemy obtained detailed information about the attack through tapping telephone lines and eavesdropping from listening posts near the Australian lines.

Thus, before the attack, all EEFI had been compromised. The enemy knew the strength and composition of the Australian force, the scale of artillery support with artillery positions, supply dumps and the locations of infantry jumping off points, and the attack's objectives and H-hour. When H-hour was delayed, cocky German defenders held up signs asking where the attack was.

The Fromelles offensive was a total failure. In 12 hours the division sustained over 5500 casualties including over 1700 deaths. None of its objectives were achieved.

Hamel. In the early morning of 4 July 1918 a force commanded by Lieutenant General Sir John Monash, primarily comprising the 4th Division AIF, conducted a stunningly successful attack on German positions at Hamel in the Somme valley. In an outstanding combined arms operation the force achieved all objectives in only 93 minutes, albeit at a cost of around 1400 casualties. The conduct of the attack became a model for other British offensives for the rest of the war.

Thorough planning and integration of infantry, artillery, armour and air support achieved overwhelming concentration of force. Deception and OPSEC enabled almost complete surprise. 'Need to know' was strongly observed. Copies of planning documents, operation orders and associated maps were strictly limited and secured at all times. Brigade and battalion commanders were informed of the plan only nine days before the attack. Messages specifying H-hour were not sent to battalions until nine hours in advance.

All new earthworks and supply dumps were well camouflaged. Allied airmen were tasked to identify weaknesses and gaps in camouflage. Troops and equipment only moved at night, and artillery was moved up by night only two days before the attack. As each field battery moved up, it left two guns in place to continue regular firing until the last night, when they too moved up. Tanks were held well to the rear until a couple of hours before the attack, their sound masked by low flying aircraft. After H-hour, the artillery and aerial bombing of Hamel and the valley behind it masked the noise of tanks moving at full power. Surprise was achieved and many Germans surrendered on sighting the tanks.

For two weeks before H-hour the defenders endured a daily artillery barrage of gas, smoke and high explosive shells. This conditioned them to consider this as routine, not as the start of an attack. It also conditioned them to don their gas masks whenever a barrage contained smoke. Gas was omitted on the day of the attack, leaving the enemy encumbered by their masks. Two feints, a supporting attack and extensive use of smoke on the Corps front deceived the enemy as to the location and strength of the main thrust.

At Hamel, unlike Fromelles, none of the attacker's EEFI had been compromised. Effective OPSEC and mission specific training significantly contributed to achieving surprise and a stunning victory. As Monash noted in his diary, 'all over in 93 minutes…the perfection of teamwork'. The tactics employed at Hamel were the precursor of modern joint and combined arms manoeuvre.

Electronic protection

3.80 EP is that division of electronic warfare involving actions taken to ensure effective friendly use of the EMS despite the adversary's use of electromagnetic energy.

Refer to ADDP 3.5—Electronic Warfare for further guidance.

3.81 Computer network defence. CND is defined as defensive measures to protect and defend information, computers and computer networks from disruption, denial, degradation or destruction.

Refer to ADDP 3.13 for further guidance.

Protective security

3.82 Protective security is an element of CI and is the organised system of defensive measures instituted and maintained at all levels of command with the aim of achieving and maintaining security. Protective security measures consist of controls, which form a series of interlocking defences in depth against the threat.

3.83 Protective security measures imposed by Defence are detailed in security orders and instructions. These are designed to

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protect information, material and personnel from any threat and comprise physical, personnel and information security measures.

3.84 Physical security comprises all physical measures designed to safeguard personnel, to prevent unauthorised access to equipment, installations, material and documents, and to safeguard against espionage, sabotage, damage and theft.

Refer to ADDP 3.13 and ADDP 2.2—Security for further guidance.

3.85 Information assurance. IA are those measures that protect and defend information and information systems by ensuring their availability, integrity, authentication, confidentiality, and non-repudiation. This includes providing for restoration of information systems by incorporating protection, detection and reaction capabilities. IA contributes to information operations (IO) by ensuring friendly information and information systems are protected against attacks, unauthorised usage or failure.

Refer to ADFP 6.0.3—Information Assurance for further guidance.

Defensive counter air

3.86 Defensive counter air focuses on force protection and is all air defence action to negate or reduce the effectiveness of hostile air action. Defensive counter air sub-systems are:

- surveillance and identification, using ship and land based air defence and surveillance radars, over the horizon radars, and airborne early warning and control aircraft;
- integrated and layered weapon systems, including fighter aircraft, ground based air defence and air defence ships;
- command, control and coordination; and
- passive air defence measures such as camouflage, concealment and deception, hardening, redundancy, dispersal, mobility, detection and warning systems and recovery.

Refer to ADDP 3.16—Counter Air for further guidance.

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Chemical, biological, radiological and nuclear defence

3.87 The purpose of CBRN defence is to protect personnel from the impacts of the use of CBRN weapons so that operations can continue in CBRN environments by anticipating, training, equipping and sustaining for such eventualities. Forces prepared and able to survive and operate in a CBRN environment may reduce the adversary's incentive to employ such weapons. The aim of CBRN defence in the ADF is to enable personnel to successfully operate and complete their mission in a CBRN environment.

Refer to ADDP 3.4—Chemical, Biological, Radiological and Nuclear Defence for further guidance.

Fratricide prevention

3.88 Fratricide is the unintentional killing or wounding of friendly personnel by friendly firepower. Fratricide can have a devastating impact on public support and force morale. Apart from the human dimension, fratricide prevention is a high political and governmental imperative, and is a fundamental part of management of the OE. It is detailed further in chapter 9—'Conduct of Military Operations'.

Explosive threats

3.89 When necessary, all deployed personnel should receive mine, improvised explosive device (IED) and unexploded ordnance (UXO) awareness training as part of their pre-deployment training. An IED is a device placed or fabricated in an improvised manner incorporating destructive, lethal, noxious, pyrotechnic or incendiary chemicals and designed to destroy, incapacitate, harass or distract. It may incorporate military stores, but is normally devised from non-military components.

3.90 CJTF is responsible for policy on awareness training. Additionally, coordination of explosive ordnance disposal needs to be managed to eliminate the threat from located mines, IED and UXO.

3.91 Counter IED. Counter IED is the collective effort at all levels to defeat the IED system in order to reduce or eliminate the effects of all forms of IED used against friendly forces and non-combatants according to the mission.

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Joint personnel recovery

3.92 Joint personnel recovery (JPR) is the aggregation of military, civil and political efforts to rescue, release or recover personnel from permissive, uncertain or hostile environments whether they are captured, missing or isolated. JPR is an important mechanism for the preservation of capability, the maintenance of morale and the will to fight. It is essential that all ADF personnel have confidence in the likelihood of successful recovery following isolation.

Refer to ADDP 3.6—Joint Personnel Recovery for further guidance.

Other force protection measures

3.93 Environmental considerations. Environmental health aims to minimise attrition of the force through disease and non-battle injuries. A health risk management plan is essential. Environmental health involves both medical and non-medical personnel, and can include the taking of preventative drugs, suppression of disease vectors, treatment of local water before use and good sanitation.

3.94 Occupational considerations. Road safety is a surprisingly important FP consideration, especially during deployment, movement and re-supply. Fire protection measures, including the provision of firefighting resources, alarms and procedures must be implemented within the force. Other factors such as electrical safety and general occupational health and safety may also require consideration.

FORCE APPLICATION

Manoeuvre

3.95 Force application combines manoeuvre with offensive action. Manoeuvre involves using and/or threatening to use force in combinations of violent and non-violent means to accomplish objectives as efficiently as possible. Rather than wearing down an adversary, as with attrition, it emphasises understanding and targeting the conceptual and moral components of an adversary's fighting power—'manoeuvring the mind'—as well as attacking the physical component.

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3.96 When attacking the physical component, strength is concentrated against the adversary's critical vulnerabilities (CVs), which must be struck quickly and boldly where, when, and in ways which will cause the greatest damage to their will and ability to fight. Once gained, an advantage must be pressed relentlessly and unhesitatingly. Vulnerabilities may be physical or psychological, a weakness in time, space, or capability, and must be exploited. Where they don't exist they must be created.

Attrition

3.97 Attrition is the reduction of the effectiveness of a force caused by loss of personnel and materiel. Manoeuvre warfare does not exclude attrition. Attrition and destruction are important to manoeuvre, not alien to it. Attrition remains a sound approach provided it is markedly one-sided. At times and places where our strength is focused against an adversary's CV, attrition may be extreme and result in complete destruction. However, local attrition is meant not just to contribute incrementally to overall destruction, but to exploit a critical vulnerability or eliminate a critical capability to produce a systemic affect.

3.98 A principal purpose of manoeuvre is to place a force in an advantageous position from which, at little cost, the adversary can be decisively engaged. Attrition and destruction can demoralise and reduce adversary capabilities, thus changing force ratios, force the adversary to disperse, and enable freedom of action, creating new opportunities for more effective physical and psychological manoeuvre. The key aspect is not to see the adversary as simply a collection of targets to be engaged and destroyed. This leads to a rigidly procedural approach to the conduct of operations, the antithesis of manoeuvre warfare.

3.99 Attrition was very effectively employed by Australian forces in Papua New Guinea in WWII and by Australian and other coalition forces against the insurgent leadership in Afghanistan.

Manoeuvre at the levels of conflict

3.100 Strategic level. At the military strategic level manoeuvre primarily attempts to shape the circumstances within which the ADF can achieve operational success. Nevertheless, decisive operations, such as strategic strike, can also be conducted against the adversary's COG. Strategic shaping complements likely political

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objectives such as a desire to contain the human, financial and economic cost of conflict for Australia.

3.101 Operational level. Operational level manoeuvre seeks to gain an advantage bearing directly on the outcome of the campaign by targeting the adversary's COG. Effects at this level include pre-emption, dislocation and disruption. When used pre-emptively and/or with surprise, operational level manoeuvre may lead to a decisive result with minimal resources. This includes favourably positioning own forces.

3.102 Tactical level. At the tactical level manoeuvre attempts to favourably position own forces with minimal combat. Physical and non-physical means are employed including the coordinated use of speed, shock action, and lethal and non-lethal force.

Application of manoeuvre warfare

3.103 Successful manoeuvre warfare results from attitude of mind, practical knowledge and command philosophy. These are discussed in the following paragraphs.

3.104 Attitude of mind. Manoeuvre requires an understanding of human nature and an ability to manipulate the mind when identifying vulnerabilities and points of influence. The manoeuvrist is then willing to take risks to reduce an adversary's fighting power. Attrition is not discounted, but the results sought should be disproportionately greater than the resources applied.

3.105 Practical knowledge. Thorough practical professional knowledge instils confidence and determination to do the unexpected by physical and non-physical means. Professional mastery enables individuals and small teams, isolated in a complex and chaotic operational environment, to understand and act despite friction, danger, uncertainty and chance.

Tenets of manoeuvre

3.106 Successful manoeuvre warfare derives from the application of well established tenets of manoeuvre. These are described in the following paragraphs.

3.107 Dislocation and disruption. Dislocation involves actions to render the adversary's strength irrelevant by not allowing it to be employed at the critical time and place. In effect, dislocation

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separates the adversary's COG from the CF that support or protect it. Disruption is a direct attack that neutralises or selectively destroys key elements of the adversary's capabilities. The aim of disruption is to reduce the adversary's cohesion and will to fight by preventing it acting as a coordinated whole.

3.108 Taking the initiative. Manoeuvre emphasises the need to take the initiative and to apply decisive action at times and places, and in ways, the adversary least expects. This requires the accurate identification of CV and the application of operational art.

3.109 Surprise. Surprise may enable a force to achieve demoralisation, confusion and disruption of the adversary's decision making cycle. IO contribute to the achievement of surprise through, among other things, denying critical information to the adversary and deceiving the adversary as to our intentions. Tactical surprise is often immediate and local, whereas operational surprise can affect the whole campaign. Surprise can be facilitated by:

- deception, designed to mislead the target by manipulation, distortion, or falsification of evidence to induce the target to react in a manner prejudicial to their interests;

- ambiguity, leaving the adversary confused as to ones intentions through variable or multiple actions; and

- novelty and unpredictability consistent with risk.

3.110 Shock action. Shock action is a physical and psychological assault upon an adversary, employing firepower and mobility to maximum effect. Shock action aims to disrupt an adversary's plans, destroy cohesion, sap morale and weaken the will to resist.

3.111 Simultaneity. Simultaneity is the concurrent application of overwhelming military and non-military power against a sufficient number of an adversary's CF to cause the adversary serious indecision. If this effect can be achieved against a number of different target sets, the adversary will suffer increasing decision making paralysis.

3.112 Tempo. Tempo is the rate and rhythm of activity relative to the adversary and incorporates the capacity of the force to transition from one operational posture to another. Maintaining a higher tempo than the adversary helps to retain the initiative. Mission command

facilitates a higher tempo by encouraging subordinates to act quickly on their own initiative.

3.113 Main effort. Main effort is the concentration of forces or means, in a particular area and time, where a commander seeks to bring about a decision. Main effort is the principal activity or force to which a commander gives priority in each phase of an operation. There can only be one main effort at any time.

OPERATIONAL LEVEL MANOEUVRE, INDOCHINA, 1954

When Japan surrendered in August 1945, the Viet Minh, led by Ho Chi Minh, proclaimed the Democratic Republic of Vietnam. A few months later the Chinese, Vietnamese and French came to a three-way understanding. The French gave up certain rights in China, the Viet Minh agreed to the return of Vietnam to the French in exchange for promises of independence within the French Union, and the Chinese agreed to leave. However, negotiations between the French and Viet Minh broke down quickly, leading to nearly ten years of war.

Viet Minh forces were led by General Vo Nguyen Giap. Initially limited to guerrilla warfare, by 1950 the Viet Minh had begun fielding regular formations. Progressively they were extending their influence throughout the country, including in the vital, heavily populated Red River delta. The French had attempted to cut Viet Minh lines of communication to China with airborne operations. These were generally unsuccessful as the Viet Minh managed to either concentrate superior forces at the critical point or withdraw before they were decisively committed. The French also inserted commando groups to conduct guerrilla warfare, but these were too weak to have a significant impact.

In late 1952 the French achieved a victory at Na San which was a defended position in a remote area supplied only by air. The defenders used artillery, armour and air support to defeat a series of attacks by the Viet Minh, which suffered heavy losses. As a result of this experience the French were confident they could defeat the Viet Minh anywhere in a set-piece battle.

In 1953 General Henri Navarre was appointed to command the French forces. That same year Navarre decided to replicate on a much larger scale the approach which had worked so well at Na San. His aim was to draw the Viet Minh into a major positional battle and

achieve a decisive victory. To implement his plan Navarre chose a valley, about 18 kilometres long and eight kilometres wide and surrounded by heavily wooded mountains, in the north-west of Vietnam. In the valley was a disused airfield; the road junction to Laos, China and north eastern Vietnam; and the village of Dien Bien Phu. Navarre believed that as a strong force at Dien Bien Phu would complicate Viet Minh movement into Laos and threaten the rear of Viet Minh forces in the delta, it would serve as bait to draw the enemy into a positional battle in which they would be destroyed.

The plan had severe weaknesses. The most significant was the reliance of the deployed force on air supply and air support to supplement the limited artillery support. Consequently, the position was centred on the airfield which was in a poor tactical location, dominated by the surrounding mountains which were too far away to include in the defence layout but close enough for enemy artillery observation and direct fire over open sights. Based on their previous experience in Na San, the French did not consider this reliance on air supply and air support to be a weakness.

The campaign commenced with an airborne operation on 20 November 1953. Within three days 9000 troops were dropped or airlifted into the valley. Ultimately, a force numbering nearly 16 000 was committed. Giap took the bait and developed a two phase campaign plan. In the first, a series of shaping operations aimed to compel Navarre to scatter his reserves, concentrated in the delta, so they could not interfere with the second and decisive phase, annihilation of the force at Dien Bien Phu.

After three months the first phase had achieved its aim. French forces in the delta, unable to reinforce and support Dien Bien Phu, had been reduced by half. Nevertheless, Navarre had still managed to hold a mobile reserve of over 20 battalions in the delta. Inexplicably, Navarre then assisted Giap by dispersing this mobile reserve, preventing it from being used at Dien Bien Phu, by launching a combined land and amphibious operation against the Viet Minh on the coast of central Vietnam. This operation had no relevance to the campaign then unfolding in the north-west.

Giap's moment had come. With French forces now widely scattered, the Viet Minh concentrated four infantry divisions of 45 battalions against the French force of 12 battalions at Dien Bien Phu. After an intense two month struggle the French surrendered in early May 1954. The Geneva Conference commenced the day after the battle finished, and a few months later the war ended with the Geneva

Accords, under which France agreed to withdraw from Indochina. The result was a psychological and political disaster for France.

Despite their overwhelming advantage in manoeuvre assets, the French had chosen to fight a positional battle. In contrast, the Viet Minh employed manoeuvre theory very effectively, despite lacking air support, air supply, mechanisation and most means of transport. The aim of the Viet Minh was always the destruction of the enemy, not the capture of ground.

3.114 Firepower is central to manoeuvre warfare. The ADF concentrates fire and forces at critical points to achieve a desired effect. ADF emphasis on manoeuvre requires a command philosophy which provides clear direction on desired effects and acceptable risk.

3.115 Operational mobility allows a commander to closely match the requirements of the campaign plan as well as maintaining flexibility to rapidly exploit opportunities. Tactical mobility is the flexibility to move swiftly up to, around and between objectives in the physical sense.

3.116 Manoeuvre is more challenging when adversaries have significantly different levels of conventional military capability and employ distinctly different methods. An adversary's cultural beliefs, priorities and moral constraints may be quite different to ours which can make them difficult to identify, target or even negotiate with. They could also be more willing to accept casualties, or even target the civilian population.

3.117 Manoeuvre should therefore be able to adapt to CBRN weapons, insurgency, and attacks on bases and lines of communication in the JFAO. Targets outside a JFAO may also be attacked for political and economic effect. The key is to use our strengths against an adversary's weaknesses.

Offensive action

3.118 Offensive action comprises strike, targeting, interdiction, joint fire support and control of the air. Offensive action is conducted by generating sufficient combat power, employing kinetic and non-kinetic means, to achieve strategic, operational and tactical lethal and non-lethal effects.

3.119 Strike. Strike is an attack which is intended to inflict damage on, seize, or destroy an objective. Strike is normally conducted as

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part of a deliberate line of operation to shape the adversary and the OE to enable joint manoeuvre, subsequent military engagements and/or key desired strategic outcomes (political, economic, and leadership). Accordingly, strike is normally focused on critical vulnerabilities that underpin an adversary's strategic and/or operational centre of gravity.

3.120 Strategic strike. Strategic strike is a unique politico-military capability with particular value for broader deterrence or coercion. A demonstrable strategic strike capability allows a wide range of options, including diplomatic warning, show of force and the threat and/or actual use of force.

3.121 Targeting. Targeting is the process of selecting and prioritising targets and matching the appropriate response to them, taking into account operational requirements and capabilities. The targeting cycle determines the desired lethal and/or non-lethal effects, selects the targets, and tasks the kinetic and/or non-kinetic means to be used.

3.122 Unintended effects, or collateral damage, may occur with significant undesired political, diplomatic and military impact. Such damage may arise from targeting errors, or technical malfunctions that cannot be prevented no matter how diligently commanders observe law of armed conflict (LOAC) and rules of engagement (ROE). Operational planning must therefore include consequence management planning.

Refer to ADDP 3.14—Targeting for further guidance.

3.123 Interdiction. Interdiction is action to divert, disrupt, delay or destroy an adversary's before it can affect friendly forces. Interdiction may be conducted by any FE with offensive capability and may achieve tactical, operational or strategic effects. Interdiction allows a commander to attack an adversary's critical vulnerabilities that underpin its operational centre of gravity.

3.124 Joint fire support. Joint fire support is joint fires that assist air, land, maritime, amphibious and special operations forces to move, manoeuvre and control territory, populations, airspace and key waters. Synchronisation of joint fire support with the supported force is essential. Prerequisites for effective joint fire support are interoperable systems, broad understanding of the differing strengths and limitations of contributing force capabilities and how they are

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applied, and clear agreement about how those capabilities will be integrated in any given operational setting.

3.125 Joint fire support typically involves joint fire from two interrelated capabilities: air-to-surface and surface-to-surface operations. Offensive support can also be non-kinetic and/or disruptive. Regardless of the attack system used, offensive support requires coordination and integration of airspace as well as coordination of air and surface-to-surface attack resources. Attack capabilities are as follows:

- **Air-to-surface attack.** Air-to-surface attack is performed by air assets. Offensive air support provides the commander with the capability to detect and attack targets throughout the JFAO, primarily through air interdiction, close air support, anti-surface warfare and underwater warfare.

- **Surface-to-surface attack**. Surface-to-surface attack typically includes rocket, artillery (including mortars and howitzers) and naval surface fire support.

Refer to ADDP 3.1—Joint Fire Support for further guidance.

3.126 Control of the air. Control of the air minimises or eliminates adversary air attack, facilitating friendly air and surface operations. A degree of control of the air is a prerequisite for the conduct of a successful campaign or operation. By destroying, degrading or disrupting adversary offensive air power, control of the air also protects population, infrastructure and critical assets. Even in the absence of an opposing air force, control of the air may still be hotly contested—a key factor in irregular warfare where adversaries pursue asymmetric tactics to combat the traditional superiority of western air forces.

3.127 Although air forces usually take the lead in achieving control of the air, land and maritime elements can directly support them. The key is in developing an integrated and layered air defence plan. The five levels of control of the air are:

- air supremacy,

- air superiority,

- favourable air situation,

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- air parity, and
- unfavourable air situation.

> *If we lose the war in the air, we lose the war, and we lose it very quickly.*
>
> **Field Marshal Bernard Law Montgomery, 1st Viscount Montgomery of Alamein, Commander British 8th Army, North Africa 1942–43**

Theatre air control system

3.128 The Air Force contribution to campaigns is managed within the theatre air control system (TACS). The TACS employs a system of agencies extending from the operational to the tactical level and is the means by which air and airspace activities are planned, tasked, controlled and coordinated within the JFAO. The TACS allows for centralised planning and control, and decentralised execution, of all joint air operations.

3.129 The TACS is established by the nominated air commander using a number of agencies as basic building blocks. While these nominal agencies have defined roles, structure, staffing and procedures, they can be tailored, scaled and sometimes combined to align with the campaign concept. For example, as ADF campaigns and operations are normally conducted by one or more JTFs, the TACS will be organised to support them as well.

Refer to AAP 1002—The Operational Air Doctrine Manual for further detail on the theatre air control system.

3.130 Non-lethal effects. Kinetic and non-kinetic means can produce lethal or non-lethal effects. Non-lethal effects minimise damage and/or injury, and can be achieved by a range of capabilities.

PART 2

CAMPAIGNING

CHAPTER 4

CAMPAIGN DESIGN—SITUATIONAL UNDERSTANDING

Executive Summary

- The first step in campaign design is gaining situational understanding (SU). SU underpins campaign planning.
- The joint intelligence preparation of the operational environment (JIPOE) is a key activity in gaining SU.
- Mission analysis (MA) is conducted to identify and confirm what must be accomplished, when, where, and most importantly, why.
- Campaigning is inherently complex and a networked capability is essential, particularly for multinational (MN) military and civilian partners.
- Gaps in SU and assumptions are the basis for determining the commander's critical information requirements (CCIR).

Introduction

4.1 As explained in chapter 1—'Synopsis', the essence of campaigning is operational art. Operational art imposes a governing logic on operations, tactics and logistics to achieve intermediate objectives within a campaign. Responsibilities of key personnel at different levels of conflict are covered in chapter 1 and illustrated in figure 1-1.

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4.2 Operational art is applied through the campaign cycle. While simple in concept, the campaign cycle is dynamic, facilitating the integration of numerous processes and activities consisting of hundreds of tasks executed throughout a headquarters, subordinate formations and force elements (FE). The six steps of the campaign cycle are gaining SU, planning, preparation, execution, assessment and adaptation. The steps are grouped in the following broad phases:

- **Campaign design.** Campaign design comprises the first two steps of the campaign cycle. Campaign design results in development of the campaign plan. The focus throughout is the military strategic end state.

- **Campaign management.** The remaining four steps of the campaign cycle constitute campaign management.

GAINING SITUATIONAL UNDERSTANDING

4.3 Gaining SU is critical to the conduct of campaigns and operations. SU is the basis for:

- anticipating how a conflict or crisis might evolve,
- recognising the potential impact of specific actions and events,
- identifying opportunities,
- highlighting risks, and
- recognising and managing transitions.

4.4 SU has the following main aspects:

- understanding the operational area;
- understanding the problem;
- understanding partners;
- understanding the mission;
- balancing speed and completeness; and

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- constant review, assessment and adaptation.

Contributors

4.5 The process of gaining SU is managed by Headquarters Joint Operations Command (HQJOC). At this early stage the main contributors are intelligence staff from HQJOC, joint task force (JTF), subordinate formations, and the Australian intelligence community.

4.6 Joint intelligence preparation of the operational environment. The JIPOE is central to gaining SU. It requires analysis of the total operational environment (OE), mission analysis and a detailed analysis of the full range of possible adversary courses of action (COAs). The aim is to gain an understanding not just of the physical domains, but also of the non-physical domains, particularly the human domain. JIPOE products include intelligence and counterintelligence estimates and threat assessments. The format and level of detail in the JIPOE depends on the commander's requirements, staff resources, time available and information gaps.

4.7 There are many other potentially significant contributors to gaining understanding, including:

- representatives from other Australian Government departments and agencies;
- host nation representatives;
- subject matter experts, including academics;
- diplomatic representatives;
- the media and other open sources;
- non-government organisations (NGOs) and international organisations with representatives in a theatre of operations; and
- specialists such as Defence Science and Technology Organisation (Operations Research and Systems Analysis) staff.

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Understanding the operational area

4.8 Understanding the various joint force areas of operation which may be required, and their associated areas of influence and interest, is achieved through analysis of a range of factors. These include:

- military forces, particularly the adversary, including regular forces, militias and paramilitary groups and their capabilities, strengths and vulnerabilities;
- physical conditions, including terrain, infrastructure and weather;
- demographic, cultural, social and economic conditions;
- political conditions, including political parties, groups, alliances, antagonisms, rivalries and external influences such as migration and regional powers; and
- communication and information systems.

4.9 Understanding the problem is also referred to as framing of the problem. Understanding includes causes, areas of competition and associated tensions, who is involved, their intentions, motivations and agendas, and what is happening and why. Understanding of the problem assists in visualising an effective COA to resolve it.

4.10 Understanding how the problem might evolve during the campaign is also important in order to identify potential threats and opportunities. This involves identifying favourable trends, which should be stabilised or reinforced, and unfavourable trends, which should be reversed, redirected, or transformed. Understanding the problem facilitates a realistic appreciation of campaign limitations.

Refer to ADDP 5.0—Joint Planning and ADFP 5.0.1—Joint Military Appreciation Process for further guidance.

Understanding partners

4.11 Understanding MN military and civilian partners is a critical aspect of overall SU. The greater the complexity of a force, the greater the potential for misunderstandings. These may become points of friction if not identified and addressed, and may include:

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- strengths, weaknesses, capabilities, organisation, values and attitudes of the various elements and assets, both military and non-military, which comprise the force;

- command jurisdiction, which is the legal position of command by one national commander over military personnel of another nation;

- caveats which restrict the employment of particular national forces; and

- types of tasks most effectively employed by particular assets and their potential tempo of operations.

Refer to ADDP 00.3—Multinational Operations for further guidance.

Understanding the mission

4.12 Understanding of the mission is derived through MA, the first step of the joint military appreciation process (JMAP). MA is conducted to identify and confirm what must be accomplished, when, where, and most importantly, why. MA ensures that the operational level commander and planning staff clearly understand the military strategic commander's intent.

4.13 MA should identify the intended national and military strategic end states and associated strategic objectives; essential, specified and implied tasks; criteria for termination and transition; and any limitations, constraints and restrictions on the conduct of the campaign and associated freedom of action resulting from legal, political and military limitations imposed by the Australian or host nation government.

4.14 Key outputs of MA for development of the campaign plan are:

- mission statement and purpose, method and end state;

- campaign objectives;

- critical facts and assumptions;

- limitations;

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- tasks;

- adversary centre of gravity (COG) and our own COG and associated critical factors.

4.15 Mission analysis is constant. As a campaign progresses, changes to campaign objectives and the campaign plan may become necessary due to changes in strategic aims and objectives and to critical vulnerabilities. Similarly, actions and changes at the tactical level will influence a campaign from below.

4.16 Such changes, particularly in a campaign of long duration, may be in response to emerging conditions that did not exist at the outset. These conditions may result from success or failure and are to be expected.

Balance between speed and completeness

4.17 Balance is necessary between the time potentially required to gain an ideal breadth and depth of SU, and the need for action. In a crisis, success may depend on acting first and fastest. Too much time spent on analysis of intractable problems or cause and effect relationships may be time wasted.

4.18 Timely action, accepting some risk, is preferable to waiting for complete SU and potentially failing to act in time, or at all. Generally, therefore, complete understanding of the problem will not be possible before commencement of operations. The role of commanders at all levels is the key to balancing speed and completeness, and acceptance of risk.

Constant review, assessment and adaptation

4.19 Constant review and assessment, enabling rapid recognition of changing conditions and subsequent adaptation is essential. In some situations, review and assessment will indicate that the campaign is progressing as envisaged, that campaign objectives and operations objectives are being achieved, and that no adjustments are necessary.

4.20 In other situations, review and assessment may indicate that while campaign and operations objectives remain valid, the campaign and associated operations are not progressing as envisaged. In such situations, adjustments to the campaign plan may be necessary. This may involve significant changes.

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4.21 In the worst case, review and assessment may indicate that operations objectives, campaign objectives, or even the intended campaign end state, are no longer relevant or valid. In such cases a fundamental revision and re-thinking of the problem is necessary. This process is sometimes referred to as ‘re-framing the problem’. A new campaign end state and associated objectives may result, requiring a new campaign plan. Assessment is addressed in more detail in chapter 8—‘Campaign Management—Assessment and Adaptation’.

4.22 The review/assessment/adaptation process is essentially the same as the OODA Loop described in chapter 3—‘ADF Warfighting Functions’. As such, it facilitates decision superiority.

Assumptions

4.23 When SU is incomplete, planning should be assumption-based. Less SU demands more assumptions, and as assumptions involve a degree of risk, they must be logical and realistic. Assumptions should be regularly tested throughout the campaign, usually at the completion of a phase or on a specific time basis.

4.24 Gaps in SU and assumptions are the basis for determining CCIR. CCIR are focused on what is not known and what must be confirmed. As the campaign progresses, CCIR will change as SU increases.

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PART 2

CAMPAIGNING

CHAPTER 5

CAMPAIGN DESIGN—CAMPAIGN PLANNING

Executive Summary

- Campaign planning is collaborative and conducted in parallel with subordinate and superior planning.
- As directed by the Chief of the Defence Force (CDF), the Chief of Joint Operations (CJOPS) is responsible for planning the campaign and associated operations to achieve the military strategic end state.
- The campaign approach flows from situational understanding (SU) and broadly indicates how the campaign and associated operations are to be conducted.
- The initial, broad concept describes in general terms how the campaign is intended to unfold.
- The campaign concept is a single, unifying idea which promotes understanding and provides direction for the way in which a campaign is to be conducted.
- A campaign line of operation is a linked sequence of operations objectives to achieve a campaign objective.
- The campaign scheme of manoeuvre is based on selected lines of operation and describes how operations and associated actions are orchestrated in time, space and purpose.
- The final campaign plan is a formal and detailed description of what is to be accomplished and how it is to be done.

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Adaptive plans

5.1 A prudent campaign plan is most accurately described as a framework that guides and constrains the execution of operations to achieve the campaign objective. The measure of a good campaign plan is not whether execution occurs as planned, but whether the plan enables rapid, effective action in the face of unforeseen events to achieve the objectives.

5.2 Campaign and operation plans must be adaptive. A detailed plan which depends for success on forcing a pre-ordained sequence of causes and effects on an uncooperative situation, and which does not allow for ambiguity, uncertainty and change, is likely to fail.

Elements of operational design

5.3 The elements of operational design are the key factors which must be considered in campaign planning. They include:

- centres of gravity (COGs);
- campaign end state and campaign objectives;
- decisive points (DPs);
- operation objectives;
- effects;
- lines of operation;
- sequencing;
- phasing;
- operational reach;
- culmination;
- risk; and
- contingencies.

Planning steps

5.4 Campaign planning progresses from the general to the particular through:

- developing the campaign approach;
- developing the campaign concept, which includes defining the campaign lines of operation and developing the campaign scheme of manoeuvre and supporting schemes; and
- developing the campaign plan.

THE CAMPAIGN APPROACH

5.5 The campaign approach flows from SU and broadly indicates how the campaign and associated operations are to be conducted. The campaign approach is the basis for the subsequent campaign concept of operations (CONOPS) and campaign plan.

5.6 The campaign approach is developed during the mission analysis stage of the joint military appreciation process (JMAP) and includes:

- commander's confirmation,
- commander's visualisation, and
- commander's initial planning guidance.

Commander's confirmation

5.7 Commander's confirmation involves confirming the adversary's and others' COG and associated critical factors (CF) determined in the joint intelligence preparation of the operational environment (JIPOE), our own COG and associated CF, and the campaign end state and objectives determined earlier during mission analysis.

5.8 Centre of gravity. A COG comprises characteristics, capabilities or localities from which a nation, an alliance, a military force or other grouping derives its freedom of action, physical strength or will to fight. In some situations such as in

counterinsurgency it may be difficult or impossible to identify a COG. Time and effort may be better spent in developing greater understanding of CF.

5.9 Campaign end state. The campaign end state is determined by CJOPS and must be clearly defined, decisive and attainable. Selection and maintenance of the aim is the first principle of armed conflict. The single, unambiguous aim for campaigning is achievement of the campaign end state.

5.10 Campaign objectives. Campaign objectives are determined by CJOPS and are expressed in terms of one or more decisive conditions that need to be achieved. Decisive conditions may focus on will, understanding and capabilities; be lasting or temporary; tangible or intangible, military or non-military; and involve physical or psychological factors.

Commander's visualisation

5.11 The power of creative thought of commanders and their staff is fundamental to campaign planning. The commander must be able to visualise the broad sequence of events through to the campaign end state. This visualisation is also referred to as the theory of change and is where the principles of armed conflict should initially be considered.

5.12 Commander's visualisation should determine what is possible, given factors such as terrain, weather, capabilities, resources, sustainability, risk, transitions and termination, and time. An important aspect is determining whether a direct approach or indirect approach, or a combination of both, is to be adopted in attacking the adversary's COG. Other important considerations include seizure and retention of the initiative, and deception.

Commander's initial campaign planning guidance

5.13 Based on the commander's visualisation, the commander's initial campaign planning guidance describes the campaign approach and provides direction to staff for course of action (COA) development. It also provides direction to the commander joint task force (CJTF) and other participating agencies and organisations to enable effective collaborative and parallel planning, particularly for development of operations plans.

5.14 Initial campaign planning guidance includes:

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- initial commander's intent;
- broad concept;
- campaign narrative; and
- commander's critical information requirements (CCIR).

5.15 The campaign approach is expressed in the initial commander's intent, broad concept and campaign narrative.

5.16 Initial commander's intent. The initial intent focuses the overall planning process, providing the basis for development and refinement of COA, and evolves as planning progresses. It is a concise statement of what the commander wants to accomplish, and why. It may include:

- statement of the problem;
- current (start) state;
- intended military strategic and campaign end states; and
- campaign objectives.

5.17 Broad concept. The broad concept is the basis for eventual development of the campaign concept. It describes how in general terms the campaign and associated operations are intended to unfold, and when, where and how fighting power is to be employed to achieve the campaign objectives and attain the campaign end state. It evolves as planning progresses, and may include:

- relative importance of the various campaign objectives,
- broad description of proposed operations in terms of time and space,
- ideas for deception,
- priorities for resource allocation,
- acceptable levels of risk and broad risk mitigation measures,

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- approach to sustainment, and
- requirements of planning efforts by other organisations.

5.18 Strategic communication theme. As discussed in chapter 2—'The Operational Environment', strategic communication is that part of the whole-of-government approach establishing the dominance of the narrative. The narrative theme is based on strategic guidance and developed in consultation with partners. The broad campaign concept must be consistent with the theme for actions to remain credible.

5.19 Commander's critical information requirements. CCIR are information requirements identified by the commander as being critical in facilitating timely information management and the decision making process that affect successful mission accomplishment. Critical friendly force information and priority intelligence requirements are the two key sub-components of CCIR.

5.20 Essential elements of friendly information (EEFI). EEFI are key questions likely to be asked by adversary officials and intelligence systems about specific friendly intentions, capabilities and activities, so that they can obtain answers critical to their operational effectiveness. Identification of EEFI is the first step in operations security (OPSEC). EEFI must be detailed and precise. Not all will last the whole campaign, and some may need to be protected only during specific actions or events. OPSEC is detailed in chapter 3—'ADF Warfighting Functions'.

CAMPAIGN CONCEPT

5.21 The campaign concept is developed by Headquarters Joint Operations Command (HQJOC) from the basic concept determined as part of the commander's initial planning guidance. The campaign concept is a single, unifying idea which promotes understanding and provides direction for the way in which a campaign is to be conducted. It is a textual and graphic statement which describes and directs the combination and sequence of operations to be conducted. At the heart of the campaign concept are its objectives and associated operations.

5.22 The campaign concept and associated CONOPS are dynamic and should be continually refined as the campaign progresses. Generally, the campaign concept would include:

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- commander's intent, including intended military strategic and campaign end states and campaign objectives;
- campaign narrative;
- designation of the theatre of operations in which the campaign is to be conducted and joint force area of operations (JFAO) in which individual operations within the campaign are to be conducted;
- campaign lines of operation;
- campaign scheme of manoeuvre including shaping, transitional and decisive engagement, by phase, along the lines of operation;
- scheme of offensive support including relative priorities for fire;
- scheme of sustainment;
- other supporting schemes;
- a statement of what risk will be acceptable;
- designation of the reserve, including its location and composition;
- contingencies;
- key control measures;
- evaluation methodology; and
- other agency aspects.

OPERATIONAL AREAS

5.23 Access by the ADF to operational areas is gained through a combination of diplomatic approvals from the government and other nations, and the use or threatened use of force. Lack of timely access may be a significant disadvantage which could seriously reduce or even negate chances of success. This may result in having to adopt a

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higher risk COA with potentially higher casualties to gain access, which could have been avoided had timely access been secured.

5.24 When conducting campaigns or operations, commanders may define operational areas as follows:

- **Theatre.** A theatre is a designated geographic area for which an operational level joint or combined commander is appointed and in which a campaign or series of major operations is conducted. A theatre may contain one or more joint force areas of operations.

- **Joint force area/s of operations.** A JFAO is that portion of a theatre necessary for joint military operations and their administration as part of a campaign.

- **Tactical area of responsibility.** A tactical area of responsibility is a defined geographical area for which responsibility is specifically assigned to a commander as a measure for the control of assigned forces and coordination of support.

- **Named area of interest.** A named area of interest is an aspect which will confirm or deny enemy intentions, serve to focus attention on areas where the enemy must appear for a particular course of action, and provide an objective basis for the employment of intelligence gathering assets.

CAMPAIGN LINES OF OPERATION

5.25 In a campaign or operation, a line of operation links decisive points in time and space on the path to the COG. Several lines of operation may be developed, each leading to a specific campaign objective. In some cases one line of operation may achieve more than one campaign objective.

5.26 Lines of operation are determined by:

- identification of DPs,

- determination of operation objectives, and

- determination of intended effects.

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Identification of decisive points

5.27 A DP is a geographic place, key event, critical factor, or function that, when acted upon, allows a commander to gain a marked advantage over an adversary or contribute materially to achieving success. DPs may be physical or psychological, or both. Physical DPs mainly relate to destruction of physical fighting capability, whereas psychological DPs target the will to fight.

Operational objectives

5.28 An operational objective is an objective that needs to be achieved in the campaign to reach the military strategic end state. Once a DP has been selected for action it becomes an operational objective. Like DPs, operational objectives may be physical, for example an adversary force or terrain feature, or conceptual as a goal, for example establishment of rule of law.

5.29 Objectives at all levels are linked. Each tactical objective must contribute to achieving an operation objective, which must contribute to achieving a campaign objective, which, in turn, must contribute to achieving military strategic and, ultimately, national strategic objectives. The statement of an objective should include ‘what’ and ‘why’—the task and its purpose.

Effects

5.30 An effect is the adverse physical, physiological or functional impact on the adversary as a result, or consequence of, own military or non-military actions. A useful conceptual tool for campaign planners in selecting an operations objective is the purpose, or intended effect, its achievement would generate. An effect is a result, the change of state that results from an action or set of actions or another effect. Annex A lists the definitions of the more important effects terms, with examples of how they are used.

5.31 Effects may be physical, functional, temporal or psychological, intended or unintended, beneficial or adverse, direct or indirect. Although more applicable at the higher levels of armed conflict, particularly for campaign planning, they must be considered at all levels as tactical level actions can have significant adverse operational and strategic level effects.

5.32 Manoeuvre effects include disruption and dislocation. Weapon effects include neutralisation and destruction. Information effects

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include influence, isolation, degradation, denial, deception and exploitation.

5.33 A chain of effects consists of the direct effect initially resulting from an action, and a subsequent series of indirect effects that result from, or are triggered by, the effect of the initial action or a set of actions. Indirect effects can be the cumulative result of many direct effects and other indirect effects.

5.34 Effects are useful in planning but must be used with great care. Firstly, cause and effect chains are complex and difficult to comprehend. It isn't possible to identify, let alone understand, all possible effects resulting from every action. Some intended effects may never occur. Some may be generated by a particular action and may be able to be identified. Others may occur but not be able to be identified or measured.

5.35 Some unintended effects may also occur. These may, or may not, be able to be identified. While an intended first order effect may result from a particular action, and may be identified, that action may result in significant but unintended and unidentified second and third order effects.

5.36 Secondly, measurable results of a particular action may not appear for some time. This time lag not only complicates assessment enormously but it could slow the tempo of operations. A major difficulty lies in assessing effects and then deciding and implementing adjustments at a pace that supports the campaign or operation.

5.37 It may be impossible to discern if an effect was the result of a particular action, or subsequent actions, or resulted from some other cause. Accurately determining cause and effect in a useful timeframe may be impossible. For this reason tactical level commanders must not be tasked to generate specific effects.

5.38 Intended effects should be:

- measurable,
- distinguishable, and
- linked directly to one or more objectives.

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5.39 The human dimension makes consideration of effects extremely difficult. However, commanders and staff should aim to predict all potential effects of their actions, particularly unintended, adverse effects.

5.40 When intended or unintended beneficial effects occur action must be taken to quickly exploit them. Similarly, action must be taken to quickly mitigate adverse effects.

Defining lines of operation

5.41 The overriding requirement in defining lines of operation is to ensure they enable the integration and most effective employment of all the instruments of power—military and non-military, and physical and psychological. Well defined lines of operation provide clarity and enable unity of purpose and effort. Poorly defined lines lead to confusion.

5.42 A single line of operation concentrates effort and simplifies planning. Multiple lines of operations increase flexibility and create more opportunities for success, but increase complexity.

5.43 When multiple lines have been defined, a particular line may be designated as being dominant and the others as subsidiary. A dominant line is expected to yield decisive results and, as such, is critical to the success of the overall campaign. Subsidiary lines have a shaping function, enabling the success of the dominant line.

5.44 Lines of operation are categorised as physical and conceptual. A campaign may involve a combination of physical and conceptual lines. Combinations may change as the campaign progresses.

5.45 Conceptual lines. Conceptual lines of operation link multiple tasks and missions using the logic of purpose. They are applicable when positional reference to an adversary has little relevance (such as in counterinsurgency in which the focus is on stability actions) and generally involve multinational forces and non-military agencies and organisations. Conceptual lines indicate how particular actions involving the various instruments of power, military and non-military, relate to each other. Information actions are generally a central aspect. Conceptual lines may be differentiated by function, such as security, population protection, population support, stability, governance, indigenous capacity building and reconstruction.

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5.46 Physical lines. Physical lines are geographic and involve terrain and positional reference to the adversary. Major combat, in which the focus is on defeating adversary forces and seizing terrain, is typically conducted using physical lines. Physical lines may be further categorised as exterior and interior. A force is operating on exterior lines when its converging force element (FE), and the points from which their actions emanate, are separated by the adversary. A force is operating on interior lines when its actions emanate from a central point, and it is separating converging adversary forces. Interior lines allow a weaker force to mass combat power against a portion of the adversary force by shifting resources more rapidly than the adversary.

THE CAMPAIGN SCHEME OF MANOEUVRE

Strategically the Allies' objectives had been well chosen and their operations carefully planned and coordinated. The Japanese were given no chance to switch forces to meet each new threat to their positions. Each successive blow followed much too quickly one upon the other to give them any opportunity for that. The Allied commanders must be given full credit for this feat for its accomplishment required careful timing and efficient execution in order to make repeated use of the same resources.

E.G. Keogh

***The South-West Pacific 1941–45*, published 1965**

5.47 The campaign scheme of manoeuvre is based on the selected lines of operation. It is the way in which operations and associated actions are orchestrated in time, space and purpose along particular lines of operation to achieve operation objectives, and ultimately campaign objectives. Some operations may be conducted simultaneously, others sequentially. The principles of concentration of force and economy of effort are major considerations in development of the scheme.

SCHEME OF MANOEUVRE—ALLIED OPERATIONS IN PAPUA NEW GUINEA, 1943

The above quote refers to Allied operations in the Papua New Guinea campaign of 1943, highlighted by the Australian capture of Lae, which split and dislocated the Japanese forces on the northern coast and disrupted their command and control system. It illustrates a well planned and executed scheme of manoeuvre which enabled seizure

of the initiative and dictation of the terms of action. In contrast, the likely outcome of a poorly planned scheme of manoeuvre is a series of uncoordinated actions, fragmenting efforts to achieve rapid and decisive results.

Shaping, decisive engagement, transition and sustainment

5.48 Development of the campaign scheme of manoeuvre involves four key aspects: shaping, decisive engagement, transition and sustainment. These aspects assist in visualising how particular operations relate to one another in time, space and purpose within the overall campaign. They should not be viewed as sequential or separate and distinct phases.

5.49 A campaign may involve multiple operations. Some will have a shaping purpose, intended to create conditions for successful decisive engagement, while others will be purely decisive engagement. Decisive operations are the focal point around which the overall campaign is developed and priorities determined.

5.50 An operation with the overall purpose of shaping generally includes decisive engagement and transitioning as well as shaping actions. Similarly, an operation with the overall purpose of decisive engagement will include shaping and transitioning as well as decisive actions.

5.51 Shaping. To shape is to engage in actions that enhance the friendly force's position, delay the adversary's response, or lead the adversary into an inadequate or inappropriate response in order to set the conditions for decisive action. The purpose of shaping is therefore to create and preserve conditions for successful decisive engagement. Shaping may occur before, during, or after decisive engagement. It may be physical or psychological or both. Physical shaping includes destruction of particular adversary capabilities that could interfere with the decisive engagement; seizure of key terrain, which if held by the adversary would affect the decisive engagement; and interdiction of the movement of adversary forces and sustainment. Psychological shaping includes deception, psychological operations to undermine adversary will and actions to psychologically isolate the adversary from a population.

5.52 Decisive engagement. In land and naval warfare, decisive engagement is defined as an engagement in which a unit is

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considered fully committed and cannot manoeuvre or extricate itself. In the absence of outside assistance, the action must be fought to a conclusion and either won or lost with the forces at hand. Decisive engagement aims to achieve decisive results at the critical time and place, generally by attacking and destroying the adversary's will and cohesion. It may be physical or psychological or both, and is achieved through synchronisation of fire and manoeuvre. Successful decisive engagement must be followed by rapid physical and psychological exploitation.

5.53 Transition. Transition has three primary aspects: stabilisation, handover and withdrawal. Transition is conducted in combination with shaping and decisive engagements, and is just as relevant in campaigns focused on major combat as those focused on counterinsurgency or peace support. Potential transitions are identified during planning and accounted for in execution. Assessment should measure progress toward transition and inform actions to prepare for and execute them.

5.54 Further detail on shaping, decisive and transition operations is contained in chapter 9—'Conduct of Military Operations'.

5.55 Sustainment. Sustainment is a primary consideration in developing the scheme of manoeuvre. It must be continuous, able to adapt rapidly to changing conditions within the operational area, and be able to effectively support shaping, transitioning and decisive engagement along multiple lines of operation, shifting the point of effort across lines as required. It is critical to seizure, retention and exploitation of the initiative. Culmination and operational reach are also important sustainment considerations. Sustainment is addressed in general terms in chapter 3, under 'Force Generation and Sustainment', and is covered further in chapter 6—'Campaign Management—Campaign Preparation'.

Deep, close and rear

5.56 In developing the campaign scheme of manoeuvre, it can be helpful to consider shaping, decisive engagement, transition and sustainment within a deep, close and rear framework. This framework facilitates SU and assists in orchestrating operations in time and space along lines of operation. It applies equally in linear and non-linear situations, and in a physical or psychological sense. Irregular warfare is a classic example.

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5.57 Deep. Operations in the deep employ a combination of physical and/or psychological capabilities against an adversary's forces or resources not currently engaged in the close battle. They target the adversary's COG and supporting critical vulnerability such as combat power and command and control (C2), and thus the tempo of operations, reinforcement capability, installations and supplies. Operations in the deep shape the OE for manoeuvre elements. Although offering some prospect of immediate results, the focus is on the longer term.

5.58 Close. Close involves shaping and decisive engagement in direct contact with the adversary or situation, generally within direct fire weapon range and in an immediate timescale. Once again, this involves physical and psychological aspects. Operations in the close are most effective when synchronised with deep operations.

5.59 Rear. Operations in the rear aim to ensure the security of friendly force COG, CF, and the generation of combat power. Typical activities are force protection, force generation (air and mounting bases), force sustainment (logistics, air and port facilities), C2, civil-military cooperation, and communications and information support. Consequently, rear areas are the likely targets of deep adversary actions in both a physical or psychological sense.

Forms of manoeuvre

5.60 Manoeuvre is physical and/or psychological, both of which are complementary. The various forms of manoeuvre are integrated in the scheme of manoeuvre. Psychological manoeuvre is achieved primarily through activities in the information and human domain. These are described in chapter 3.

5.61 Each single Service applies manoeuvre in different ways according to the unique characteristics of its operating domain. At the operational level, forms of manoeuvre include envelopment, encirclement, turning movement, penetration, area defence and mobile defence. Forms of manoeuvre can be employed in combination and sequence depending on mission, adversary and terrain. A classic example of operational level manoeuvre was the 1950 Inchon landing during the Korean War. A joint force comprising land, air and naval FE conducted envelopment and a turning movement from the sea.

Refer to relevant single Service doctrine manuals for a fuller treatment of single Service forms and concepts of manoeuvre.

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Tenets of manoeuvre

5.62 The tenets of manoeuvre are detailed in chapter 3. They are: dislocation/disruption, taking the initiative, surprise, shock action, simultaneity, tempo, and main effort.

Sequencing and synchronisation

5.63 Sequencing is the ordering of lines of operation and actions into a logical progression in time, space, and purpose to maintain tempo and focus fighting power. Synchronisation is an aspect of sequencing. It is the execution of multiple related and mutually supporting actions in different locations at the same time.

5.64 Synchronisation is a means, not an end. It must be balanced with tempo and initiative, which must not be sacrificed for the sake of synchronisation.

Phasing

5.65 Sequencing may lead to phasing of a campaign. Campaigns are organised into phases to break a complex undertaking into simple discrete parts, or when insufficient forces are available to conduct all required tasks concurrently. Each phase represents a natural subdivision in the campaign. Phasing enables focusing of effort, concentration of fighting power in time and space at a critical point, and achievement of objectives deliberately and logically.

5.66 Phases must be clearly defined according to time, distance, terrain or events. Phasing:

- determines when major actions are to start or be completed;
- maintains continuity and tempo;
- is appropriate for significant changes to task organisation, or for reallocation of resources; and
- is often dictated by sustainment requirements.

5.67 Similarly, operations which comprise a campaign may be organised in phases. However, phasing must not create a predictable pattern that is evident to the adversary. Nor should it lead to a

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ponderous, incremental approach to the conduct of a campaign or operation, sacrificing tempo and surprise.

5.68 The number and sequence of phases for a campaign is not set and depends solely on the nature of the campaign. There are a number of generic models which provide a basis for adaptation. Two are outlined below.

5.69 Model one. This model has the following phases:

- shape,
- deter,
- seize initiative,
- dominate,
- stabilise, and
- enable civil authority

5.70 Model two. This model has the following phases:

- preparation,
- movement to the theatre of operations,
- assembly and preparation in the theatre,
- establishment of a logistic base and host nation support,
- execution of the campaign,
- stability actions after cessation of major combat, and
- withdrawal.

EAST TIMOR—1999

In contrast to those above, the model used for Operation WARDEN in East Timor in 1999 comprised four phases preceded by a preliminary operation which involved preparation and positioning of forces. The phases were:

- control and security of population centres and surrounding country;
- consolidation and integration of the coalition force;
- transition from INTERFET to UNTAET; and
- re-deployment.

Operational reach

5.71 Operational reach is the distance and duration across which a unit can successfully employ military capabilities. Operational reach is a tether—the longer the better. For a joint force, actions such as strategic attack and control of the air and sea can significantly extend operational reach.

5.72 A key consideration is the level of sustainment which limits what is operationally feasible. Operational reach may also be limited by the size of the operational area and distances to be covered, lengthy and vulnerable lines of communication, dispersion of a force over wide areas, attrition of fighting power, terrain, weather, tempo and associated fatigue.

AFRIKA CORPS—EGYPT 1942

Rommel's drive into Egypt in 1942, culminating in late June at El Alamein, is an example of a force extending to the limit of its

operational reach. Factors included an inability of his supply chain to provide fuel, exhaustion of his force after almost five weeks of continuous combat, attrition of fighting power, including critical capabilities such as armour and infantry, and lengthy lines of communication extending over 2000 kilometres from Tripoli in Libya. British lines of communication extended only around 150 kilometres.

Culmination

5.73 The limit of a force's operational reach is its culminating point. A culminating point occurs when a situation can just be maintained but not developed to any greater advantage.

5.74 In the offence, the culminating point is where the attacking force's fighting power no longer exceeds the defender's, or offensive momentum is no longer sustainable, or both. This can vary with domains. For example, culmination of air forces is generally due to logistic limitations such as maintenance of equipment and depleted weapon stocks.

5.75 Beyond the culmination point, continued offensive action risks over-extension, vulnerability, counter attack and defeat. In defence, the culminating point is where the defending force can no longer defend successfully or counterattack to restore the cohesion of the defence. A campaign should be planned, balancing ends, ways and means, to achieve its objectives before reaching culmination.

5.76 Ways in which operational reach can be extended and culmination avoided include: limiting the scope of the campaign and associated operations, phasing, varying tempo and the use of operational pauses. Options for limiting scope include reducing the number of envisaged lines of operation and reducing the number of simultaneous actions along those lines of operation in favour of sequential actions.

5.77 An operational pause is a deliberate break in operations to maintain or extend operational reach or prevent culmination. Throughout a campaign several operational pauses may be required. They should be managed to retain initiative and minimise loss of momentum. If a pause is taken on one line of operation pressure should be maintained or intensified along other lines. While there may be benefit in taking pauses along different lines simultaneously, generally they should be taken in sequence.

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5.78 An operational pause taken by US forces in Iraq in late March 2003 had become necessary for the sustainment of a formation which had advanced several hundred kilometres in a week over difficult terrain. The pause lasted four days, enabling resupply, consolidation and preparation for successful resumption.

Risk

> *In the art of war, lesser men are schemers, who avoid risk with mediocre results.*
>
> **Napoleon**
>
> **French military and political leader**

5.79 Soundly considered acceptance of risk is fundamental to campaigning. Risk is the product of hazard (a source of potential harm) and likelihood (probability or frequency of hazard). Risk must be balanced against audacity and imagination in order to seize the initiative, exploit fleeting opportunities and achieve decisive results.

5.80 Campaign planners assess the risks when developing the scheme of manoeuvre and the necessary actions to mitigate them. The greatest risks generally accompany concentration of fighting power at critical points at critical times.

Contingencies

5.81 Campaigns are unlikely to proceed exactly as planned. The scheme of manoeuvre must therefore be sufficiently adaptable to enable exploitation of unexpected opportunities while allowing for response to unforeseen threats or reversals, and regaining of initiative if lost. This flexibility may be achieved through adjustments to lines of operation and the sequence of operations and actions, and by the use of branches and sequels.

5.82 Branches and sequels. Branches and sequels are types of contingency plans that anticipate future options, uncertainties, opportunities or reversals, and are intended to shorten decision cycles and to retain the initiative. They must be part of the scheme of manoeuvre, not the result of an afterthought, and have execution criteria that are monitored and updated based on ongoing assessment. Branches and sequels are selected by the commander.

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Refer to ADFP 5.0.1—Joint Military Appreciation Process for further guidance.

Reserve

5.83 A reserve is a force held to counter unforeseen situations or to impact on future events. Identification and employment of an operational level reserve must be considered in developing the campaign scheme of manoeuvre. Aspects include force composition, capabilities, location, concealment, criteria for committal, likely tasks including all branches and sequels, and response times.

Developing supporting schemes

5.84 A number of supporting schemes are developed in conjunction with the campaign scheme of manoeuvre. These are generally based on the ADF warfighting functions, which are addressed in chapter 3. They may include schemes for:

- influence;
- intelligence, surveillance and reconnaissance;
- fires (including targeting);
- counter command actions (including deception);
- protection (including OPSEC);
- mobility; and
- sustainment.

THE CAMPAIGN PLAN

5.85 The campaign plan describes what is to be accomplished and how it is to be done. Depending on the nature of the campaign, the plan will focus the efforts of all partners, military and non-military, addressing the integration and implementation of political, military, economic and diplomatic measures within the theatre of operations.

5.86 The campaign plan is developed based on the campaign concept. Essentially the campaign concept is fleshed out through detailed planning, which includes:

- tasking of subordinate joint task force (JTF);
- allocation of resources;
- task organisations;
- command and support arrangements;
- control measures;
- coordination;
- scheduling;
- movements;
- support priorities;
- transitions between operations;
- transitions of authority (such as military to civilian); and
- conduct of assessment.

5.87 Similarly, supporting schemes developed in conjunction with the campaign scheme of manoeuvre are developed into detailed supporting plans. Other documents are developed based on the campaign plan. These include subordinate CJTF operation plans and subsequently their operation orders and any other required supporting plans and instructions.

Content

5.88 Broadly, the campaign plan may include the following, either in the main document or supporting annexes:

- mission;
- commander's intent, including intended military strategic and

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campaign end states;

- campaign objectives;
- coordination with other strategic lines of activity;
- campaign narrative;
- assumptions;
- limitations;
- campaign objectives and their relative importance;
- lines of operation including operations objectives;
- designated shaping and decisive operations;
- campaign phases, and sequencing of operations within phases;
- transitions between operations;
- branches and sequels;
- tasks to subordinate JTF;
- allocation of forces and resources to subordinate JTF;
- resource priorities;
- command structure and support relationships including between headquarters, components, interagency elements and support providers;
- control measures;
- priorities for movement, offensive support and protection;
- priorities for sustainment;
- CCIR;

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- EEFI;
- OPSEC measures;
- risk assessment and mitigation;
- legal aspects including rules of engagement; and
- assessment.

5.89 Supporting plans are based on the supporting schemes developed in conjunction with the scheme of manoeuvre, addressed earlier in this chapter.

Mission statements

5.90 CJOPS tasks subordinate CJTF and others by means of mission statements. A mission statement is a clear and direct order to a subordinate which contains the elements of who, what (task), when, where and why. There are three broad types of mission statement: single task; multiple tasks; and a list of contingent or 'be prepared to' tasks which are usually for reserves.

Control measures

5.91 Control measures are the means by which a force is regulated. They assign responsibilities, facilitate coordination and impose restrictions in order to most effectively orchestrate operations and actions. Control measures promote unity of effort, maximise the use of terrain, foster initiative, de-conflict actions and maximise freedom of action. They must not be imposed unnecessarily.

5.92 When two or more JTF operate in the same theatre of operations their activities must be coordinated. The degree of control required depends on the level of interaction.

5.93 Control measures must not remain static, inhibiting or preventing exploitation of opportunities, but must adapt to changing situations. Control measures are addressed in chapter 3, under the command warfighting function.

Annex:
A. Effects definitions

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EFFECTS DEFINITIONS

1. In campaign planning, effects are concise statements identifying who or what is to be affected and the desired state to be achieved. Importantly, the focus on outcomes rather than activity dictates that effects be enunciated as nouns (***deterrence*** *of Warlord A)* rather than mission task verbs *(**deter** Warlord A).*

2. Table 5A-1 lists the more commonly used effects. The list is not exhaustive and can be supplemented as necessary. To impart explicit meaning, each effect should:

a. identify whom or what is to be affected;

b. describe the desired state or change as a consequence of activity undertaken;

c. be delegated as an effect, with maximum practicable freedom of action about how it is to be realised;

d. be precisely expressed;

e. reflect its position and importance in time and space;

f. be assignable to a functional lead or agent;

g. be measurable, so that observable systemic and attribute changes can be recognised; and

h. be realistic in terms of timing, risk and resources.

3. The following is an example of effects to support objectives:

a. Example 1: Objective—the sovereignty of Green is maintained.

(1) Effect 1.1: Support is gained from the international community for the coalition protection of Green sovereignty.

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(2) Effect 1.2: Defence of Green is facilitated by its leadership's rapid acceptance and reception of deployed coalition forces.

(3) Effect 1.3: Denial of low level Red cross-border incursions into Green territory is achieved.

(4) Effect 1.4: Deterrence of Red aggression against Green is achieved without conflict.

b. Example 2: Objective—regional terrorism activities are neutralised.

(1) Effect 2.1: Containment of Red's terrorist activities is achieved and the threat to Australia and its interests is negated.

(2) Effect 2.2: Disruption of regional transnational terrorist networks is effective.

(3) Effect 2.3: Expanded anti-terrorism and counter-terrorism training, capabilities and operations are established in regional countries.

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EFFECT	DEFINITION	EXPLANATION
COERCION	Use or threat of force to persuade an opponent to adopt a certain pattern of behaviour against their wishes.	Coercion may be used in concert with deterrence. Coercion relies on effective communication of the desired course of action, backed by the threat of credible and punitive military force.
CONTAINMENT	Geographical restriction of the freedom of action of enemy forces.	The military might be involved directly against an adversary or indirectly as a third party.
DEFENCE	Employment or deployment of combat capability to prevent, resist, repel or destroy an adversary attack before it can achieve its objective and, during the conduct phase, to accept decisive engagement.	
DENIAL	Action to hinder or deny the enemy the use of space, personnel, or facilities. It may include destruction, removal, contamination, or erection of obstructions.	Denial can be achieved by diplomatic pressure, sanctions, physical or implied presence, firepower, obstacles, destruction and contamination, or a combination of these.
DETERRENCE	The convincing of a potential aggressor that the consequences of coercion or armed conflict would outweigh the potential gains. This requires the maintenance of a credible military capability and strategy	

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	with the clear political will to act.	
DEFEAT	Reduction of the effectiveness of an individual, group or organisation to the extent that it is either unable or unwilling to continue its activities or at least cannot fulfil their intentions.	
DESTRUCTION	Sufficient damage of an enemy state or non-state adversary that it is unable to return to conflict.	May include removal of an adversary's military capability, or elimination of terrorist organisations.
DISRUPTION	A direct attack that neutralises or selectively destroys key elements of the adversary's capabilities. The aim of disruption is to reduce the adversary's cohesion and will to fight by neutralising or destroying parts of the force in a manner that prevents the force from acting as a coordinated whole.	Disruption can target offensive forces, or indirect isolation from support, leading to dislocation and disorientation.
DISLOCATION	Dislocation involves action to render the adversary's strength irrelevant by not allowing it to be employed at the critical time or place. In effect, dislocation separates the adversary's centre of gravity from the key capabilities that support or protect it.	

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NEUTRALISATION	To degrade or negate an adversary's capabilities to such an extent that it is rendered ineffective.	
PREVENTION	To prevent emerging crises and conflict by fostering regional and national security through programs to address the underlying causes of instability, such as poor governance, political repression, social inequality and economic hardship.	Involves developing agreements to reduce weapons proliferation, particularly weapons of mass destruction, as well as building local capacity to deal with emerging crises and encourage the international community to act.
PROTECTION	Preservation of the effectiveness and survivability of mission-related military and non-military personnel, equipment, facilities, information, and infrastructure deployed or located within or outside the boundaries of a given operational area.	
SHAPING	Actions that enhance the friendly force's position, delay the adversary's response, or lead the adversary into an inadequate or inappropriate response in order to set the conditions for decisive action.	Shaping actions set conditions for decisive action. Shaping continues through conflict prevention, conflict and post-conflict. By developing influence through relationships, contributions to coalition operations and regional training activities, the ADF contributes to a

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		common understanding of security issues with regional neighbours and promotes an environment consistent with Australia's interests.
STABILISATION	Activities that impose control and establish security over an area while restoring services and support to civilian agencies, which set the conditions to allow primacy of indigenous organisations.	Generally a comprehensive approach is required to tackle the underlying causes as well as the symptoms of the instability so as to meet political, legal and basic humanitarian needs. Military force may be needed to assist with the return of political control as well as helping with reassurance, reconstruction and providing aid.
UNDERMINING	Action to weaken the military, economic or political strength of a nation, directed at the morale, loyalty or reliability of its leadership and supporting elements of national power which are detrimental to Australia's interests.	

Table 5A–1: Effects definitions

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PART 2

CAMPAIGNING

CHAPTER 6

CAMPAIGN MANAGEMENT—CAMPAIGN PREPARATION

Executive Summary

- Preparation comprises a range of activities, mostly conducted concurrently, which enable transition from planning to execution.
- Major aspects of preparation are ensuring force readiness to execute the campaign, and movement and positioning of forces and resources.
- During preparation the responsibility for developing and maintaining the campaign plan shifts from the plans (J5) staff to the operations (J3) staff.
- A successful transition depends on a full understanding of the campaign plan by commanders and staff who will execute it.
- Refinement of the campaign plan occurs during preparation.

6.1 Preparation enables transition from planning to execution. Effective preparation ensures that appropriately prepared and equipped forces are in position at the required times and places to execute the campaign.

6.2 Preparatory activities are generally conducted concurrently. They include:

- developing an understanding of the campaign plan;
- organising and integrating;

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- information actions, such as operations security (OPSEC), deception and influence;
- preliminary operations;
- force protection;
- force projection;
- force preparation;
- sustainment;
- preparation of infrastructure; and
- refinement of the plan.

Developing understanding of the campaign plan

6.3 A key aspect of the transition from planning to execution is developing understanding of the campaign plan among commanders, staff, formations, force elements (FE) and others who will execute it. This has several aspects, including:

- transition from J5 to J3 staff,
- understanding by subordinate commanders and staff, and
- understanding of other agencies and organisations.

6.4 Transfer of effort from J5 to J3 staff. During preparation, responsibility for developing and maintaining the campaign plan is progressively transferred from the plans (J5) staff to the operations (J3) staff. Finalisation of this transfer occurs when the J3 staff fully understand all aspects of the campaign and become responsible for its execution, and the focus of the J5 staff shifts to branches and sequels. The transfer of effort is illustrated in figure 6-1.

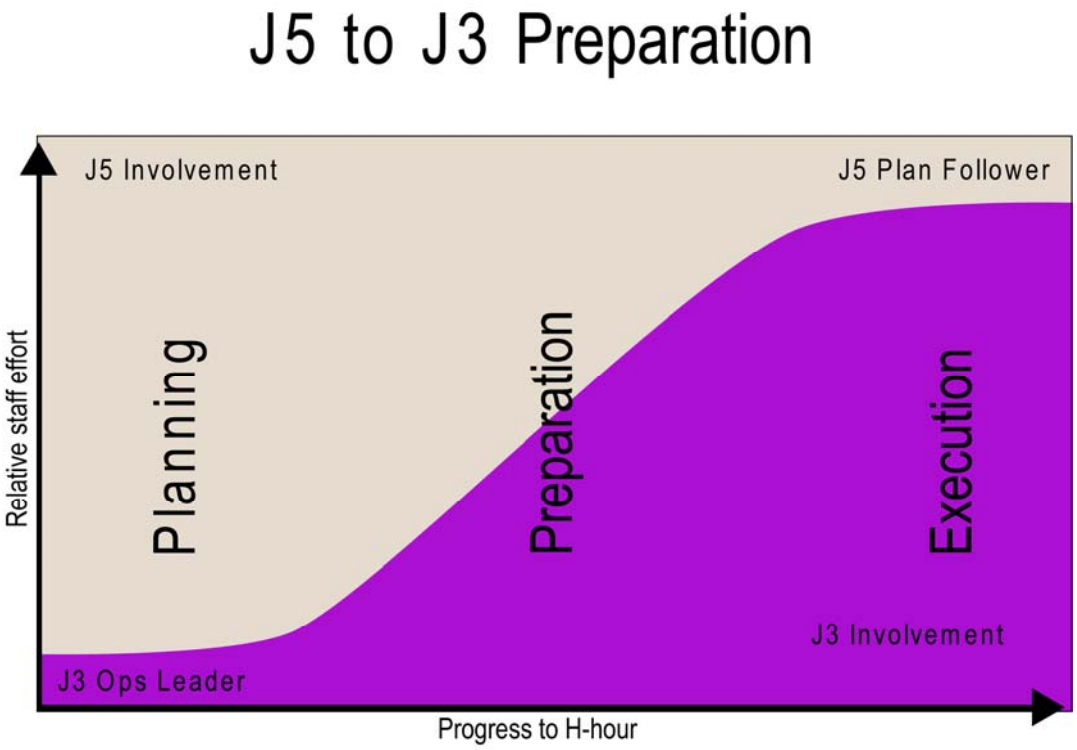


Figure 6–1: J5 to J3 preparation

6.5 Understanding by subordinate commanders and staffs. It is critical that subordinate commanders and staffs understand the commander's intent, mission, and concept of operations, as well as their own missions and purpose, and the missions of other commanders. This understanding is facilitated through personal visits, liaison officers, rehearsals and confirmation briefs by subordinate commanders.

6.6 Understanding of other agencies and organisations. On a 'need to know' basis consistent with OPSEC, it is also important that non-military agencies and organisations participating in a campaign understand the plan and their role in it. This assists in building unity of effort and is facilitated by personal visits and liaison officers.

Organising and integrating

6.7 The task organisation developed during planning is put into effect during preparation. This includes grouping and regrouping of formations, attachment and detachment of FE, establishing communications and providing for sustainment. Task organising should occur early during preparation to enable sufficient time for integration, particularly in the case of organisations that have not previously worked together.

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Information operations

6.8 Some information operations, including OPSEC and deception, will generally be initiated before execution. Effective OPSEC and deception go hand in hand. Deception can be highly complex, resource intensive and require long lead times, and consequently should be implemented well before campaign execution commences. Influence actions with a shaping purpose have similarly long lead times and also require early implementation.

Refer to Chapter 3—'ADF Warfighting Functions' under the command warfighting function, and ADDP 3.13—Information Operations for further guidance.

Preliminary operations

6.9 Preliminary operations may be necessary in preparation for campaign execution. These may include seizure of an important piece of terrain, destruction of a critical adversary capability, development of obstacles, breaching of obstacles such as minefields, non-combatant evacuation, enforcing exclusion zones, and electronic attack or computer network attack to disrupt command and control networks. Preliminary operations may also focus on securing important lines of communication infrastructure, and areas required for the sustainment, organisation and positioning of forces.

Force protection

6.10 Preparation generally involves protection related activities. These may include, for example, actions to counter adversary intelligence, surveillance and reconnaissance, improving camouflage and concealment, and hardening of command and control facilities and critical infrastructure. OPSEC is a key consideration. Force protection is detailed in chapter 3.

Force projection

6.11 A principal aspect of preparation is the movement and positioning of forces and resources. This may occur concurrently with task organisation. OPSEC is a key consideration as the movement of forces is a primary indicator of intentions, force composition and dispositions. Force projection is detailed in chapter 3.

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Force preparation

6.12 Ensuring force readiness to execute the campaign is generally a major aspect of preparation. This may involve introduction of new equipment; introduction of new or different tactics, techniques and procedures; training, particularly in relation to specific or complicated tasks; and new equipment, rehearsals and inspections.

Sustainment

6.13 During preparation means of sustainment are developed and optimised. This includes identifying and ensuring access to the infrastructure and resources currently available in the joint force area of operations (JFAO), developing bases and lines of communications, determining and establishing contract support requirements, identifying (and where necessary taking action to mitigate) endemic health and environmental factors, positioning and repositioning of sustainment assets, and forecasting and positioning stocks.

Infrastructure and terrain preparation

6.14 Infrastructure and terrain preparation may include the establishment and upgrade of infrastructure including ports, airfields, storage facilities, bridges and roads; improving defensive positions; building and strengthening obstacles; and breaching and crossing obstacles. Action should occur early to identify potential for improvements in the JFAO, establish priorities and commence work.

Refinement of the campaign plan

6.15 Refinement of the campaign plan occurs during preparation. This may be necessary due to improved situational understanding, validation (or not) of assumptions made during planning, political factors, adversary action, weather conditions, results of shaping, information operations and preliminary operations, breaches of OPSEC and emerging opportunities.

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PART 2

CAMPAIGNING

CHAPTER 7

CAMPAIGN MANAGEMENT—CAMPAIGN EXECUTION

Executive Summary

- Execution is the implementation of the campaign plan through the application of fighting power.
- Effective execution requires commanders who can make independent decisions and take risks consistent with a mission command philosophy.
- Comprehensive and accurate situational understanding (SU) must be maintained during execution.
- Monitoring of execution identifies variances. A variance is a difference between the actual and forecast situation. There are two types of variances: opportunities and threats.
- Decisions made during execution are either execution decisions or adaptation decisions.

Overview

7.1 Execution is the implementation of the campaign plan through the application of fighting power to accomplish the mission. Effective execution is complex and demanding, involving issuing orders, monitoring and assessing the plan through to completion, and continually synchronising and coordinating activities until receipt of a cease order.

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7.2 Execution requires flexibility, effective teamwork between headquarters, subordinate formations and force elements, and rapid information exchange among them. A situation may change rapidly. Events as executed may bear little resemblance to those envisioned in planning. When this occurs, aggressive subordinate commanders are required with the latitude to exploit opportunities and take risks consistent with the higher commander's intent.

Fundamentals of execution

7.3 The fundamentals of execution include:

- seizing and retaining the initiative,
- building and maintaining momentum, and
- exploiting success.

7.4 Seizing and retaining the initiative. Seizing the initiative requires anticipation of events and identification and exploitation of opportunities. Retaining the initiative requires constant effort to set the agenda, maintaining freedom of action while dictating the terms of action, forcing the adversary and others to conform to friendly purposes and tempo. Action is necessary to seize and retain the initiative, even if it means accepting calculated risks. Inaction due to hesitation and undue caution in the face of uncertainty surrenders the initiative and potentially wastes opportunities.

7.5 Building and maintaining momentum. Momentum comes from seizing the initiative and executing shaping and decisive engagements at a rapid and sustainable tempo. By building and maintaining momentum pressure on the adversary and others is sustained and opportunities are created. Anticipating transitions between operations and actions is important to maintaining momentum.

7.6 Exploiting success. Successful engagements and resulting opportunities must be fully and rapidly exploited, both physically and psychologically. Exploitation may involve transition to a sequel, acceleration of the phasing of the campaign or operation, or adoption of other lines of operations that enable objectives to be accomplished more quickly and easily. The depth and degree of exploitation is largely dependent on sustainment.

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Control

7.7 Control of execution consists of a series of implementing decisions and actions. Many of these are projected during planning. Others are dictated by the course of events.

7.8 Control includes:

- maintaining comprehensive SU;
- monitoring and assessing progress; and
- decision making and making adjustments.

Maintaining situational understanding

7.9 Comprehensive and accurate SU must be maintained during execution. A focus will be satisfaction and adjustment of the commander's critical information requirements. If this does not occur, the overall effort may become fragmented and ineffectual.

7.10 Intelligence requirements must be focused on specified targets, each with indicators clearly defined. The information collected and resulting intelligence is a basis for the assessment of whether objectives have been achieved.

7.11 Intelligence collection and assessment must be able to match the speed of the adversary's ability to react to our actions. As execution unfolds, the adversary is likely to eliminate vulnerabilities when it becomes evident they are being exploited. Similarly, the adversary is likely to adjust their actions to more effectively attack and exploit our vulnerabilities. Therefore our intelligence effort must be able to rapidly detect and assess such changes, and to enable effective decision making in response to unanticipated actions and events.

Monitoring

7.12 Monitoring of execution identifies variances. A variance is a difference between the actual and forecast situation. There are two types of variances: opportunities and threats.

7.13 Opportunities. Opportunities result from forecasted or unexpected success. Depending on the nature and scale of the

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variance, it may enable accomplishment of objectives more easily and be the basis for initiation of a branch or sequel.

7.14 Threats. Depending on their nature and scale, threats may affect accomplishment of objectives, and even survival of the force. Not all relate to the adversary—they include disease, toxic hazards and weather conditions. Threats generally require adjustments including possible initiation of branches and sequels. When the variance is so extreme that no branch or sequel is available, the campaign plan and subordinate plans must be substantially redeveloped.

Decision making and making adjustments

7.15 Development of the campaign plan generally identifies commander's decision points (CDP). These are points in time and space along a line of operation at which a commander must make a decision in order to influence the campaign. A CDP does not dictate what the decision should be, will always precede a branch or sequel and may sometimes occur before a new phase.

7.16 CDP are supported by CDP matrices which are refined during campaign preparation. CDP are therefore anticipated. However, unanticipated action by the adversary or others, and/or significantly changed conditions, may require an unanticipated decision. These decisions are just as critical to success.

7.17 Decisions made during execution are either execution decisions or adaptation decisions. Execution decisions involve options anticipated in the order and include CDP. They include, for example, changing a boundary, terminating tasks, altering the task organisation, transitioning between phases and executing a branch.

7.18 Adaptation decisions involve responses to variances. They may include adjusting tasking to respond to unanticipated adversary actions, exploiting opportunities and redirecting tasks not achieving objectives.

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PART 2

CAMPAIGNING

CHAPTER 8

CAMPAIGN MANAGEMENT—ASSESSMENT AND ADAPTATION

Executive Summary

- Assessment indicates when the campaign is not progressing as planned.
- Assessment enables learning and greater situational understanding (SU), providing the basis for successful adaptation.
- Assessment is a tool to support decision making, not an end in itself. Its benefits have to be weighed against the costs.
- Longer term aspects of assessment and adaptation include military education, training of forces already in the joint force area of operations (JFAO) and those being prepared, and technical and equipment-based solutions.
- The campaign plan includes a comprehensive and integrated assessment plan.
- Measures of performance (MOP) and measures of effectiveness (MOE) are either quantitative (observation based) or qualitative (opinion based). A balance between the two is necessary.
- When campaigns and operations, such as counterinsurgency, last a number of years, continuity of assessment measures is important to determine trends and measure progress.

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8.1 Successful campaigning is characterised by effective assessment and adaptation. Assessment is the monitoring and evaluation of the progress. Adaptation involves change, and is the means by which the initiative is retained over potentially extended periods against innovative adversaries in an ever changing operational environment (OE).

8.2 Assessment requires a comparison of forecasted outcomes to actual events, indicating successes, shortfalls and setbacks, as well as threats and opportunities. Assessment enables learning and greater SU, providing the basis for successful adaptation.

8.3 Assessment indicates when the campaign is not progressing as envisioned. In some cases minor adjustments may be necessary. In other cases it may be necessary to significantly revise understanding of the JFAO and rethink how to solve the problem. This may lead to major, even fundamental, changes in the campaign plan, operation plans and their execution.

8.4 Assessment and adaptation equally apply at the tactical level. Formations and force elements must be able to learn from experience and adapt their planning, tactics, techniques and procedures and, most importantly, their thinking to deal with evolving conditions, uncertainties and ambiguous and constantly changing threats in the JFAO.

8.5 Apart from an immediate operational response, assessment and adaptation have longer term aspects. These include: military education, doctrine, training of forces already in the JFAO and those being prepared, and technical and equipment-based solutions.

8.6 All staff branches participate in assessment, which is led by the J5 and involves:

- continuously assessing adversary reactions and vulnerabilities;
- continuously monitoring the situation and progress of the campaign towards end states and objectives;
- evaluating specific aspects of the campaign using formal performance measures; and
- recommending or directing improvements through adaptation.

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8.7 Assessment is a tool to support decision making, not an end in itself. Its benefits have to be weighed against the costs. It must not become a burden on staff, consuming time and resources that may be better employed in other activities.

8.8 For this reason, formal assessment of all aspects of a campaign is generally not viable. Formal assessment, using MOP and MOE should be focused only on critical aspects such as the outcome of a particular decisive or shaping operation, action or effect. Although this approach may limit understanding, on balance it is preferable to formally assess a few high priority aspects well rather than consuming staff resources and time in a potentially ineffective attempt to formally assess all aspects of a campaign.

Assessment planning

8.9 A comprehensive and integrated assessment plan should be developed, linking assessment activities and measures at all levels. Assessment of results at the tactical level assists in determining progress at the joint task force level and at Headquarters Joint Operations Command.

8.10 Generally, the level at which a specific operation, task or action is conducted should be the level at which it is assessed. This provides a focus for assessment and improves the efficiency of the overall process.

8.11 An assessment plan focused on the campaign end state and campaign objectives is one option. Based on assessment, lines of operation will be revised and adjusted and resources reallocated accordingly. Other options include plans focused on a particular line of operation, a specific operation objective, a geographic area or a particular critical action.

8.12 Assessment planning is based on:

- what needs to be assessed and in what detail,
- the balance between formal and informal assessment,
- how the assessment is to be used to support decision making,
- what specific information is needed, and

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- how that information is to be collected.

Assessment measures

8.13 Formal assessment measures are used to assess critical aspects of the conduct of the campaign, whilst aspects of lesser importance are generally assessed informally. Informal means include routine reporting, operational and intelligence summaries, running estimates, updates and observations by subordinate commanders and staff. They may also include after action and post operation reviews and reports.

8.14 Formal assessment measures include MOP and MOE which are used in combination. MOP determine whether tasks are being accomplished and carried out correctly. MOE focus on results and consequences to determine whether the most appropriate things are being done in order to accomplish a task, achieve an objective or create an intended effect.

8.15 Development and use of MOP is relatively straightforward. However, formulation of MOE, particularly those that enable identification and measurement of effects with a significant time lag, is far more difficult. The latter relies on an accurate understanding of the logic used to build the plan, the underlying assumptions, campaign approach and campaign concept.

8.16 MOE and MOP are either quantitative (observation based) or qualitative (opinion based). Effective assessment generally requires a balance between the two. A key aspect of any assessment is the degree to which it relies on human judgement and direct observation and mathematical rigour. Human judgement is critical to assessment and can provide insights and understanding not possible through quantitative means. However, it is subject to bias and may be based on invalid assumptions. Quantitative rigour offsets the inevitable bias.

8.17 Effective use of MOE requires establishing cause and effect. Generally, establishing causality between actions and their direct first order effects is relatively straightforward. An example is an air strike to destroy a bridge. In other cases, particularly regarding changes in human behaviour, attitudes and perception, establishing links between cause and effect is difficult. Although difficult, it is crucial to establish cause and effect if MOE are to have any validity.

8.18 As some types of campaigns and operations, most noticeably counterinsurgency, may last a number of years, continuity in the

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selection and use of assessment measures is important in order to determine trends and measure progress. In using MOE the aim must be to measure what is important. What is easy to measure may not be important and what is important may not be easy to measure.

8.19 Operations research and systems analysis. Operations research and systems analysis team, primarily drawn from Defence Science and Technology Organisation, can use a wide array of tools to significantly enhance campaign assessment.

PART 3

OPERATIONS

CHAPTER 9

CONDUCT OF MILITARY OPERATIONS

Executive Summary

- Operations are the building blocks of campaigns. In the ADF operations are usually conducted independently.
- The building blocks of an operation are tactical level military activities.
- For operations, commanders may define portions of the operational environment (OE) as joint force areas of operations (JFAO).
- Management of the OE is critical to avoidance of fratricide, preservation of capability and compromise of operations.
- Management of the OE is based on shared situational understanding (SU), which supports coordination and synchronisation of military action and is also critical to force protection.
- Networking with involved parties is a key command responsibility.
- Risk is inherent in operations. Risk management allows the full operational potential to be achieved through managing, rather than avoiding, risk.
- The three broad types of operation are shaping, decisive and transition. When these are part of a campaign, the campaign scheme of manoeuvre visualises how they relate to one another in time, space and purpose.
- Although deterrence is the main aim of shaping, major combat may be necessary to more favourably position an adversary.

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Introduction

9.1 Operations are conducted independently or as part of a campaign. An operation is a designated military activity using kinetic and non-kinetic means to achieve lethal and/or non-lethal effects to achieve directed outcomes in accordance with national legal obligations and constraints. The building blocks of an operation are military activities at the tactical level. Hence the focus of operations is lower than for campaigns, although the fundamental planning methodology is the same.

9.2 The three broad types of operation conducted by the ADF are shaping, decisive and transition. As seen in chapter 5—'Campaign Design—Campaign Planning', development of the campaign scheme of manoeuvre involves visualising how these operations relate to one another in time, space and purpose within the overall campaign.

9.3 Shaping operations attempt to create the conditions for mission success by deterring an adversary and/or creating an environment conducive to successful ADF operations. Decisive operations seek to defeat an adversary's will and/or means to conduct operations, and transition operations aim to conclude an operation in an orderly fashion when authorised to do so by the government. They may occur sequentially or concurrently.

9.4 Whole-of-government. As discussed in chapter 2—'The Operational Environment', campaigns and operations are invariably conducted as part of a whole-of-government approach. This approach facilitates clear and rational decision making during complex threats and situations.

SHAPING OPERATIONS

9.5 Shaping may be conducted at all levels and is the only broad operation that can be conducted independently of the other two. Although shaping usually precedes decisive and/or stability operations, major combat may be required to force the adversary into a more favourable position for later decisive operations.

Shaping objectives and tasks

9.6 Shaping at the military strategic and operational levels is initially aimed at deterring an adversary. Shaping tasks may be active or passive depending on strategic needs, such as collection operations, forming a coalition, forming a joint force, conditioning the

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force to the specifics of the operation, show of force, combined and/or coalition manoeuvre exercises, setting up logistics nodes and lines of communication, establishing forward operating bases, establishing communications and information systems architecture, and the conduct of special operations.

9.7 The major elements of a shaping operation include:

- deterring an adversary;
- gaining SU;
- deploying coalition forces or capabilities;
- gaining access to the JFAO when required;
- building domestic and international legitimacy, justification and support for the use of force; and
- supporting decisive and transition operations.

Deterrence

9.8 Deterrence is the convincing of a potential aggressor that the consequences of coercion or armed conflict would outweigh the potential gains. This requires the maintenance of a credible military capability and strategy with the clear political will to act.

9.9 Deterrence is the ultimate aim of shaping prior to operations. Avoidance of conflict on terms acceptable to the government is always preferable to conflict. Deterrence is facilitated by strategic communication, which includes information operations. Strategic communication is covered in chapter 2.

Refer to ADDP 3.13—Information Operations for further guidance.

Multinational framework

9.10 Australia has a network of international alliances and relationships which provide many potential coalition partners. Maintenance of this network is a shaping activity that contributes to strengthening potential coalitions and is a visible deterrent to potential adversaries. Building a multinational force is a national strategic and

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diplomatic activity conducted at the highest levels of government and the ADF.

9.11 Interoperability. Interoperability is the ability to operate in synergy in the execution of assigned tasks. Interoperability between contributing militaries is the key to cohesion within a multinational force. Shared doctrine, combined education and training (including military exercises), and other background activities contribute immeasurably to interoperability.

9.12 Once the composition of a coalition is agreed, it is formed by meetings of militaries at the operational and tactical levels. This includes establishing clear Status of Forces Agreements, command and control (C2) relationships, and exchanging liaison staffs and standard operating procedures.

Refer to ADDP 00.3—Multinational Operations for further guidance.

Supporting decisive and transition operations

9.13 When deterrence fails and conflict begins, shaping re-focuses on providing favourable conditions for follow-on decisive or transition operations. Key considerations are covered in the following paragraphs.

9.14 Isolating the adversary. Isolation of an adversary is essential once conflict begins to limit and contain potential escalation of the conflict. At the strategic level this could involve coordinating all elements of national power to deny the adversary support of allies and/or sanctuary. At the operational and tactical levels isolation could include lethal and non-lethal targeting of an adversary's critical force projection, C2 and sustainment capabilities, key decision makers and influential persons in the general populace.

9.15 Control of the operational environment. Establishing effective control of the OE is essential to gain superior freedom of manoeuvre. Once established, this superiority will deliver an environment favourable to success. A deliberate and concerted effort is required to maintain superiority.

9.16 Availability of forces. Early provision of strategic assets significantly boosts available operational capability and the range of options available for the conduct of operations. Strategic assets include strike aircraft, airborne early warning and control aircraft, air-to-air refuelling aircraft, submarines, special forces (SF), strategic lift,

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and deployable and sustainable manoeuvre forces. The early availability of deployable ADF capability is critical in developing an effective concept of operations.

9.17 Synchronisation. Synchronised employment of force elements (FE) in all domains against an adversary's critical factors (CF) is fundamental to successful shaping operations. Where large-scale manoeuvre is required, coordinated joint effort will be needed to support offensive action and protect the force from adversary land, maritime and air attack.

9.18 Deployment capability. The capability to deploy and sustain its forces is essential for effective shaping and follow-on decisive and/or stability operations. The deployment plan should focus on timely commitment of a sufficient force to enable the commander to conduct successful operations. Deployment planning includes:

- forming the coalition or joint force, including C2;
- rules of engagement (ROE);
- identification of JFAO;
- identification of points of entry;
- identification of force deployment areas;
- modes of transport and quantity required;
- sequenced deployment of combat elements;
- sequenced deployment of logistic elements; and
- sustainment policy and priorities.

DECISIVE OPERATIONS

9.19 Decisive operations aim to use force to defeat an adversary, thus contributing significantly to achieving the end state. The ADF must be well prepared to conduct decisive operations as these involve major combat and are potentially the most dangerous. They should not be entered into lightly, but only after rigorous assessment of the likely effect against human and materiel cost.

9.20 Decisive operations include:

- actions necessary to defeat an adversary, and
- achieving conditions that contribute to the end state.

Actions necessary to defeat an adversary

9.21 Decisive operations exploit opportunities provided by shaping to directly target an adversary's centre of gravity (COG) and CF. Defeating an adversary depends on the nature of the adversary and the situation. A defined, cohesive and regular adversary may be susceptible to conventional attack, whilst an ill-defined and irregular adversary may not. Irregular adversaries are generally not readily identifiable, requiring operations to focus on areas and populations from which they gain their support and freedom of manoeuvre.

9.22 Some adversaries may fight regardless of adverse circumstances, while others may surrender or withdraw. Regardless of the nature of the adversary, decisive operations must be conducted to achieve desired effects that contribute to, rather than detract from, the end state.

Achieving conditions that contribute to the end state

9.23 Decisive operations should aim to create conditions that contribute to the attainment of the end state. This may require them to support concurrent or sequential shaping and decisive operations. Conditions contributing to the end state are unique for each operation and are determined in the planning process.

9.24 In a conventional conflict examples may include achieving that level of control of the air required for a given time and place, securing sea lines of communication and destroying an adversary's long range missile capability. In counterinsurgency, examples may include denying support to insurgents from the local population, achieving border security and restoring law and order.

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TRANSITION OPERATIONS

The higher level of strategy [is] that of conducting war with a far-sighted regard to the state of the peace that will follow.

Sir Basil H. Liddell-Hart, English author and military strategist

***Strategy*, published 1968**

Concluding the operation

9.25 An operation may be concluded at any stage during military operations and may or may not involve an adversary. The commander may be a conduit for negotiations with other political and military leaders. The deployed force may be the only element capable of providing a measure of internal stability within the JFAO. For example, the force may be required to support restoration of communications and essential services, as well as providing a wide range of support for refugees, prisoners of war, governance and humanitarian relief, and assuming a peacekeeping role.

9.26 However, an operation can only be formally concluded by the initiating authority when it is satisfied the necessary conditions have been met. These conditions include defining success, flexibility, transition arrangements and redeployment/reconstitution.

9.27 Defining success. Ultimately, success at the national strategic level is defined as a favourable termination of military, political and diplomatic endeavours. The view of when favourable conditions for termination are reached may differ between the national strategic level and the deployed commander. However, it is the government and not the military that decides when the conditions are favourable for termination. Consequently success for an operation is defined in terms of achieving the national strategic end state as directed by government.

9.28 Flexibility. Given the potential for ambiguity over what defines success on operations, commanders must be flexible and ensure that their forces are prepared to adjust to changes in emphasis during the current operation and to transition to another operation or redeploy without prejudicing force protection (FP) and operations security (OPSEC). Clear understanding of changes in Australia's national

strategic situation and sound SU within the JFAO are required to guide the commander on progress towards the conclusion of operations.

9.29 Transition arrangements. The commander must consider the consequences of a premature termination and the need for forces to be able to transition to a new operation, whether shaping or decisive. Contingency planning is required to ensure a smooth transition.

Redeployment and reconstitution

9.30 Redeployment is movement to a subsequent operation or home base. Reconstitution involves returning FE to a specified level of capability and is an important aspect of sustainability. Reconstitution can occur in the JFAO prior to redeployment to another operation or at home locations.

9.31 Planning for and execution of the redeployment and reconstitution of the force must occur before the operation is formally concluded. Important factors to consider during redeployment and reconstitution include the maintenance of unit and formation integrity, the availability of strategic transport, and FP.

MANAGEMENT OF THE OPERATIONAL ENVIRONMENT

9.32 The OE is detailed in chapter 2. Management of the OE is critical to the avoidance of fratricide, compromise of operations, and preservation of capability. Clear directions, priorities and goodwill are required to reduce inevitable friction as the tempo of operations increases. The commander's role in setting priorities and minimising limitations and constraints to a sensible level is critical in maximising freedom of action.

9.33 Decision superiority. Decision superiority exists when a commander's decision cycle is quicker than that of the adversary. It is critical for successful operations. Information management is fundamental to decision superiority as it provides efficient and effective management of information and the intelligence that can be derived from it. Refer to chapter 3—'ADF Warfighting Functions' for further guidance.

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9.34 Management of the OE is necessary at all levels of command. The campaign plan is necessarily broad, being concerned with issues such as host nation access and support, basing, over-flight and access to territorial waters. Within a JFAO, the operation plan has a more detailed and tactical focus, being based on well-established procedures. Commander Joint Task Force (CJTF) generally devolves detailed management to the most appropriate coordinating authorities, usually the commanders responsible for specific areas, who have the means to effect control.

9.35 Management of the OE aims to achieve:

- shared SU on the location of friendly, adversary and neutral elements at all times; and
- a fail-safe method of coordinating and synchronising joint fire support.

Shared situational understanding

9.36 Shared SU promotes management of the OE, supports coordination and synchronisation of military action and is a critical component of FP. Shared SU includes:

- information on the physical environment (geography, meteorology, oceanography and hydrography);
- the status, posture and sustainability of own forces;
- the status and possible intentions of adversaries;
- locations and actions of other groups of interest within the JFAO; and
- understanding possible consequences of actions by own, adversary and neutral elements.

9.37 Management of maritime and air assets is relatively straightforward compared to land. Consequently, dynamic maritime and air information, at good resolution, of own and adversary forces tends to be more readily available at the operational and tactical levels. Maritime and air information is exchanged automatically through tactical data links and presented as either near real time

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pictures on command systems or non real time pictures on command support systems.

9.38 The land environment is more complex and diffuse. Land SU is generally achieved by aggregation of information and knowledge provided through a series of headquarters (HQ).

9.39 Common operating picture. A common operating picture (COP) is a synthesised pictorial representation of information from other common tactical pictures, such as the recognised maritime and air picture, and includes Blue Force Tracker. COP data has been assessed and validated, and a typical COP shows, against a known geospatial and temporal reference:

- current locations and operational effectiveness of forces;
- operational areas and boundaries; and
- assessed or actual locations of adversaries and other actors.

Coordination measures

9.40 Coordination measures to assist in management of the OE include the following:

- **Fire support coordination measures.** Fire support coordination measures are employed by surface force commanders to enable rapid engagement of targets while providing safeguards for friendly forces. They are employed according to the operational situation and are coordinated with superior, subordinate, supporting and affected commanders.
- **Airspace control.** Within a JFAO, CJTF will appoint an airspace control authority, usually the air component commander. The main means of managing and de-conflicting airspace is by the airspace control plan, which is effectively a JFAO airspace management support plan.
- **Waterspace management.** Waterspace management is crucial in support of friendly submarine operations to avoid fratricide. Within a JFAO the CJTF is required to liaise closely with the appropriate submarine operating authority (RAN). When tactical control is granted, CJTF becomes the submarine operating control authority who manages submarine usage via

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the Submarine Element Coordinator.

Refer to ADDP 3.1—Joint Fire Support and ADDP 3.3—Joint Airspace Control for further guidance.

Combat identification and tracking

9.41 A vital part of management of the OE is combat identification and tracking. Combat identification and tracking aims to provide commanders with rapid, secure and positive identification and location of all friendly platforms and combatants. All FE in a JFAO require combat identification to minimise fratricide.

9.42 Combat identification is especially important for SF and other deep manoeuvre assets operating behind adversary lines. Combat identification also supports targeting.

Interfaces and relationships

9.43 Developing and maintaining relationships with all involved parties is a key command responsibility. Additional considerations may include media interest and associated political pressures, allied with responsibility for the security of non-military parties.

9.44 Inter component interface. Although FE, with their unique characteristics, are familiar with the management of their own operations, difficulties may arise when interacting with other FE. A CJTF needs to be aware of all FE activities to ensure they are synchronised and de-conflicted. Liaison officers can play a critical role in this regard.

9.45 Whole-of-government. A whole-of-government approach builds open and trusting relationships with other government departments and agencies and improves shared SU. However, while clearly beneficial, it adds complexity to the OE. The whole-of-government approach is detailed in chapter 2.

9.46 Civil-military interface. As explained in chapter 2, operations are conducted as part of an integrated approach involving many military and non-military actors. Management of the OE must be similarly integrated.

9.47 Multinational interface. Successful multinational operations (MNO) are built on trust and understanding. Professional warfighting

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skill fosters trust through shared SU and a clear understanding of force capabilities and tasks. MNO are discussed in chapter 2.

Risk management

9.48 Risk is inherent in operations and risk management is integral to management of the OE. Staff at all levels of command should be clear on the degree of risk the commander is prepared to accept. Rather than limiting activities through restrictive safety concerns, risk management allows the full operational potential to be achieved through managing, rather than avoiding, risk.

Planning

9.49 Likely JFAO requirements should be considered early in operational planning. For example, it may be necessary to simultaneously conduct major combat, insurgency and humanitarian activities in adjacent or contiguous JFAO. For offensive and defensive activities the priority may be providing freedom of manoeuvre for fighting and supporting elements. In stability activities the ability to insert and manoeuvre lightly equipped land forces for counterinsurgency may have to be balanced against a requirement for non-government organisation support to humanitarian activities.

9.50 Adversary targeting of friendly CF may adversely affect management of the OE. This requires flexible management plans and procedures which can be adapted to rapidly changing situations.

Electromagnetic spectrum management

9.51 Military and commercial reliance on the electromagnetic spectrum (EMS) has increased considerably in recent years and continues to grow. Dominance of the EMS is essential for effective JFAO management and is likely to be a prerequisite for successful operations.

Incident management

9.52 Serious incidents invariably occur on operations. CJTF must ensure an incident management process is in place. Incident management involves understanding, containing and reacting to the consequences of the incident within the OE.

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9.53 Some incidents such as collateral damage, civilian casualties, loss of an aircraft, mass casualties and fratricide should have standing plans, while others are managed as the incident develops. This may involve a range of activities which could include requirements for force movement and deployments, casualty evacuation, investigations and other associated activities. A critical part of incident management is reporting and managing the flow and content of information concerned with the incident.

9.54 Significant incident reporting. Significant incidents are normally reported via the chain of command, but increasingly the media dictates the speed with which information reaches the public arena. All incidents generate a demand for information, possibly up to ministerial level and often at short notice, and may require a subsequent media briefing. Headquarters Joint Task Force (HQJTF) monitors the incident and keeps components and higher HQ informed.

9.55 Right of reply. Public reporting of an incident may require right of reply by Defence to correct factual inaccuracies in media reporting or to refute allegations. This will be carried out by authorised Defence spokespersons at the strategic and/or HQJTF level, in accordance with Defence policy.

Battle rhythm

9.56 Battle rhythm is a routine cycle of meetings, briefings, reports and returns, involving HQ staff at all levels from the tactical to the strategic. Generally these HQs channel information upwards to satisfy demands at the national strategic level. While battle rhythm promotes shared SU and informs the chain of command, it is not an end in itself. A sustainable battle rhythm should include a staff surge capacity to assist the commander to meet the demands of increased operating tempo (OPTEMPO). The elements of battle rhythm are detailed below.

9.57 Time zones. Widely varying time zones can stress biological rhythms (and hence the battle rhythm) for MN forces, particularly as the lead nation/higher HQ will normally take precedence. At best, temporal dislocation may be a minor inconvenience; at worst it could result in significant casualties due to lack of essential support. Routine use of a common time zone (usually Zulu) minimises temporal errors.

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9.58 National imperatives and considerations. Military activity is conducted under political authority and information flow up the chain of command to the strategic level must be accurate and timely. This is particularly important to inform the government of incidents ahead of media reporting, even before the military chain of command may have formally gathered all relevant facts. Battle rhythm planning must include the need for immediate reporting of incidents, formal routine reporting and short notice requests requiring immediate attention up the chain of command. Reports and return requirements will be dictated by the commander and promulgated in appropriate orders and instructions.

9.59 Media. The media is a critical part of strategic communication. Media deadlines, particularly those for key morning and evening broadcasts, should be considered.

Refer to the Defence Public Affairs Handbook for further guidance on media integration into military activities.

9.60 Briefings. MN forces often require multiple reporting chains, such as an Australian national command element, which may need to be de-conflicted. Reporting priorities should be driven by operational expedience and the requirement for appropriate SU at the top of each chain. MNO require significantly more briefings and can consume a disproportionate amount of a commander's time. Briefings to international authorities or organisations such as the United Nations, and/or coalition partners, are likely to be delegated.

9.61 Synchronised shift changes. Synchronised shift changes are required within and across all HQ staffs in the JTF, to ensure maintenance of shared SU.

9.62 Human factors. The demands placed on individuals during intense and prolonged 24/7 operations cannot be underestimated. Rest and, where possible, recuperation time must be included in staff routines. Personnel required to work long hours for extended periods will lose their sharpness and objectivity, resulting in a tired HQ staff less capable of responding to the unexpected. However, there needs to be a careful balance between providing rest and maintaining SU. Commanders are responsible for ensuring the wellbeing and morale of their subordinates.

9.63 Synchronisation of component battle rhythms. OPTEMPO is likely to vary between components. For example, the air component battle rhythm is dictated by the air tasking order cycle

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which is typically 72 to 96 hours. Other components have different cyclical requirements and action times, and the extent to which the HQJTF chief of staff can coordinate and synchronise them contributes greatly to force synergy.

PART 3

OPERATIONS

CHAPTER 10

ORGANISING FOR OPERATIONS

Executive Summary

- The ADF conducts operations through specifically organised joint forces known as joint task forces (JTF) formed from single Service force elements (FE).
- Forming JTFs is the responsibility of the operational level of command. Consistent with military strategic guidance, the Chief of Joint Operations (CJOPS) decides what joint forces are necessary.
- A JTF may range from a minor contribution of FE, to a major JTF as part of a wider campaign or as a national contribution to a multinational operation (MNO).
- Each JTF has its own commander and headquarters (HQ). The two methods for structuring a JTF are integrated and component.
- The use of the common joint staff system aids in managing the complexity of joint operations.
- A fully networked operational environment (OE) is crucial. For MNO the emphasis is on intelligence and information sharing.
- JTF should initiate multi-agency networking as early as possible.

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Introduction

10.1 The ADF conducts operations through specifically organised joint forces. These joint forces normally comprise a JTF formed from operationally ready single Service FE to meet specific situations. This chapter describes how JTFs are formed and structured, together with the organisation and staffing of their HQ.

10.2 Forming JTFs is the responsibility of the operational level of command. As discussed in chapter 1—'Synopsis', the Chief of the Defence Force (CDF), in response to national strategic guidance, issues a planning directive to CJOPS. Headquarters Joint Operations Command (HQJOC) then develops a concept of operations (CONOPS) which is presented to CDF for approval. The CONOPS includes the number, type and composition of JTFs as deemed necessary by CJOPS.

10.3 Although experience in forming JTFs is useful, there is no template solution—each JTF is sized and scaled for a specific situation and mission. In some situations planning may have to occur with ambiguous or evolving strategic guidance. This may constrain the military options, or the strategic circumstances might demand a rapid demonstration of intent or intervention that compresses military planning timelines. Even when time is available, resource and financial constraints, rather than military logic alone, may shape the force structure.

10.4 JTFs can loosely be classified as major or minor based on size and composition. A force is usually classified as major if it comprises about 1000 personnel or greater, although this is not a rigid distinction. Other factors include national strategic guidance, military objectives, resource requirements, command and control (C2) arrangements, including the level of command of the major FE, and the level of expected hostilities.

10.5 A JTF may therefore range from a minor contribution of FE, to a major JTF with forces assigned as part of a wider campaign or as a national contribution to an MNO. The JTF may also be supported by sustainment and rotation forces.

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The international community looks to Australia to play a leading role in the South Pacific. Our leadership of the regional assistance mission to the Solomon Islands reflects both a national interest and an international expectation.

Australian Prime Minister John Howard, 2003

FORMING A JOINT TASK FORCE

Assigning assets

10.6 When forming a JTF, military strategic planning staff should refrain from describing the force by numbers to the government. Rather, they should focus on tasks and effects. The size of the force should be decided at the operational and tactical level.

10.7 Prior to forming a JTF, HQJOC planning staff must liaise with the single Services early to identify available capabilities appropriate to the task. These capabilities should not be based on numbers, but on the ability to achieve desired effects. HQJOC staff should also refrain from breaking up unit structures to meet campaign design parameters, as units are designed to deploy and fight together.

10.8 On receipt of a CDF Order the Service Chiefs assign agreed FE, as defined by the CONOPS, to CJOPS for a specified time under theatre command (TCOMD). TCOMD is the authority given by CDF to CJOPS over assigned forces to prepare for and conduct campaigns, operations and other activities. TCOMD includes authority to re-assign forces to achieve campaign and operational objectives and to attain the military strategic end state.

Refer to ADDP 00.1—Command and Control for further guidance on states of command.

Whole-of-government

10.9 As described in chapter 2—'The Operational Environment', a whole-of-government approach seeks to provide an atmosphere of inclusiveness, trust and clarity among senior government personnel. Assets from other government departments (OGDs) may be required to contribute to a JTF, or even take the lead.

10.10 When OGDs are involved commanders should take into account differences between OGD levels of individual and collective training appropriate to the operation. C2 and liaison arrangements

between OGDs and the JTF influence interoperability and operational effectiveness.

Joint teamwork

10.11 Joint teamwork requires a foundation of shared understanding of the role of each functional component, together with mutual confidence developed by operating and training in a joint environment. At the operational level HQJOC provides this foundation through a permanent joint staff and routine interaction with the single Services. At the tactical level a foundation is built through regular exposure by tactical elements to the joint environment in joint exercises and training, which is the responsibility of HQJOC.

Force preparation

10.12 Maintaining a large number of capabilities at a high level of preparedness to meet a wide range of potential contingencies is not a practical or effective use of resources. Accordingly, capability is managed by Defence to ensure maximum availability within a defined risk profile in the most cost effective way. Operational preparedness requirements are directed by CDF and specified by CJOPS.

10.13 Key factors affecting preparation of a force for the conduct of joint operations are as follows:

- **Strategic warning.** Strategic warning defines the period between the indication of the possible application of capability and when Defence must take action to address a situation.

- **Readiness notice.** Readiness notice is the specified period for an FE to be prepared for deployment on a prescribed task, activity or operation.

- **Warning order.** The warning order provides authorisation for an FE to complete essential work-up activities to enable deployment within readiness notice. Such activities may include recall of personnel, drawing of stores, logistic uplift, mobilisation of reserve force personnel and operation-specific training.

- **Notice to move.** Notice to move is the period from when a capability receives direction (notice) to move to conduct a specified operation/task to the point where it is required to

move to conduct that operation/task.

- **Operational viability period.** The operational viability period is the period immediately following work-up during which an FE can maintain its readiness.

Joint task force commander

10.14 A JTF commander (CJTF) is appointed for the nominated national or MNO. Ideally, a CJTF will have held joint and/or multinational (MN) posts and have appropriate experience.

10.15 HQJTF staff should appreciate the relationship between the tactical and operational levels, particularly in MNO. Commanders must appreciate that their personality, leadership, command style and general behaviour will directly affect staff morale, sense of direction and performance. CJTF should:

- state expectations for staff work and commitment, encouraging staff at any level to state facts and propose practical solutions;

- encourage staff to think independently and laterally and to use their initiative, ensuring that staff appreciate they may also service subordinate HQs;

- create a climate of mutual loyalty and respect, which accepts critical examination from within, rather than one which is sycophantic and unquestioning; and

- foster a sense of involvement in decision making and shared commitment, empowering when appropriate, and paying particular attention to delegated authority and responsibility of key staff.

Refer to ADDP 00.6—Leadership for further guidance.

Supported and supporting commanders

10.16 In complex operations, prioritisation and coordination of multi-role FE across a variety of tasks is essential to maximise combat power to achieve joint effects. A useful way for CJTF to do this is by assigning subordinate supported or supporting commanders and designating the main effort in each phase of an operation, as follows:

- **Supported commanders.** Supported commanders have primary responsibility for all aspects of an assigned task and are allocated resource priority. Supported commanders must indicate to supporting commanders their specific mission requirements and associated coordinating instructions.

- **Supporting commanders.** Supporting commanders provide forces, equipment, logistics or other support to a supported commander as required. They must advise the supported commander on the availability and most appropriate employment of their assets. Supporting commanders are responsible for completing the mission/tasks allocated to them by the supported commander.

10.17 Assignment of supported and supporting commanders is dynamic and changes with the situation. In a complex operation with multiple lines of operation (LOO), a supported commander on one LOO may simultaneously be a supporting commander to another commander on a concurrent LOO. For example, the air component commander may be designated the supported commander for air defence, and the supporting commander for intelligence collection. However, regardless of supported and supporting arrangements, the main effort remains paramount.

Headquarters joint task force

10.18 The HQJTF assists the commander with C2, synchronisation of allocated forces, and keeps higher HQ informed of JTF activity. Staff effort is focused on:

- integration,

- planning,

- monitoring and coordination, and

- decision making.

10.19 A JTF requires an effective HQ staff structure to successfully conduct operations. Technological advances can contribute to the evolution of more effective staff processes. Equally, introduction of technology for its own sake may inhibit staff processes.

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10.20 The HQJTF can be established around an existing formed HQ, or specifically constructed to meet the requirements of an operation. Use of a formed HQ has the distinct advantage of established routines and processes, and established relationships between key staff and the commander. Suitably augmented formed HQ are best for short warning deployments.

10.21 The structure of a HQJTF is detailed in annex A.

Joint staff structure

10.22 The ADF employs two methods for structuring a JTF: integrated and component. Their features are as follows:

- **Integrated.** Staff expertise from the three Services, OGDs, and liaison officers (LOs) as required, is fully integrated within functional branches of the HQJTF to form a single joint staff. Headquarters Northern Command is an example of this method.

- **Component.** In the component method there is a smaller integrated HQJTF and separate subordinate component commanders and HQs as required. These couldn include environmental components (maritime, land, air) and/or functional components (such as special operations, logistics or force protection (FP)). The component staff system allows the CJTF to delegate the planning and conduct of operations as required. Component HQ may be collocated with the HQJTF or be located separately depending on the tactical requirements.

10.23 An integrated JTF is usually easier to manage. Examples include Operation BELISI on Bougainville, and Operation AUSINDO-JAYA in West Irian. The component method is appropriate where the size and complexity of the JTF and the operation would be difficult to manage efficiently by an integrated staff.

10.24 Multinational operations. In MNO, the JTF will be designated a combined or a coalition JTF. MNO present significant challenges owing to national and cultural differences. A commander needs effective command and intelligence systems that can securely manage and share appropriate information between MN partners.

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GENERIC JOINT TASK FORCE

10.25 Australia's international responsibilities may require unilateral military action under a stand-alone Australian JTF. The ADF could also contribute to a multi-agency task force led by an OGD. In more complex situations, particularly in our immediate region, Australia may be the lead nation (LN) in a multinational force (MNF). However, in most other MNO Australia will be a contributing nation to an MNF led by another nation.

10.26 National strategic objectives will guide the size and shape of Australia's contribution to a mission. When selecting a JTF model, planners must first determine whether the mission will be ADF-led or contribute to a larger MNF.

10.27 The composition of an ADF-led JTF depends on whether it is:

- part of an MNO;
- leading an MNO;
- a discrete ADF JTF within an MN activity, such as a non-combatant evacuation operation;
- in an operation lead by an OGD; or
- an ADF unilateral operation.

INTEGRATING THE FORCE

10.28 The command structures used by the ADF to integrate JTFs for operations are often more complex than those permanently established to support the enduring task of raising, training and sustaining forces. Due to the transitory nature of these command structures a common method is applied using task organisation structures.

10.29 The task organisation structure divides a JTF into subordinate task groups, task units and task elements. Each entity is numbered, building on the immediate superior organisation's assigned number. The numbering will usually be sequential. Task organisation is used

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by the United States, the United Kingdom and the North Atlantic Treaty Organization. Task organisation is detailed in annex B.

Component contributions

10.30 JTF components have different but complementary capabilities that contribute to overall combat power.

For further guidance on component capabilities, refer to:

ADDP 3.12—Special Operations;

ADDP 4.0—Logistics;

RAN Doctrine 1—Australian Maritime Doctrine, and RAN Doctrine 2—The Navy Contribution to Australian Maritime Operations;

Land Warfare Doctrine (LWD) 1—The Fundamentals of Land Warfare; and

AAP 1002—The Operational Air Doctrine Manual.

Location of a headquarters joint task force

10.31 A HQJTF needs to be located where the commander can best exercise C2 and influence events. This will normally be in the joint force area of operations (JFAO). For MNO, other national commanders should be collocated with CJTF. Factors influencing HQ location include:

- nature of the operation;
- need to influence regional political leadership;
- effective communications to support C2;
- FP needs;
- need for routine contact with other agencies operating in the JFAO; and
- local infrastructure and facilities.

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10.32 A HQJTF may be afloat when the operation is essentially maritime or amphibious, or when infrastructure ashore is unsuitable. A HQJTF may also be established afloat as a preliminary measure in advance of other elements of the JTF arriving and establishing a secure environment ashore.

Location of joint task force component commanders

10.33 The location of component commanders will be driven by the nature of operations and the need for access to CJTF. Although communications and information systems such as video teleconference facilities can reduce the disadvantage of separation, they can never fully replace the value of personal contact between commanders. The decision to collocate is not clear cut and depends on the situation. Component commanders should not be tactical commanders upon whom additional responsibility has been placed. For example:

- The air component commander normally locates with the air and space operations centre at HQJOC, and is represented at HQJTF by the air component coordination element.

- The land component commander should be in the JTF land component HQ to influence the employment of forces.

Component coordination

10.34 Headquarters joint task force liaison. Each component commander should be represented at key JTF planning, orders and coordination groups by staff with the authority to make decisions. The need for this representation is reduced if component commanders are collocated with the HQJTF.

10.35 Intercomponent liaison. Lateral liaison between components is as vital as liaison with HQJTF. This ensures that critical information is rapidly assessed and disseminated between supported and supporting commanders. LOs are essential as technology can never fully bridge the gap. However, the requirement for LOs must be carefully managed as it can tie up a disproportionate number of personnel.

Interagency coordination

10.36 Increasingly, military operations must be coordinated and synchronised with the activities of other agencies. Inclusive and

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cooperative planning at the commencement of operations ensures effective coordination between agencies. This is especially pertinent for humanitarian and peace support operations.

10.37 There may be a requirement to develop interagency doctrine and procedures. JTF staff are involved in establishing close relationships with other agencies and coordinating activities and resources. The *Guide to Defence and Australian Federal Police (International Deployment Group) Interoperability for Offshore Operations* is an example of interagency doctrine.

Lessons learned—interpersonal networks: *Liaison officers placed in US headquarters contributed significantly to the success of the planning process. Many had trained or served on exchange postings in the US. Their effectiveness demonstrated the importance of personal relationships for developing and maintaining the levels of trust and interoperability necessary for effective coalition operations.*

The war in Iraq: ADF operations in the Middle East in 2003

Department of Defence publication, 2004

Australian national command element

10.38 An Australian national command element (AUSNCE) is formed when the government has directed that an Australian national presence be maintained as part of MN or United Nations (UN) operations. The two situations where an AUSNCE is formed are:

- FE contribution to an MNF where Australia is not the LN; and
- FE contribution to a UN-coordinated operation, which will have UN-specific requirements.

10.39 The AUSNCE is the HQ for the Commander Australian Contingent (COMAUSC) in the exercising of national command (NATCOMD) of deployed Australian forces in the JFAO. NATCOMD is a standing command authority conferred upon COMAUSC to safeguard Australian interests in operations that are not led by Australia. NATCOMD does not in itself include operational authority. It must be separately specified if a commander is to exercise both NATCOMD and operational authority. NATCOMD provides for the oversight of assigned national forces and includes:

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- liaising with the MNF commander and Australian chain of command over changes to operational authority; or

- employing ADF FE outside the operational authority specified by CDF/CJOPS, but in accordance with the commander's intent; and

- maintaining access to ADF FE on national matters involving the employment, administration and conditions of service.

10.40 When participating in a non ADF-led operation, COMAUSC is usually collocated with the MN HQ. COMAUSC does not share the same command responsibility or authority as the coalition force commander. Nevertheless, COMAUSC must have the same level of understanding as the coalition force commander to provide effective advice and be able to make rapid and authoritative binding decisions on behalf of Australia.

10.41 COMAUSC may also be assigned forces under operational, administrative and/or support arrangements in support of national interests or activities.

Annexes:
A. Headquarters Joint Task Force organisation and staffing
B. Indicative template for a generic Australian-led national or multinational joint task force

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HEADQUARTERS JOINT TASK FORCE ORGANISATION AND STAFFING

Introduction

1. Successful employment of a joint task force (JTF) depends on effective staff structures, with clear divisions of responsibilities, in all headquarters (HQ). Although advances in technology have contributed to the evolution of staff processes, experience and familiarity remain critical.

Headquarters staff functions

2. All activity across a JTF, including a multinational operation (MNO), is undertaken on behalf of commander joint task force (CJTF). The four primary staff functions are as follows:

a. **Integration.** The staff, through the chief of staff (COS), actively promotes integration. Permanently assigned HQ staff have particular responsibility for instilling unity of effort in MN and augmentation staff.

b. **Planning.** Although primarily a J5 responsibility, all staff have a planning responsibility, either by directly assisting formation and development of the operation plan, or by conducting specialist planning within their discrete areas of responsibility.

c. **Monitoring and control.** While keeping higher and parallel HQ informed of events, the staff monitors implementation of orders and provides feedback to CJTF for timely decision making and planning. They then produce and disseminate necessary control measures, normally in the form of orders and instructions for execution of the operation.

d. **Decision making.** CJTF is not normally the sole decision maker in the HQ. Delegation of authority enables CJTF to concentrate on operational level decisions and be shielded from routine business. Staff must therefore have clear guidance about what decisions have been delegated, and to whom.

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Common joint staff system

3. The common joint staff system, adapted from the North Atlantic Treaty Organization joint (J) staff system, supports the commander. Personnel drawn from the single Services are grouped together into functional branches. Advantages of this system are:

a. common functional staff structures at all levels of command;

b. clear divisions of staff responsibilities along functional lines;

c. simplified correspondence distribution;

d. flexibility in inter-HQ command and control; and

e. compatibility with allies.

4. The size and shape of branches is dictated by the operation. Branches could be enlarged, amalgamated or even left dormant. Larger branches may be subdivided into specialist branches or cells. In large HQJTF, such as those operated by the US, each staff function is referred to as a division and is usually headed by an assistant COS with subordinate branch chiefs.

Refer to ADDP 00.1—Command and Control for further detail on designations and duties within the common joint staff system.

Chief of staff

5. The principal HQ staff officer is the COS. The COS is an experienced commander and staff officer who coordinates the work of staff branches and agencies through clear direction and setting of priorities, ensuring a smooth battle rhythm. In a multinational HQJTF, this allows CJTF to focus on MN responsibilities.

6. The COS generates vital *esprit de corps* by ensuring the HQ is a close knit and effective team and not a large impersonal dislocated organisation. The necessary trust and understanding can only be achieved by individuals with wide experience and proven competence. Interaction by COS with CJTF, and empathy with staff and component HQ, is fundamental to successful integration and coordination across the force.

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Categories of staff officer

7. Joint staff officers. Joint staff officers form the core of the HQ and generally occupy the key positions. Their understanding and involvement is above the tactical level, yet they must still appreciate the implications of developments at that level. By definition these officers should be joint trained, be experienced at working in an operational level HQ and preferably also have had MN experience.

8. Personal staff. A small number of personal staff usually work exclusively for a CJTF. They include the military assistant, the *aide-de-camp*, legal, and public affairs personnel. The requirement for close protection and interpreter support to a CJTF is situation specific.

9. Multinational staff officers. MN staff officers, sometimes termed 'embedded staff', have national and/or professional expertise within functional areas and are fully integrated into the HQ. They should be able to play a full role in planning, integrating, coordinating and decision making within the HQ—they are not liaison officers (LOs).

10. Liaison officers. The contribution made by suitably empowered LOs from contributing nations and components significantly enhances integration and coordination across the JTF. Interpreters may be necessary for LOs to function effectively.

11. Component staff. Component staff provide specialist advice within and facilitate liaison and coordination between HQJTF and their respective component. They also provide a surge capacity during periods of high tempo.

Staff augmentation

12. The requirement for specialist and/or expanded branches, as well as 24 hour manning, is largely fulfilled through augmentation. However, the operational imperative must be carefully balanced with the requirement to maintain important non-operational routine activities which cannot simply be switched on and off. There are two broad categories of staff augmentees:

a. primary augmentees, who are normally specialists at high readiness, individually identified and pre-nominated to fill specific posts; and

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b. secondary augmenters, usually general staff officers with less prescriptive job specifications and lower readiness.

13. Availability and specific qualifications or recommendations often dictate who is selected. Augmenters need to be integrated as soon as the requirement is identified, ideally having been trained well in advance. If possible, it is highly desirable to select individuals who have recently served within the nominated HQ.

Headquarters joint task force infrastructure

14. Life support. The physical HQJTF infrastructure needs to provide a secure and stable environment from which a commander can exercise command and the occupants can work in safety and a degree of comfort. A deployed operational level HQ has the same life support requirements as any other HQ. The staff must have somewhere to work, eat, and sleep, and preferably it should be modular for better adaptability. The fixed nature of strategic and operational communications infrastructure means it will probably not be mobile in the sense of having to move rapidly, but options should be planned for its relocation if necessary (for example the transition from a ship to shore based HQJTF). A dedicated force will probably be required for protection and security.

15. Communication and information systems. Communication and information systems **(**CIS) offer the principal means of passing information between HQ. Commonality of both systems and applications greatly aids tempo, increasing the rapid promulgation of decisions and the sharing of information. In the ADF a range of information sharing tools are used but the only authorised method of passing orders to deployed forces is via the Defence messaging system.

16. A principal objective for CIS in support of a CJTF is to achieve a degree of virtual collocation. Video teleconferencing (VTC) forms a vital role in working towards virtual collocation by linking geographically remote HQ, commanders and staff. Prior to VTC staff should establish a set of procedures, including timing to best suit the battle rhythm of all participants, together with an agreed agenda.

17. CIS limitations and challenges include the following:

a. Contingency plans for equipment failure or compromise. Despite its usefulness, CIS must not be

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relied upon so heavily that it becomes a critical vulnerability.

b. Bandwidth limitations of bearer systems constrain passage of large amounts of data.

c. Volume and accessibility of information provided by CIS can lead to ever-greater demands from higher HQ, potentially compromising the principle of unity of command.

d. An information management plan is required to reduce information overload of staff.

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INDICATIVE TEMPLATE FOR A GENERIC AUSTRALIAN-LED NATIONAL OR MULTINATIONAL JOINT TASK FORCE

Task organisation

1. Task organisation is used by the ADF to define the structure and command chains of assigned forces. Task organisation is used by the United States, the United Kingdom and the North Atlantic Treaty Organization.

2. One or more joint task forces[1] (JTF) will be established as the situation dictates, with each JTF being allocated a discrete number. The ADF has been allocated task organisation numbers 627 to 646 inclusive, which are managed and allocated by Headquarters Joint Operations Command (HQJOC). Each JTF is then divided and subdivided into subordinate entities. These entities are called, in order from highest to lowest, task groups (TG), task units (TU) and task elements (TE). Each entity is numbered, building on the immediate superior entity's assigned number. The numbering should be logical and sequential.

3. The numbering structure for a JTF is as follows:

a. JTF number example: JTF xxx (ie JTF630);

b. TG number example:TG xxx.x (ie TG 630.1);

c. TU number example:TU xxx.x.x (ie TU 630.1.2); and

d. TE number example:TE xxx.x.x.x (ie TE 630.1.2.3).

4. Command within a task organisation follows the numbering structure. Each entity has its own commander with their position in the chain of command corresponding to the organisational hierarchy. A commander's command position is designated by the element, unit, group or force they command, eg Commander JTF 630 (CJTF 630), Commander TE 630.1.2.0 (CTE 630.1.2.0).

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[1] A multinational JTF will normally be titled a combined or coalition JTF.

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5. A commander may be appointed to command more than one entity within a task organisation—thus the Maritime Component Commander appointed as Commander Task Group 630.1 (CTG 630.1) may also be appointed as the Commander of JTF 630 (CJTF 630). Component commanders for the example of JTF 630 would be designated as shown in table 10B-1 below:

Component	Commanded by	Abbreviated title
Joint task force	Commander Joint Task Force	CJTF 630
Maritime	Commander Task Group 630.1	CTG 630.1
Land	Commander Task Group 630.2	CTG 630.2
Air	Commander Task Group 630.3	CTG 630.3
Special Ops	Commander Task Group 630.4	CTG 630.4
Logistics	Commander Task Group 630.5	CTG 630.5

Table 10B–1: Joint task force component designation

6. In an integrated or component based JTF, CJTF can form a subordinate TG to meet specific operational requirements. An example would be a dedicated TG with a maritime patrol, surveillance and quick response capability for border protection.

7. HQJOC (or a delegated lead planning headquarters) will develop an appropriate task organisation for one or more JTF for each ADF operation. Of note, some of the identified entities within the structure might be dormant while others may be active from the outset of operations. Dormant entities may be included because of planned phases of the operation, or to provide flexibility for branches and sequels.

8. Dormant entities give a time dimension to a task organisation, which means a specific force element may be included in multiple entities within a published organisation. However, this can only be effective if it is clear at all times which entities are active and which are dormant.

9. There are no defined criteria for establishing one or a number of JTF to support an ADF activity. HQJOC will usually assign a single JTF number for a specific, coherent series of activities, whether as a single operation or campaign. Figure 10B-1 is an example of a JTF using component commands.

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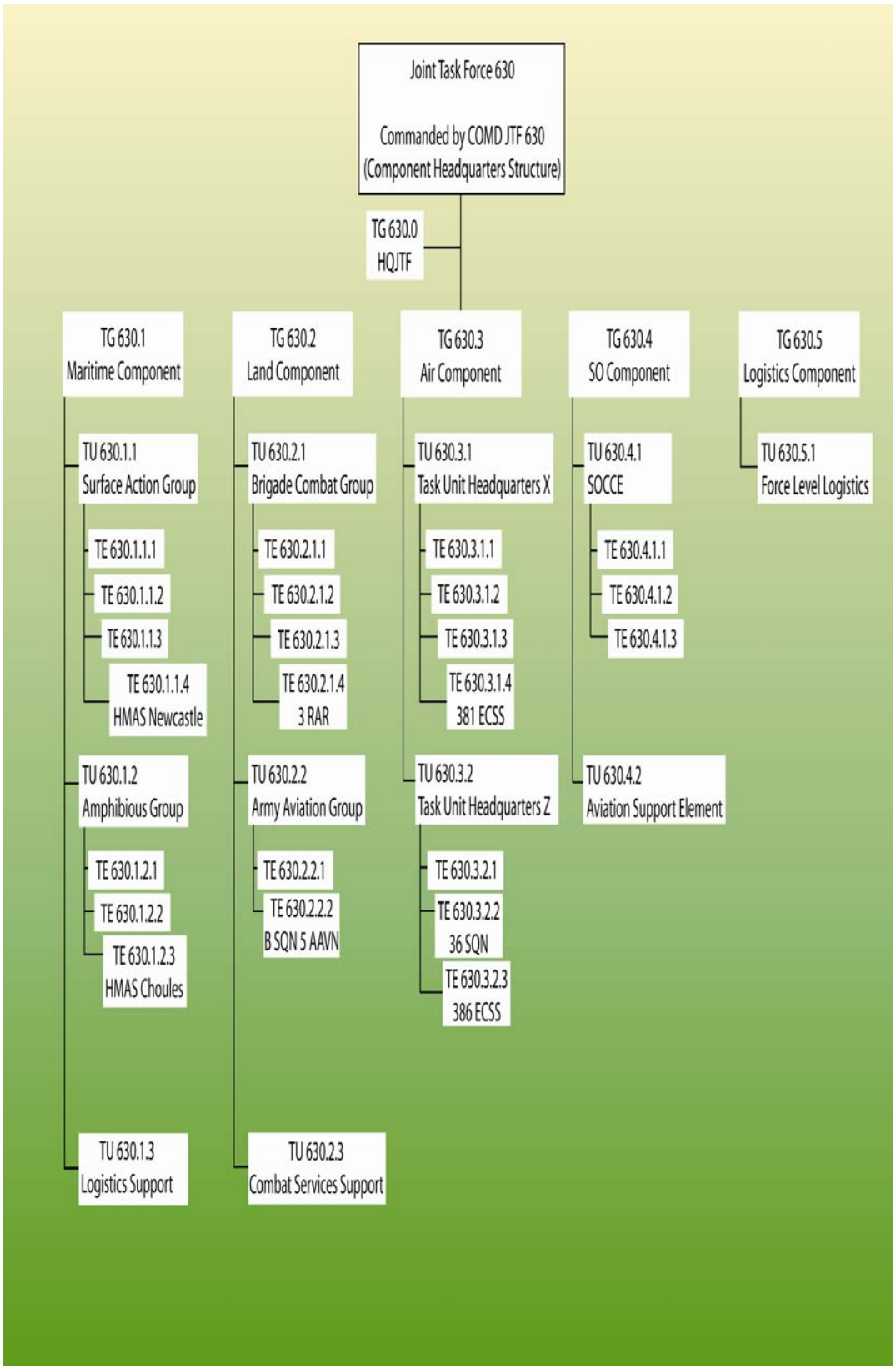


Figure 10B–1: A generic Australian-led joint task force

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GLOSSARY

The source for approved Defence terms, definitions and abbreviations is the Australian Defence Glossary (ADG), available on the Defence Restricted Network at http://adg.eas.defence.mil.au/adgms/. Note: the ADG is updated regularly and should be checked for amendments to the entries in this glossary.

TERMS AND DEFINITIONS

air defence
All measures designed to nullify or reduce the effectiveness of hostile air action.

area of influence
A geographical area wherein a commander is directly capable of influencing operations, by manoeuvre or fire support systems normally under his command or control.

attrition
The reduction of the effectiveness of a force caused by loss of personnel and materiel.

branch
A branch is an option for a particular phase within a line of operation of a campaign or operation designed to anticipate decisive points and provide the commander with the flexibility to maintain the initiative. A branch is a deviation from, and then return to, the same line of operation.

campaign
A set of military operations planned and conducted to achieve a strategic objective within a given time and geographical area.

campaign design
The manner in which the Chief of Joint Operations expresses a vision of how the campaign may unfold and how desired objectives will be sequenced and synchronised.

campaigning
Describes a controlled series of simultaneous or sequential operations designed to achieve an operational commander's objective, normally within a given time and space.

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centre of gravity

Characteristics, capabilities or localities from which a nation, an alliance, a military force or other grouping derives its freedom of action, physical strength or will to fight.

coalition operation

An operation conducted by forces of two or more nations, which may not be allies, acting together for the accomplishment of a single mission.

coercion

The use or threat of force to persuade an opponent to adopt a certain pattern of behaviour against their wishes.

combined operation

A military operation conducted by forces of two or more allied nations acting together.

command

The authority which a commander in a military service lawfully exercises over subordinates by virtue of rank or assignment.

Note:

1. Command includes the authority and responsibility for effectively using available resources, and for planning the employment of, organising, directing, coordinating and controlling military forces for the accomplishment of assigned missions.
2. It also includes responsibility for health, welfare, morale and discipline of assigned personnel.

command and control

The process and means for the exercise of authority over, and lawful direction of, assigned forces.

commander's critical information requirements

Comprise information requirements identified by the commander as being critical in facilitating timely information management and the decision making process that affect successful mission accomplishment.

Note: The two key sub-components are critical friendly force information and priority intelligence requirements.

comprehensive approach
A multinational approach that responds effectively to complex crises by orchestrating, coordinating and de-conflicting military and non-military activities.

computer network attack
Action taken to manipulate, disrupt, deny, degrade or destroy information resident in a computer and/or computer network, or the computer and/or computer network itself.

Note: A computer network attack is a type of cyber attack.

computer network defence
Defensive measures to protect and defend information, computers and computer networks from disruption, denial, degradation or destruction.

conflict
A politico-military situation between peace and war, distinguished from peace by the introduction of organised political violence and from war by its reliance on political methods. It shares many of the goals and characteristics of war, including the destruction of governments and the control of territory.

containment
The geographical restriction of the freedom of action of enemy forces.

control
That authority exercised by a commander over part of the activities of subordinate organisations, or other organisations not normally under his command, which encompasses the responsibility for implementing orders or directives. All or part of this authority may be transferred or delegated.

counter command
Information actions taken to deceive, destroy or disable enemy commanders and their key staff, and to disrupt, degrade, deny, or destroy the information and capabilities that enable them to make and implement timely and accurate decisions.

counter improvised explosive device
The collective effort at all levels to defeat the improvised explosive device (IED) system in order to reduce or eliminate the effects of all forms of IED used against friendly forces and non-combatants according to the mission.

counterintelligence
The aspect of intelligence devoted to destroying the effectiveness of hostile foreign intelligence activities and to the protection of information against espionage, individuals against subversion, and installations, equipment, records or material against sabotage.

critical capability
A characteristic or key element of a force that, if destroyed, captured or neutralised, would significantly undermine the fighting capability of the force and its centre of gravity.

Note: It is not necessarily a weakness but any source of strength or power that is capable of being attacked or neutralised.

Example: An adversary's air defence.

critical factor
A critical capability, critical requirement or critical vulnerability.

Note: Critical factors are identified during centre of gravity analysis.

critical requirement
An essential condition, resource or means that is required for a critical capability to be fully functional.

Example: A critical requirement for air defence could be fighter aircraft.

culminating point
The point in time and location where a force will no longer be stronger than the enemy and risks losing the initiative.
Note:
1. This may be due to reduced combat power, attrition, logistics, dwindling national will or other factors.
2. To be successful, the operation must achieve its objectives before reaching its culminating point.

deception
Those measures designed to mislead the adversary by manipulation, distortion or falsification of information to induce behaviour prejudicial to their interests.

decision superiority
The ability to make and implement more informed and more accurate decisions at a rate faster than the adversary.

decisive engagement

In land and naval warfare, an engagement in which a unit is considered fully committed and cannot manoeuvre or extricate itself. In the absence of outside assistance, the action must be fought to a conclusion and either won or lost with the forces at hand.

decisive point

A geographic place, key event, critical factor, or function that, when acted upon, allows a commander to gain a marked advantage over an adversary or contribute materially to achieving success.

Note: This point may exist in time, space or the information environment.

defeat

To diminish the effectiveness of an individual, group or organisation to the extent that it is either unable or unwilling to continue its activities or at least cannot fulfil their intentions.

defensive activities

Tactical activities conducted to force the adversary to culminate due to loss of momentum, exhaustion, overextended lines of communication and diminished fighting power, creating conditions for offensive and stability activities.

deliberate planning

The start of a process for the development of considered military strategic guidance for the employment of the ADF to achieve an end-state in support of government national strategy.

Note: The process is generally free of time constraints and relies on a mix of assumption-based planning against current strategic guidance and future analysis to account for possible future strategic environments.

demand

The collective requirement of the combat force for the supply of sustainment resources due to the attrition, consumption and wastage inherent in the conduct of operations.

denial

Action to hinder or deny the enemy the use of space, personnel or facilities. It may include destruction, removal, contamination, or erection of obstructions.

deterrence
The convincing of a potential aggressor that the consequences of coercion or armed conflict would outweigh the potential gains. This requires the maintenance of a credible military capability and strategy with the clear political will to act.

dislocation
Action to render the adversary's strength irrelevant by not allowing it to be employed at the critical time or place. In effect, dislocation separates the adversary's centre of gravity from the key capabilities that support or protect it.

disruption
A direct attack that neutralises or selectively destroys key elements of the adversary's capabilities. The aim of disruption is to reduce the adversary's cohesion and will to fight by neutralising or destroying parts of the force in a manner that prevents the force from acting as a coordinated whole.

domain
Within the operational environment, a medium with discrete characteristics in which, or through which, military activity takes place. Domains are physical (maritime, land, air and space) and non-physical (information, including cyberspace and the electromagnetic spectrum, and human).

effect
The adverse physical, physiological, psychological or functional impact on the adversary as a result, or consequence, of own military or non-military actions.

electronic attack
A division of electronic warfare involving the use of electromagnetic energy, directed energy or anti-radiation weapons to attack personnel, facilities or equipment with the intent of degrading, neutralising or destroying enemy combat capability and is considered a form of fires.

elements of national power
All the means which are available for employment in the pursuit of national objectives.

ends (ends, ways and means)
The objective or desired effects sought by a commander and/or the government.

essential elements of friendly information

Key questions likely to be asked by adversary officials and intelligence systems about specific friendly intentions, capabilities and activities, so they can obtain answers critical to their operational effectiveness.

fighting power

The result of the integration of three interdependent components:
a. the intellectual component provides the knowledge to fight,
b. the moral component provides the will to fight, and
c. the physical component provides the means to fight.

fog of war

Uncertainty and confusion generated in wartime by a combination of limited, incomplete, inaccurate and contradictory information, deliberate deception and the mayhem and stress caused by combat.

force element

Component of a unit, a unit or an association of units having common prime objectives and activities.

force generation

The process of providing suitably trained and equipped forces, and their means of deployment, recovery and sustainment to meet all current and potential future tasks, within required readiness and preparation times.

force projection

The ability to project the military element of national power in response to requirements for military operations. Force projection extends from mobilisation and deployment of forces to redeployment.

force protection

All measures and means to minimise the vulnerability of personnel, facilities, equipment and operations to any threat and in all situations, to preserve freedom of action and the operational effectiveness of the force.

fratricide

The unintentional killing or wounding of friendly personnel by friendly firepower.

general war
Global armed conflict between the superpowers and their allies; generally limited to the use of conventional forces although tactical and/or theatre nuclear weapons may be employed.

geospatial information and services
The definition, assessment, collection, management, exploitation and dissemination of information about objects and attributes located in space and time, which provides a fundamental means to achieve an effect.

improvised explosive device
A device placed or fabricated in an improvised manner incorporating destructive, lethal, noxious, pyrotechnic or incendiary chemicals and designed to destroy, incapacitate, harass or distract.

Note: It may incorporate military stores, but is normally devised from non-military components.

information
In intelligence usage, unprocessed data of every description, which may be used in the production of intelligence.

intelligence
The product resulting from the processing of information concerning foreign nations, hostile or potentially hostile forces or elements, or areas of actual or potential operations. The term is also applied to the activity which results in the product and to the organizations engaged in such activity.

interoperability
The ability to operate in synergy in the execution of assigned tasks.

joint
Adjective used to describe activities, operations and organisations in which elements of at least two Services participate.

joint force
A general term applied to a force composed of significant elements of the Navy, Army and Air Force, or two or more of these Services, operating under a single joint force commander.

joint force area of operations
That portion of a theatre necessary for joint military operations and their administration as part of a campaign.

knowledge management

The creation, gathering, organisation, analysis and refinement of information into collective knowledge to enhance situational understanding and decision making.

levels of conflict

The recognised levels of conflict from which the levels for the planning and command of operations are derived. They are strategic, operational and tactical.

line of operation

In a campaign or operation, a line linking decisive points in time and space on the path to the centre of gravity.

littoral

The areas to seaward of the coast which are susceptible to influence or support from the land and the areas inland from the coast which are susceptible to influence or support from the sea.

logistics

The science of planning and carrying out the movement and maintenance of forces. In its most comprehensive sense, the aspects of military operations which deal with:

a. design and development, acquisition, storage, movement, distribution, maintenance, evacuation, and disposal of materiel;
b. transport of personnel;
c. acquisition or construction, maintenance, operation, and disposition of facilities;
d. acquisition or furnishing of services; and
e. medical and health service support.

main effort

A concentration of forces or means, in a particular area and time, where a commander seeks to bring about a decision.

manoeuvre warfare

A philosophy that seeks to collapse the enemy's cohesion and effectiveness through a series of rapid, violent and unexpected actions that create a turbulent and rapidly deteriorating situation with which the enemy cannot cope.

means (ends, ways and means)

The resources available to a commander to achieve the ends.

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measures of effectiveness

A criterion used to assess changes in system behaviour, capability, or operational environment that is tied to measuring the attainment of an end-state, achievement of an objective, or creation of an effect.

measures of performance

A criterion used to assess friendly actions that is tied to measuring task accomplishment.

military end state

The set of desired conditions beyond which the use of military force is no longer required to achieve national objectives.

military strategy

That component of national or multinational strategy, presenting the manner in which military power should be developed and applied to achieve national objectives or those of a group of nations.

mission command

A philosophy for command and a system for conducting operations in which subordinates are given clear direction by a superior of his intentions.

Note: The result required, the task, the resources and any constraints are clearly enunciated, however subordinates are allowed the freedom to decide how to achieve the required result.

mounting

All preparations made in areas designated for the purpose, in anticipation of an operation. It includes the assembly in the mounting area, preparation, and maintenance within the mounting area, movement to loading points, and subsequent embarkation into ships, craft, or aircraft if applicable.

multinational operation

A military action conducted by forces of two or more nations, undertaken within the structure of a coalition, an alliance or under the supervision of an international organisation such as the United Nations.

Note: It is used to encompass all related terms such as allied, bilateral, coalition, combined, or multilateral.

named area of interest
An aspect which will confirm or deny enemy intentions, serves to focus attention on areas where the enemy must appear for a particular course of action, and provides an objective basis for the employment of intelligence gathering assets.

national command
A command that is organised by, and functions under the authority of, a specific nation.

national end state
The set of desired conditions, incorporating the elements of national power, that will achieve the national objectives.

national interests
The general and continuing ends for which a State acts.

national objectives
The aims, derived from national goals and interests, toward which a national policy or strategy is directed and efforts and resources of the nation are applied.

national policy
A broad course of action or statements of guidance adopted by the government at the national level in pursuit of national objectives.

national strategy
The art and science of developing and using the diplomatic, economic, cultural and informational powers of a nation, together with its armed forces, during peace and war, to secure national objectives.

neutralisation
To degrade or negate an adversary's capabilities to such an extent that it is rendered ineffective.

notice to move
A tactical term normally expressed in hours or minutes, and is the time from when a force receives direction to move to conduct a specified operation or mission to the time it either actually moves or is required to be able to move to conduct that operation or mission.

Example: In an exercise or operational setting where forces are operating at the operational level of capability the forces' administrative movement, commitment to periods of combat and other tactical movement is controlled by the issue of notice to move.

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objective

A clearly defined and attainable goal for a military operation, for example seizing a terrain feature, neutralising an adversary's force or capability or achieving some other desired outcome that is essential to a commander's plan and towards which the operation is directed.

offensive activities

Tactical activities conducted to seize, retain and exploit the initiative to achieve decisive results.

Note: These activities compel the adversary to react, creating or revealing vulnerabilities.

operation

A designated military activity using lethal and/or non-lethal ways and means to achieve directed outcomes in accordance with national legal obligations and constraints.

operation plan

A plan for a single or series of connected operations to be carried out simultaneously or in succession. It is usually based upon stated assumptions and is the form of directive employed by higher authority to permit subordinate commanders to prepare supporting plans and orders. The designation ‘plan’ is usually used instead of ‘order’ in preparing for operations well in advance. An operation plan may be put into effect at a prescribed time, or on signal, and then becomes the operation order.

operational activities

Offensive, defensive and stability activities employed by military forces to achieve operational objectives.

Note:

1. They may be complementary and conducted in combination—simultaneously, sequentially or both.
2. The combination and balance between them depends on actual and anticipated conditions, tasks and available resources.

operational art

The skilful employment of military forces to attain strategic goals through the design, organisation, sequencing and direction of campaigns and major operations. Operational art translates strategic into operational and ultimately tactical actions. It requires a commander to:

a. identify the military conditions or end-state that constitute the strategic objective;

b. decide the operational objectives that must be achieved to reach the desired end-state;
c. order a sequence of actions that lead to fulfilment of the operational objectives; and
d. apply the military resources allocated to sustain the desired sequence of actions.

operational environment

Embraces all the elements, conditions and circumstances which may influence the employment of capabilities and the decisions of the commander during campaigns and operations. Its chief characteristics are complexity, instability and persistent threat.

operational level of conflict

The level of conflict concerned with the planning and conduct of campaigns and operations.

Note: It is at this level that military strategy is implemented by assigning missions, tasks and resources to tactical operations.

operational objectives

The objectives that need to be achieved in the campaign to reach the military strategic end-state. Correct assessment of operational objectives is crucial to success at the operational level.

operational pause

A periodic pause in operations while initiatives are retained in other ways.

operational reach

The distance and duration across which a unit can successfully employ military capabilities.

operations security

The process which gives a military operation or exercise appropriate security, using passive or active means, to deny the enemy knowledge of the dispositions, capabilities and intentions of friendly forces.

personnel support

A global term used to describe all personnel functions and activities undertaken for the efficient and effective employment of all personnel in the ADF, including their well being and discipline.

professional mastery

The measure of the ability of ADF members to execute their duties; their ability to perform these duties in a range of circumstances; their self-confidence to act autonomously despite risk and ambiguity; and their understanding of the purpose and consequences of their actions.

protection

Preservation of the effectiveness and survivability of mission-related military and non-military personnel, equipment, facilities, information, and infrastructure deployed or located within or outside the boundaries of a given operational area.

rapid environmental assessment

Refers to the process of direction, collection, processing and dissemination of relevant information to provide a comprehensive and thorough understanding of the physical operational environment and its impact on military operations.

Note: It provides the underlying environmental data and information required to generate a suite of focussed mission-specific environmental products in response to specific operational requirements.

reconnaissance

A mission undertaken to obtain, by visual observation or other detection methods, information about the activities and resources of an enemy or potential enemy, or to secure data concerning the meteorological, hydrographic or geographic characteristics of a particular area.

redeployment

The transfer of forces and materiel to support another joint force commander's operational requirements, or to return personnel, equipment, and materiel to the home and/ or demobilisation stations for reintegration and/or out-processing.

reserve

A force held to counter unforeseen situations or to impact on future events.

sequel

A sequel is a significant shift in focus and identifies a different line of operation in a campaign or operation plan, which may or may not develop into a different course of action.

shape

Engage in actions that enhance the friendly force's position, delay the enemy's response, or lead the enemy into an inadequate or inappropriate response in order to set the conditions for decisive action.

situational understanding

The accurate interpretation of a situation and the likely actions of groups and individuals within it. Awareness, analysis, knowledge, comprehension and judgement facilitate understanding, which enables timely and accurate decision making.

special operations

Military activities conducted by specially designated, organised, trained and equipped forces using operational techniques and modes of employment not standard to conventional forces. These activities are conducted across the full range of military operations independently or in coordination with operations of conventional forces to achieve political, military, psychological and economic objectives. Politico-military considerations may require clandestine, covert or discreet techniques and the acceptance of a degree of physical and political risk not associated with conventional operations.

stability activities

Activities that impose security and control over an area while restoring services and support to civilian agencies, which set the conditions to allow primacy of indigenous organisations.

staff

The body of military professionals who support a commander in his or her estimation of a situation, and in formulating and executing subsequent plans, orders and activities.

strategic level of conflict

That level of war which is concerned with the art and science of employing national power.

strategic objective

A desired end-state for military operations which is communicated from the strategic to the operational level and forms the basis for operational planning.

Note: It is derived from an analysis of strategic policy and the military strategies associated with particular national security objectives.

strike
An attack, which is intended to inflict damage on, seize or destroy an objective.

supported commander
A commander having primary responsibility for all aspects of a task assigned by a higher authority and who receives forces or other support from one or more supporting commanders.

supporting commander
A commander who provides a supported commander with forces or other support and/or who develops a supporting plan.

surveillance
The systematic observation of aerospace, surface or sub-surface areas, places, persons, or things, by visual, aural, electronic, photographic or other means.

synchronisation
The arrangement of military actions in time, space and purpose to produce maximum relative combat power at a decisive place and time.

tactical area of responsibility
A defined geographical area for which responsibility is specifically assigned to a commander as a measure for the control of assigned forces and coordination of support.

tactical level of conflict
That level of conflict concerned with the planning and conduct of battle and is characterised by the application of concentrated force and offensive action to gain objectives.

targeting
The process of selecting and prioritising targets and matching the appropriate response to them, taking into account operational requirements and capabilities.

tempo
The rate or rhythm of activity relative to the enemy, and incorporates the capacity of the force to transition from one operational posture to another.

terrorism
: The unlawful use or threatened use of force or violence against individuals or property in an attempt to coerce or intimidate governments or societies to achieve political, religious or ideological objectives.

theatre
: A designated geographic area for which an operational level joint or combined commander is appointed and in which a campaign or series of major operations is conducted.

  Note: A theatre may contain one or more joint force areas of operations.

warfighting
: Government directed use of military force to pursue specific national objectives.

whole-of-government
: Denotes government departments and agencies working across portfolio boundaries to achieve a shared goal and an integrated government response to particular issues.

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ABBREVIATIONS

AD	air defence
ADDP	Australian Defence Doctrine Publication
ADFP	Australian Defence Force Publication
ADF	Australian Defence Force
ADMINST	administrative instruction
AFN	approved foreign national
AIF	Australian Imperial Force
AUSNCE	Australian national command element
Aust	Australia
Bde	brigade
Bn	battalion
BDA	battle damage assessment
C2	command and control
CBRN	chemical, biological, radiological and nuclear
CC	critical capability
CCIR	commander's critical information requirements
CDF	Chief of the Defence Force
CF	critical factor
CI	counterintelligence
CIMIC	civil-military cooperation
CIS	communications and information systems
CJTF	commander joint task force
CJOPS	Chief of Joint Operations
CMO	civil-military operations
CNA	computer network attack
CND	computer network defence
CNO	computer network operations
COA	course of action
COG	centre of gravity
COIN	counterinsurgency
COMAUSC	Commander Australian Contingent
CONOPS	concept of operations
COP	common operating picture
COS	chief of staff
Coy	company
CR	critical requirement
CTF	combined task force
CV	critical vulnerability
DFAT	Department of Foreign Affairs and Trade
DI(G)	Defence Instructions (General)
DIV	division

DJFHQ	Deployable Joint Force Headquarters
DP	decisive point
EEFI	essential elements of friendly information
EMS	electromagnetic spectrum
EP	electronic protection
EPBC Act	*Environmental Protection and Biodiversity Conservation Act*
EW	electronic warfare
FE	force element
FIC	fundamental inputs to capability
FP	force protection
FS	field security
GARS	global area reference system
GBR	Great Britain
GI&S	geospatial information and services
HA/DR	humanitarian assistance/disaster relief
HN	host nation
HOM	Head of Mission
HQ	headquarters
HQJOC	Headquarters Joint Operations Command
HQJTF	Headquarters Joint Task Force
IA	information assurance
IDCR	international disaster and conflict response
IED	improvised explosive device
INTERFET	International Forces East Timor
IO	information operations
IW	irregular warfare
JFAO	joint force area of operations
JIPOE	joint intelligence preparation of the operational environment
JMAP	joint military appreciation process
JTF	joint task force
LN	lead nation
LO	liaison officer
LOAC	law of armed conflict
LOO	line of operation
MA	mission analysis
MNF	multinational force
MNO	multinational operation
MOE	measures of effectiveness

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MOP	measures of performance
NAI	named area of interest
NATCOMD	national command
NATO	North Atlantic Treaty Organization
NEO	non-combatant evacuation operations
NGO	non-government organisation
NSC	National Security Committee
NTM	notice to move
OA	operations area
OE	operational environment
OGD	other government department
OLOC	operational level of capability
OPINST	operation instruction
OPLAN	operation plan
OPORD	operation order
OPSEC	operations security
ORSA	operations research and systems analysis
RAAF	Royal Australian Air Force
RAMSI	Regional Assistance Mission to the Solomon Islands
RAN	Royal Australian Navy
REA	rapid environmental assessment
RN	Royal Navy
ROE	rules of engagement
SF	special forces
Sqn	squadron
TA	target acquisition
TAOR	tactical area of responsibility
TCOMD	theatre command
TE	task element
TG	task group
TTP	tactics, techniques and procedures
TU	task unit
UN	United Nations
US	United States
USMC	United States Marine Corps
UXO	unexploded ordnance
VTC	video teleconferencing

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OPERATIONS SERIES

ADDP 3.1

JOINT FIRE SUPPORT

Australian Defence Doctrine Publication 3.1 is issued for use by the Australian Defence Force and is effective forthwith. This publication supersedes Australian Defence Doctrine Publication 3.1—*Offensive Support* edition 1, dated June 2004.

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Air Chief Marshal
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2 November 2009



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ADDP 3.1
First edition 2004

ADDP 3.1
Second edition 2009

Sponsor:
Chief of Joint Operations
Headquarters Joint Operations Command

Developer:
Commandant
Australian Defence Force Warfare Centre
Royal Australian Air Force Base
WILLIAMTOWN NSW 2314

Publisher:
Director
Defence Publishing Service
Department of Defence CANBERRA ACT 2600

Edition 2

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FOREWORD

1. Australian Defence Doctrine Publications (ADDP) and Australian Defence Force Publications (ADFP) are authorised joint doctrine for the guidance of ADF operations. ADDP are pitched at the philosophical and high-application level, and ADFP at the application and procedural level. Policy is prescriptive as represented by Defence Instructions (DI), and has legal standing. Doctrine is not policy and does not have legal standing, however it provides authoritative and proven guidance, which can be adapted to suit each unique situation.

2. Military commanders are increasingly being called upon to operate in an environment where highly accurate and responsive fire support is a major consideration in the planning and execution of military operations. Furthermore, the successful conduct of joint operations can be directly attributed to generating decisive combat power that integrates all the Australian Defence Force (ADF) military capabilities to achieve strategic, operational, and tactical objectives. Inherent in all joint operations is the successful employment of joint fire support throughout the theatre and operations areas. The joint force commander and respective component commanders, with the assistance of their staffs, must synchronise a variety of fire support assets in time, space, and purpose to increase the total effectiveness of the joint force.

3. The aim of the publication is to describe the application of joint fire support across the continuum of warfighting in joint and combined operations. The contents of this publication have been derived from established principles and lessons learnt during many exercises and operations. This publication is for use by commanders, joint planning staff in all headquarters and units, and Defence training organisations. This publication provides a philosophical level reference to commanders, fire support units (organisations), headquarters staff and key personnel who have responsibility for the conduct or training of joint fire support. The publication aims to shape the thinking and provide guidance for those personnel responsible for the operational level planning and coordination of joint fire support operations.

4. This publication establishes the doctrinal framework for planning, coordinating, executing and deconflicting joint fire support, to include common fire support coordination measures and allocation of fire support within a joint environment. Moreover, commanders and staff will be provided guidance on joint fire support interoperability with combined and coalition forces, especially from the North Atlantic Treaty Organisation (NATO) and United States of America (US). Additionally, the publication will cover the necessary architecture to employ joint fire support within the joint arena. It

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should also provide a tool to assist education and training throughout the ADF.

5. Principal related publications are:

a. ADDP–D—*Foundations of Australian Military Doctrine*, which outlines the strategic military doctrine of the ADF;

b. ADDP 3.0—*Operations,* which describes operational art and campaigning, and details the relationships between the national strategic, military strategic, operational and tactical levels of conflict for the conduct of a campaign;

c. ADFP 3.1.1—*Joint Fire Support Procedures*, which provides all of the specific procedures for the planning and conduct of joint fires:

d. ADDP 3.14—*Targeting*, which describes the targeting process: and

e. ADFP 3.14.2—*Targeting Procedures*, which provides all of the specific procedures for the planning and conduct of targeting.

6. In May 2008 the Air Land Integration Office Working Group proposed that ADDP 3.1—*Offensive Support* and ADFP 3.1.1—*Offensive Support Procedures* be retitled as ADDP 3.1—*Joint Fire Support* and ADFP 3.1.1—*Joint Fire Support Procedures* respectively when the next edition is issued. The reasons for the proposed title change were to:

- to align ADF joint doctrine terminology with that of the joint doctrine of the US, United Kingdom and NATO;
- recognise that ‘joint fires’ is a more commonly used term within the ADF than was ‘offensive support’; and
- realisation that many ADF personnel did not realise that offensive support doctrine related to joint fire support.

In Jul 08 the Joint Doctrine Steering Group agreed to the retitling of the two as ADDP 3.1—*Joint Fire Support* and ADFP 3.1.1—*Joint Fire Support Procedures.*

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AMENDMENTS

Proposals for amendment of ADDP 3.1 may be initiated in either of the following ways:

- By Minute to:

  Director Doctrine and Training
  Australian Defence Force Warfare Centre
  RAAF Base
  WILLIAMTOWN NSW 2314

- By directly entering comment into the Joint Doctrine Development Environment (JDDE) found on the Australian Defence Force Warfare Centre (ADFWC) Defence Restricted Network (DRN) website located at **http://intranet.defence.gov.au/VCDFweb/sites/adfwc/.** Select JDDE on the ADFWC homepage and open either the ADDP or ADFP block as required. Open the relevant publication and utilise the 'Add Comment' function at the bottom of the summary page for each publication.

  ***Note**: The second option is an addition to encourage feedback from the wider ADF, as well as encouraging use of the JDDE in general.*

DOCTRINE PUBLICATION HIERARCHY

The hierarchy of ADDP and ADFP and the latest electronic version of all ADDP and ADFP are available on the JDDE found on the ADFWC DRN website located at: **http://intranet.defence.gov.au/VCDFweb/sites/adfwc/.**

This publication is current as at November 2009.

This publication will be periodically reviewed and amended. The latest version of this publication is available on the ADFWC DRN website **http://intranet.defence.gov.au/VCDFweb/sites/adfwc/.**

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CHAPTER 1

AUSTRALIAN APPROACH TO JOINT FIRE SUPPORT

Executive Summary

- Joint fire support are those fires that assist air, land, maritime, amphibious, and special operations forces to move, manoeuvre, and control territory, populations, airspace, and key waters.
- Joint fire support contributes to operational success through the coordination of 'joint effects' in support of the commander's intent and concept of operations.
- Joint fire support is applicable across the complete range of operations.
- Joint fire support may involve both lethal and non-lethal means to create the desired effect.

It is firepower, and firepower that arrives at the right time and place, that counts in modern war.

B. H. Liddell Hart, Thoughts on War, 1944

Australia's strategic environment

1.1 Armed forces exist to provide governments with the option to use force. Maintaining a credible defence capability is a crucial contributor to Australia's security, as it can serve to deter potential adversaries from using force against us or our allies, partners and neighbours. It is the Australian Government's policy that the main role of the Australian Defence Force (ADF) should continue to be an ability to engage in conventional combat against other armed forces. The principle task for the ADF is to deter and defeat armed attacks on Australia by conducting independent military operations without relying on the combat forces or combat support forces of other countries. After ensuring the defence of Australia from direct attack the ADF may contribute to:

- stability and security in the South Pacific and East Timor,

- military contingencies in the Asia-Pacific region, and
- military contingencies in the rest of the world[1].

1.2 Australia's future security interests will remain largely focused on the Asia Pacific region, not withstanding the requirement for the ADF to remain capable of being able to contribute to coalition operations further abroad. Archipelagic in nature, the area is dominated by oceans with landmasses separated by narrow sea lanes. These landmasses are geographically dispersed, densely populated around major economic centres, culturally and ethnically diverse and increasingly more urbanised and industrially developed. Joint operations in this complex terrain will be force intensive and made more difficult owing to the nature of this environment.

1.3 The operational environment of the 21st century may be defined as complex from a physical, informational and cognitive perspective. Future Australian forces will be required to operate in complex physical environments of ever expanding urban, industrial and or agriculturally developed terrain. The complexity of the information domain will be defined by the rapid and continuous exchange of large quantities of information, in near real time. Information exchange will utilise a diverse range of emerging media technologies that integrate the internet, television and personal mobile phone camera broadcasts allowing almost anyone to contribute and potentially retain complete anonymity. Cognitively, adversaries are less likely to be conspicuous by their competing ideologies. Instead future conflicts will be characterised by the complex interaction of multiple actors both state and non-state often with competing agendas from which more than one adversary might emerge as a threat to Australian national interests. Given the complexities of the future operating environment, resolution of future conflicts cannot be achieved through decisive military action alone. As such the focus of future wars will be about winning the perceptions of the population in addition to defeating a defined adversary. This focus will have an impact on how the ADF employs joint fires to achieve operational objectives.

Definitions

1.4 **Fires.** Fires are defined as the use of weapon systems to create a specific lethal or nonlethal effect on a target. All fires are normally synchronised and integrated to achieve synergistic results. Fires can be delivered by air, land, maritime, or special operations forces.

[1] Defending Australia in the Asia Pacific Century: Force 2030

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1.5 Joint fires. Joint fires are defined as fires delivered during the employment of forces from two or more components in coordinated action to produce desired effects in support of a common objective. Joint fires are provided to assist manoeuvre forces, joint air operations, and joint interdiction operations.

1.6 Joint fire support. Joint fire support is defined as joint fires that assist air, land, maritime, and special operations forces to move, manoeuvre, and control territory, populations, airspace, and key waters. Synchronisation of joint fire support with the supported force is essential. Prerequisites for effective joint fire support are interoperable systems, broad understanding of the differing strengths and limitations of contributing force capabilities and how they are applied, and clear agreement about how those capabilities will be integrated in any given operational setting.

CONCEPT OF JOINT FIRE SUPPORT

1.7 Generating decisive combat power in the modern operating environment requires integrating all military capabilities to achieve strategic, operational, and tactical objectives. Inherent in joint operations is the successful employment of joint fire support throughout the battlespace. Commanders, with the assistance of their staffs, must synchronise joint fire support in time, space, and purpose to deliver the appropriate effects and, thereby, increase the total effectiveness of the joint task force (JTF).

1.8 The planning and execution for joint fire support should focus on achieving objectives and delivering an end-state rather than organising activities. Moreover, this planning should achieve an understanding of the desirable and undesirable effects that may be created in the battlespace by joint fires. This approach ensures that individuals at all levels are provided with an understanding of the context in which they are operating and an awareness of the consequences of all actions be they own force, enemy, other stakeholders, other agencies or environmental factors. This approach improves the ADF's ability to plan operations and to influence an enemy's behaviour and to neutralise their capabilities to more effectively achieve the mission.

1.9 Joint fire support links weapons effects to land, maritime, air, amphibious, and special operations forces movement, manoeuvre, the shaping of the battlespace and control of territory and populations. The lethal and non-lethal effects from joint fire support are integrated with the fire and manoeuvre of the supported force to achieve synergistic results in combat power. Joint fire support is usually executed within the boundaries of the land, maritime, or amphibious force. Therefore, joint fire support is conducted in accordance with the priority, timing, and intent established by the

supported commander. Typically, the application of joint fire has an immediate or near term affect on the effective conduct of friendly operations.

Legal basis

1.10 All operations must be conducted within international law and clearly articulated rules of engagement (ROE). Detailed guidance and information on legal support to operations is contained within the executive series of ADF joint doctrine, especially Australian Defence Doctrine Publication (ADDP) 06.1—*Rules of Engagement*, and ADDP 06.4—*Law of Armed Conflict*. The use greater use of precision in their employments of weapons systems minimises collateral damage and minimises the risk of fratricide. Precision is not simply in the weapon system, albeit the advent of precision guided munitions has great utility for military forces, precision is in the effect and the reception of that effect both on the target and also the stakeholders; coalition forces, civilian population, media and general public.

1.11 Before operations, legal staff provides commanders with guidance on the legal aspects to joint fire support. During operations this advice will contribute to the coordination measures necessary to ensure the employment of joint fire support remains in keeping with the Australian approach to operations. One example of this guidance is the issue of targeting directive by the Chief of the Defence Force to provide the policy framework for the conduct of targeting for a defined operation.

Joint fire support system

1.12 The joint fire support system is the product of the following three sub-systems:

- command and control (C2)—the command, direction and control systems that are needed to effectively manage joint fires;
- targeting—the process of selecting and prioritising targets and matching the appropriate response to them taking account of operational requirements and capabilities; and
- attack resources—the air-to-surface and surface-to-surface delivery assets that create the desired effects in the battlespace.

1.13 Successful joint fire support depends on the detailed coordination of these sub-systems and integrating the processes and procedures of all three binds joint fire support resources together so the effects of each asset are synchronised to support the commander’s intent and concept of operation.

To be fully effective in the modern battlespace the joint fire support system must work within a networked force framework, this system is detailed in chapter 2—'The joint fire support system'.

Concept of operations

1.14 A concept of operations describes how the commander visualises the campaign, major operation, or phase of an operation unfolding based on the selected course of action. The concept expresses the what, where, how, and the desired effects upon the enemy. The commander provides sufficient detail for the staff and subordinate commanders to understand what they are responsible for. Integral to the concept of operations is the concept of joint fire support. This concept of fire support describes how tactical, operational, and strategic joint fire support including non-lethal capabilities will be synchronised to meet and support the commander's objectives.

1.15 In determining these objectives, a commander JTF (Comd JTF) determines the enemy's centre of gravity construct[2] and how the application of joint fire support can assist in creating desired effects to achieve decisive points and ultimately the objectives. This is achieved through the provision of guidance to joint fire support planners based on planning outcomes and the joint targeting process.

Joint fire support and the commander

1.16 Although all component commanders structure their operations in support of the Comd JTF's objectives, their forces usually face competing priorities with limited resources. Guidance from the Comd JTF assists component commanders' planning, coordination, deconfliction and synchronisation of limited joint fire support resources. Additionally, the Comd JTF's organisation of forces establishes the supported and supporting command relationships essential to coordinating and synchronising operations, preventing fratricide, and maximising the effectiveness of joint fire support effects in a timely and efficient manner.

1.17 Within their designated tactical area of responsibility (TAOR), supported commanders synchronise manoeuvre, joint fire support, and interdiction. To facilitate this synchronisation, such commanders have the authority to designate the target priority, effects, and timing of joint fire support within their TAOR. Within the joint force area of operations (JFAO), all missions must contribute to the accomplishment of the overall objective. Synchronisation of efforts between TAOR and JFAO-wide operations is of

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2 *See* ADDP 5.0—*Joint Planning*

particular importance and requires coordination between the relevant commanders. To achieve this synchronisation, commanders and staffs must have thorough knowledge of each Service's doctrine, major systems, significant capabilities and limitations, and often their tactics, techniques, and procedures. This synergy can be achieved through joint planning groups and mission rehearsals.

1.18 Manoeuvre and joint fire support are complementary functions that are essential to achieving Comd JTF objectives. Objectives to support the scheme of manoeuvre are usually restated in terms of forces, functions, and facilities that require the allocation of joint fire support assets. Joint fire support staffs at each echelon are responsible for advising commanders on the best use of available joint fire support resources, developing joint fire support plans, and implementing approved joint fire support plans.

Synchronisation of manoeuvre and joint fires

1.19 Critical to operations is the effective synchronisation of manoeuvre with joint fires. The combining of these two functions relies on the beneficial effects of teamwork, unity of effort and the synchronisation of capabilities in time, space and purpose. Manoeuvre positions forces at decisive points to achieve surprise, psychological shock, physical momentum and massed effects. The focus of manoeuvre is to render an enemy incapable of resisting by shattering their physical cohesion rather than by destroying them through attrition. When exploiting the effects of manoeuvre commanders use joint fire support to neutralise an enemy's forces and will to fight. Coordinated and synchronised joint fire support is a characteristic of successful military operations.

1.20 **Prevention of fratricide**. The destructive power and range of modern weapons, coupled with the high intensity and rapid tempo of modern combat operations, increases the potential for fratricide. Commanders must fully integrated risk management strategies into operational planning and the execution of operations, to eliminate or mitigate the risk of fratricide by implementing preventive measures. The primary preventive measures for limiting fratricide are command emphasis, disciplined operations, close coordination between all commands, rehearsals, reliable combat identification, effective procedures, and enhanced situational awareness. The risk of fratricide is greatly reduced when engagement decisions are vested with well-trained and qualified personnel.

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Figure 1–1: Manoeuvre and joint fire support are complementary functions

1.21 Non-lethal fires. Employment of non-lethal capabilities must be integrated into operations to produce synergistic results. Examples of non-lethal capabilities are masking smoke, area denial, and employment of some information operations capabilities, for example computer network attack and electronic attack, that deceive the enemy, disable the enemy's command and control systems, and disrupt operations. The employment of non-lethal fires is especially important when restraint and limitations on the use of deadly force are directed.

Joint effects

1.22 An 'effect' is the physical or behavioural state of a system that results from an action, a set of actions, or another effect. Effects can be categorised as follows:

- **Desired.** A desired effect or set of desired effects contributes to the conditions necessary to achieve an objective or end-state.

- **Undesired.** An undesired effect can inhibit the achievement of an objective or end-state.

1.23 The intent of desired effects is to have an adverse physical, psychological or functional impact on an enemy or target audience as a result or consequence of own action, either military or non-military. However, the conduct of military action can result in unintended consequences that may product undesired effects.

1.24 Effects can be created either directly or indirectly. The commander is responsible for the selection of the type of effect to be created within the battlespace[3]. Some of the key effects joint fire support can achieve include deny, disrupt, delay, suppress, neutralise, destroy, and influence.

1.25 The execution of joint fire support has an immediate or near term effect on the conduct of friendly operations. Commanders employ joint fire support to create the effects described in their concept of operations. Joint fire support is synchronised and integrated with other JTF manoeuvre, targeting and other activities. Joint fire support requires coordination and integration with the supported and supporting forces. This integration may include the employment of non-lethal capabilities including information operations, electronic warfare and psychological operations to produce the desired effect.

Assessment

1.26 Assessment occurs at all levels and across the range of military operations. Even in non-warlike operations, assessment of progress is just as important and can be more complex than traditional combat assessment. As a general rule, the level at which a specific operation, task, or action is directed should be the level at which such activity is assessed. To do this, Comd JTF and supporting staff consider assessment ways, means, and measures during planning, preparation, and execution. This properly focuses assessment and collection at each level, reduces redundancy, and enhances the efficiency of the overall assessment process. The three types of assessment are effects, combat, and collateral.

1.27 Assessment is further detailed in chapter 2—'Joint fire support system' and in Australian Defence Force Publication (ADFP) 3.14.2—*Targeting Procedures.*

1.28 Measures of effectiveness. The purpose of measures of effectiveness (MOE) is to determine the degree of success in achieving objectives and to formulate required follow-up actions. MOE underpin the

[3] ADFP 3.14.2—*Targeting Procedures* outlines the indicative list of desired effects that may be achieved in the battlespace.

conduct of assessment in determining the progress of an operation. Assessment of such indicators normally takes place at all levels. MOE determine when the criteria affecting the enemy's overall strategy has been met. Continuous intelligence analysis ensures that appropriate combat assessment measurements occur. Future target nominations and re-attack recommendations merge the picture of what was done, termed battle damage assessment, and how well it was done, termed effects assessment and compares the result with the predetermined MOE developed at the start of the targeting process.

EMPLOYMENT CONSIDERATIONS

1.29 The employment considerations for joint fire support are:

- C2,
- ROE,
- planning,
- simultaneity,
- synchronisation,
- surprise,
- tempo,
- sustainment implications, and
- equipment and system limitations.

1.30 Command and control. Establishing the appropriate C2 arrangements for joint fire support is crucial to the successful employment of the full suite of assets within the joint fire support arsenal. C2 arrangements must be flexible and unambiguous to ensure all aspects of joint fire support are integrated to achieve the desired effects within the battlespace.[4]

1.31 Rules of engagement. The employment of joint fire support must adhere to the laws of armed conflict and the ROE for the force.

[4] Guidance on C2 arrangements are detailed in ADDP 00.1—*Command and Control*.

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1.32 Planning. Comprehensive technical and tactical planning lays the foundation to the plan established from the C2 architecture. Continual communication between joint fire support planners, practitioners, other joint staff, and the commander maximises the application of joint fire support within the battlespace.[5]

1.33 Simultaneity. Simultaneity is the concurrent application of military and non-military power, against a sufficient number of an adversary's critical capabilities, to overwhelm the adversary by placing more demands on their forces and functions than can be handled. The versatile nature of joint fires allows for the enemy to be attacked almost anywhere in the battlespace rapidly and with little warning.

1.34 Synchronisation. Synchronisation is the coordination of the means to deliver effects at a particular time and place. Combining joint fire support and manoeuvre relies on the fundamental and beneficial effects of teamwork, unity of effort, and synchronisation of capabilities in time, space, and purpose.

1.35 Surprise. The element of surprise aims to achieve disproportionate results, catching the enemy 'wrong-footed' and overwhelming their decision-action cycle. The surprised enemy may have slow or inappropriate reactions. Joint fire support, especially lethal joint fire support, achieves surprise through unexpected employment in quantities, times, and locations. Joint fire support also achieves surprise against 'concealed' force elements such as high pay-off targets, infrastructure and troops. Joint fire support planners should use innovative ways of employing joint fire support to achieve surprise.

1.36 Tempo. Joint fire support can generate tempo in order to render the enemy's decision process and battle procedure ineffective. Joint fire support does this through the rapid, successive exploitation of discrete targets, potentially paralysing enemy headquarters as they attempt to react to each action. More appropriately, joint fire support can support the scheme of manoeuvre by providing concentrated effects to the forward elements and enable more rapid achievement of objectives by breaking down enemy resistance or creating corridors for by-pass, thereby creating a relative imbalance in tempo.

1.37 Sustainment implications. Joint fire support is logistically intensive. Artillery and air delivered munitions, due to their bulk and weight, provide

[5] Planning is detailed in ADDP 5.0—*Joint Planning* and ADFP 5.0.1—*Joint Military Appreciation Process*

great demands on the logistic system. Similarly, support from naval platforms is limited to what can be carried on board. The maintenance of the joint fire support system requires continual oversight from joint fire support planners and their logistic counterparts alike.

1.38 Equipment and system limitations. The joint fire support system contains a variety of equipment platforms. Regardless of age the technology within the system requires careful husbandry to ensure its effectiveness, accuracy and safety for users. Each discrete asset of the system has its own limitations. Aircraft may be limited by weather conditions or endurance time, most artillery has a restricted self-defence capability, and naval platforms may be constrained by proximity to land and sea states. Joint fire support planners must be aware of the major equipment and system limitations to joint fire support.

HISTORICAL EXAMPLE—OPERATION ANACONDA—AFGHANISTAN 2002

In February and March 2002, Operation ANACONDA marked a shift in operations to a more 'traditional counter-insurgency operation' for allied forces in the War on Terror within Afghanistan. Moreover, the operation also featured the employment of the entire 100-plus SASR soldiers of Task Force 64. The culmination of this operation was the Battle of Shahi Khowt. This coalition attack on a significant al-Qaeda base in the south of Afghanistan required Task Force 64 soldiers to provide an observation and blocking force while United States of America (US) and other coalition elements cleared a Taliban/al-Qaeda stronghold within caves and bunkers.

During this operation Australian forces were credited with around 300 killed in action (KIA) of the approximate 500 enemy dead. These KIA were as a result of either direct action or Australian coordinated air strikes from US Apache attack helicopters and A10 Warthog ground attack aircraft.

The effective and coordinated application of coalition joint fire support was pivotal in the execution of Operation ANACONDA.

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CHAPTER 2

JOINT FIRE SUPPORT SYSTEM

Executive Summary

- Joint fire support system comprises three sub-systems; command and control, targeting, and attack resources, operated in a networked environment.
- Appropriate command and control is fundamental to the successful employment of joint fire support assets.
- Effective planning and coordination of each aspect contributes to the successful employment of joint fire support.

While hitting one must guard.... In order to hit with effect, the enemy must be taken off his guard.

Sir Basil H. Liddel-Hart, Thoughts on War, 1944

INTRODUCTION

2.1 The joint fire system is the synergistic product of three subsystems:

- command and control (C2);
- targeting; and
- attack resources.

2.2 Successful joint fire support depends on the detailed coordination of these subsystems in a networked framework. Integrating the processes and procedures of all three subsystems binds joint fire support resources together so the effects of each asset are synchronised to support the commander's intent and concept of operation. The joint fire support system model is graphically depicted in figure 2-1.

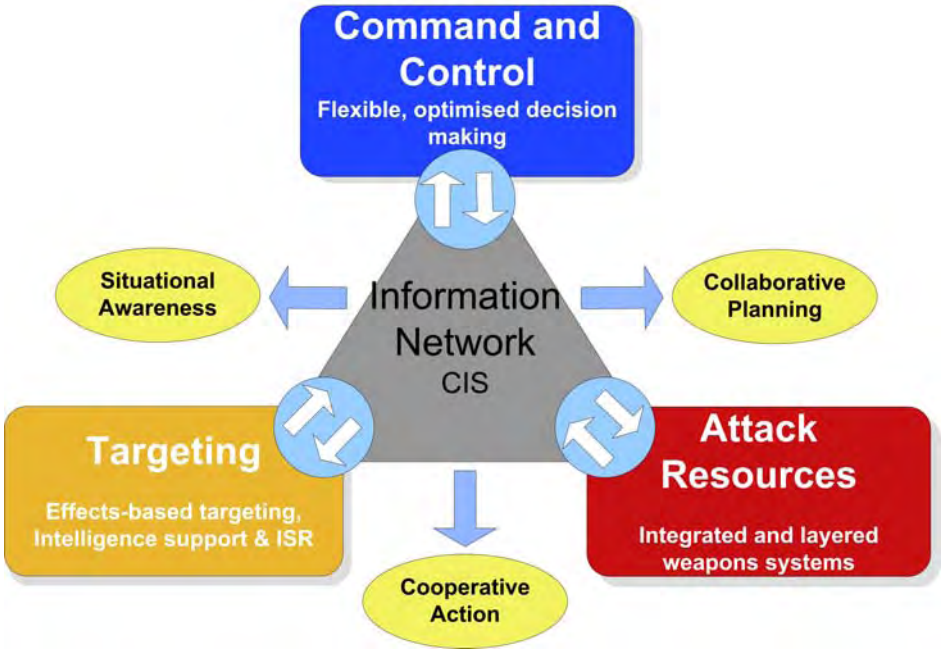


Figure 2-1: Joint fire support system model

2.3 Joint operations are conducted within a fluid and complex environment with the involvement of a range of agencies. Most joint operations conducted outside of Australian territory will be with other nation's forces, in a multinational environment. Consequently, many of the assets of the three sub-systems may belong to other nations or forces. Effective use of these platforms, weapons and capabilities may require considerable planning and coordination for joint fire support planners.

COMMAND AND CONTROL

2.4 A variety of C2 systems contribute to successful execution of joint fire support. Employing C2 systems with unity of effort is paramount to effective coordination of joint fire support. C2 for joint fire support also includes the vertical and horizontal coordination accomplished by joint fire support coordinators, joint fire support coordination agencies, and liaison elements. This is achieved through the initial creation of command relationships.

2.5 Successful C2 of joint fire support operations integrates joint fire support planning and coordination, air operations, and fire direction procedures to achieve the supported commander's desired effects.

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Figure 2–2: Headquarters operating ashore and afloat

2.6 Command of joint fire support is often centralised and this implies a degree of rigidity and a restriction of access to such assets. However, for joint fire support to be timely and effective its execution should be decentralised as much as possible. Consequently, C2 must remain flexible enough to allow the commander to weight the main effort accordingly while furnishing other mission priorities with the appropriate amount of joint fire support at the right point at the right time.

2.7 For this reason, functional components provide a hierarchy of joint fire support coordinators, joint fire support coordination agencies and liaison officers. Joint fire support coordinators have one common goal: to direct the efficient use of fire support assets in order to accomplish the mission.

Command and coordination of joint fire support

2.8 Command relationships establishing supported and supporting relationships either among or between components helps the commander joint task force (Comd JTF) integrate operations. Comd JTF may use either the component or direct method in structuring command of an operation. Command relationships are defined and clarified in Australian Defence Doctrine Publication (ADDP) 00.1—*Command and Control*.

Control of joint fire support

2.9 Joint fire support control. C2 systems bring the resources of joint fire support systems together for collation and decision-making. C2 for joint fire support requires intensive coordination. Two interrelated functions account for the complexity of this coordination. The first is the overall C2 process for employing fire support assets during joint operations. The second involves the planning required to execute joint fire support missions.

- The C2 process for employing joint fire support assets includes fire support planning and coordination, tactical fire direction procedures,

air operations procedures and other general supervisory tasks. Chapter 3—'Planning and coordination' discusses these aspects further.

- Planning provides the requisite technical considerations including weather data, terrain, target location data, defences, and weapon system data needed to deliver accurate fire support. Technical planning must be accomplished within a functional component.

2.10 Planning process. The joint military appreciation process (JMAP) allows the commander to clearly understand the situation and select the best course of action (COA). The commander's individual estimate results in an accurate visualisation of the current enemy and friendly situation, a visualisation of the goal or mission, and a clear expression of COA. Consideration of how to employ joint fire support continues throughout the planning process. In parallel, the JMAP provides the commander with a tool to further refine and clarify the concept of operations.

2.11 Concept of operations. The concept of operations is the key to describe how the commander visualises an operation unfolding. The concept is based on the commander's selected COA and describes where and how friendly forces engage the enemy. In the concept of operations the commander will describe how the action of each of the components or supporting commands fits together to accomplish the assigned mission. The concept of operations discusses joint force manoeuvre and the application of joint fire support. The joint fire support discussion should reflect Comd JTF's concept for application of available joint fire support assets. Guidance for joint fire support should address the following:

- joint force policies, procedures, and planning cycles;
- fire support assets for planning purposes;
- priorities for employing intelligence, surveillance and reconnaissance assets;
- areas that require joint fire support to support operational manoeuvre;
- attack guidance matrix;
- anticipated fire support requirements;
- fire support coordination measures; and

- force assignment, apportionment and allocation.

Key command appointments and agencies

2.12 Commander. Comd JTF, in concert with the joint staff, synchronises and integrates joint fire support in time, space and purpose to increase the total effectiveness of the joint force. The effective use of joint fire assets requires the establishment of both supported and supporting command relationships and the priority for their employment.

2.13 Joint targeting coordination board. The joint targeting coordination board (JTCB) directly supports the Comd JTF for the synchronisation and management of the joint targeting efforts. The JTCB is a forum to provide broad oversight of overall strategy and component schemes of manoeuvre; and to conduct planning, coordination, and deconfliction associated with joint targeting. The main focus of the JTCB is deliberate targeting and not dynamic targeting which is often associated with manoeuvre forces and the close battle. This board may be widened to include consideration of effects within the battlespace. In this regard, the forum may be referred to as the joint effects coordination board. In coalition operations, a coalition targeting coordination board will be formed with Comd JTF or their agent representing the JTF on the coalition board. Further information on the JTCB is in ADDP 3.14—*Targeting*.

2.14 Subordinate commander. Subordinate commanders, either commanders of components or direct command units, synchronise joint fire support assets and effects against the enemy's weapon systems, formations and C2 sites in support of their concept of operations. Detailed integration and coordination with supported forces is required. Preplanning allows detailed integration of fire support assets for anticipated time-sensitive targets[1].

2.15 Joint force air component commander. Comd JTF normally designates a joint force air component commander (JFACC) to exploit the capabilities of joint force air operations. The JFACC establishes a joint air operations centre[2] (JAOC) as the senior organisation within the tactical air control system (TACS) to coordinate the provision of offensive air support (OAS) to land and maritime commanders.

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[1] Further information on time-sensitive targets is in ADDP 3.14—*Targeting*

[2] Current Australian Defence Force (ADF) policy promotes the concept of a single permanent JAOC supporting all ADF air operations. The ADF JAOC is the Headquarters Joint Operations Command Air and Space Operations Centre.

2.16 Joint air operations centre. The JAOC is a fully integrated node of the joint fire support system that is responsible for planning, coordinating, and monitoring joint air operations. The JAOC processes all requests/requirements for air operations, including OAS. The JAOC allocates and tasks joint air operations based on the Comd JTF's concept of operation and air apportionment decisions. This allocation of assets includes the assignment of OAS assets to other components for the execution of joint fire support. Components attach coordination and liaison elements to a JAOC to integrate their components' air support requirements, including joint fire support, within those joint force air operations. The JAOC processes all requests/requirements for OAS. The JAOC apportions and tasks joint air operations based on the Comd JTF's concept of operations and air apportionment decision.

2.17 Joint fires and effects coordinator. The joint fires and effects coordinator (JFEC) is the principal joint fire support adviser to a land commander and is responsible for the control and coordination of joint fire support on behalf of that commander. The JFEC manages and directs the joint fires and effects coordination centre (JFECC). In addition the JFEC coordinates all forms of joint fire support including any artillery, naval surface fire support (NSFS) and offensive air support (OAS) available to the commander. This coordination is achieved in conjunction with the senior representatives from supporting elements such as the tactical air control party (TACP). In an Australian context, at all levels the senior artillery commander present usually fulfils the duties of JFEC.

2.18 Joint fires and effects coordination centre. JFECC[3] is the primary fire support coordination agency at the joint force, component and tactical levels in the land environment. The JFECC assists the joint force land component commander in the planning, coordination, execution and assessment of fires in support of land forces. The JFECC will usually be an agency with an appropriate component or formation headquarters. The JFECC generally consists of an artillery tactical HQ, a ground based air defence element and a TACP and an Army aviation element and a naval support party may be included when required.

2.19 Supporting arms coordinator. The supporting arms coordinator (SAC) is the principal joint fire support adviser to a commander amphibious task force (CATF) and is responsible for the control and coordination of joint fire support on behalf of that commander and the amphibious task force within an amphibious objective area. The SAC also supports the commander land force until such time the land force is established ashore. The SAC coordinates all forms of joint fire support including, artillery, NSFS and OAS

[3] Previously titled JOSCC (joint offensive support coordination centre)

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available to the commander. The SAC integrates the fire plans for supporting arms to ensure the most effective use of assets in support of the scheme of manoeuvre ashore. The SAC manages and directs the supporting arms coordination centre (SACC). Once the landing force is established ashore the SAC's responsibilities transfer to the land force's JFEC.

2.20 Supporting arms coordination centre. When initiating planning, the CATF, and attack group and/or advance force commander as appropriate, establishes a SACC. Through this agency CATF exercises overall coordination of supporting arms planning. Upon arrival in the objective area, the SACC (normally on the flagship of the CATF) coordinates the delivery of all supporting fire. The SACC is the amphibious task force nerve centre for coordinating and executing the use of supporting arms in an amphibious operation. The organisation of the SACC is essentially the same on each level of command. However, variations in individual operations require that SACC organisations be planned to fill specific needs. All necessary modifications should be made when planning a SACC to meet the requirements of a specific operation. During an amphibious operation the SACC acts as the afloat JFECC until the landing force is established ashore. Detailed descriptions of the SACC and its relationship with the JFECC are in ADDP 3.2—*Amphibious Operations* and Australian Defence Force Publication (ADFP) 3.2.1—*Amphibious Operations Procedures*.

2.21 Air support operations centre. The air support operations centre (ASOC) is an agency of the JAOC. The ASOC provides air operations advice and coordination to the component or formation headquarters to which it is attached. In particular, the ASOC is responsible for the timely processing of requests for immediate air support and airspace. These tasks may be conducted in cooperation with the battlefield coordination detachment (BCD). Where air missions have been assigned in support of the land component, the ASOC may control the distribution or launch/commit authority of those missions to meet the land component commander's priorities and scheme of manoeuvre.

2.22 Tactical air control party. The TACP is a Royal Australian Air Force sponsored, jointly staffed organisation attached to a land formation headquarters. The TACP is a scalable agency subordinate to the ASOC and is responsible for advising the supported commander, and contains a number of specialist air elements such as the offensive support element and airspace coordination element. The TACP ensures that all assigned airspace is managed and supporting air assets are tasked and controlled effectively to meet the formation commander's air support requirements.

2.23 Special operations command and control element. The special operations command and control element (SOCCE), when raised, will plan and conduct all operations by special forces (SF) for the supported

formation. The SOCCE is the focal point for the synchronisation of special operations forces activities with conventional forces operations. It performs command and control or liaison functions according to mission requirements and as directed by the establishing special operations forces commander. Its level of authority and responsibility may vary widely. It normally collocates with the command post of the supported force. SF fire support missions include:

- target acquisition as part of special reconnaissance;
- terminal control of OAS for deep strike;
- terminal control of target designation for other forms of land based or maritime strike such as artillery launched precision guided munitions or submarine launched missiles; and
- time sensitive targeting.

For smaller force elements, a special operations planning team or a special operations liaison element may suffice in lieu of a SOCCE.

2.24 Joint fires team. The joint fires team[4] advises a tactical manoeuvre commander on fire support capabilities and joint fire support command and control, effective use of fires assets, and assist in the planning, coordination and execution of fires. These teams may be allocated at varying levels of command but are usually associated with the tactical and operational level.

2.25 Forward air controller (airborne). A forward air controller (airborne) (FAC(A)) is a specifically trained and qualified aviation officer who exercises control from the air of aircraft and indirect fires engaged in close air support (CAS). The FAC(A) provides coordination and terminal attack control for CAS missions as well as locating, identifying, and marking ground targets. The FAC(A) mission is normally accomplished by a fixed wing (fighter or attack) or rotary wing (attack) aircraft operating either independently or as a two ship formation.

2.26 Joint terminal attack controller. A joint terminal attack controller (JTAC) is a qualified (certified) Service member, who, from a forward position, directs the action of combat aircraft engaged in CAS and other offensive air operations within assigned battlespace. JTAC provide the ground commander recommendations on the use of CAS and its integration with ground manoeuvre.

[4] Previously titled a JOST (joint offensive support team)

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2.27 Tactical air coordinator (airborne). A tactical air coordinator (airborne) (TAC(A)) provides communications relay between the TACP and attack aircraft as well as other agencies of the TACS. The TAC(A) also expedites CAS aircraft-to-FAC/JTAC hand-off during 'heavy traffic' CAS operations. Two-ship FAC(A) flights, especially in higher threat environments, may divide responsibilities so one aircraft fills the normal FAC(A) role while the second becomes a TAC(A).

2.28 Joint fires observer. A joint fires observer (JFO) is a trained and certified Service member who can request, adjust, and control surface-to-surface fires, provide targeting information in support of type 2 and 3 CAS, and perform autonomous terminal guidance operations (TGO). The JFO adds joint warfighting capability, but does not circumvent the need for qualified JTAC during CAS operations. JFO provide the capability to exploit those opportunities that exist in the operational environment where a trained observer could be used to efficiently support air delivered fire support, surface to surface fire support, and facilitate targeting.

2.29 Liaison. Planning the use of modern fire support systems requires the provision of specialist personnel within and between services and coalition partners. On a joint staff, coordination, synchronisation and deconfliction of joint fire support systems benefit from the expertise of these liaison officers. Examples include the provision of artillery observers to manoeuvre units, the assignment of specialist air staff to land elements and the assignment of ground liaison officers to air agencies.

2.30 Emergency close air support requests. There may be times when a specialist (FAC(A)/JTAC) is unavailable to provide control of CAS. In this instance any member of any unit in contact with the enemy and requiring CAS may request support. This will require access to appropriate communications equipment and associated frequencies. If these conditions exist then a plain language communication flow with the CAS aircraft will facilitate support. The level of support received will be dependent on the ability of the person in contact to clearly identify the enemy location. When conducting emergency CAS the decision for weapons release remains with the aircraft captain. For more information on emergency CAS see ADFP 3.1.1—*Joint Fire Support Procedures*.

Joint fire support communications network

2.31 Rapid, flexible and reliable communications are essential for the control of fire support and the collection of information, on which the successful application of fire support depends. The success of operations is influenced by the rapid acquisition of targets and the timely application of concentrated joint fire support. Any delay in the passage of information and orders to platforms may mean the difference between success and failure.

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TARGETING

2.32 Targeting is the process of selecting and prioritising targets and matching the appropriate response to them taking account of operational requirements and capabilities. Targeting is an effects based action or series of actions the commander uses to achieve mission objectives and end-states within the battlespace. The process of effects-based targeting places emphasis on linking planning and intelligence to identify the fullest possible range of targeting options available to the commander. Targeting determines the desired effects necessary to accomplish operational objectives; selects targets and tasks the means, lethal and/or non-lethal, with which to take action upon those targets.

2.33 The ability to develop a wide range of targeting options depends on a detailed understanding of the enemy, targeting stakeholders, and own force operational objectives. Joint fire support provides the means to achieve many of these targeting effects. *See* ADDP 3.14—*Targeting* for more detail on the targeting process.

Joint fire support and targeting

2.34 Joint fire support plays a vital role in the commander's scheme of manoeuvre. Consequently, the commander's objective drives the requirement for joint fire support. The provision of joint fire support is based on the linkage between the commander's objectives, planning processes and targeting. The targeting process matches effects to targets. Joint fire support provides many of these effects, characterised by the concentration of force, flexibility and responsiveness. Joint fire support actions must complement the Comd JTF's overall targeting effort. Effective use of joint fire support accesses a variety of planning activities including the air tasking order cycle to facilitate the delivery of air to surface fire support.

2.35 Targeting involves the employment of joint fires to shape the battlespace. Targeting is a federated collaborative process that occurs at all levels of command. Targeting directly relates to achieving the desired effects necessary to accomplish each commander's objectives. Targeting is also part of a broader planning process that enables commanders to continuously update and assess the effect of their targeting and operations.

2.36 The joint targeting cycle is an operational level process that aims to ensure:

- targeting effort is aligned with national objectives and the commander's intent;

- a range of effects are achieved across the battlespace;
- targets are valid and support the commander's intent;
- targeting is coordinated, integrated and deconflicted with other operational activities; and
- the identification of targeting-related intelligence requirements and the tasking of collection assets according to commander's priorities.

Joint targeting process

2.37 The ADF joint targeting process is a continuous process where steps may occur concurrently. The cycle establishes a framework that describes the steps that must be satisfied to successfully conduct joint targeting. The deliberate and dynamic nature of the joint targeting cycle supports all of the planning horizons of the JMAP—future plans, future operations, and current operations—ensuring that the targeting process adaptively supports achievement of the commander's objectives as opportunities arise and plans change.

2.38 The joint targeting process is a six phase cyclic activity (*see* figure 2–3). The phases are:

- commander's guidance—objectives, intent and priorities of effects;
- target development—intelligence direction, analysis, validation, list management;
- capabilities analysis—best means to affect targets or target sets;
- force apportionment—assigning the force effort to produce effects;
- execution—applying the force; and
- assessment—effects assessment, combat assessment and collateral assessment.

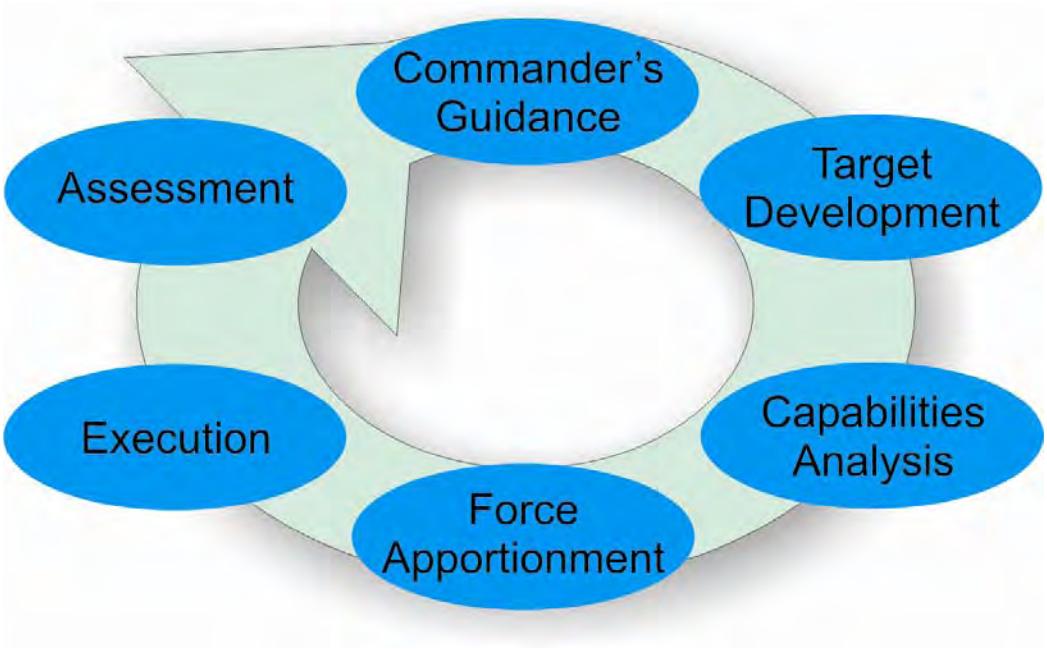


Figure 2–3: Joint Targeting Process

Commander's guidance

2.39 Commander's guidance provides the overall perspective to commanders charged with task execution, and specifically identifies conditions and parameters for particular objectives. Guidance is continually refined and should be provided in a format appropriate to the objective and the particular level of command. Most importantly, anticipated effects should be linked to the commander's objectives.

Target development

2.40 Target development entails the systematic examination of potential target systems (their components, individual targets, and target elements) to determine the necessary type and duration of action that must be exerted on each target to create the required effect(s) consistent with the commander's objectives. Target development involves intelligence direction, analysis, target validation and target list development. Collateral damage estimation is undertaken for every target as part of both this target development phase and the subsequent capabilities analysis phase. For further information on collateral damage estimation see ADFP 3.14.2—*Targeting Procedures*.

Capability analysis

2.41 The primary purpose of capabilities analysis is to maximise the employment efficiency of forces through application of sufficient force to create the desired effects while minimising collateral damage and either

duplication of effort or wasted resources. This phase of the joint targeting cycle involves evaluating available capabilities against desired effects to determine the appropriate options available to the commander. Commanders also consider risks to the force and collateral concerns in evaluating available capabilities. Capabilities analysis may also inform the Comd JTF choice of course of action and other decision making processes.

Force apportionment

2.42 The force apportionment phase integrates previous phases of joint targeting and fuses capabilities analysis with available forces, sensors, and weapons systems. Apportionment is, in the general sense, the distribution for planning of limited resources among competing requirements. Primarily, an operations function, force apportionment requires considerable intelligence support to ensure intelligence, surveillance and reconnaissance assets are integrated into the operation. The essential actions that take place during this phase are:

- consolidate target development, battle damage assessment (BDA) and capabilities analysis results;
- gather data on friendly force status including any operational constraints;
- assign forces to targets and missions to achieve effects;
- recommend apportionment for approval; and
- issue orders as the link to execution.

Execution

2.43 Upon receipt of tasking orders, detailed planning is undertaken for the execution of operations. The joint targeting process supports this planning by providing tactical-level planners with direct access to detailed information on the targets, supported by the nominating component's analytical reasoning that linked the target with the desired effect (phase 2).

2.44 Combat is inherently dynamic, and the battlespace may change dramatically as the enemy responds and deviates from friendly force assumptions. Comd JTF ensures the joint task force maintains sufficient flexibility and capacity to offset any unexpected actions. Importantly, the joint targeting process is also flexible and can adapt to these changes, allowing commanders to maintain the initiative. Dynamic targeting may be required during execution and therefore high quality targeting, operational and

situational awareness data is required in order to assess appropriate responses, possible collateral damage levels and also a relative assessment of the benefits of engaging deliberate targets versus dynamic targets.

Assessment

2.45 Assessment occurs at all levels and across the range of military operations. Even in operations that do not include combat, assessment of progress is just as important and can be more complex than traditional combat assessment. As a general rule, the level at which a specific operation, task, or action is directed should be the level at which such activity is assessed. To do this, Comd JTF and supporting staff consider assessment ways, means, and measures during planning, preparation, and execution. This properly focuses assessment and collection at each level, reduces redundancy, and enhances the efficiency of the overall assessment process.[5]

2.46 Assessment is used to measure the progress of the JTF towards mission accomplishment. Assessment can be divided into three areas; effects assessment, combat assessment and collateral assessment as shown in figure 2–4. Commanders establish appropriate measures of effectiveness (MOE) and measures of performance (MOP) to assist in the conduct of assessment.

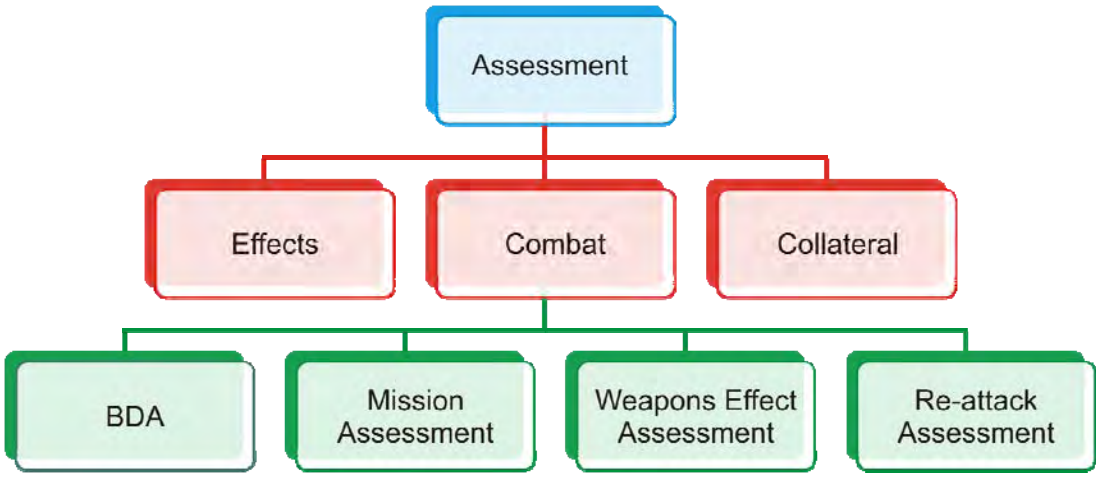


Figure 2–4: Assessment

2.47 Effects assessment. Commanders and their staffs determine relevant assessment actions and measures during planning. They consider assessment measures as early as mission analysis, and include assessment measures and related guidance in commander and staff estimates.

[5] A more detailed treatment of assessment is in ADFP 3.14.2—*Targeting Procedures*

Commanders continuously assess the operational environment and the progress of operations, and compare them to their initial vision and intent. Commanders adjust operations based on their assessment to ensure objectives are met and the military end state is achieved. The assessment process is continuous and directly tied to the commander's decisions throughout planning, preparation, and execution of operations. Planning for the assessment process helps staffs by identifying key aspects of the operation that the commander is interested in closely monitoring and where the commander wants to make decisions. At the operational and/or strategic level effects assessment is a campaign assessment which is incorporated into strategy and guidance development.

2.48 Combat assessment. Combat assessment (CA) focuses on determining the results of weapons engagement using both lethal and non-lethal capabilities. CA determines progress and validation of how targeting activities are progressing and provide inputs into MOE and MOP; it also recommends further targeting priorities in line with the assessed results. CA comprises four aspects:

- BDA[6],
- weapons effectiveness assessment,
- mission assessment,
- re-attack recommendations.

Combat assessment is further detailed in chapter 4—'Execution'.

2.49 Collateral assessment. Collateral assessment is the understanding of the actual collateral damage caused by the use of lethal and non-lethal weapons and it is necessary to fully understand the consequences of own action. Collateral assessment measures actual collateral damage against the assessed pre-attack collateral damage estimation, to determine what undesired effect occurred that may require consequence management.

Target acquisition assets

2.50 Enemy targets must be detected, located, identified, and prioritised with sufficient accuracy and speed to permit effective attack. To assist with target acquisition, components have organic and attached acquisition assets and require access to intelligence gathered by other assets. The joint fire

[6] See ADFP 3.14.1—*Battle damage assessment* for further detail.

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support system consolidates targeting information from many different agencies including intelligence systems, manoeuvre forces, special reconnaissance operations, and intelligence support from coalition assets (sensor and satellite systems).

2.51 Intelligence Systems. Appropriate intelligence agencies and systems execute missions in support of the collection plan. Intelligence assets used in the collection plan include:

- signals intelligence,
- imagery intelligence,
- human intelligence,
- measurement and signature intelligence, and
- open source intelligence.[7]

2.52 Manoeuvre forces. All manoeuvre forces can be an important source of targeting intelligence. Individual units (such as platoons or single aircraft) can provide time-sensitive targeting information about enemy troops and equipment. Surveillance radars, observation posts, reconnaissance patrols, and uninhabited aerial vehicles (UAV) are also useful in collecting information for targeting intelligence.

2.53 Reconnaissance. Ground, maritime, and air reconnaissance elements are valuable information sources because of their unique missions and training. Attack and reconnaissance helicopters, armed UAV, multi-role combat aircraft and various other component aircraft are well suited for a targeting task because they can acquire targets both visually and electronically. These units can engage the targets themselves, direct another attack asset or call for indirect fire support. Additionally, they have the capability to perform BDA. UAV are playing an increasing role in reconnaissance with their ability to provide timely and accurate information required for attacking and assessing high value targets. UAV provide a broad range of collection capabilities including electronic intelligence, electro-optical, infrared imagery, search and rescue and real time television imagery.

[7] For further information on intelligence systems refer to ADDP 2.0—*Intelligence*.

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2.54 Special operations. Special operations collect and report information beyond the sensing capabilities of tactical collection systems by conducting special reconnaissance missions to verify the capabilities, intentions and activities of the enemy. Special reconnaissance missions include target acquisition, area assessment, and post-strike reconnaissance.

2.55 Other assets. Each component operates intelligence collection systems or assets that can fulfil a targeting function. These assets provide the information required to conduct successful joint fire support. They are categorised as aerial systems (manned and unmanned), subsurface systems, surface systems (ground and sea), national systems and coalition assets.

ATTACK RESOURCES

2.56 Joint fire support typically involves two interrelated operations: air-to-surface and surface-to-surface operations. While the focus of joint fire support is generally on the delivery of lethal effects it also encompasses the employment of non-lethal weapons, such as computer network attack or electronic attack. Regardless of the attack system employed, joint fire support requires detailed spatial and temporal integration of C2, targeting and attack resources, and the coordination and integration of airspace control for joint fires is crucial.

2.57 Generating effective firepower against an enemy requires the coordination of organic and supporting fire with other agencies, such as information operations, combat service support, and C2. Except for certain ground based direct-fire weapons, the weapons and systems discussed here are coordinated by the JFECC/SACC and JAOC. Land force operations are joint in nature and characterised by modern C2 systems, increased levels of mobility, low force to space ratios and a reliance on high technology stand-off firepower systems to conduct manoeuvre operations. The effective coordination of all available joint fire support assets remains crucial to the ADF's success in the battlespace. Joint fire support assets are available to a commander at all levels and therefore will require varying degrees of coordination by the applicable JFECC/SACC and JAOC. The capabilities available are as follows.

Air-to-surface attack

2.58 The integration of air-to-surface joint fire support within the battlespace greatly increases the types of fire support and level of flexibility available to the supported commander. The availability of air support at a particular echelon depends on the apportionment, allocation, and distribution decisions made at Comd JTF level.



Figure 2–5: F/A–18 Hornet carrying joint direct attack munitions

2.59 Offensive air support. OAS provides the capability to detect and attack targets throughout the area of operations. The elements of OAS are as follows:

- **Air interdiction.** Air interdiction (AI) is defined as air operations conducted to destroy, neutralise, or delay the enemy's military potential before it can be brought to bear effectively against friendly forces at such distance from friendly forces. The may focus of AI is the shape the battlespace to support manoeuvre forces and achieve operational objectives. The level of integration and coordination for AI is significantly less that of CAS. AI roles include:
  - **Armed reconnaissance.** Armed reconnaissance is defined as locating and attacking targets of opportunity in assigned target area of interest (TAI). Armed reconnaissance offers the Comd JTF a capability to engage mobile enemy targets within the battlespace without the requirement for terminal attack control.
  - **Strike coordination and reconnaissance.** Strike coordination and reconnaissance is a mission flown for the purpose of acquiring and reporting targets beyond the fire support coordination line or within a TAI, and coordinating strike missions upon those targets.

- **Close air support.** CAS is an operation directed against a target that is in close proximity to friendly forces and requires detailed planning and integration with the fire and movement of those forces. CAS requires terminal attack control and appropriately managed battlespace.

- **Maritime offensive air support**. Maritime OAS is focused primarily at the tactical level of warfare and aims to use air power in direct support of the maritime forces engaged by the enemy. When operating in the maritime OAS role, tasking and control of the air assets is at the direction of the maritime component commander, whether joint or coalition. Aircraft assigned to, or in support of a Comd JTF may be tasked for maritime OAS missions in the JFAO as follows:

  – **Anti-surface warfare.** Anti-surface warfare aims to provide airborne firepower support to those allied naval forces in direct contact with or directly threatened by enemy surface forces.

  – **Under-sea warfare.** Undersea warfare aims to provide airborne firepower support to those allied naval surface forces in direct contact with, or directly threatened by enemy sub-surface forces.

Surface-to-surface attack

2.60 Surface-to-surface joint fire support also covers subsurface to surface fire support systems with typical examples including rocket, tubed artillery (including mortars and howitzers) and NSFS. Fire support surface-to-surface systems are as follows:

- **Naval surface fire support.** NSFS employs Navy surface gun and missile systems in support of a unit or units. This support may be during amphibious force actions and operations or, depending on the range of available systems, provide support operations beyond the amphibious area. A subset of NSFS is naval gunfire support (NGS).

- **Naval gunfire support.** NGS provides long-range, rapid-fire, high-volume, indirect fire support. Depending on the hydrographical and topographical limitations, NGS may provide indirect and direct attacks on enemy formations and installations.

- **Land fire support.** The major land based fire support systems encompass both direct and indirect fire weapons. The operation of most of these systems is primarily restricted to the land environment,

often because of the trajectory and predominant role of the underlying system. Primarily the platforms of concern in a joint fire support environment include surface to surface artillery, rocket systems, Army aviation and mortars.

Non-lethal fire support

2.61 Non-lethal fire support minimises damage and injury to personnel. Non-lethal fire support includes support from electronic warfare (EW), non-lethal weapons, and some information operations such as computer network attack. Non-lethal weapons are weapons designed and employed to incapacitate personnel or material, while minimising fatalities, permanent injury to personnel, and undesired damage to property and the environment.

Electronic warfare

2.62 EW is an essential element of fire support. In addition to its intelligence-gathering capability, EW is considered a non-lethal attack means. EW is defined as any military action using electromagnetic energy and directed energy to control the electromagnetic spectrum or to attack the enemy. EW uses the electromagnetic spectrum for actions to deceive the enemy, destroy electronic equipment, locate its units and facilities, intercept its communications, and disrupt its C2 and target acquisition systems at critical moments. Elements of EW that are not directly connected with the destruction of equipment and personnel are considered non-lethal fire support.

2.63 The offensive use of electromagnetic or directed energy to attack enemy information operations, C2 assets, and combat capabilities has great potential. EW combines non destructive actions to degrade or neutralise, such as electromagnetic interference, electromagnetic intrusion, electromagnetic jamming, electromagnetic deception, and non destructive directed energy with the destructive capabilities of anti-radiation missiles and directed energy weapon systems. The limited number of electronic attack assets requires economy of force and synchronisation within the overall concept of the operation to promote unity of effort throughout the force. Refer ADDP 3.5—*Electronic Warfare* for a further discussion on EW doctrine and procedures.

CHAPTER 3

PLANNING AND COORDINATION

Executive Summary

- Communication between the commander and joint fire support planners, at all levels, is critical to effective planning and the coordination of fire support.
- Planning synchronises joint fire support with the commander's plan.
- Coordination creates the conditions for the successful delivery of effects.

Planning is everything—Plans are nothing.

Field Marshal Helmuth Graf von Moltke

INTRODUCTION

3.1 Planning and coordination ensures that all available joint fire support is synchronised in accordance with the commander's plan. The key to effective integration of joint fire support is through the thorough and continuous inclusion of specialist joint fire support planners in the planning process. Commanders should not rely on their fire support coordinators to plan and coordinate joint fire support solely from an operations order (OPORD). A continuous dialogue between the commander and their fire support planners and/or coordinators ensures joint fire support provides timely and accurate support to the necessary forces.

3.2 Joint fire support planners and/or coordinators actively participate with other members of the staff to develop an appreciation of the situation, give the commander recommendations, develop the joint fire support portion of the concept of operations and supervise the execution of the commander's decision. The effectiveness of their planning and coordination is predicated on the commander providing clear and precise guidance. The result of this close interaction between joint fire support planners, the commander, and other joint staff is the accomplishment of the appropriate effects

simultaneously with the prevention of fratricide and the minimisation collateral damage.

JOINT FIRE SUPPORT PLANNING

3.3 The purpose of joint fire support planning is to optimise its employment by integrating, synchronising and deconflicting joint fire support with the supported commander's manoeuvre plan. During the planning phase, commanders develop the scheme of manoeuvre and concept for joint fire support. Joint fire support planners and coordinators are responsible for advising commanders on the best use of available fire support resources, developing fire support plans, issuing necessary orders on behalf of appropriate commanders and implementing approved joint fire support plans. Joint fire support needs must be considered during the commander joint task force's (Comd JTF) and subordinate commanders' planning and decision-making processes.

Planning process

3.4 Joint fire support planning is the continuous process of analysis, allocation and synchronisation of joint fire support integrated with other planning processes such as targeting, manoeuvre and collection. Joint fire support planners must consider what types of targets will be attacked, what collection assets are available to acquire and track targets, what assets will be used to attack the target and what assets are available to verify effects on the target.

3.5 Joint fire support planning is conducted through a deliberate top-down process with bottom-up refinement. Top-down joint fire support planning provides the commander with a joint fire support plan that focuses the offensive effort precisely where the commander intends to weight the main effort and achieve mission success. The top-down process provides guidance, allocates resources, assigns target execution responsibility and fully supports the commander's scheme of manoeuvre. Subordinate organisations use a range of techniques and assets to refine target information.

3.6 Requirements of the process. There are six fundamental requirements that underpin an effective joint fire support planning process. These requirements are as follows:

- **Synchronisation.** Effective planning assists Comd JTF to organise joint fire support effects in time, space and purpose to produce maximum relative combat power at a decisive time and place. Commanders and their staff require a comprehensive knowledge of

the major joint fire support, manoeuvre and other battlespace capabilities to facilitate synchronisation between joint fire support and the overall operation.

- **Integration.** The integration of joint fire support planning with overarching joint force and component level planning is vital to achieving effective and complementary operational level plans.

- **Coordination.** Constant communication and careful coordination provides the means to maximise the effectiveness of joint fire support.

- **Deconfliction.** Planning and ongoing coordination amongst fire support personnel ensure joint fire support assets, manoeuvre forces and effects are separated by an acceptable degree of time or space. This requirement maximises the safe operation of fire support assets and minimises the potential for fratricide.

- **Effects.** Joint fire support plans focus on achieving the effects required against the identified targets. Such a plan is synchronised in time and space to maximise the outcomes of the effects.

- **Simple.** The commander's joint fire support plan must be clear and concise and understood at all levels.

Joint fire support and the joint military appreciation process

3.7 Successful military operations require commanders to make sound decisions that staff can develop into workable plans. These plans are then executed in a timely and appropriate manner. A collective decision-making process fosters understanding and mastery between commander and staff. The Australian Defence Force (ADF) uses the JMAP as a common tool for the conduct of planning operations at the operational level.

3.8 The joint military appreciation process (JMAP)[1] is a logical decision-making process that analyses all the relevant factors in a situation and coordinates all staff functions towards the development of the most appropriate plan of action. In this sense the process assists the commander to select a course of action (COA) with an understanding of the associated risks.

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1 *See* Australian Defence Force Publication 5.0.1—*Joint Military Appreciation Process* for a detailed examination of joint planning.

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3.9 Preliminary Scoping. Before the formal initiation of the JMAP, a joint force headquarters will normally conduct some form of preliminary scoping. The planning staff predominately uses preliminary scoping to focus staff effort, provide a situational update, establish a planning timeline and allocate tasks to staff. Concurrently, joint fire support planners receive this staff update. However, there is no 'product' derived from preliminary scoping for joint fire support planners other than the same guidance received by the force staff.

3.10 The JMAP consists of four consecutive steps with an integral and continuous part known as the joint intelligence preparation of the battlespace (JIPB). The four steps of the JMAP and their relationship with the JIPB process are shown in figure 3–1.

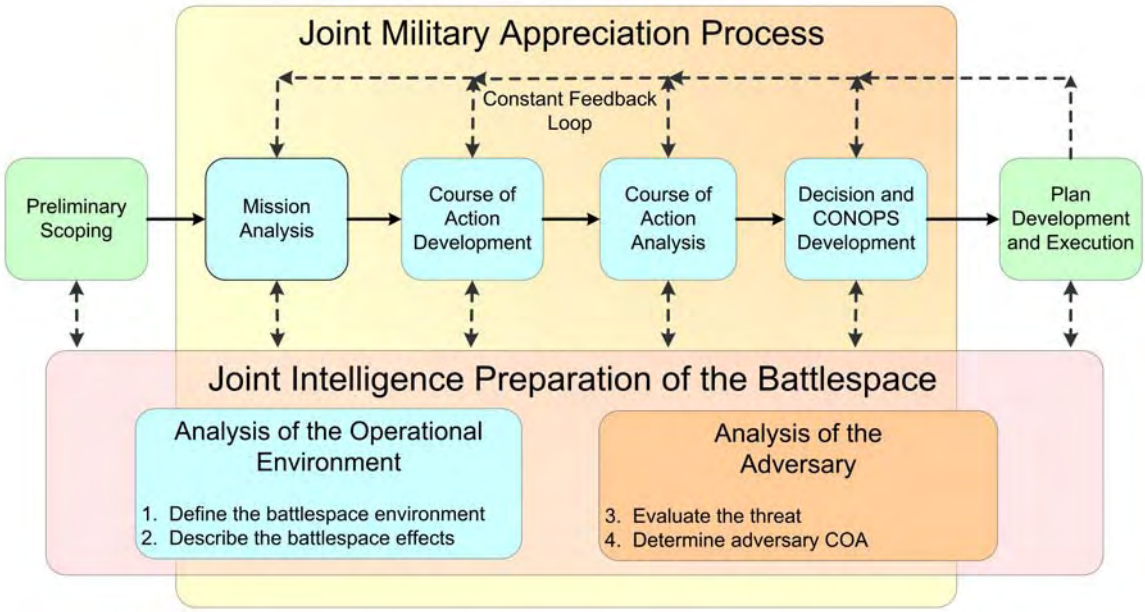


Figure 3–1: Joint military appreciation process and joint intelligence preparation of the battlespace linkages

Joint Intelligence preparation of the battlespace

3.11 JIPB is conducted continuously by the intelligence staff. In planning the main focus of the JIPB is to analyse the operational environment and the threat. To this end the principle JIPB product for joint fire support planners are the critical vulnerabilities that can be targeted, which are derived from the determination of the enemy's centre of gravity and the supporting critical capabilities and critical requirements. Addition JIPB products that support joint sire support planning are the enemy's most likely and most dangerous COA, and identified named and targeted areas of interest which will inform apportionment of resources and target list development.

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3.12 During JIPB, joint fire support planners will submit requests for information to the intelligence staff that are required to assist in joint fire support planning. These requests may include information on the fire support actions and assets of the adversary, and the operating environment. Joint fire support planners contribute to the development of the JIPB through subject matter advice, where necessary.

Mission analysis

3.13 Mission analysis requires input from all supporting staff processes to provide the 'situational awareness' required to continue the JMAP. For example, operations staff provide an awareness of current operational capability, dispositions and intent. Logistics staff provide advice on logistics restrictions and freedoms of action affecting operations. Likewise, joint fire support staff should determine the following information:

- status of joint fire support;
- capabilities and limitations of joint fire support such as rules of engagement (ROE) limitations, special munitions and logistics;
- results of joint fire support JIPB analysis; and
- joint fire support timeline (if not incorporated into the headquarters timeline).

3.14 Joint fire support planners need to ensure that appropriate commander guidance is issued to gain an understanding of joint fire support requirements needed to support the operation. Commander's guidance should contain the following information:

- priorities for target engagement, expressed as objectives (for example disrupt Kamarian ability to sustain deployed forces on Legais to degrade Kamarian combat power on Legais);
- attack guidance including ROE and collateral damage levels;
- engagement criteria (size and type of units the commander wants engaged at different points in the battle);
- guidance for special munitions; and
- specify how, when and where joint fire support should be employed in the development of COA.

3.15 Attack guidance. The commander will state the effect joint fire support must have on a particular target. Most important is the interpretation of terminology. For example, the manoeuvre definition of destruction is different to that used by other joint fire support planners. The commander articulates desired effects in exact numbers by vehicle type or unit size.

3.16 Essential fire support task. An essential fire support task (EFST) is determined from the planning process, describes an effect that joint fire support is to have upon the enemy. The EFST should be nested with the decisive points on the defined line of operation. When synchronised with the manoeuvre plan, a failure to achieve an EFST may require the commander to alter the tactical or operational plan. A fully developed EFST should be described in the following manner:

- **Target.** The target describes what it be attacked.
- **Purpose.** The purpose describes why the task contributes to the manoeuvre plan.
- **Method.** The method describes how the task will be accomplished by assigning responsibility to observers or units and delivery assets and providing amplifying information or restrictions.
- **Effect.** The effect describes the targeting objective (delay, disrupt, limit or destroy) that joint fire support must achieve on an enemy function or capability.

Course of action development

3.17 The joint fire support planner plays a key role in the development of COA. As the staff begins the steps of COA development, the joint fire support planner must integrate joint fire support into the developing COA. As the staff analyses combat power, generates options, arrays initial forces and then begins to develop a scheme of manoeuvre, the fire support planner must contribute at each step.

3.18 The desired output of COA development is a joint fire support plan for each COA, branch plan or sequel. A joint fire support plan should have the following:

- **Concept of fire support.** The concept of fire support highlights how the joint fire support plan is integrated with the scheme of manoeuvre, to accomplish the mission and achieve the commander's intent. The concept allocates, in broad terms, the assets to achieve the EFST.

The concept of fire support is the basis of the joint fire support section/annex in the final OPORD.

- **Target list development.** Joint fire support planners identify a range of potential targets for each COA. These targets form a separate target list for each COA. This target list development is usually conducted by targeting planners in phase 2 (target development) of the targeting process. Joint fire support planners should work closely with targeting staff on the development of these target lists. Further information on target development is in Australian Defence Force Publication (ADFP) 3.14.2—*Targeting Procedures*.

- **Fire support products of the targeting plan.** At the completion of COA development, the fire support planner should refine the high pay-off target (HPT) list and target selection standard to form the attack guidance matrix based upon the different requirements of each COA.

- **Collection plan.** The joint fire support planner assists the intelligence and operations staff with the development of the collection plan. The joint fire support planner checks to ensure the collection plan addresses the acquisition plan to detect, track and attack the HPT in the fire support plan. Further information on collection plans see Australian Defence Doctrine Publication (ADDP) 3.7—*Collection Operations*.

Course of action analysis

3.19 At the end of COA analysis the joint fire support planner should have revised the products developed during COA development. These include:

- concept of fire support,
- target list and target overlay,
- confirmation of fire support products, and
- attack guidance matrix.

Decision and concept of operations approval

3.20 Once the outcomes of COA analysis have been completed, the alternate COA are war gamed and findings presented to the commander for

a final decision or further guidance. Once the operational commander has confirmed the preferred option, the concept of operations is completed.

3.21 The primary role of fire support planners in this step is briefing the joint fire support plan and the production and dissemination of fire support plan. The fire support plan may be a stand alone document or more often an annex to the OPORD for the operation. A fire support planning guide is at annex A. This guide provides a checklist for the joint fire support planner to use during the JMAP.



Figure 3.2: 105mm Hamel Gun providing close supporting fires

JOINT FIRE SUPPORT COORDINATION

3.22 Joint fire support coordination is a continuous process of planning and executing effects at both the operational and tactical levels. It involves technical considerations and the exercise of joint fire support command, control, and communications. Joint fire support coordination includes efforts to deconflict attacks, avoid fratricide, reduce duplication of effort and assist in shaping the battlespace. Coordination procedures must be flexible and responsive to the ever-changing dynamics of warfighting. Simple arrangements for the approval and execution of joint fires should be established. Coordination is reflected in the concept of operations and in the sequencing and timing of actions to achieve objectives. Coordination is enhanced when joint fire support personnel clearly understand the commander's intent. An important part of the coordination process is the

identification of potential fratricide situations and the necessary coordination measures to positively manage and control the attack of targets.

Principles of coordination

3.23 Agencies involved with joint fire support coordination employ several principles to provide timely and accurate effects within the battlespace in accordance with the commander's plan. All of these principles are of fundamental importance to the effective use of joint fire support within the battlespace. When applying these principles to specific situations, joint fire support agencies may consider balancing the application of one principle against the application of another. These principles are as follows:

- **Protect the force.** Given the complexity and lethality inherent in joint fire support prevention of fratricide must always be a high priority. Commanders at all levels must consciously and deliberately reduce the potential for fratricide.

- **Flexibility.** Flexibility allows joint fire support planners to adapt and respond to unexpected events, and is achieved by retaining sufficient attack resources on call to cover gaps or unexpected contingencies. Flexibility may require rapid, necessary but temporary modifications to procedures to prevent fratricide. Flexibility does not negate the need to establish practical and effective coordination procedures. For artillery this is done by superimposition.

- **Planning.** To integrate joint fire support effectively within the scheme of manoeuvre, planning must begin when the commander states the mission and provides command guidance. If any doubt arises during joint fire support planning regarding support requirement for the scheme of manoeuvre then further commander's guidance must be sought.

- **Flow of information.** Staffs must ensure that target information from all sources is evaluated and routed to the appropriate/designated attack means. This includes information from all echelons and from adjacent and supporting elements.

- **Simplicity.** Joint fire support coordination is a flexible process that must be kept as simple as possible to minimise potentials for confusion under conditions of stress to still produce the desired results.

- **Use appropriate assets.** Joint fire support planners and/or coordinators must consider all attack means at their disposal. Coordinators must also consider the command guidance and the attack priorities when employing them. Generally this means using the best available asset with appropriate weapons to provide the desired effect in a timely manner, often this may not be the ideal asset. In determining the most appropriate asset joint fire support coordinators must consider the nature and importance of the target, engagement time window, terrain, attack asset availability, the desired effect, collateral damage considerations, proportionality and legal considerations.

- **Avoid unnecessary duplication.** A key task for joint fire support planners and/or coordinators is to resolve duplications of fire support. This is similar to economy of effort and does not diminish the need to maintain a reserve through superimposition or some other means.

- **Independent check.** The independent check underpins the safe, timely, accurate and coordinated delivery of joint fire support. All personnel involved with the delivery of joint fire support must make every effort to check the key data required to achieve the effect and avoid fratricide.

Methods of coordination

3.24 There are a variety of methods for coordinating joint fire support. The techniques and procedures in this section are examples of the major methods available to the fire support coordinator. In any given operational scenario fire support coordinators may be required to modify established practices or utilise their expertise to devise appropriate coordination means for the application of joint fire support.

3.25 Battle management systems. There are a range of automated systems that enable commanders and staff to coordinate and synchronise force capabilities in time and space. These systems may include the tracking of friendly force assets, status of weapons systems and other information critical to the management of operations.

3.26 Geodetic datum. All positions, maps and charts to be used in support of joint fire support are to be based on the World Geodetic System 1984 (WGS84) datum. Standardising on WGS84 ensures that the coordinates, whether latitude and longitude or grid references, are common and that joint fire support will be delivered at the intended point.

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3.27 Geographic reference systems. In the conduct of joint fire support it may be appropriate to designate an area reference system to assist in the coordination and deconfliction of activities. The area reference system to be used should be detailed in all relevant orders and instructions to ensure that all agencies and combat forces are working to a common system. The ADF is currently transitioning to the global area reference system (GARS) as a common standard for future operations. GARS is detailed in ADFP 3.1.1—*Joint Fire Support Procedures*.

3.28 Fire planning. Joint fire support fire planning offers a practical and common means of coordinating joint fire support. The OWG2 is the standard proforma for artillery fire planning; this form has application for all joint fire support planning. See ADFP 3.1.1 for more detail on fire planning.

3.29 Airspace management and control. Airspace management is the design, allocation, integration and regulation of airspace and airspace usage procedures. Airspace control is the implementation of the airspace usage procedures in order to mitigate risk and enhance the efficiency and flexibility of the airspace control system. The primary goal of airspace management and control is to support Comd JTF's objectives by enhancing the operational effectiveness of the joint force. Effective airspace management and control requires a responsive airspace control system, standardisation, minimal restrictions, and continuous coordination among all airspace users and airspace control agencies. Joint planning and coordination are necessary to minimise mutual interference while deploying and employing air defence and joint fire support assets. The commander designated as the airspace control authority (usually the joint force air component commander) is responsible for airspace management and control throughout the joint force area of operations. Additional information on airspace management and airspace control is contained in ADDP 3.3—*Joint Airspace Control*.

Coordination measures

3.30 Commanders employ coordination measures to:

- expedite attacks on targets;
- protect forces, populations, critical pieces of infrastructure, and sites of religious or cultural significance;
- deconflict joint fire support operations; and
- establish conditions for future operations.

3.31 Types. Coordination measures are either permissive or restrictive.

- **Permissive measures.** The primary purpose of permissive measures is to facilitate the attack of targets. With the exception of the fire support coordination line (FSCL), permissive measures normally require no further detailed coordination for the engagement of targets with conventional means. See ADFP 3.1.1 for more detail.

- **Restrictive measures.** Restrictive measures impose requirements for specific coordination before engagement of targets. Control and coordination measures are discussed in detail in ADFP 3.1.1.

3.32 Fire support coordination measures. Fire support coordination measures (FSCM) enable rapid engagement of targets while providing safeguards for friendly forces. FSCM are employed according to the operational situation and are coordinated with superior, subordinate, supporting and affected commanders. The principal FSCM in air-land operations is the FSCL, this and other FSCM are discussed in ADFP 3.1.1. The position of the FSCL can significantly affect air and land operations. Therefore, the placement and movement of the FSCL requires careful coordination between surface and air commanders.

3.33 Airspace control means. An ACM is a procedural method of defining a specific portion of airspace for a particular purpose. When established, ACM reserve airspace for specific users, restrict the action of airspace users and/or require airspace users to accomplish specific actions. ACM can also be used to identify friendly forces, providing separation from other friendly airspace users and avoiding the risk of engagement by friendly air defence weapons. See ADDP 3.3 for more details on ACM.

Annex:
A. Joint Fire Support Planning Guide

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JOINT FIRE SUPPORT PLANNING GUIDE

	INPUTS	ACTIONS	OUTPUTS
Mission Analysis	Receipt of operations order or warning order (WNGO) from higher headquarters (HQ) Facts from joint fire support assets Joint intelligence preparation on the battlefield (JIPB) products: • Battlefield analysis • Terrain/light/weather data • Enemy course of action (COA) High value target by phase or event from the intelligence staff	Analyse higher HQ manoeuvre and fire plan Time analysis Analyse facts/make assumptions Identify specified/implied tasks Develop draft essential fire support task (EFST) Translate status of joint fire support assets into capabilities Analyse effects of JIPB) on fire support	Mission analysis brief Higher fire plan Joint fire support status Capabilities/limitations Fire support JIPB analysis Fire plan timeline Recommend EFST Request for additional resources WNGO to subordinate forces as appropriate

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	INPUTS	ACTIONS	OUTPUTS
COA Development	Outputs from Mission Analysis Ongoing commander's guidance Ongoing JIPB input	Determine where enemy capabilities can be located Analyse enemy capability to determine vulnerabilities Determine method and quantify effects of EFST Provide input into the Collection Plan Assign joint fire support assets Identify triggers Identify redundant collection assets	For each COA developed: • Draft concept of fire support • Draft concept for employment of fire support • Draft target list and overlay • Draft Target selections standards (TSS), attack guidance matrix (AGM) and high pay-off target (HPT) list Draft Collection Plan

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	INPUTS	ACTIONS	OUTPUTS
COA Analysis	Outputs from COA Development Ongoing JIPB input	Targeting: Primary/alternate collection assets reflected in the Collection Plan Communications to HQ or response assets Trigger response asset in range Effects measured by re-engagement policy Fight fire plan as part of wargame and record results Develop plan and associated products	Final drafts of the following for each COA wargamed: • Concept of fire support • Concept for employment of fire support • Target list and overlay • TSS, AGM and HPT list • Collection Plan

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	INPUTS	ACTIONS	OUTPUTS
Decision and CONOPS approval	Outputs from COA analysis Ongoing JIPB input	COA decision briefing Fire plan briefed as part of each COA Joint fire support planner presents as member of staff Selection of COA for development into a plan/ concept of operations (CONOPS). Develop orders and instructions	Preferred COA selected and CONOPS approved. Fire support plan/annex produced, includes: • Concept of fire support • Concept for employment of fire support • Target list and overlay • TSS, AGM and HPT list Issue orders and instructions

Table 3A–1: Joint Fire Support Planning Guide

CHAPTER 4

EXECUTION

Executive Summary

- Joint fire support has the potential to inflict significant physical and psychological damage upon the enemy.
- Positive combat identification is a critical factor in the conduct of joint fires to ensure the prevention of fratricide of friendly forces.
- The execution of joint fire support requires users to consider a timely response, the safety of own troops and the appropriate mechanisms of control over the mission.

A superiority of fire, and therefore a superiority in directing and delivering fire and in making use of fire, will become the main factors upon which the efficiency of a force will depend.

Marshal of France Ferdinand Foch
Precepts and Judgments, 1919

INTRODUCTION

4.1 Commanders must synchronise and orchestrate joint and/or coalition operations involving infantry, armour, aviation, air support and naval elements to realise the full potential of each available element. The same need for synchronisation applies to the execution of joint fire support. Often, much of a commander's fire support may derive from non-organic assets. However, commanders remain responsible for the employment of joint fire support assets within their area of operations.

4.2 Joint fire support can be initiated at any level and must be integrated into all combat operations. During the execution of joint fire support planners and operators must consider mission conduct, with an emphasis on the terminal control of the joint fire support asset, and combat assessment (CA) of the mission.

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MISSION CONDUCT

4.3 Some of the criteria joint fire support planners consider during mission conduct include the following.

Resources

4.4 A thorough knowledge of the available resources or joint fire support assets enables joint force fire support practitioners to effectively harness the potential of available assets in support of the mission. During the execution of joint fire support specialist planners should ask a series of questions to ascertain how to effectively match the resource to the mission outcome and desired effect. Some of these questions may include:

- What are the available resources?
- What are the capabilities and limitations of the asset?
- What munitions are available to support the mission and achieve the desired effect?

Priority

4.5 The commander joint task force often conducts a delicate balancing act between the needs of the supported force and the requirements of the overall force. Even during the delivery of joint fire support, joint fire support practitioners should consider the relative overall priorities of relevant forces within the area of operations.

4.6 All aspects of time, space and objectives need to be considered to ensure that the joint fire support resources selected for execution are appropriate to the task. For example, the selection of offensive air to neutralise a target required immediately may take too long to achieve the desired effect, while artillery may be able to react in a more timely manner.

Threat

4.7 The likely threats to any mission need to be considered by commanders and planning staff. These threats may impede, constrain or limit the desired outcome and consideration of how to mitigate, neutralise or avoid the threat is imperative for the mission. An example of this might be the suppression of local enemy air defences before the conduct of close air support.

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4.8 A comprehensive knowledge of the tactics, techniques and procedures of the enemy combined with situational awareness enables joint fire support practitioners to provide friendly forces the best opportunity to safely deliver the necessary joint fire support. Joint fire support practitioners must consider some of the issues covered later in this chapter under fratricide prevention and collateral damage, in this respect.

Responsiveness

4.9 Timely response is paramount for successful targeting. To respond quickly, elements such as the battlefield coordination detachment (BCD) will coordinate directly with the joint air operations centre (JAOC) for air attack of located high pay off targets (HPT). Alternatively, specific joint fire teams may be authorised to engage HPT using available in-range artillery and naval gunfire support. Engagements by authorised observers may be limited by target type, ammunition, rate of fire or any other qualification. If the JAOC, joint fire team, or any other element, directs attacks against targets of opportunity, the supported commander must be informed of the attack.

Fratricide prevention and safety

4.10 Every conflict contains examples of casualties from friendly fire otherwise known as fratricide. Fratricide is detrimental to a force in many ways apart from the unnecessary friendly casualties. It may adversely affect force morale, damage public support or destabilise the cohesion of a coalition. Joint fire support has the potential to cause fratricide. This is due to the size and lethality of its weapons systems, the degree of complexity of the coordination and application of fire, and in many modern situations the difficulty of accurately identifying and confirming the adversary or target. For these reasons, reducing the chance of fratricide and contributing to force protection are paramount issues for commanders, fire support planners and controllers alike.

Combat identification

4.11 Responsibility for the engagement of targets also rests with the operators of the weapon system. To assist operators in avoiding fratricide, combat identification (CID) establishes the process of attaining an accurate characterisation of detected objects in the operational environment sufficient to support an engagement decision. Depending on the situation and the operational decisions that must be made, this characterisation may be limited to, 'friend', 'adversary' or 'neutral'. In other situations, other characterisations may be required; including, but not limited to class, type, nationality, and mission configuration. CID characterisations, when applied with ROE, enable

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engagement decisions and the subsequent use (or prohibition of use) of lethal and nonlethal weapons to create effects in support of objectives.

4.12 CID procedures should be developed early during planning and ROE development. When developing the CID procedures, important considerations include the missions, capabilities, and limitations of all participants including multinational forces, other government agencies and non-government organisations. Experience has proven that early identification of common CID procedures significantly increases CID effectiveness.

4.13 CID related information exchange orients on situational awareness for friendly and neutral forces, restricted sites and structures, and identification of threat objects. During mission execution CID information requires constant coordination and should be conveyed to decision makers in an understandable manner. Effective CID not only reduces the likelihood of fratricide, it also enhances joint fire support by instilling confidence that a designated target is, in fact, as described.

HISTORICAL EXAMPLE—FRATRICIDE—GULF WAR 1991

The Gulf War of 1990/91 saw the percentage of coalition casualties due to fratricide among United States (US) forces rise to near 25%. One such incident occurred at 1500 hours (local time) on 26 Feb 91, when two British Warrior armoured personnel carriers (APC) were destroyed by US A–10 aircraft. At an operational level this incident illustrates that, despite modern technology, errors of target misidentification and location can still occur due to the human factor in warfare.

Prior to the launching of Operation DESERT STORM the coalition commanders had been particularly concerned to avoid incidents of fratricide. They knew that such incidents would create friction within the coalition forces and adversely impact upon public opinion. Coalition vehicles therefore had an inverted black “V” painted on the side of the vehicles and displayed a fluorescent orange air recognition panel on the roof or turret.

At about 1500 hours C Coy 3rd Battalion of the Royal Regiment of Fusiliers was re-organising on ‘objective steel’ in southern Iraq, while the attached engineers destroyed abandoned Iraqi artillery. After the initial storms earlier in the day the weather was clear and visibility good. The troops were ordered to return to their vehicles while the demolition charges on the guns were fired. No sooner had they done so when one of the Warrior APC exploded in flames killing four men and wounding the rest of the crew. Thinking that enemy fire had been responsible another vehicle was ordered to assist, but it

too exploded in flames shortly after leaving five of its occupants dead. Both vehicles had been hit by Maverick missiles fired from US A–10 aircraft.

The US aircraft had been tasked by the assistant divisional air liaison officer (DALO) of the British Army's 1 Armoured Division. This was the second group of aircraft tasked to attack about 50 Iraqi T54/55 tanks at grid reference PT6857. A United States Air Force F–16 pilot from the previous sortie gave the A–10 pilots a physical description of the target area as he returned to base. The F–16 pilot referred them to a crossroad beyond which he said there were a number of Iraqi vehicles some of which he had just attacked.

After the attack the pilots' report of the attack differed so greatly from the earlier reports that the assistant DALO asked the pilots to confirm the grid reference, which they did as PT 418518. The assistant DALO realised that this was over 20 km from the intended target and requested a US reconnaissance aircraft to overfly the area. This aircraft reported that the air recognition panels could be seen from 6,000 feet and the type of vehicles identified from 14,000 feet.

Two factors appear to have contributed to this action. Firstly, the location of the target was not properly identified. (The US pilots claimed that they were not originally given the grid reference.) Secondly, there was a misidentification of the vehicles. While a number of other incorrect identification incidents occurred during the Gulf War these were under adverse conditions of visibility. This incident occurred under conditions of good visibility.

The misidentification is difficult to understand given that the differences between a main battle tank (Iraqi) and an APC (British) are quite marked. Further, the US reconnaissance aircraft had no difficulty in identifying the APC at 14,000 feet. This suggests that the pilots lacked situational awareness or vehicle identification skills. The latter was critical given that Iraq had purchased vehicles from a number of European sources, and that the same type of vehicle could therefore be fighting on both sides.

Safe delivery of joint fire support

4.14 The protection of friendly units, friendly aircraft, equipment and personnel from joint fire support is a procedural process with two major components as follows:

- **Technical control, primarily at the weapon**. Technical aspects of weapons delivery must be applied to ensure that offensive fire lands at the time and place intended.

- **Joint fire support coordination, primarily at the command centre.** Joint fire support must be thoroughly coordinated to ensure known or likely friendly force locations are not targeted. This coordination include fire support coordination measures, airspace deconfliction of air users from fires in terms of time and space and the application of appropriate safety distances[1].

4.15 Types of errors. There are six common types of errors associated with conventional joint fire support systems as follows:

- **Target misidentification.** Identification of the target leads directly to the decision to engage. Misidentification (by human or mechanical sources) can be a cause for engaging the wrong target.

- **Accuracy of location.** Determining the target location inaccurately can be a cause of engaging the wrong target. Likewise the failure to know the location of friendly forces is a significant contributing factor in fratricide incidents.

- **Computational error.** Errors in computation can be of two forms; errors in numeric calculation caused by erroneous data (for example weapon muzzle velocity, inertial navigation initialisation) or simple mathematical errors, or errors of omission, which are failures to consider all required parameters (for example datum conversions) when performing firing computations.

- **Weapon crew errors.** Weapon errors are those caused by the crew failing to orient the weapon or prepare ammunition correctly.

- **Communication.** Communications breakdown is when otherwise correct data does not reach the intended recipient. The entire joint fire support process depends on reliable communications between observer, command post and weapon platform.

- **Mechanical malfunction.** Damage, age or unforeseeable events can cause ammunition and weapons systems to malfunction, resulting in premature detonation or unguided flight. Commanders and planners should consider these events when selecting employment locations, considering trajectories, or selecting weapons types for employment.

[1] Note: there is no agreed allied safe distances for coalition operations

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4.16 Avoiding error. The errors listed in the pervious paragraph are best avoided by constant checking by supervisors at each stage of fire preparation. The use of the independent check reduces the risk of fratricide, especially where the primary concerns are errors in target location and target identification. Other ways include the following:

- Current technology offers the potential to significantly reduce target location errors. For example, automatic position locating and navigating systems, satellite navigation systems and laser range finders can minimise such errors.

- The problem of correct target identification is complicated by the large array of sensor systems employed to generate targets for unobserved offensive operations. Sensor systems do not always have the capability to identify ownership of the weapon whose projectile they have tracked. Similar target identification problems exist for ground surveillance radars, unattended ground sensors and thermal imaging. Multiple sensor acquisition and procedural control measures help to reduce the risk of fratricide when engaging deep targets without direct identification.

- Smart munitions require the correct entry of data into their system to enable them to track and hit the correct target. Remotely delivered mines (used by coalition partners) also introduce a unique potential for fratricidal errors such as mines scattered beyond the intended location. These weapon systems require particular attention to reduce fratricide risk.

Collateral damage

4.17 Collateral damage is defined as, the unintentional or incidental injury or damage to persons or objects that would not be lawful military targets in the circumstances ruling at the time. Such damage is not unlawful so long as it is not excessive in light of the overall military advantage anticipated from the attack. Commanders therefore have the responsibility to attempt to minimise collateral damage to the greatest extent practicable.

4.18 All reasonably feasible precautions in the choice of means and methods of attack must be taken with a view to avoiding, and in any event to minimising, expected incidental loss of civilian life, injury to civilians and damage to civilian objects. This consideration remains valid whether the attack means or effect is lethal or non-lethal.

4.19 Non-lethal weapons are explicitly designed and employed to incapacitate personnel, material or capabilities, while minimising fatalities

and undesired damage to property and environment. A non-lethal effect is not intended to cause physical damage to personnel, material or capabilities but may still have a cognitive or functional effect and, therefore, collateral damage must account for either incidental damage or unintended consequences. For further details on collateral damage estimates and methodologies refer to ADDP 3.14—*Targeting* and Australian Defence Force Publication (ADFP) 3.14.2—*Targeting Procedures*.



Figure 4–1: ANZAC Class Frigate providing Naval Gunfire Support

COMBAT ASSESSMENT

4.20 CA is the final function in the execution of joint fire support. CA is a part of the overall assessment process. This assessment is also a critical part of the targeting cycle and is used to determine the resultant effects on selected targets, see ADFP 3.14.2 for more information the full assessment process[2]. CA focuses on determining the results of weapons engagement for

[2] ADDP 3.14 defines the three elements of assessment as; effects assessment, collateral assessment and combat assessment.

both lethal and non lethal capabilities. CA also recommends further targeting priorities in line with the assessed results.

4.21 CA seeks to ascertain whether required effects are being achieved. All components, commands and deployed forces contribute to and rely on CA. At the joint task force level, CA will influence the commander's future mission guidance and force allocation.

4.22 CA makes use of inputs from intelligence and operations staffs, and may recommend improvements in areas such as force application planning, or revise the current situation assessment. These recommendations can affect future operations or modify a commander's objectives. There are three fundamental questions to be asked in CA:

- Were operations against targets conducted as planned?
- Were the effects of these operations as anticipated?
- If operations were not conducted as planned, or the effects of these operations were not as anticipated, what can be done to address operational deficiencies?

4.23 CA comprises four aspects (*see* Figure 4–2):

- battle damage assessment (BDA);
- weapons effectiveness assessment (WEA);
- re-attack recommendations; and
- mission assessment.

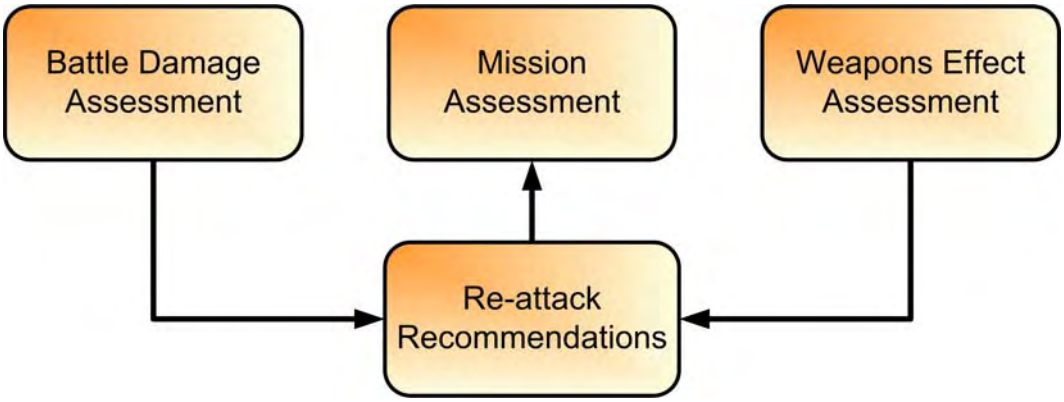


Figure 4–2: Combat Assessment Process

Battle damage assessment

4.24 BDA[3] is the process that compares the actual target effect with the desired effect by the timely and accurate assessment of damage resulting from the application of lethal or non-lethal military force against a target. The requirement for BDA for specific targets is determined during the decide function of the targeting process. The production of BDA is predominately an intelligence staff responsibility that requires detailed coordination with the intelligence, surveillance and reconnaissance (ISR) collection plan and coordination where appropriate with joint fire support practitioners. BDA requirements should be translated into information requirements. Commanders and their staffs should always be aware that ISR resources committed to BDA may not be available for further target acquisition and development. As such, priorities for the use of each type of ISR assets may have to be established and promulgated. BDA results are received and processed to determine whether or not the desired effects have been achieved for a given target and the results are disseminated to the targeting group. Effective BDA accomplishes the following purposes:

- BDA allows commanders to gauge the effects that current operations are having against the adversary. BDA provides commanders with an estimate of the adversary's combat effectiveness, residual capabilities and potential for further action. Crucially, it helps to determine if the targeting effort is accomplishing the commander’s objectives.

- BDA helps to determine if further strikes on selected targets will be necessary. Commanders use this information to allocate, or redirect, available assets to maximise the available combat power.

Weapons effect assessment

4.25 WEA is the assessment of how capabilities performed and the method in which they were applied. The operations staff, working with the targeting group, conducts a weapons effects assessment concurrently and in conjunction with BDA as a function of CA. This involves an assessment of military forces in terms of weapon systems and munitions effectiveness. This assessment is used as the basis of actual (or recommended) operational or procedural changes to increase the effectiveness of:

- methodology,

- tactics,

---

[3] See ADFP 3.14.2—*Battle Damage Assessment* for more detail

- weapon systems,
- munitions, and
- weapon delivery parameters.

4.26 The operations staff determines the effects assessment of weapon systems, munitions and tactics. Weapon effects on targets can be calculated by obtaining the number of rounds fired or bombs delivered on targets by the different types of systems to achieve a desired effect. This information may be used to modify guidance to logistics staff concerning unit loads and resupply rates.

Re-attack recommendations

4.27 Future target nominations and re-attack recommendations merge the picture of what was done (BDA) with how it was done (WEA), and compares the result with predetermined measures of effectiveness. Using the products of BDA and effects assessment analysis, the intelligence and operations staff consider the level to which operational objectives have been achieved. This information is used as the basis of recommendations to a commander for future operations and for the re-engagement of targets if required.

Mission assessment

4.28 Mission assessment is an evaluation by operations and intelligence staffs of the effectiveness of all preceding steps in the targeting and joint fires process in the light of overall command guidance. Mission assessment informs commanders at all levels of the results of operations, allowing them to review, renew or re-direct targeting efforts. Mission assessment should answer the following questions:

- Did the mission achieve its objective?
- Was the effect on the adversary as desired?
- Was the adversary response expected and planned for?
- Does the adversary response require a shift in future targeting activity?
- Did achievement of the targeting objective contribute to the commander's intent?

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- Do outstanding targeting objectives require modification?
- Do the measures of performance require modification?
- What changes in operational posture are now required to shape the battlespace to achieve the commander's intent?
- Does a particular adversary target system require more or less emphasis in future missions?

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GLOSSARY

The source for approved Australian Defence Force (ADF) terms, definitions, abbreviations and acronyms is the Australian Defence Glossary (ADG), available on the Defence Restricted Network at http://adg.eas.defence.mil.au/adgms/.

The ADG is the source for the terms, definitions, abbreviations and acronyms used within this publication, unless stated otherwise. The following legend is used to identify allied terms:

NATO — *Allied Administrative Publication–6, NATO Glossary of Terms and Definitions, (AAP–6)*

US — *US Joint Publication 1–02, DOD Dictionary of Military and Associated Terms*

TERMS AND DEFINITIONS

air interdiction (AI)

Air operations conducted to destroy, neutralise, or delay the enemy's military potential before it can be brought to bear effectively against friendly forces at such distance from friendly forces that detailed integration of each air mission with the fire and movement of friendly forces is not required.

airspace control authority (ACA)

The commander designated to assume overall responsibility for the operation of the airspace control system in his or her assigned area.

airspace control means (ACM)

Measures that promote the safe, efficient and flexible use of airspace.

air support operations centre (ASOC)

1. An agency of a tactical air control system collocated with a corps headquarters or an appropriate land force headquarters, which coordinates and directs close air support and other tactical air support. (NATO)
2. The principal air control agency of the theatre air control system responsible for the direction and control of air operations directly supporting the ground combat element. It processes and coordinates requests for immediate air support and coordinates air missions requiring integration with other supporting arms and ground forces. It

normally collocates with the Army tactical headquarters senior fire support coordination centre within the ground combat element. (US)

battlespace

The environment, factors, and conditions that must be understood to successfully apply combat power, protect the force, or complete the mission. This includes the air, land, sea, space, and the included enemy and friendly forces; facilities; weather; terrain; the electromagnetic spectrum; and the information environment within the operational areas and areas of interest.

centre of gravity (COG)

Characteristics, capabilities or localities from which a nation, an alliance, a military force or other grouping derives its freedom of action, physical strength or will to fight.

close air support (CAS)

1. Air action against hostile targets which are in close proximity to friendly forces and which require detailed integration of each air mission with the fire and movement of those forces. (NATO)
2. Air action by fixed- and rotary-wing aircraft against hostile targets that are in close proximity to friendly forces and that require detailed integration of each air mission with the fire and movement of those forces. (US Joint)

collateral damage

1. Inadvertent casualties and destruction in civilian areas caused by military operations. (NATO)
2. Unintentional or incidental injury or damage to persons or objects that would not be lawful military targets in the circumstances ruling at the time. Such damage is not unlawful so long as it is not excessive in light of the overall military advantage anticipated from the attack. (US)

combat assessment (CA)

The determination of the overall effectiveness of force employment during military operations. Combat assessment is composed of four major components:
a. battle damage assessment,
b. weapons effectiveness assessment,
c. re-attack recommendation, and
d. mission assessment.

combat identification (CID)

The use of identification measures to reduce friendly fire and increase the operational effectiveness of forces and weapon systems.

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combat power

The total means of destructive and/or disruptive force which a military unit/formation can apply against the opponent at a given time.

commander's critical information requirements (CCIR)

The information and intelligence requirements for which a commander has an anticipated and stated priority in planning and decision-making. There are three types of information requirements:
a. priority intelligence,
b. friendly forces, and
c. essential elements of friendly information.

concept of operations (CONOPS)

1. A clear and concise statement of the line of action chosen by a commander in order to accomplish his mission. (NATO)
2. A verbal or graphic statement, in broad outline, of a commander's assumptions or intent in regard to an operation or series of operations. The concept of operations frequently is embodied in campaign plans and operation plans; in the latter case, particularly when the plans cover a series of connected operations to be carried out simultaneously or in succession. The concept is designed to give an overall picture of the operation. It is included primarily for additional clarity of purpose. (US)

control

The authority exercised by a commander over part of the activities of subordinate organisations, or other organisations not normally under their command, which encompasses the responsibility for implementing orders or directives. Note: All or part of this authority may be transferred or delegated.

course of action (COA)

A possible plan open to an individual or commander that would accomplish, or is related to accomplishment of, the mission. Note: it is initially stated in broad terms with the details determined during staff war-gaming.

decisive points (DP)

A geographic place, key event, critical factor, or function that, when acted upon, allows a commander to gain a marked advantage over an adversary or contribute materially to achieving success. Note: This point may exist in time, space or the information environment.

delay

A tactical task to prevent an enemy force arriving at a specified location either for a specified length of time or until a specified time or event.

deny

A tactical task to prevent enemy use of a specified thing.

destroy

1. To physically render a group or organisation ineffective unless it is reconstituted.
2. To render a target so damaged that it cannot function as intended nor be restored to a useable condition without being entirely rebuilt.

Notes:

1. In aviation missions requires 70% incapacitation/destruction of adversary force.
2. In artillery requires 30% incapacitation/destruction of adversary forces.

disrupt

A tactical task to break apart an adversary's formation and tempo, interrupt the adversary timetable or cause premature and/or piecemeal commitment of forces.

effects

1. A change to a condition, behaviour, or degree of freedom.
2. The adverse physical, physiological, psychological or functional impact on the enemy as a result, or consequence of, own military or non-military actions.

3. A change to a condition, behaviour, or degree of freedom.
The adverse physical and/or psychological impact on the enemy created as a result or consequence of own force actions. (US)

electronic warfare

1. Military action to exploit the electromagnetic spectrum encompassing: the search for, interception and identification of electromagnetic emissions, the employment of electromagnetic energy, including directed energy, to reduce or prevent hostile use of the electromagnetic spectrum, and actions to ensure its effective use by friendly forces. (NATO)
2. Any military action involving the use of electromagnetic and directed energy to control the electromagnetic spectrum or to attack the enemy. The three major subdivisions within electronic warfare are:
a. electronic attack,

b. electronic protection, and
c. electronic warfare support. (US)

fires

The effects of lethal or non-lethal weapons.

fire support

1. The application of fire, coordinated with the manoeuvre of forces, to destroy, neutralise or suppress the enemy. (NATO)
2. Fires that directly support land, maritime, amphibious, and special operations forces to engage enemy forces, combat formations, and facilities in pursuit of tactical and operational objectives. (US)

fire support coordination

The planning and executing of fire so that targets are adequately covered by a suitable weapon or group of weapons.

fire support coordination line (FSCL)

1. Within an assigned area of operations, a line established by a land or amphibious force commander to denote coordination requirements for fires by other force elements which may affect the commander's current and planned operations. The fire support coordination line applies to fires of air, ground or sea weapons using any type of ammunition against surface or ground targets. The establishment of the fire support coordination line must be coordinated with the appropriate commanders and supporting elements. Attacks against surface or ground targets short of the fire support coordination line must be conducted under the positive control or procedural clearance of the associated land or amphibious force commander. Unless in exceptional circumstances, commanders of forces attacking targets beyond the fire support coordination line must coordinate with all affected commanders in order to avoid fratricide and to harmonise joint objectives. Note: in the context of this definition the term 'surface targets' applies to those in littoral or inland waters within the designated area of operations. (NATO)
2. A fire support coordinating measure that is established and adjusted by appropriate land or amphibious force commanders within their boundaries in consultation with superior, subordinate, supporting, and affected commanders. Fire support coordination lines (FSCLs) facilitate the expeditious attack of surface targets of opportunity beyond the coordinating measure. An FSCL does not divide an area of operations by defining a boundary between close and deep operations or a zone for close air support. The FSCL applies to all fires of air, land, and sea-based weapons systems using any type of ammunition. Forces attacking targets beyond an FSCL

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must inform all affected commanders in sufficient time to allow necessary reaction to avoid fratricide. Supporting elements attacking targets beyond the FSCL must ensure that the attack will not produce adverse attacks on, or to the rear of, the line. Short of an FSCL, all air-to-ground and surface-to-surface attack operations are controlled by the appropriate land or amphibious force commander. The FSCL should follow well-defined terrain features. Coordination of attacks beyond the FSCL is especially critical to commanders of air, land, and special operations forces. In exceptional circumstances, the inability to conduct this coordination will not preclude the attack of targets beyond the FSCL. However, failure to do so may increase the risk of fratricide and could waste limited resources. (US)

fire support coordination measure (FSCM)
A measure employed by land or amphibious commanders to facilitate the rapid engagement of targets and simultaneously provide safeguards for friendly forces. (US)

force allocation
Occurs at the joint task force or component level within operations planning. Note: at the operational level, the force allocation process is a matching of particular targets to force elements, while at the tactical level, force allocation matches particular units and personnel against particular missions.

force apportionment
The determination and assignment of the total expected effort by percentage and priority to be devoted to the various objectives for a given period of time, and occurs within the operations staff. Note: force apportionment may be expressed in terms of mission priorities or percentage rates of effort to be dedicated to particular missions.

force assignment
The assigning of forces to a commander under a state of command, an operational authority, an administrative authority or support arrangement for the purpose of carrying out a specified mission or task.

high pay-off target (HPT)
Any target which, if lost by the enemy, will greatly contribute to the success of the friendly course of action.

high value target (HVT)
A target the enemy commander requires for the successful completion of the mission. The loss of high-value targets would be

expected to seriously degrade important enemy functions throughout the friendly commander's area of interest.

Influence
To alter the will, attitudes and behaviour of target audiences by affecting their perceptions.

interdiction
An action to divert, disrupt, delay, or destroy the enemy's surface military potential before it can be used effectively against friendly forces

joint air operations centre (JAOC)
A jointly staffed facility established for planning, directing, and executing joint air operations in support of the joint force commander's operation or campaign objectives

joint fires
Fires applied during the employment of forces from two or more components, in coordinated action toward a common objective.

Joint fire support
Joint fires that assist air, land, maritime, amphibious, and special operations forces to move, manoeuvre, and control territory, populations, airspace, and key waters.

joint force
A general term applied to a force composed of significant elements, assigned or attached, of two or more Military Departments operating under a single joint force commander.

joint force area of operations (JFAO)
That portion of a theatre necessary for joint military operations and their administration as part of a campaign.

joint targeting coordination board (JTCB)
A group formed by the joint force commander to accomplish broad targeting oversight functions that may include but are not limited to coordinating targeting information, providing targeting guidance and priorities, and refining the joint integrated prioritised target list. The board is normally comprised of representatives from the joint force staff, all components, and if required, component subordinate units.

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measures of effectiveness (MOE)
Tools used to measure results achieved in the overall mission and execution of assigned tasks. Measures of effectiveness are a prerequisite to the performance of combat assessment.

naval surface fire support (NSFS)
Fire provided by navy surface gun, missile and electronic warfare systems in support of a unit or units tasked with achieving the commander's objective.

naval gunfire support (NGS)
Fire provided by Navy surface gun systems in support of a unit or units tasked with achieving the commander's objectives. A subset of naval surface fire support.

neutralise
A tactical task to render an enemy element temporarily incapable of interfering with the operation

positive control
A method of airspace control that relies on positive identification, tracking, and direction of aircraft within an airspace, conducted with electronic means by an agency having the authority and responsibility therein. (US)

procedural control
A method of airspace control which relies on a combination of previously agreed and promulgated orders and procedures.

special operations command and control element (SOCCE)
A special operations command and control element (SOCCE) that is the focal point for the synchronisation of special operations forces activities with conventional forces operations. It performs command and control or liaison functions according to mission requirements and as directed by the establishing special operations forces commander. Its level of authority and responsibility may vary widely. It normally collocates with the command post of the supported force. The SOCCE can also receive special operations forces operational, intelligence, and target acquisition reports directly from deployed special operations elements and provide them to the supported component headquarters. The SOCCE remains under the operational control of the joint force special operations component commander or commander, joint special operations task force.

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superimposition

Used in fire planning to indicate that an artillery unit is augmenting fire on a target and its fire maybe lifted from that target by the authority implicit in its fire support role. Note: may also be applied to mortar units

supported commander

1. A commander having primary responsibility for all aspects of a task assigned by a higher NATO military authority and who receives forces or other support from one or more supporting commanders. (NATO)
2. In the context of a support command relationship, the commander who receives assistance from another commander's force or capabilities, and who is responsible for ensuring that the supporting commander understands the assistance required (US).

supporting commander

1. A commander who provides a supported commander with forces or other support and/or who develops a supporting plan. (NATO)
2. In the context of a support command relationship, the commander who aids, protects, complements, or sustains another commander's force, and who is responsible for providing the assistance required by the supported commander. (US)

suppress

A tactical task to temporarily degrade an enemy capability to enable a friendly action.

synchronisation

1. The coordination of the means to deliver effects at a particular time and place.
2. The arrangement of military actions in time, space, and purpose to produce maximum relative combat power at a decisive place and time. (US)

target area of interest (TAI)

1. An area where a commander can influence the battle by destroying, delaying or disrupting the enemy.
2. The geographical area where high-value targets can be acquired and engaged by friendly forces. Not all target areas of interest will form part of the friendly course of action; only target areas of interest associated with high priority targets are of interest to the staff. These are identified during staff planning and wargaming. Target areas of interest differ from engagement areas in degree. Engagement areas plan for the use of all available weapons; target areas of interest might be engaged by a single weapon. (US)

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targeting

1. The process of selecting and prioritising targets and matching the appropriate response to them, taking into account operational requirements and capabilities. (NATO)
2. The process of selecting and prioritising targets and matching the appropriate response to them, taking account of operational requirements and capabilities. (US)

tempo

The rate or rhythm of activity relative to the enemy, and incorporates the capacity of the force to transition from one operational posture to another. Note: it is a critical determinant of operational logistics.

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ACRONYMS AND ABBREVIATIONS

ACM	airspace control means
ACA	airspace control authority
ADDP	Australian Defence Doctrine Publication
ADF	Australian Defence Force
ADFP	Australian Defence Force Publication
AGM	attack guidance matrix
AI	air interdiction
JAOC	joint air operations centre
APC	armoured personnel carrier
ASOC	air support operations centre
BCD	battlefield coordination detachment
BDA	battle damage assessment
C2	command and control
CA	combat assessment
CAS	close air support
CATF	Commander Amphibious Task Force
CID	combat identification
COA	course of action
COG	centre of gravity
Comd JTF	Commander Joint task force
DALO	divisional air liaison officer
EFST	essential fire support task
EW	electronic warfare
FAC(A)	forward air controller (airborne)
FS	fire support
FSCL	fire support coordination line
FSCM	fire support coordination measures
HPT	high pay-off target
HQ	headquarters
GARS	global area reference system
ISR	intelligence surveillance reconnaissance
JAOC	joint air operations centre
JFACC	joint force air component commander
JFAO	joint force area of operations

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JFEC	joint fires and effects coordinator
JFECC	joint fires and effects coordination centre
JFO	joint fires observer
JFT	joint fire team
JIPB	joint intelligence preparation of the battlespace
JMAP	joint military appreciation process
JOSCC	joint offensive support coordination centre
JOST	joint offensive support team
JTAC	joint terminal attack controller
JTCB	joint targeting control board
JTF	joint task force
KIA	killed in action
MOE	measures of effectiveness
NGS	naval gunfire support
NSFS	naval surface fire support
OAS	offensive air support
OPORD	operations order
ROE	rules of engagement
SAC	supporting arms coordinator
SACC	supporting arms coordination centre
SOCCE	special operations command and control element
SF	special forces
TAC(A)	tactical air controller
TACP	tactical air control party
TACS	tactical air control system
TAI	target areas of interest
TAOR	tactical area of responsibility
TGO	terminal guidance operations
TSS	target selections standards
UAV	uninhibited aerial vehicle
US	United States of America
USMC	United States Marine Corp
USS	Unites States Ship
WEA	weapons effectiveness assessment
WGS84	World Geodetic System 1984
WNGO	warning order

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OPERATIONS SERIES

TARGETING

ADDP 3.14









AUSTRALIAN DEFENCE DOCTRINE PUBLICATION

Edition 3

OPERATIONS SERIES

ADDP 3.14

TARGETING

Australian Defence Doctrine Publication (ADDP) 3.14—*Targeting*, edition 3 is issued for use by the Australian Defence Force and is effective forthwith. This publication supersedes ADDP 3.14, edition 2.



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General
Chief of the Defence Force

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12 July 2018

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ADDP 3.14
Edition 1, 2006
Edition 2, 2009
Edition 3, May 2018

Sponsor:
Vice Chief of the Defence Force

Developer:
Joint Doctrine Directorate

Publishers:
Defence Publishing Service
Joint Doctrine Directorate

PREFACE

1. Military doctrine is the description of the fundamental principles that guide actions by military forces to achieve their objectives. While authoritative, it requires judgement in application.

2. Joint doctrine describes the principles that guide the employment and operational effectiveness of a joint force. Joint doctrine publications are designed to concisely describe these principles, and so promote coordinated actions in support of the commander's intent.

3. Australian Defence Doctrine Publications (ADDPs) and Australian Defence Force Publications (ADFPs) are authorised joint doctrine for the guidance of ADF operations. ADDPs are pitched at the philosophical and high-application level and ADFPs at the application and procedural level.

4. The content of this publication has been derived from general principles and doctrine contained in other relevant ADDPs, Defence manuals and allied publications and agreements. Every opportunity should be taken by users of this publication to examine its contents for applicability and currency. If deficiencies or errors are found, amendments must be made. The Joint Doctrine Directorate invites assistance, from whatever source, to improve this publication.

5. **Aim.** The aim of ADDP 3.14—*Targeting* is to provide guidance for the planning and conduct of targeting in the joint and multinational environments.

6. **Level.** This publication is for use by commanders and staff at the strategic and operational levels.

7. **Scope.** This publication provides philosophical and higher application level doctrine on targeting. It describes the nature and scope of joint and multinational targeting used from the strategic to the operational level in support of operations. This publication informs commanders and personnel about targeting, assists with strategic and operational planning, command and coordination of targeting, and contributes to joint education and training.

8. ADDP 3.14, edition 3 contains a number of changes from edition 2. The significant changes and inclusions are:

a. targeting command and control structure

b. publication structure and chapter flow

c. terminology

d. the chapter on legal considerations

e. the chapter on deliberate targeting.

9. ADDP 3.14—*Targeting* needs to be viewed within the total context of operations. To this end, additional recommended reading is:

a. ADDP 00.2—*Command and Control*

b. ADDP 06.1—*Rules of Engagement*

c. ADDP 06.4—*Law of Armed Conflic*t

d. ADDP 2.0—*Intelligence*

e. ADDP 3.0—*Campaigns and Operations*

f. ADDP 3.1—*Joint Fire Support*

g. ADDP 3.7—*Collection Operations*

h. ADDP 3.13—*Information Activities*

i. ADFP 3.13.1—*Information Operations Procedures*

j. ADFP 3.14.1—*Targeting Assessment Procedures* (formerly *Battle Damage Assessment*)

k. ADFP 3.14.2—*Targeting Procedures*

l. ADFP 5.0—*Joint Planning*

m. ADF *Collateral Damage Estimation Methodology Ver 1.0 (01 Dec 2008)*

n. *Precision Point Mensuration Manual*

p. Australian Air Publication 1002—*The Operational Air Doctrine Manual*

q. USA Joint Publication 3-60—*Targeting*

r. NATO Allied Joint Publication 3-9—*Targeting*

s. Chairman of the Joint Chiefs of Staff Instruction 337-.01—*Target Development Standards* (USA).

AMENDMENTS

ADDP 3.14, edition 3 is current and will be subject to periodic review and amendment. The latest electronic version of the publication, and all joint doctrine, is available on the Joint Doctrine Library via the Defence Restricted Network and Defence Secret Network.

Proposals for amendment of ADDP 3.14 may be sent to:
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Amendment number	Amendment	Amendment type	Effective date

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CHAPTER 1

OPERATIONS AND TARGETING

The more mechanical become the weapons with which we fight, the less mechanical must be the spirit which controls them.

Field Marshal Earl Wavell,
***Soldiers and Soldiering*, 1953**

INTRODUCTION

1.1 Today's operational environment is characterised by complexity, instability and persistent threat. This environment makes it critical to carefully consider how kinetic and non-kinetic means are applied, so that the lethal and non-lethal effects generated by military action lead to operational success.

1.2 Targeting is the process of identifying targets for possible engagement and determining the attack system to capture, destroy, degrade or neutralise them. While often a multinational (MN) enterprise, Australian Defence Force (ADF) doctrine and processes for joint targeting takes account of particular national and strategic objectives, operational requirements and capabilities, and international and domestic law. The combination of such factors creates a distinct approach that recognises Australia's particular needs. Targeting lends itself to a command-led activity that promotes integrated, focused and legitimate action by the ADF.

AUSTRALIAN APPROACH TO TARGETING

Definition of a target

1.3 A target is an entity or object that can be subjected to an effect. The desired effect to be generated from taking action against a target is designed to contribute to an operation. A target is considered for actions such as capture, exploit, influence, neutralise or destroy. Targets may include a geographic area, an installation, a force, equipment, an individual, a group or an entire system.

1.4 Targets relate to military objectives at all levels—strategic, operational and tactical. The importance of a target is determined by how the action against it supports achieving the commander's objectives.

Philosophy

1.5 **Purpose.** Joint forces undertake actions to achieve effects. In their targeting process they may apportion kinetic and non-kinetic means to achieve lethal and non-lethal effects.

1.6 The process of targeting involves the selection of targets by evaluating relative military objectives and legal implications, confirming the effect that is desired and then tasking or authorising force elements to use kinetic and/or non-kinetic means to achieve the desired effects. In the process of targeting, the full spectrum of adversary systems and capacities is considered. These may include political, military, economic, social, infrastructure, information, and others. This requires

organisationally diverse targeting entities to be operationally interconnected, so that the political and military strategic end states can be achieved efficiently.

1.7 **Link to operations.** Targeting links intelligence, plans, operations and assessment as part of the broader planning and assessment process that enables commanders to continually assess the progress of operations.

Legal basis of targeting

1.8 Australia honours its obligations under international law, customary law, international humanitarian law, international human rights law, and the laws of armed conflict. This commitment to the rule of law extends to the Australian approach to operations, including targeting. The ADF is subject to the rule of law and Government direction. The employment of the ADF reflects Australia's values in relation to the primacy of civil government in upholding the law and the moral defensibility of its actions. See Australian Defence Doctrine Publication (ADDP) 06.4—*Law of Armed Conflict*, Chapter 8, and ADDP 3.0—*Campaigns and Operations* for further information.

FUNDAMENTALS OF TARGETING

Hierarchy of targeting guidance

1.9 National strategic guidance articulated by Government is translated into military strategic guidance. The Chief of the Defence Force (CDF) is responsible for targeting guidance based on the latest military strategic guidance. CDF is advised by the Strategic Effects and Targeting Board (SETB), and provides strategic level targeting guidance for each operation via a CDF targeting directive (TD); this feeds into the subordinate Effects Targeting Boards (ETB) which assist the Chief of Joint Operations (CJOPS) and other commanders to plan and manage military resources.

1.10 The CDF TD provides command guidance and authorities to CJOPS and commander joint task force who delegate these to commanders.

Targeting principles

1.11 Targeting is guided by the following principles:

a. **A command intent or function.** Targeting is a function of command at all levels of operations.

b. **Focused.** The focus of targeting should be on the operation's objectives. Every target nominated should in some way contribute to attaining the commander's objectives.

c. **Legitimate.** All legal and moral obligations—domestic and international—should be understood and met. All actions should withstand public scrutiny.

d. **Effects–based.** All targeting options—both kinetic and non-kinetic—should be identified by an effects-based approach, to achieve desired effects.

e. **Integrated.** Effective targeting requires the integration of assigned force elements and coordination between supported and supporting commanders,

other government departments (OGDs), civilian agencies and actors as appropriate.

f. **Systematic.** Desired effects through target engagement should be created in a systematic and structured manner.

Characteristics of targets

1.12 Target characteristics form the basis for target detection, location, identification and classification for future surveillance, analysis, influence, strike and assessment. For a detailed list of characteristics for each category, see Australian Defence Force Publication (ADFP) 3.14.2—*Targeting Procedures*. Broadly, there are six characteristics for target definition:

a. physical

b. functional

c. cognitive

d. environmental

e. virtual

f. temporal.

Joint targeting cycle

1.13 The joint targeting cycle (JTC) has six phases—some or all of which may occur concurrently. The JTC is neither time-constrained nor rigidly sequential and is detailed in Chapter 3. Its six phases are:

a. end state and commander's objectives

b. target development and prioritisation

c. capabilities analysis

d. commander's decision and force apportionment

e. mission planning and force execution

f. targeting assessment.

1.14 Both kinetic means of engagement—those involving forces of dynamic motion and/or energy—and non-kinetic means, including information-related capabilities, should be integrated seamlessly throughout the JTC. Early and thorough consideration of information-related capabilities as integral elements of targeting will improve the commander's decision-making.

Targeting categories and target types

1.15 Targeting has two categories—deliberate and dynamic—which align to operational planning and execution, respectively. Deliberate targeting corresponds to

planned activities designed to shape the operational environment. Dynamic targeting occurs during the execution phase of the JTC.

1.16 **Deliberate targeting.** Deliberate targeting prosecutes planned targets that are known to exist. Deliberate targeting aims to achieve effects in accordance with the commander's objectives to achieve the desired end state. There are two types of deliberate targets:

a. **Scheduled target.** A scheduled target is planned to be prosecuted at a specified time.

b. **On-call targets.** An on-call target is an approved target that:

(1) does not have action scheduled to be taken at a specified time

or

(2) is unable to be located in sufficient time to be planned and executed as a scheduled target.

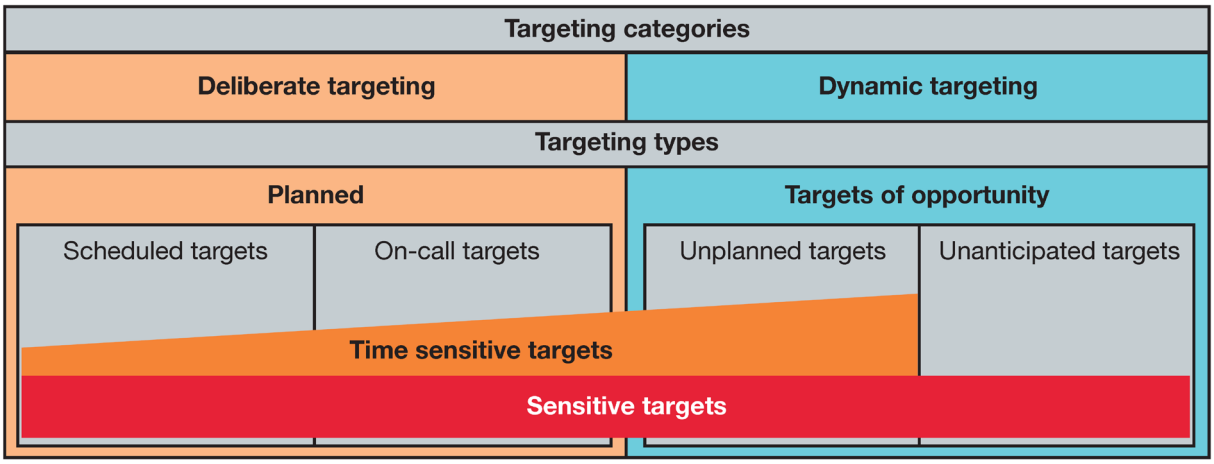
1.17 **Dynamic targeting.** Dynamic targeting prosecutes targets of opportunity, or those not selected for action in time to be included in deliberate targeting. There are two types of dynamic target:

a. **Unplanned target.** An unplanned target is known to exist in the operational environment but is not detected in time for deliberate targeting.

b. **Unanticipated target.** An unanticipated target is a target of opportunity that was unknown or not expected to exist in the operational environment.

1.18 Target categories and types are differentiated as shown on Figure 1.1 that illustrates the relationship between targeting categories and target types.

Figure 1.1: Targeting categories and target types



1.19 **Time-sensitive target.** A time-sensitive target (TST) is a target designated by a commander that requires immediate response because it is highly lucrative, fleeting or it poses (or will soon pose) a danger to friendly forces. TSTs may be planned or targets of opportunity and may also be fixed or mobile. TST priorities are allocated within each operational area, and while some may require quick reaction, others may require greater coordination between force elements. TSTs often require rapid reallocation of force elements to achieve the desired effect.

1.20 **Sensitive target.** If the physical damage and collateral effects on civilian and/or non-combatant persons, property, and environments exceed established national notification thresholds, the target may be deemed a sensitive target by the commander. Sensitive targets are not necessarily related to collateral damage. Targets may also be deemed sensitive if they exceed the authorisation level contained in the TD and/or Rules of Engagement (ROE), or if the commander has determined that the effects from engaging the target may have adverse political ramifications. Engagement of sensitive targets is normally subject to the Sensitive Target Approval and Review process (STAR).

1.21 **Other target types.** Other target types include:

a. high-value target (HVT)—an asset which is likely to be required for completion of the adversary's mission and high-value individual (HVI)—a person whose loss would disproportionately degrade the adversary’s capability, intent or morale

b. high pay-off target (HPT)—an entity whose loss to the adversary will contribute significantly to the success of the friendly mission and comprises those high-value targets that must be acquired and successfully engaged

c. emerging target—an entity whose detection meets sufficient criteria to be evaluated as a potential target and about which insufficient data is known at the time of detection to allow categorisation.

EFFECTS

1.22 An effect is the result of an action that creates a measureable outcome. An effect is a change in a system; the consequence of an action or cause, which impacts

physical, physiological, psychological or functional capabilities. Effects can be achieved by both kinetic and non-kinetic means. An effect can occur in the physical, information and cognitive domains of the operational environment (OE). Effects can be lethal and non-lethal. Examples of desired effects are neutralisation, destruction and denial, which are linked to specific task verbs (neutralise, destroy and deny) that support decisive points developed during planning.

1.23 To be prepared more fully to exploit opportunity and mitigate risk, planners should be aware that actions can have intended or unintended effects. Planning staff must be aware that the actions necessary to bring about that effect may result in other entities and systems in the operational environment being affected. Tactical actions can have significant operational and strategic effects that require careful consideration. A chain of effects consists of the direct effects initially resulting from an action taken to achieve a decisive point, and a subsequent series of effects that result from, or are triggered by, the effect of that initial action. These subsequent effects are often referred to as second order, third order, etc., depending on the extent of their removal from the initial intended effect. Second and subsequent order effects can arise from the cumulative result of many other effects, both direct and indirect, and may be predicted or unpredicted, desired or undesired. The level of confidence achievable diminishes considerably when attempting to predict effects beyond the second order.

Effects-based targeting

1.24 Effects based targeting improves the ability of the ADF to affect an adversary's behaviour and/or capabilities to achieve the end state. This approach focuses on planning to achieve the commander's objectives and considers the entire operational environment.

1.25 Effects based targeting seeks to create desired effect(s) with the least risk and least expenditure of time and resources. It requires an understanding of the types of effects that may be achieved within the operational ng environment. The ability to develop a wide range of targeting options depends on a detailed understanding of the adversary, targeting stakeholders and own force operational capabilities and objectives. This requires access to relevant, timely and accurate information and intelligence (see ADDP 3.7—*Collection Operations* and ADDP 2.0—*Intelligence* for more details).

1.26 An effect can be either direct or indirect, as follows:

a. **Direct.** Direct effects are the immediate, first order consequences of action, unaltered by intervening events or mechanisms. They are usually immediate and easily recognisable.

b. **Indirect.** Indirect effects are the delayed or displaced consequences of action, created through intermediate events, chains of events or mechanisms associated with the action which caused the direct effect. These consequences may be physical or behavioural in nature. Indirect effects may be difficult to recognise, due to subtle changes in system behaviour that may make them less observable. Indirect effects may be planned, unplanned, desired and undesired. Therefore, any element within the operational environment can be affected by another's actions. Planners and

commanders must be ready to exploit unexpected opportunities arising from indirect effects, as well as mitigating risk from potential adverse effects.

1.27 Effects can be cumulative, cascading and/or collateral:

a. **Cumulative.** The result of a number of actions is often greater than the result of each original action, creating a cumulative effect.

b. **Cascading.** Indirect effects can ripple through a targeted system, often affecting other systems, through common and critical nodes.

c. **Collateral.** Effects can create unintended consequences, potentially in the form of injury or damage to persons or objects unrelated to the target. Planned direct effects sometimes generate subsequent effects that are unpredicted or undesired. It is important to distinguish between collateral damage and collateral effects.

Collateral damage

1.28 The estimate of collateral damage is a key consideration during targeting planning. All reasonably feasible precautions must be exercised in the choice of targeting actions, with a view to avoiding or minimising expected incidental loss of civilian life, injury to civilians and damage to civilian objects. This consideration remains valid whether the action uses kinetic or non-kinetic means or the intended effect is lethal or non-lethal. Annex 1A shows the relationship between targeting actions and effects.

1.29 An estimate of collateral damage and effects (CDE) is required before any action against a target is approved. However, for non-kinetic means, this relies on less measurable parameters. Approval to proceed with an activity for non-lethal effects following the collateral effects estimation (CEE), should still be progressed through the various levels of command in accordance with protocols established for lethal effects. Considerations of collateral damage estimation methodology are described in Chapter 3. Undesired effect—Amirayah Shelter

HISTORICAL EXAMPLE

UNDESIRED EFFECT—AMIRAYAH SHELTER, 1991

The Amirayah shelter was a civil defence air-raid location in the Amiriyah neighbourhood of Baghdad, Iraq. Civilians used the shelter during the Iran–Iraq War and the Gulf War. During the Gulf War on 13 February 1991, the US Air Force destroyed the shelter using two laser-guided munitions, killing over 400 civilians.

According to US Government sources, the attack was based on signals and human intelligence reports that indicated that the bunker was a military command site. The attack on the shelter became a public relations disaster for the US Government as the follow-on effects rippled beyond the destruction of the shelter. Some of these effects included substantial media and public criticism of the decision to bomb the shelter and the conduct of unrestricted warfare.

TARGETING RELATIONSHIPS

Legal relationship

1.30 Australian ROE may restrict the manner and degree to which military effects may be generated through targeting within the range of actions permitted by international law. Legal officers play a key role in reviewing the targeting plan and outcomes to facilitate compliance with legal principles, as further detailed in Chapter 8.

Information activities relationship

1.31 Information activities aim to influence the decision-making and actions of a target audience and protect and enhance friendly decision-making and actions. Prioritisation of information activities targets occurs as part of targeting, as does the coordination of tasking. For further information on the linkages between joint fires and targeting and information activities see ADDP 3.13—*Information Activities*.

HISTORICAL EXAMPLE

ISRAEL DROPS LEAFLETS WARNING OF NORTHERN GAZA AIRSTRIKES

During the Israeli offensive against Palestinian Hamas guerrillas, Israel's air force dropped leaflets on northern Gaza on 07 August 2014. The leaflets warned residents to evacuate ahead of a new wave of airstrikes in the coming hours:

> To the residents of Beit Lahiya, the [Israeli Defense Force] intends to attack terrorists and terror infrastructures in the area east of Al-Atatra and Al-Salatin St., and in the area west and north of Ma'bscar Jabalyia and Israel is currently attacking, and will continue to attack, every area from which rockets are being launched at its territory.

The warning came ahead of what Israel's military spokesman described as a 'short and temporary' campaign against northern Gaza, and resulted in a reduction of non-combatant or civilian casualties.

Planning relationship

1.32 The JTC for deliberate targeting aligns with joint planning and ensures the focus remains on achieving mission objectives and the end state. In this respect, the JTC aligns with the joint military appreciation process and also the ends, ways and means approach to warfare outlined in ADDP 3.0. The JTC aims to employ the most appropriate capabilities to increase the likelihood of success while mitigating the risk of undesirable effects.

1.33 Targeting and planning are separate processes and require coordination. The primary means for integrating planning outputs and targeting process is via the battle rhythm of joint effects working groups and boards.

Joint fires relationship

1.34 Joint fires are fires delivered during the employment of forces from two or more components in coordinated action to produce desired effects in support of a common objective. The provision of joint fires is based on the links between the commander's objectives, planning and targeting. Effective joint fires requires

interoperable systems, a broad understanding of the differing strengths and limitations of force capabilities and how they are applied, and a clear agreement about how those capabilities are integrated. Targeting matches actions and targets to achieve effects, and joint fires are used to provide many of these effects. Joint fires and targeting—especially dynamic targeting—are coordinated to support the commander's intent. For further information on the linkages between joint fires and targeting, see ADDP 3.1—*Joint Fires*.

Intelligence relationship

1.35 Intelligence is a critical enabler to the targeting process. Timely, accurate and relevant intelligence supports the ability to achieve a desired effect through targeting. The more specific the desired effect, the greater the need for detailed intelligence. The collection, production and dissemination of intelligence requires prioritisation to support targeting, as capabilities are rarely sufficient to satisfy every demand for intelligence.

1.36 Target intelligence includes target systems' analysis and target materials. The foundation of intelligence required by targeting is the Modernised Integrated Database, a multinational, all-source, general military intelligence database. The historical example overleaf demonstrates the criticality of the targeting-intelligence relationship.

Targeting assessment measures

1.37 **Measures of performance.** Measures of performance (MOP) are criteria used to assess friendly action, which are tied to measuring task accomplishment. MOP assess how effectively friendly force elements are conducting targeting and inform measures of effectiveness. MOP enable commanders to determine performance of own force elements and ensure that adequate resources are being allocated to achieve desired effects.

Measures of effectiveness. The assessment of effects achieved is essential in targeting and operations. Measures of effectiveness (MOE) enable commanders to identify the impact of a targeting action in relation to the mission. MOE are tools used to measure results achieved in the execution of assigned tasks. If the desired effect is not achieved, the target may need to be re-attacked using the same means, or another means selected to achieve the desired effect. Unambiguous MOE are a prerequisite for assessment. MOE include measures of impact (MOI), which are criteria used to assess the changes in a system expected because of friendly non-kinetic tasks. MOI are a vital part of MOE for non-lethal effects.

HISTORICAL EXAMPLE
ATTACK ON HOSPITAL IN AFGHANISTAN

On 3 October 2015, a trauma hospital in Kunduz, Afghanistan run by the international medical humanitarian aid agency Médecins Sans Frontières (MSF) (Doctors without Borders), came under precise and sustained airstrikes from a US Air Force AC-130 Spectre gunship. The main hospital building—which housed the intensive care unit, emergency rooms, laboratory, X-ray, outpatient department, mental health, and physiotherapy ward—was repeatedly hit, while surrounding buildings were left mostly untouched. The chronological review of the events leading up to, during and immediately following the airstrikes revealed no reason for the MSF hospital to be targeted. There were no armed combatants or fighting within or from the hospital grounds. The AC-130, which is armed with side-firing cannons, rockets and mini-guns, had been despatched to prosecute a Taliban command centre that was approximately 400 metres from the hospital. The strike took place while Afghan troops were attempting to retake Kunduz from Taliban forces.

The attack killed 43, including 24 patients, 14 staff and four caretakers. When the strike took place, there were 105 patients and 140 MSF international and national staff present, of whom 80 were on duty that night. The MSF hospital was effectively destroyed.

The attack took place despite the fact that MSF had provided the GPS coordinates of the hospital to the United States (US) Department of Defense, Afghan Ministry of Interior and Defense, and the US officials in Kabul as recently as 29 September. The Pentagon later admitted that MSF had followed all proper procedures in notifying the hospital location. The attack continued for more than 30 minutes after MSF first informed HQ Operation Resolute Support and US military officials in Kabul and Washington that it was a hospital being hit. Because of confusion in theatre, US officials did not initially respond when MSF representatives repeatedly called the US military headquarters at Bagram Airfield, north of Kabul, to urge them to call off the attack.

Overall, a US military investigation concluded that a combination of human errors—including poor communication, coordination and situational understanding, and process and equipment failures—compounded by fatigue and high operational tempo, was responsible for the bombing. The intended target was approximately 400 meters away from the MSF trauma centre, the report said, adding that the investigation showed US special forces misidentified and struck the wrong target. The report stated that the aircrew were hampered by problems with their targeting sensors and relied on a physical description that led them to begin firing at the hospital, even though they saw no hostile activity there. The strike illustrates the necessity for correct targeting, supported by current intelligence and rigorous adherence to legal constraints.

Annex:
1A Targeting actions and effects relationship

ANNEX 1A

TARGETING ACTIONS AND EFFECTS RELATIONSHIP

Terms	
Actions using kinetic means	Lethal effect
Actions using non-kinetic means	Non-lethal effect

Examples	
Kinetic, lethal Use of a kinetically delivered capability to achieve a lethal effect against a target—for example: • A guided bomb unit used to destroy an identified facility with workers inside. • An eight-round mortar fire mission to destroy adversary troops in the open.	**Non-kinetic, lethal** Use of a non-kinetically delivered capability to achieve a lethal effect against a target—for example: • An influence campaign that results in a third-party attempting to kill a high-value individual.
Kinetic, non-lethal Use of a kinetically delivered capability to achieve a non-lethal effect against a target—for example: • A GBU-12 delivered into an open field adjacent to an adversary position to misdirect defenders' attention from the insertion of special force elements. • A four-round, 155mm illumination artillery mission to expose adversary personnel approaching a defensive position. • An electronic attack against a specific radar which, while remaining operational, temporarily degrades the operator's ability to fix and track allied aircraft.	**Non-kinetic, non-lethal** Use of a non-kinetically delivered capability to achieve a non-lethal effect against a target—for example: • A psychological operations radio broadcast to advise a target audience to surrender. • A covert social media interaction designed to draw out a targeted individual. • A computer network attack that is temporary and not lethal.

CHAPTER 2

ROLES AND RESPONSIBILITIES

Executive summary

- Australia has a whole-of-government approach to targeting that ensures all relevant agencies are involved and informed of actions affecting their plans.
- Command and control of targeting begins at the highest level of government and is applied through each level of operations.
- Defence plays a key role in providing specialist targeting advice and information to a whole-of-government solution.

Carry the battle to them. Don't let them bring it to you.

Harry S Truman

33rd President of the United States (1884–1972)

COMMAND AND CONTROL

2.1 Targeting commences with direction from the National Security Committee of Cabinet (NSC), Australia's senior ministerial decision-making body on national security matters. It is chaired by the Prime Minister. Other standing members are the:

b. Deputy Prime Minister

c. Cabinet Secretary

d. Attorney-General

e. Treasurer

f. Minister(s) for Foreign Affairs and Trade

g. Minister for Defence

h. Minister for Home Affairs.

2.2 Officials present at meetings of the NSC may include the Chief of Defence Force (CDF), the secretaries of key departments and agencies, including the heads of the national intelligence and security services.

2.3 The Secretaries' Committee on National Security (SCNS) is a senior inter-departmental committee supporting the NSC. It considers all matters to be put before the NSC and has a role in ensuring that Australia maintains a coordinated policy approach on all national security issues. SCNS is chaired by the Secretary of the Department of Prime Minister and Cabinet (PM&C) with the Associate Secretary National Security as deputy chair. Other members include:

a. Secretary of the Department of Foreign Affairs and Trade (DFAT)

b. Secretary of the Department of Defence

c. Secretary of the Department of Home Affairs (DHA)

d. Secretary of the Attorney-General's Department (AGD)

e. Secretary to the Treasury

f. CDF

g. Commissioner of the Australian Federal Police

h. Australian Border Force Commissioner

i. Directors–General of:

(1) the Office of National Assessments or similar

(2) Australian Security Intelligence Organisation

(3) Australian Secret Intelligence Service.

Government responsibility

2.4 For deliberate planning, a whole-of-government approach is achieved by ensuring that key agencies are engaged during development of the CDF Targeting Directive (TD). These include PM&C, DFAT, DHA, AGD and the intelligence agencies.

2.5 For immediate planning, whole-of-government synchronisation uses strategic targeting processes within the National Crisis Management Machinery, and through Defence engagement of PM&C, DFAT and AGD Department.

Figure 2.1: Targeting roles and functions



Other government departments

2.6 Other government departments may provide intelligence and operational support to targeting. As targeting is a multiagency activity, coordination is required with other government departments depending on the nature of the desired effect.

Defence

2.7 Key Defence contributors to targeting include the Australian intelligence community, and designated national commanders. The following senior Defence executives are responsible for coordinating Defence inputs within their respective areas:

a. CDF

b. Vice Chief of the Defence Force (VCDF)

c. Chief of Joint Operations (CJOPS)

d. Deputy Secretary Strategic Policy and Intelligence (DEPSEC SP&I).

RESPONSIBILITIES

Chief of the Defence Force

2.8 CDF is responsible for Defence targeting policy which provides the strategic level guidance on how Defence is to conduct targeting, and identifies specific tasks and responsibilities. CDF is responsible for coordinating whole-of-government and Defence inputs to strategic targeting.

2.9 CDF provides two principal orders to define targeting planning and activities: ROE and the CDF Targeting Directive. The CDF Targeting Directive provides direction for the conduct of targeting in support of an operation, while allowing maximum operational flexibility and autonomy consistent with national policy. The CDF Targeting Directive outlines:

a. strategic targeting development priorities

b. the approved, restricted and no-strike target categories

c. targeting command, control and oversight arrangements and the responsibilities of supporting agencies, including:

   (1) the target engagement authorities

   (2) the non-combatant and civilian casualty cut-off value to be held at the various levels

   (3) the collateral damage estimation methodology to be used

   (4) the levels of risk authorised for use by designated commanders

   (5) the specific approval authorities for non-lethal effects

d. the required currency of target materials

e. the national policies on legal issues affecting targeting.

Vice Chief of the Defence Force

2.10 VCDF typically chairs the Strategic Effects and Targeting Board (SETB), which advises CDF on targeting issues. VCDF is the manager of joint capability, including joint targeting.

Deputy Secretary Strategic Policy and Intelligence

2.11 DEPSEC SP&I is responsible for coordination and oversight of intelligence and security support to the strategic and operational targeting process.

Chief of Joint Operations

2.12 CJOPS has command of joint operations and is responsible for:

a. activities on behalf of CDF

b. the planning, control and conduct of campaigns, operations and joint exercises

c. prioritisation, production and maintenance of target system analysis

d. all aspects of targeting at the operational level, including planning, execution and assessment.

2.13 CJOPS is usually the target engagement authority (TEA), unless TEA authority is delegated to a subordinate commander.

Commander joint task force

2.14 Commander joint task force (CJTF) exercises assigned responsibilities for targeting within a joint force area of operations (JFAO) including planning, execution and assessment. This responsibility includes establishing tactical objectives and command relationships and coordination.

2.15 A CJTF's primary targeting responsibility is to determine, approve and assign the objectives, effects and tasks that subordinate commanders will achieve through application of air, land, maritime, space and special operations forces capabilities, both kinetic and non–kinetic. See Australian Defence Force Publication (ADFP) 3.14.2—*Targeting Procedures* for more information on JTF targeting responsibilities.

Effects targeting boards and effects targeting coordination working groups

2.16 Effects targeting boards (ETB) and effects targeting coordination working groups (ETCG) are established at different levels, and labels 'strategic', 'operational', 'joint' are added to suit the echelon.

2.17 ETBs are chaired by the commander and direct the planning and execution of targeting within headquarters for the commander's approval. Convening of the ETB may be delegated to a subordinate commander.

2.18 ETCG are convened as required to support targeting with staff officer–level allocations. The ETCG coordinates and directs staff targeting effort across headquarters, including supported headquarters.

2.19 **Operational Effects Targeting Board.** CJOPS chairs the Operational Effects Targeting Board (OETB). OETB directs the planning and execution of targeting within Headquarters Joint Operations Command (HQJOC) for CJOPS approval. Convening of the OETB may be delegated to a subordinate commander.

2.20 **Operational Effects and Targeting Working Group.** The OETB is informed by the Operational Effects and Targeting Working Group (OETWG), which is a staff officer–level forum, convened as required to support targeting. The OETWG coordinates and directs staff targeting effort across HQJOC branches and supported headquarters.

Planning responsibilities

2.21 Strategic deliberate targeting planning processes are aligned with broader Defence strategic planning, and are the responsibility of DEPSEC SP&I. Based on

CDF priorities, DEPSEC SP&I identifies intelligence support requirements for targeting for integration into the Defence intelligence production effort. At the operational level the deliberate planning process guides the development of measures of effectiveness for targeting activities and the development of national target lists, identifying approved, restricted and no-strike target categories based on national objectives, legal obligations and government guidance.

2.22 During immediate planning and the conduct of operations, targeting advice is provided by VCDF and CJOPS and facilitated by the ETB. CDF may seek guidance from the Minister for Defence on specific targeting matters.

Targeting oversight and decision-making responsibilities

2.23 **Strategic Effects and Targeting Board.** The SETB is the primary mechanism for coordinating whole-of-government and Defence inputs for strategic targeting. The SETB may be convened to inform ADF targeting policy and consequence management issues arising from targeting. The SETB is chaired by VCDF and membership is drawn from Defence and other government departments by invitation. The SETB also provides advice to CDF on sensitive targets.

2.24 **Operational Effects Targeting Board.** The OETB assists in developing targeting guidance for CJOPS approval and prioritising competing requests for assets within the JFAO. The OETB bridges the gap between the joint task force (JTF) level and the strategic consequence management focus of the SETB. If CJOPS has multiple JTFs requiring targeting support or resources, the OETB assists in deciding how limited assets and resources are deployed. The OETB has staff branch heads, national agency, and may have service and multinational representatives (where appropriate) to make recommendations regarding strategic and/or operational issues. OETB responsibilities include:

a. review of target packs and approval of target lists for execution

b. approval by CJOPS or delegate of nominations to the joint integrated prioritised target list (JIPTL)

c. development of joint targeting guidance, objectives and priorities for CJOPS approval

d. maintenance of the joint target list (JTL), no-strike list (NSL), restricted target list (RTL), and other relevant target lists, based on CJOPS guidance.

e. review, validation and approval of targets to the JTL and RTL when such authorities are delegated to the OETB by CJOPS.

f. referral to ETB proposed targets, methods of engagement or probable consequences that exceed CJOPS delegations and/or authorities. This includes target prosecutions that might expose ADF capability or Australia's domestic and international reputation to an unacceptable level of risk.

2.25 **Operational Effects and Targeting Coordination Group.** The OETCG is convened as required—usually as part of HQJOC (or CJTF if delegated) battle rhythm—to coordinate targeting input from HQJOC staff branches. It is an action

officer–level forum that provides guidance on overall targeting and FE schemes of manoeuvre. OETCG responsibilities include:

a. directing staff effort to coordinate development of target packs and target lists for OETB approval

b. recommending changes to the targets, methods or resources assigned to current target lists

c. submitting the draft JIPTL for OETB approval, including:

(1) recommended force apportionment

(2) proposed changes to target lists (particularly any targets nominated from the RTL)

(3) proposed changes to time-sensitive targeting collection requirements and priorities

d. consequence management

e. disseminating CJOPS targeting guidance and priorities to assigned FE.

See ADFP 3.14.2—*Targeting Procedures* for further information on the OETCG.

2.1 The ETB and ETCG may be delegated by CJOPS if an alternative level of command is better placed to conduct them.

CHAPTER 3

THE JOINT TARGETING CYCLE

Executive summary

- The six phases of the joint targeting cycle are: end state and commander's objectives, target development and prioritisation, capabilities analysis, commander's decision and force apportionment, mission planning and force execution, and targeting assessment.
- The joint targeting cycle and the joint military appreciation process are interrelated activities.

The general who wins a battle makes many calculations in his temple before the battle is fought. The general who loses a battle makes but a few calculations beforehand. Thus many calculations lead to victory and few calculations to defeat. It is by attention to this point that I can foresee who is likely to win or lose.

Sun Tzu, *The Art of War* (c. 490 BC)

INTRODUCTION

3.1 The joint targeting cycle (JTC) contains the steps for successful targeting. The purpose of targeting is to select targets and match actions to them to achieve desired effects. When conducted in multinational operations, it may involve the participation of partner nations, other government departments and occasionally non-governmental organisations. An effective, disciplined targeting process minimises unintended effects and the potential for collateral damage. It also reduces inefficient and imprecise actions during operations.

3.2 Targeting integrates capabilities to create desired effects in support of the commander's mission. The JTC aims to ensure that:

a. targeting is aligned with national objectives and the commander's intent

b. legal obligations are complied with

c. a range of effects are generated which focus on an adversary's critical vulnerabilities

d. targeting is coordinated with other operational activities

e. targeting-related intelligence requirements are identified and satisfied according to the commander's priorities.

3.3 **Planning.** Targeting is integral to joint planning which uses the joint military appreciation process (JMAP). JTC planning and the JMAP are interrelated and complementary activities.

3.4 **Execution.** All aspects of targeting continue throughout the conduct of an operation. Moreover, targeting needs to be sufficiently flexible to adjust to change in operational circumstances.

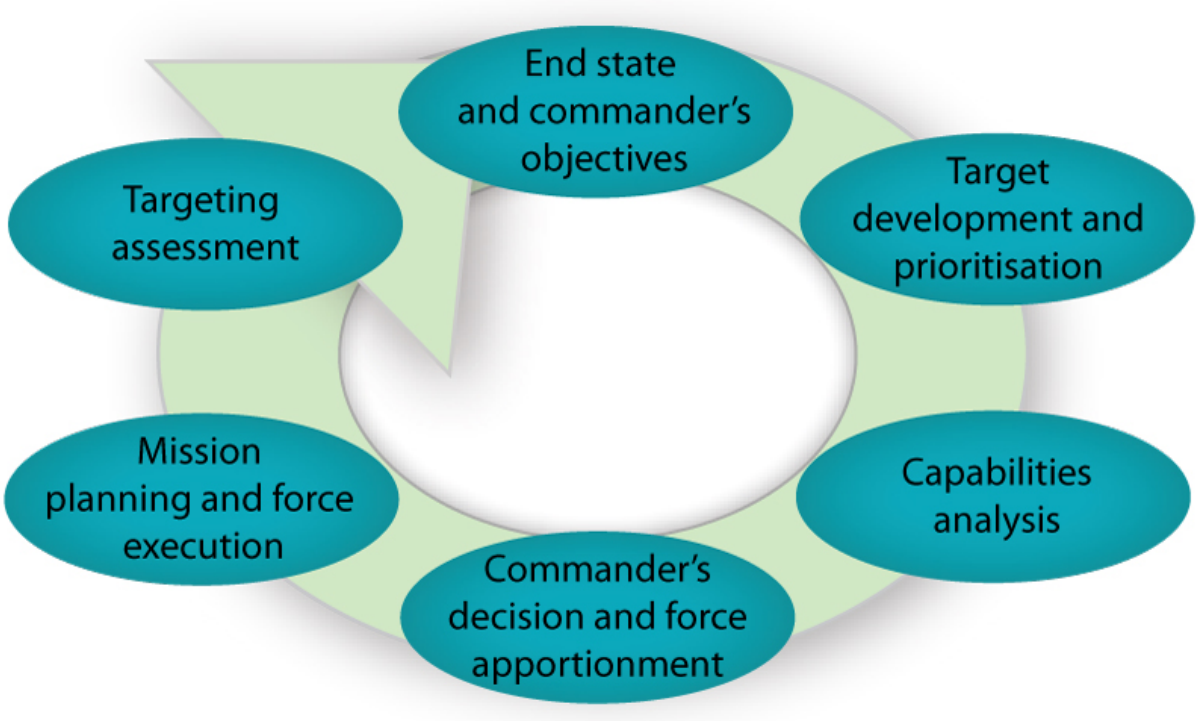
3.5 **Assessment.** Continuous assessment of activities throughout operational execution measures progress and performance. The commander continually adjusts operations based on assessment outcomes to ensure that objectives are met and the end state is achieved.

3.6 The JTC supports the prosecution of both deliberate and dynamic targets.

JOINT TARGETING CYCLE

3.7 The JTC, shown at Figure 3.1, is a six-phase activity. It establishes a framework to conduct targeting successfully. Some or all phases may occur concurrently. Each phase is described below.

Figure 3.1: The joint targeting cycle



Phase 1—End state and commander's objectives

3.8 The JTC gains its initial direction from the understanding of the military end state and the commander's intent, centres of gravity (COGs), objectives, lines of operation, desired effects and required tasks, which are developed during operational design and planning. JMAP mission analysis informs this phase. Objectives provide the overall perspective to subordinate commanders charged with task execution. Most importantly, desired effects support the commander's mission, objectives and decisive points.

3.9 **Strategic level guidance.** End state and commander's objectives at the strategic level comprise:

a. **National strategic guidance.** National strategic guidance may be provided by Government throughout the JTC, influencing all phases. In addition, the strategic level may retain final responsibility for target approval and types of effect and means to be used.

b. **National military principles.** National military principles provide the intellectual and moral framework within which operations are conducted. They interpret historical lessons to identify preferred methods of using force, and international conventions limiting the application of force. Technical, scientific, ethical and legal developments may tend to emphasise some principles while obscuring others. Primary guidance is provided by the law of armed conflict (LOAC).

c. **Military strategic guidance.** National strategic guidance is translated into military strategic guidance. The Chief of the Defence Force (CDF), advised by the Vice Chief of the Defence Force (VCDF), is responsible for targeting guidance. Strategic targeting guidance is promulgated in the CDF Targeting Directive (TD) which is provided to the Chief of Joint Operations (CJOPS). The Strategic Effects and Targeting Board (SETB) also provides strategic level targeting guidance.

3.10 **Operational level guidance.** At Headquarters Joint Operations Command (HQJOC), the Effects Targeting Board (ETB) assists CJOPS in managing resources. Commander's guidance is the understanding of the overall mission and end state, and the commander's intent, objectives and desired effects. Operational objectives are the basis of deriving the desired effects and the scope of target development that is presented to the commander for approval. Measures of effectiveness (MOE) and measures of performance (MOP) need to be identified and/or developed in this phase of targeting. This broad guidance is developed during the mission analysis phase of the JMAP and/or derived from strategic level guidance.

3.11 **Tactical level guidance.** The ETB output provides the ways and means to achieve the required effect under command of a commander joint task force (CJTF) or delegated commander who directs kinetic and non-kinetic means of engagement for force elements.

Phase 2—Target development and prioritisation

3.12 Target development is informed by the Joint Intelligence Preparation of the Operational Environment (JIPOE) and comprises the analysis, assessment, and documentation processes to identify and characterise potential targets that, when successfully engaged, support the achievement of the commander's objectives. A fully developed target must comply with national and command guidance, LOAC and the applicable rules of engagement (ROE). Target development examines potential target systems (their components, individual targets, and target elements) to determine the necessary type and duration of action that must be carried out against each target to create the desired effect(s). Target development comprises the following four steps:

a. **Target system analysis.** Target systems are typically a broad set of interrelated functionally associated components that generally produce a common output or have a shared mission. Target system analysis (TSA) is

an all-source analytical process that analyses systems, networks, components and their elements to identify the best targeting strategy to move a system from its current to desired future state. TSA is the foundational process of system-level target development. TSA is equally applicable to systems and capabilities associated with both nation-state and non-state actors. The TSA process enables additional, more detailed stages of target development. TSA aids and simplifies target selection, is crucial to targeting assessment including battle damage assessment (BDA), helps prioritise target materials production and identifies intelligence gaps.[1] TSA identifies the relative importance of individual target system components, elements and nodes conducted across physical, information and cognitive domains.

b. **Target audience analysis.** Target audience analysis aims to construct a clear profile of a given audience and how messaging may achieve influence with that audience.

c. **Entity-level target development.** Target development always approaches adversary capabilities from a target systems perspective. This includes physical, logical and complex social systems, and the interaction among them. Entity-level target development builds on TSA and generally occurs in three stages: basic, intermediate, and advanced. Each stage is defined by a minimum set of essential data required to progress a target from initial identification and functional characterisation to execution-level detail. A target is considered fully developed when the three stages are complete. While a single target may be significant because of its own characteristics, the target's real importance lies in its relationship to other targets within a system. Target development includes the following steps:

(1) **Intelligence direction.** Target development begins with identifying and satisfying intelligence requirements. Targeting staff must work closely with requirements managers to ensure that information requirements regarding target development, pre-strike and post-strike requirements, and any changes that occur throughout targeting, are satisfied.

(2) **Target intelligence production.** Following identification of key targets matching the adversary's critical vulnerabilities standardised targeting materials are produced to support commanders and force elements. The physical and functional characteristics of individual targets are determined and recorded to inform later weaponeering and operational planning.

(3) **Target vetting.** Target vetting assesses the accuracy of intelligence supporting targeting. This includes verifying the candidate target's functional characterisation, expectation statement and target significance, and analysing the target elements. Target vetting characterises, verifies and provides feedback on potential no-strike

1. Target materials are graphic, textual, tabular, digital, video, or other presentations of target data, primarily designed to support operations against designated targets by one or more weapon systems.

targets and on the functionality of targets under consideration for engagement. Target development requires strategic intelligence input.

(4) **Target validation.** The targeting directive outlines the authority to validate targets. Target validation is that part of target development that ensures all vetted targets meet the objectives and criteria outlined in the commander's guidance; it also ensures compliance with LOAC and rules of engagement (ROE). This step also confirms whether a target remains a key element of the target system based on the results of one or more engagements.

d. **Target list management.** The output of target development is the various target lists. It is imperative that target lists are managed to ensure they are responsive and verifiable.

3.13 **Emerging targets.** An emerging target is a target that meets sufficient criteria to be evaluated as a potential target. Emerging targets are entities submitted by commanders, force elements or other agencies for further development and inclusion on the joint target list (JTL) and/or restricted target list (RTL), or moved to the no-strike list (NSL). Emerging targets are added to target lists after appropriate vetting. Entities that have met intermediate target development criteria and are being vetted and validated may be listed on a candidate target list (CTL), prior to being included in other target lists.

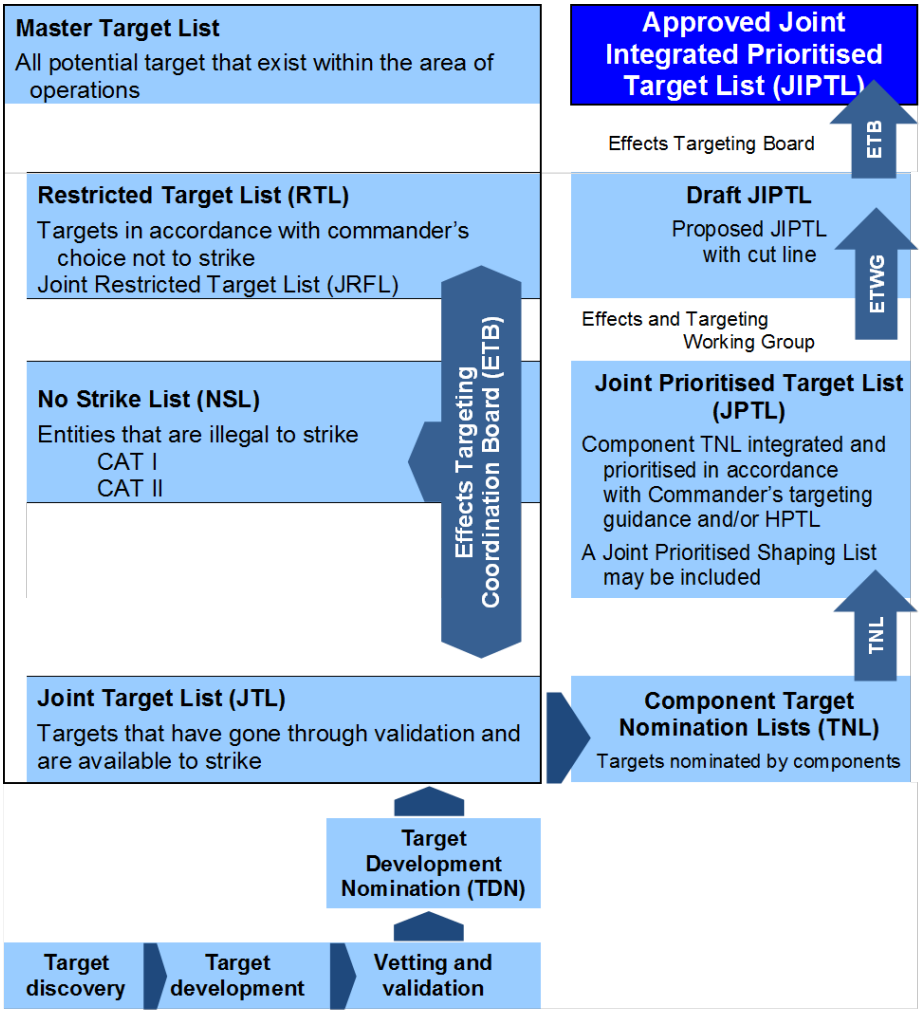
3.14 **Target lists.** The principal target lists are as follows:

a. **Candidate target list.** The CTL is a list of entities that have met intermediate target development criteria and are being vetted and validated.

b. **Master target list.** A comprehensive list of targets generated from the following subordinate target lists:

(1) **Joint target list.** A consolidated list of targets so designated because they meet the commander's objectives.

Figure 3.2: Target list management



(2) **Restricted target list.** A list of targets that have specific restrictions placed on the actions authorised against them due to operational considerations.

(3) **No-strike list.** A list of entities that are protected from the effects of military operations under international law and/or rules of engagement. Objects or entities on the NSL cannot be nominated for action without further approval.

(a) CAT I. These are the most sensitive set of no-strike entities based on protections in LOAC and other laws, and have significant policy concern. They form the core of the NSL.

(b) CAT II. are the remainder of no-strike entities based on protections in LOAC and other laws, and have policy concern.

c. **Prioritised joint target list**. A prioritised list of deliberate targets from the MTL that may be prosecuted to achieve lethal or non-lethal effects.

d. **Target nomination list.** A prioritised list of targets drawn from the JTL and nominated by component commanders and agencies for inclusion on the joint integrated prioritised target list (JIPTL).

e. **Joint integrated prioritised target list.** A list of targets that is approved to then be prosecuted. The JIPTL is drawn from the PJTL, approved and maintained by the commander. A JIPTL draft cut line is established during master air attack plan (MAAP) activities in phase 4 of the JTC and is a force apportionment activity which reflects which targets will most likely be prosecuted.

3.15 **Joint restricted frequency list.** A time and geographically oriented listing of functions, nets, and frequencies that require protection from friendly electronic attack.

Phase 3—Capabilities analysis

3.16 The purpose of capabilities analysis is to maximise the efficiency of forces through the application of sufficient force to create the desired effects while minimising collateral damage, duplication of effort and wasted resources. This phase of the JTC involves evaluating available capabilities against desired effects to determine the options available. Risks to the force and collateral concerns are also considered. Capabilities analysis may also inform the commander's selection of courses of action and other decision-making processes. Capabilities analysis comprises the following:

a. **Target vulnerability analysis.** Building on the target's critical elements identified in phase 2, target vulnerability analysis reveals all aspects of the target that, if engaged, would result in a reduction in the target's ability to perform its function.

b. **Capabilities assignment.** Once a target's vulnerabilities are known, target engagement capabilities are assigned. Target engagement capabilities may be either kinetic or non-kinetic.

c. **Feasibility assessment.** Each assignment of capability to target must be evaluated for feasibility. For example, a kinetic means might be able to neutralise a particular target's function, but if the target is located in a country for which approval for the use of a kinetic capability would not be forthcoming, force assignment would be considered not feasible.

d. **Effects estimate.** Each feasible asset-target interaction should have first, second, and subsequent order effects identified to ensure that unintended effects are considered, building on the analysis performed in target development. Effects estimates also take into account estimated target repair and recuperation times when matching capabilities to vulnerabilities.

e. **Weaponeering.** Weaponeering considers issues such as target vulnerability, adversary actions (the effects of actions and countermeasures), characteristics and effects of the engagement capabilities, munitions delivery errors and accuracy, damage mechanism and criteria, probability of kill, weapon reliability and trajectory. Since not all targets will require advanced

target development, only prioritised targets (such as targets on TNLs and JIPTLs) should require weaponeering.

f. **Collateral damage estimation.** The holistic process of determining the potential for collateral damage resulting from target engagement.

g. **Colateral effects estimation.** The comprehensive consideration of potential collateral effects (other than damage) resulting from non-lethal effects.

3.17 **Collateral damage estimation methodology.** A formal CDE assessment is undertaken where possible and practical as part of both the target development and subsequent analysis phases. This is because much of the CDE process can only be undertaken when the desired capability and its effects are analysed. Targeting and operations staff use the targeting directive and intelligence products to identify protected objects that are not to be targeted. The CDE methodology (CDEM) is a five level classification process that provides the commander with empirically derived CDE and mitigation recommendations designed to support decision-making and weigh military necessity against collateral damage risk.

Phase 4—Commander's decision and force apportionment

3.18 The commander's decision and force apportionment phase fuses capabilities analysis with available forces, sensors, and systems. Apportionment is, in the general sense, planning the assignment of limited resources among competing requirements.

3.19 The process of matching targets with available forces or systems and intelligence, surveillance and reconnaissance assets lies at the heart of force apportionment. Once the JIPTL is approved, either entirely or in part, tasking orders are prepared and released to CJTF and executing force elements (see phase 5—Mission planning and force execution).

3.20 The JTC also documents the links between objectives and guidance. This documentation traces the analytical reasoning that supported the selection of nominated targets and the details of the capability effectiveness estimates. This links planners and targeting specialists with the information flow critical to reducing the likelihood of confusion between what was expected at the joint task force level and what was actually achieved during execution. Ultimately, the exchange of information at this phase and the reconciliation of a common operating picture are critical elements in the assessment phase, where outcomes are analysed and future actions are determined. The essential actions that take place during this phase are to:

a. consolidate target development and capabilities

b. gather data on friendly force status, including any operational constraints

c. recommend force apportionment for approval

d. allocate forces to targets and missions to achieve effects

e. confirm military necessity and a decision on proportionality, distinction and unnecessary suffering

f. present targeting recommendations to commander through ETB

g. issue orders as the link to phase 5.

3.21 **Target approval.** Targets must be approved by appropriate authorities before action is taken. There are two types of targeting approval, although in practice these may be vested in the same commander. These approvals are laid out in the CDF Targeting Directive and the targeting annex to the operation order and might be further delegated, depending on the situation.

3.22 **Target engagement authority.** The target engagement authority (TEA) is the officer who is authorised to approve a combination of; capabilities, target types, target locations or levels of collateral damage. TEAs are appointed in the targeting directive.

3.23 **Target engagement plan.** The target engagement plan (TEP) authorises and prioritises engagement for effectors. It is a fusion of fire support and effects tools, including the high pay-off target list (HPTL), target selection standards (TSS), attack guidance matrix (AGM), assessment measures of performance (MOP), measures of effectiveness (MOE), Advanced Field Artillery Tactical Data System (AFATDS) weightings and formal target sets. The TEP is an authoritative document. The intent of the TEP is to enable engagement IAW preauthorised ammunition, platforms and effectors without reference to higher headquarters. When combined with a delegated TEA or used in conjunction with permissive fire support coordination measures, it can be decisive in its execution. It also provides linkages into AFATDS and Joint Automated Deep Operations Coordination System (JADOCS) to enable rapid engagement of targets.

Phase 5—Mission planning and force execution

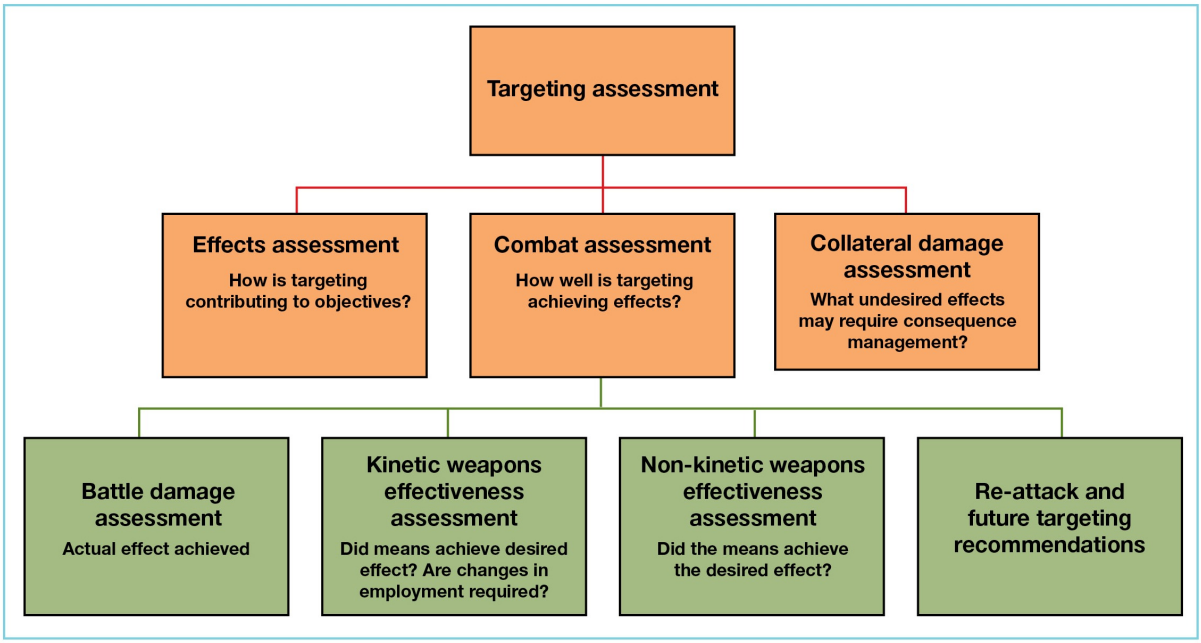
3.24 On receipt of tasking orders, detailed mission planning is undertaken for the execution of targeting tasks. The JTC supports this planning by providing tactical-level planners with direct access to detailed information on targets, supported by the nominating force elements' analytical reasoning that links the target with the desired effect (phase 2).

3.25 Operations are inherently dynamic, and the operational environment may change rapidly and significantly, as the adversary responds to and deviates from friendly force assessments. However, the JTC is also flexible and can adapt to these changes, allowing commanders to maintain the initiative. Dynamic targeting may be required during execution and therefore high quality targeting, operational and situational understanding data is required to assess appropriate responses and possible collateral damage. Dynamic targeting is detailed in Chapter 5.

Phase 6—Targeting assessment

3.26 Targeting assessment is used to measure the effectiveness of targeting. Assessment completes and recommences the JTC. Targeting assessment comprises effects assessment, combat assessment (CA) and collateral damage assessment. Targeting assessment is dealt with in detail in ADDP 3.14.1—*Targeting Assessment*

Figure 3.3: Targeting assessment



3.27 **Targeting assessment**. This is an assessment of the effectiveness of targeting. Using measures to assist assessment and inputs from intelligence and operations staff, who may recommend improvements in areas such as force application planning or revision of the current situation assessment. These assessments and recommendations can affect future operations or modify a commander's objectives. The following questions are asked in this phase:

a. Were actions against targets conducted as planned?

b. Were the effects of these actions as anticipated?

c. If actions were not conducted as planned, or the effects of these actions were not as anticipated, what can be done to address deficiencies?

d. Was the CDE correct and accurate?

e. What collateral damage or unintended effects achieved may require consequence management?

3.28 **Effects assessment.** This component of targeting assessment checks the effectiveness of targeting actions to produce effects to achieve objectives. Commanders determine assessment actions and measures during planning. They consider assessment measures as early as mission analysis, and include assessment measures and related guidance in commander's estimates. Commanders continuously assess the operational environment and the progress of operations, and compare the outcomes to their initial vision and intent. Commanders adjust operations based on their assessment to ensure objectives are met and the end state is achieved. The assessment process is continuous and directly tied to the commander's decisions throughout planning, preparation and execution of operations.

3.29 **Combat assessment**. This component of targeting assessment considers the effectiveness of targeting actions to produce effects. It comprises four components:

a. battle damage assessment

b. kinetic weapons effectiveness assessment

c. non-kinetic weapons effectiveness assessment

d. future targeting and re-attack recommendations.

3.30 CA focuses on determining the results of target engagement using both kinetic and non-kinetic capabilities. CA determines progress and validation of how targeting activities are progressing and provide inputs into MOE and MOP; it also recommends further targeting priorities in line with the assessed results. CA comprises the following four aspects:

a. **Battle damage assessment**. BDA is the process that compares the actual target effect with the desired effect. BDA is conducted in four phases:

(1) physical damage assessment—the estimate of the quantitative extent of physical damage (through munitions blast and fragmentation) to a target resulting from the application of military force

(2) change assessment—the identification and assessment of measurable change to the target resulting from capabilities that do not create physical damage

(3) functional damage assessment—The estimate of the effect of military force to degrade or destroy the functional or operational capability of the target to perform its intended mission and on the level of success in achieving operational objectives established against the target

(4) target system assessment—assessment of the change and remaining target system functional capabilities and capacities relative to the targeting objectives after military operations have commenced.

b. **Weapons effectiveness assessment.** Weapons effectiveness assessment (WEA), called munitions effectiveness assessment (MEA) in NATO and US targeting, assesses the means applied in terms of its overall effectiveness to determine and recommend any required changes to the methodology, tactics and delivery parameters to increase force effectiveness. It comprises:

(1) **kinetic weapons effectiveness assessment**—analyses the force applied in terms of its tactics, weapon system, munitions, fusing, and/or weapon delivery parameters effectiveness, to determine and recommend any required changes to how those weapons were applied and what effects were achieved, to increase effectiveness

(2) **non-kinetic weapons effectiveness**—an evaluation of the effectiveness of non-kinetic means of engagement in achieving the

desired effect and recommends any required changes to how those means were applied.

c. **Re-attack and future targeting recommendations.** Future target nominations and re-attack recommendations merge the results of what was done with how it was done to provide the commander with recommendations on whether a target needs to be nominated for re-attack or if a new target needs to be prosecuted.

3.31 Engaging targets does not necessarily represent the total effectiveness of operations. CA seeks to ascertain whether desired effects are being achieved. Outcomes of the assessment phase influence future mission guidance and force apportionment.

3.32 **Collateral damage assessment**. A component of targeting assessment, collateral damage assessment is the assessment of actual collateral damage and collateral effects caused by kinetic and non-kinetic targeting actions compared to CDE. Collateral damage assessment is necessary to understand fully the consequences of friendly actions, and determines what undesired effects may have occurred that require consequence management.

3.33 Post-conflict, there is a continuing requirement for operational data and intelligence to support WEA and non-lethal effect analysis as follows:

a. **Operational data.** Operational or mission-specific data includes all executed mission type orders, including executed air tasking orders, all mission reports, and copies of aircraft cockpit video or weapon system video.

b. **Intelligence.** Intelligence includes strategic, operational and tactical intelligence, as well as continued damage assessment and analysis of reconstruction for revising TSA and targeting materials.

c. **Weapon effectiveness assessment.** Optimal analysis of lethal effects is achieved by deploying WEA teams (engineers, tacticians and intelligence analysts) to conduct on-site analysis. These teams provide a ‘ground truth’ about the level of damage caused by weapons and described by BDA collection assets and the actual physical and functional damage inflicted.

d. **Non-lethal effect analysis.** Measurement methodologies for achieving non-lethal effects must be appropriate to the means of achieving them. The issues to be considered include the following:

(1) The effect of information operations is often subtle, has different temporal parameters and is likely to present more assessment challenges.

The effect of computer network operations engagement may be lethal or non-lethal, depending on the target engaged, the means used to achieve the effect and the effect itself. It may or may not be readily observable.

CHAPTER 4

DELIBERATE TARGETING

Executive summary

- Deliberate targeting prosecutes scheduled and on-call targets.
- Intelligence and the production of target materials are central to deliberate targeting.
- Command and control of deliberate targeting is held at the highest practicable level.

> *Hence that general is skilful in attack whose opponent does not know what to defend; and he is skilful in defence whose opponent does not know what to attack.*
>
> **Sun Tzu, *The Art of War* (c. 490 BC)**

INTRODUCTION

4.1 Deliberate targeting is the prosecution of planned targets to achieve desired effects in accordance with the commander's objectives and end state. Within the joint targeting cycle (JTC), deliberate targeting involves all six phases. Deliberate targeting has a strong intelligence focus and gathering information about the target is a core activity.

Philosophy of deliberate targeting

4.2 Deliberate targeting is the prosecution of planned targets—those known to exist in the operational environment and upon which actions are planned to create effects which support the commander's objectives. It differs from dynamic targeting, which will be described in the next chapter. Deliberate targeting enables the commander to achieve effects to shape the operational environment.

4.3 Deliberate targets have planned engagement actions—either kinetic or non-kinetic—scheduled against them to achieve both lethal and non-lethal effects. In all cases, target data has sufficient detail to allow the capability matching and force apportionment elements of the JTC to be planned and conducted. Deliberate target nominations are drawn from the master target list and refined to create the joint integrated prioritised target list (JIPTL).

4.4 Deliberate targeting prosecutes targets on the JIPTL through actions to achieve desired effects, while minimising undesired effects. Deliberate targeting begins with the commander's guidance and proceeds with the conduct of target system analysis (TSA) as part of the development of a contingency operation plan (oplan). Oplans may be based on scenario, threat or region.

Factors affecting deliberate targeting

4.5 **Intelligence.** The most significant factors affecting deliberate targeting are the lead time and resources. To be effective and successful, deliberate targeting

requires significant planning and coordination from relevant intelligence sources, staff(s) and force elements. Additionally, sufficient intelligence resources must be available to support deliberate targeting during the commander's decision and force apportionment phase of the JTC. Some of the more common intelligence requirements include the following:

a. Provision of geospatial intelligence (geoint) to ensure precision of action. This extends to target location, target environs, ingress mission planning and launch platform mission planning and support.

b. Coordination of intelligence, surveillance and reconnaissance (ISR) assets to conduct pre-strike validation, confirmation of collateral concerns, post-strike battle damage assessment and to deconflict friendly force elements.

c. Analysis of potential target systems, sets, components and elements occurs following the conduct of a TSA. Significance statements are then developed against potential targets.

4.6 **Target materials.** Target materials (TM) include graphic, textual, tabular, digital, video or other presentations of target data, primarily designed to support the rationale for actions against targets by one or more capabilities. TM are developed following target vetting. The purpose of TM is to characterise a target by function, including the identification of targetable critical elements within a target. TM also identify generic law of armed conflict (LOAC) concerns within the target or the nearest LOAC concern to a target. It supports both vetting and validation of a target. TM are developed in accordance with the US Chairman of the Joint Chiefs of Staff Instruction 3370.01—*Target Development Standards*, as required by allied targeting agreements.

4.7 **Target material production.** Target material production (TMP) is conducted across the targeting process and includes:

a. intermediate target development (facility outline, critical elements, LOAC)

b. advanced target development (precision point mensuration (PPM), joint desired point of impact (JDPI) and collateral damage estimation (CDE)).

4.8 Phase 5 of the JTC—Mission planning and force execution—is usually directed as part of an air task order generated by the Air and Space Operations Centre. In air activities, this is accompanied by an airspace control order to coordinate C2 and locations of friendly force elements. Non-kinetic means are tasked for execution by the J3. Execution is monitored and managed by a number of tactical and operational assets.

4.9 In deliberate targeting, the targeting assessment links phase 6 to phase 1 of the JTC. Engagement outcomes and effects are measured against actions and desired effects. ISR assets collect information about the engagement according to the collection plan (as modified during dynamic targeting) and attempt to determine whether desired effects were achieved. Comprehensive assessment procedures are required to make accurate and expeditious re-attack and future targeting recommendations.

Precision point mensuration

4.10 PPM is the creation of accurate target coordinates for specific JDPI. The JDPI provides the location of the critical element and/or aimpoint to a high degree of fidelity in three dimensions.

4.11 **Target mensuration only.** Target mensuration only (TMO) is the conduct of PPM in support of joint fires, where the time or circumstances do not allow for the conduct of TMP. TMO produces PPM for tactical targeting; the coordinates generated are perishable.

4.12 **Target material production.** TMP results in the development of PPM products against strategic and operational planning priorities. Often these products are maintained and reviewed for extended periods of time.

4.13 TM are often developed weeks or months before employment. PPM requires governance and is subject to qualification, certification and currency requirements using geoint material that is also subject to rigorous assurance and governance. Governance of PPM is detailed in the ADF *Precision Point Mensuration Manual*.

Non-kinetic target prosecution

4.14 The conduct of deliberate non-kinetic targeting includes information operations on target audiences. Integrated action of information-related capabilities used on both target systems and target audiences helps to achieve desired effects.

> *If there is one lesson that Afghanistan must drum into everyone in the NATO community it is that understanding the audience is not a nice to have but an imperative pre-requisite for success.*
>
> **Cdr (Rtd.) Dr Steve Tatham**
> **Royal Navy StratCom Centre of Excellence**
> ***The Three Swords Magazine,* 2015, 28:50–53**

CHAPTER 5

DYNAMIC TARGETING

Executive summary

- Dynamic targeting prosecutes targets that are either identified too late, or not selected for action in time to be included in deliberate targeting.
- There are two types of dynamic targets—unplanned and unanticipated.
- Dynamic targeting also prosecutes mobile targets, such as high-value individuals and surface-to-air missile systems.
- Dynamic targeting is conducted during phase 5 of the joint targeting cycle.
- Air, land, maritime and special forces use different but complementary processes for dynamic targeting.

The coalition refine our targeting process using two types of targets—deliberate and dynamic. Deliberate targeting involves days or weeks of observation of daily life and behavior in an 'extensive development process'. Dynamic targeting is responsive, taking out an ISIS suicide car, for example. That decision-making process takes minutes to hours, responding to 'emerging and immediate threats'.

COL Ryan Dillon
US Army and Coalition spokesman in Raqqa 2017

INTRODUCTION

5.1 Dynamic targeting (DT) is a process that allows the prosecution of targets that are identified too late to be included in deliberate targeting, or not selected for action in time. This includes targets that are unable to be planned due to operational characteristics. DT supports the management of the operational environment by quickly implementing changes to planned targets, and identifying and prosecuting targets of opportunity. These targets must be prosecuted on a compressed timeline compared to those selected using deliberate targeting processes. DT remains structured and methodical irrespective of the time available for execution. There are two types of dynamic targets—unanticipated and unplanned:

a. **Unanticipated targets**. An unanticipated target is unknown or not expected to exist in the operational environment.

b. **Unplanned targets**. An unplanned target is known to exist in the operational environment but is not detected in time for deliberate targeting.

5.2 DT is conducted exclusively in phase 5 of the joint targeting cycle (JTC). However, planning conducted during phases 1–4 should support DT. Although priorities may vary, the primary focus of DT is prosecution of:

a. deliberate targets planned for engagement, but which have changed priority, location or status

b. time-sensitive targets (TST) (see Chapter 6)

c. targets identified during execution, including high pay-off targets and high-value targets

d. mobile targets, such as high-value individuals and surface-to-air missile systems, where they were not targeted deliberately or do not contain a fixed joint desired point of impact (JDPI)

e. emerging targets that were not previously known.

5.3 To be conducted effectively, DT requires a great deal of forward planning, coordination from staff and force elements, and sufficient resources during the execution phase. Common methods to achieve this are to:

a. plan target reference methods and fire support coordination measures

b. pre-position available on-call intelligence, surveillance and reconnaissance assets and other resources to rapidly respond to emerging targets

c. determine the most probable areas where targets will emerge during execution

d. streamline and develop procedures for rapid handover of mission tasking to another force element if the primary element cannot prosecute a target.

DYNAMIC TARGETING PROCESSES

5.4 Three separate DT processes, as shown in Figure 5.1, are minor variations of the JTC and used by the ADF as appropriate:

a. find, fix, track, target, engage, assess (F2T2EA)

b. decide, detect, deliver, assess (D3A)

c. find, fix, finish, exploit, assess, disseminate (F3EAD).

5.5 The OODA loop, also shown in Figure 5.1, is a decision-making cycle developed by military strategist Colonel John H. Boyd, United States Air Force.

Figure 5.1: Targeting cycle equivalencies

<table>
<tr><th>Boyd OODA Loop</th><th>D3A</th><th>F3EAD</th><th>F2T2EA</th></tr>
<tr><td>Decide</td><td rowspan="2">Decide</td><td rowspan="2">Implied</td><td rowspan="2">Implied</td></tr>
<tr><td>Act</td></tr>
<tr><td rowspan="2">Observe

Orientate</td><td rowspan="2">Detect</td><td>Find</td><td>Find</td></tr>
<tr><td rowspan="3">Fix</td><td>Fix</td></tr>
<tr><td rowspan="2">(Track)</td><td>Track</td></tr>
<tr><td rowspan="2">Decide</td><td rowspan="3">Target</td></tr>
<tr><td rowspan="2">Deliver</td><td rowspan="2">Finish</td></tr>
<tr><td rowspan="2">Act</td><td>Engage</td></tr>
<tr><td>Implied</td><td>Exploit</td><td>Implied</td></tr>
<tr><td>Observe</td><td rowspan="2">Assess</td><td>Assess</td><td rowspan="2">Assess</td></tr>
<tr><td>Orientate</td><td>Disseminate</td></tr>
</table>

CONSIDERATIONS

Target engagement authority

5.6 The authority to engage dynamic targets normally rests with one or more target engagement authorities (TEA) for the joint force area of operations (JFAO). Due to the time criticality of DT, delegations in the targeting directive and identification of the TEA are key to effective target prosecution. Typically, TEA is delegated to the level that has the best information or situational understanding to execute the mission. Where delegation thresholds are exceeded by a particular target, more senior TEA may be required to consider the target.

5.7 Placing the appropriate level of situational understanding at subordinate levels can streamline command and control. This will promote timely engagement during DT. Decentralised command and control also facilitates the exchange of sensor, status and target information.

Risk assessment

5.8 Understanding the level of acceptable risk is critical to successful targeting. Compression of the decision cycle increases risk, due to insufficient time for the more detailed coordination that takes place during deliberate targeting. Commanders must continuously assess risk, determine what constitutes acceptable risk, and communicate their intent. Certain targets may be determined to be such a threat that a higher level of risk is accepted to engage the target immediately upon detection. Issues for consideration in the risk assessment include:

a. risk to friendly forces (friendly fire) and collateral damage concerns

b. law of armed conflict and rules of engagement compliance

c. increased risk to assigned force elements due to accelerated planning and coordination

d. redundant attacks and wasting limited resources

e. non-optimal weapon selection and employment

f. opportunity cost of diverting assets from their planned missions

g. consequences of not immediately engaging the target.

Combat identification

5.9 Combat identification is the use of systems and procedures to identify friendly forces and facilitate situational understanding. There are three levels of combat identification that are relevant to engagement of dynamic targets. Responsibility for identification resides with the engagement authority. The levels are:

a. the track or entity is identified as friend, foe, or neutral.

b. the prospective target's type of platform is identified, which aids in determining the nature of action required and assists in prioritisation.

the prospective target's intent is determined (such as its track relative to friendly forces) when possible, which aids in establishing the prospective target's priority, and may sometimes entail reclassifying a target as a TST based on its potential threat to friendly force elements.

CHAPTER 6

TIME-SENSITIVE TARGETS

Executive summary

- A time-sensitive target is an object designated by a commander that requires immediate response because it is a highly lucrative, fleeting target of opportunity or because it poses (or will soon pose) a danger to friendly forces.
- The time sensitive target may be subject to a deliberate or dynamic targeting process. However, their time sensitivity dictates that they are usually processed as dynamic targets.

The art of war is simple enough. Find out where your enemy is. Get at him as soon as you can. Strike him as hard as you can, and keep moving on.

General Ulysses S. Grant
General of the Union Army
and 18th President of the United States (1822–1885)

INTRODUCTION

6.1 A time-sensitive target (TST) is a target designated by a commander which requires immediate response because it is a highly lucrative, fleeting target of opportunity or because it poses (or will soon pose) a danger to friendly forces. TST may require the re-tasking of forces. TSTs are prioritised, categorised, coordinated and directed for engagement as authorised by the CDF Targeting Directive.

6.2 TST will often be high-value targets (HVT) or high pay-off targets (HPT) as described in Chapter 1.

6.3 The Joint Targeting Cycle (JTC) establishes the mechanism through which all targets are identified, developed, analysed and (where appropriate) engaged, which includes TST. However, due to time-sensitivity associated with TST, they are usually prosecuted using dynamic targeting procedures.

COMMAND AND CONTROL

6.4 Specific command guidance for designation and prioritisation of TST is required. Joint task force (JTF) staff, subordinate commanders and force elements (FE) may identify and forward TST recommendations via the Effects Targeting Board (ETB) for approval by the commander.

6.5 The commander's guidance should clearly define the TST coordination procedures between force elements. These should include rules of engagement (ROE) and any restrictions, including collateral damage considerations and reporting conditions. The commander provides the following:

a. **Time-sensitive targeting priorities.** Prioritisation of TSTs occurs as authorised by the targeting directive. Priorities are allocated to establish precedence when tasking assets away from pre-planned targets. TSTs are generally prioritised in a TST matrix that is approved/amended by the relevant authority at the ETB.

b. **Target engagement authority.** When assigning TST engagement authority, the commander balances strategic impact, commander JTF and FE commanders' tactical area of responsibility and assigned tasks, and the requirement to engage a TST rapidly. Ideally, the target engagement authority is delegated to the lowest practicable level, consistent with maintaining the ability to control TST prosecution. This is normally at a specified FE level. However, political, collateral damage and other considerations may require national level approval, with corresponding time delays.

CONSIDERATIONS

Intelligence

6.6 Coordinating intelligence and targeting requirements is necessary to optimise the ability to locate, engage and assess TST effectively. During execution planning, intelligence closely monitors target status to update final planning before execution.

Risk assessment

6.7 Risk assessment assists in deciding whether or not to engage a TST. A specific TST may be of a sufficiently high threat to the force or to mission accomplishment that the commander is willing to accept a higher level of risk and collateral damage to engage the target immediately upon its detection. The risk associated with TST includes the possible diverting of intelligence, surveillance and reconnaissance and/or engagement assets from planned missions to prosecute the TST, thereby risking a disruption to planned activities.

6.8 The commander must rapidly balance the time required for coordination against the danger of not engaging the target in time. Often this means accepting a risk of redundant engagements of the same target, and/or possible engagements with non-optimal means. The best response for each TST often depends on the level of conflict, clarity of the desired outcome, and ROE.

Engagement capabilities and limitations

6.9 Time permitting, each FE provides recommendations highlighting the benefits and limitations of their available means of engagement, based on the situation. CJTF also provides guidance to FE to allow them the flexibility to make proper decisions regarding rapid selection of the most appropriate engagement means. Each different engagement means has associated benefits and limitations regarding effectiveness against different target types, responsiveness, range, accuracy, vulnerability to an adversarial threat, and associated risks of employment.

HISTORICAL EXAMPLE

ROYAL AUSTRALIAN AIR FORCE AIR SUPPORT IN THE IRAQ WAR, 2003

An example of time-sensitive targeting, in conjunction with the flexible use of assets, occurred during Operation FALCONER with the Royal Australian Air Force (RAAF) multi-role F/A-18 Hornet. On 20 March 2003, a Hornet on an air defence mission, escorting high-value aircraft, was tasked to switch roles quickly and strike a ground target (the target was Republican Guard near Al Kut). Air planning staff determined the priority of the task and analysed the potential for collateral damage. After confirming that the proposed strike was consistent with the law of armed conflict and the rules of engagement, the air task group commander approved the attack. Minutes later, the first bomb dropped by an RAAF aircraft in armed conflict since the Vietnam War was released. The whole process took less than 30 minutes. An initial battle damage assessment was provided to the Australian headquarters just 10 minutes after the target had been engaged. RAAF Hornets were re-tasked in a similar manner on a number of occasions.

CHAPTER 7

TARGETING IN MULTINATIONAL OPERATIONS

Executive summary

- Multinational operations present additional opportunities and issues relative to unilateral operations.
- With the increased visibility of adverse targeting outcomes in modern warfare, targeting decisions have the potential to impact negatively on the cohesion of a multinational partnership.
- Prosecution of a target may be deemed by a partner nation to be inconsistent with their national interests or their international legal obligations. Nations should therefore be able to abstain from participating in the prosecution of such targets.
- To the greatest extent possible, Australian targeting information should be prepared, analysed and released to partner nations.
- Recent operations have highlighted the importance of compatible targeting doctrine and processes to facilitate interoperability with partner nations.

Australia's military history could be viewed as a history of coalition operations. It is likely that we will participate in coalition operations in the future, and that we may be called upon to lead such coalitions.

General Sir Peter Cosgrove, AK, MC
Governor–General of Australia, former Chief of the Defence Force and former
Commander, International Force East Timor

INTRODUCTION

7.1 Multinational operations present different opportunities and potential challenges over and above those inherent in unilateral operations. At the strategic level there is the need to reach agreement on a shared end state and to maintain the cohesion of the multinational force. The composition and structure of the multinational force, including the command and control arrangements, must be compatible with achieving the end state efficiently. At the operational and tactical levels, there is the need to establish interoperability between participants with differing levels of capability and potentially operating under differing rules of engagement (ROE), strategic targeting guidance, doctrine, standard operating procedures and tactics, techniques and procedures.

7.2 Terms used include the following:

a. **Multinational.** Activities, operations and organisations, in which elements of more than one nation participate. This encompasses all related terms such as allied, bilateral, coalition, combined or multilateral.

b. **Combined.** Forces of two or more allied nations, acting together for the accomplishment of a single mission.

c. **Coalition.** Forces of two or more nations, which may not be allies, acting together for the accomplishment of a single mission.

7.3 When operating in a multinational environment, the commander Australian contingent retains national command of Australian forces. Strategic targeting guidance must be agreed by the Australian Government in any arrangement for control of Australian Defence Force (ADF) elements by another nation. Visibility of multinational targeting planning is critical at the strategic level. Results of targeting activities involving the ADF force element must be reported quickly and accurately to the strategic level to enable the Chief of the Defence Force (CDF) to inform Government, and to assist when necessary in consequence management. See Australian Defence Force Publication 00.3—*Multinational Operations* for further information. Targeting considerations in multinational operations

TARGETING CONSIDERATIONS IN MULTINATIONAL OPERATIONS

7.4 **Interoperability.** Targeting in multinational operations is ideally a seamless, distributed enterprise. Targeting in such conditions should use shared or common doctrine, communication and information systems (CIS) and intelligence. This ideal is historically more achievable in a combined operation than in coalition operations. In these latter circumstances, significant issues may include a lack of agreed doctrine, incompatible CIS, disparate sensitivities to collateral damage and a lack of releasability of certain information to some partners. There are opportunities, such as different CDE thresholds or capabilities, that allow countries to get maximum effect from multinational targeting.

7.5 **Information Sharing.** Targeting information is prepared, analysed and disseminated on a common CIS or, where classification, releasability or system limitations apply, on shared or interoperable CIS. The appropriate classification level for the sharing of target-related intelligence material involves a trade-off. This trade-off encompasses the aspiration to involve as many partners as possible in the targeting effort and the willingness of partner nations to trust intelligence supplied within the shared environment, which has been suitably sanitised. The degree of participation of some partners may also be diminished or precluded by the lack of releasability of such material to them.

7.6 **Cohesion.** The increased public visibility of adverse targeting outcomes has the potential to adversely affect multinational cohesion. Therefore, it is highly desirable to establish national representation in targeting advisory and decision-making at all levels of a multinational force.

7.7 **Abstention.** Prosecution of a target may be deemed by a partner nation to be inconsistent with its own aims, national interests, or international legal obligations. Provision should therefore be made to allow partners to abstain from participating in the prosecution of such targets. A partner may choose to abstain from all activities that contribute to such prosecutions—including target development, combat assessment and execution. The CDF Targeting Directive may also provide the ADF with clear guidance on its legal obligations regarding such abstentions.

7.8 The ability to match multinational capabilities to targets relies on a thorough knowledge of the characteristics of each partner's capability, including national caveats. Targeting staff must understand the full range of kinetic and non-kinetic capabilities used to achieve effects, accurately estimate the collateral damage and match kinetic and non-kinetic capabilities to targets. The composition of targeting teams should therefore be carefully considered to ensure the availability of participants who are familiar with these characteristics.

7.9 There is a need for national collection agencies to support targeting. This includes data sets such as imagery and military geospatial information libraries, in-depth country expertise and social studies, as well as databases relating to weapons characteristics, adversary installations and orders of battle. National caveats may place constraints on releasing targeting information to partners.

HISTORICAL EXAMPLE

AUSTRALIAN DEFENCE FORCE INFLUENCE ON COALITION TARGETING DURING THE WAR IN IRAQ, 2003

During Operation FALCONER, the Chief of the Defence Force, General Cosgrove, retained command of Australian Defence Force (ADF) force elements at all times. A significant task of the Commander Australian Contingent in Operation FALCONER was to ensure that maritime, air and special operations force elements, when under operational control of United States commanders, were provided with guidance and protection allowing them to stay within Australian ROE. To this end, the Australian National Headquarters included targeting and legal officers to advise on targeting and law of armed conflict, ROE and the Chief of the Defence Force targeting directive issues.

Australian officers were embedded in the coalition targeting process, and were therefore able to discuss plans and tasking before final decisions were made, avoiding the 'red card' approach of refusals and vetoes. As team members, their influence was extensive, and this resulted not only in very harmonious relations, but also the extension of Australia's more conservative targeting approach into overall tactical, operational and strategic thinking.

A collaborative approach is always more effective than a negative one. This helps create effective targeting, by generating solutions which produce the desired effects and meet national requirements. This modus operandi provided a precedent for the future handling of these issues in coalition operations.

As force commander General Tommy Franks said, 'The targeting approach of the total coalition was more conservative than it might have been, largely because of the attitude the ADF took.'

7.10 Management of intelligence, surveillance and reconnaissance assets in support of multinational targeting reflects the priorities of the multinational commander. While this is necessary to ensure optimal use of assigned ISR assets, it may disproportionately affect the ability of some partners to perform target development or assessment of targets or detection, identification and tracking of time-sensitive targets. Partner nations may therefore choose to reserve some national assets for tasking by the national commander in support of targeting or to contribute them to the operation—provided they may be tasked pre-emptively by the national commander.

7.11 Recent operations have highlighted the importance of compatible targeting doctrine and processes to facilitate interoperability with multinational partners. This has supported a move towards adapting and understanding the relevant doctrine of Australia's traditional partners.

7.12 Australia participates in international forums to ensure compatibility of targeting doctrine, training, processes, tools, products and data sets. Exercises and exchange postings are also essential in developing interoperability and mutual understanding between the targeting architectures of Australia's traditional partners.

Responsibilities of the lead nation

7.13 The lead nation for targeting in a multinational operation is usually responsible for the following:

a. The provision of targeting support data to contributing partners, including target lists, target system analysis and target materials. The lead nation is responsible for ensuring that this material is handled by partners in accordance with its classification and releasability. On occasion, where a partner is able to contribute to the provision of these products, a collaborative framework is established within the partnership.

b. The coordination of targeting processes to ensure that partners are aware of their responsibilities and adhere to required timelines and product formats.

c. Ensuring suitable national representation on any decision-making or advisory bodies concerned with multinational targeting.

d. Embedding national representatives in any targeting processes or bodies provided by the lead nation in lieu of corresponding multinational constructs.

Responsibilities of partner nations

7.14 Partner nations should:

a. ensure that the lead nation is provided with and is cognisant of the partner's ROE and targeting directive (or equivalent guidance)

b. represent national interests and obligations in targeting decision-making and abstain from the prosecution of targets which are not consistent with these obligations

c. validate targets to ensure that their prosecution is consistent with national interest and obligations

d. respect classifications and releasability constraints on targeting information and tools provided by the lead nation.

HISTORICAL EXAMPLE

COMMAND ARRANGEMENTS DURING THE IRAQ WAR, 2003

During Operation FALCONER, the Chief of Defence Force, General Cosgrove, retained command of Australian Defence Force (ADF) force elements at all times. To ensure effective overall strategic direction of Australian contributions in Iraq, he received briefings and advice on an almost daily basis from Defence Strategic Command Group. Command arrangements during the Iraq War, 2003

To operate successfully in a coalition, ADF force elements in the Middle East Area of Operations needed to operate under the operational control of coalition component commanders. This arrangement allowed coalition commanders to assign specific tasks to ADF force elements. Although ADF force elements worked toward the overall coalition combat plan, there were processes in place to ensure that Australian forces were always employed in accordance with Australian Government policies. Royal Australian Air Force and special forces staff were placed in the Coalition Air Operations Centre to ensure that targets assigned to ADF force elements were appropriate and lawful. Australian commanders had ADF legal officers to advise them on law of armed conflict and ROE during the process of allocating targets. ADF force elements received targets from the strike lists developed by the USA but assessed them according to Australia's legal obligations. Several target categories were subject to Australian ministerial approval before they could be engaged.

CHAPTER 8

LEGAL CONSIDERATIONS FOR TARGETING

Executive summary

- The Australian Defence Force complies with the law of armed conflict.
- The Geneva Conventions state that legal advisers must be available to advise commanders on the application of the law of armed conflict.

The targeting of objects involves all of Law of Armed Conflict's four principles, distinction, military necessity, unnecessary suffering and proportionality – particularly distinction. Distinction, the cardinal principle of LOAC/IHL, is at the heart of lawful targeting.

Gary Solis
US Marine Corps veteran and an adjunct professor of law
***The Law of Armed Conflict* (2010:519)**

INTRODUCTION

8.1 Legal considerations directly affect all phases of the joint targeting cycle. Commanders and staff involved in the planning and execution of targeting activities must understand and apply the principles of law relating to targeting, particularly law of armed conflict and international humanitarian law (LOAC/IHL). They must also be aware of their personal legal responsibilities in relation to targeting decisions.

8.2 Principles of international law are incorporated into the planning and execution of Australian Defence Force (ADF) targeting as detailed in Australian Defence Doctrine Publication (ADDP) 3.14.2—*Targeting Procedures* (including through legal and command guidance, such as rules of engagement (ROE) and the Chief of the Defence Force's (CDF) targeting directive). In addition to these principles of international law, further limitations may be placed on the ADF by the Government for operational, political, diplomatic or policy reasons. These limitations may also be included in the ROE or targeting directives.

ROLE OF AUSTRALIAN DEFENCE FORCE LEGAL ADVISERS

Requirement for legal advisers

8.3 As required by Article 82 of *Additional Protocol 1 to the Geneva Convention of 1949* (AP1), legal advisers are available to advise commanders on the application of LOAC. Legal advice to inform proposed targeting decisions and processes is required. Consequently, legal officers are involved at appropriate stages of the targeting process to assist commanders and their staff to act in accordance with the law. Role of Australian Defence Force legal advisers

Deliberate targeting and dynamic targeting

8.4 Legal officers provide whatever legal advice in whatever method is practicable in the circumstances, depending on the type of targeting involved. Legal officers provide a formal legal targeting appreciation (LTA) for a target, advising whether or not a target is a legitimate target under LOAC and whether or not the proposed method and means of attack on a target are in accordance with LOAC.

8.5 For unplanned and similar targets, time constraints may necessitate that the LTA is restricted to more concise legal analysis and advice, such as verbal advice.

LAW OF ARMED CONFLICT CONSIDERATIONS

8.6 Due to the extent and complexity of international law related to targeting, legal advice regarding LOAC compliance should be sought at all levels. Early involvement by legal advisers improves the targeting process and guards against potential violations of domestic and international law. Law of armed conflict considerations

8.7 The LOAC rules relating to targeting are predicated on the three core LOAC principles—military necessity, proportionality and the prohibition against causing unnecessary suffering—and on the related principle of distinction. These principles have largely been incorporated into AP1. A discussion of these and other LOAC principles is in ADDP 06.4—*Law of Armed Conflict*. Additionally, coverage of the ADF's policy on ROE is in ADDP 06.1—*Rules of Engagement*.

Military necessity

8.8 Military forces are justified in using those measures, not prohibited by international law, which are indispensable for securing submission by the adversary as soon as possible. Military forces employed in targeting may only attack legitimate military objectives. A legitimate military objective is an object which:

a. by its nature, location, purpose or use makes an effective contribution to (adversary) military action

AND

b. by the object's total or partial destruction, capture or neutralisation, in the circumstances ruling at the time, offers (friendly forces) a definite military advantage.

8.9 To identify whether the above criteria are met requires analysis of the military function and utility of an object rather than relying upon how the object is described, its historical use, ownership, or even dual military/civilian use. During armed conflict many objects will clearly be military objectives, although the range of objects that may be classified as military objectives varies from operation to operation and must be addressed on a case-by-case basis.

8.10 **Effective contribution**. The requirement that an object make an effective contribution to the adversary's military action is a general one; that is, there is no need for a direct connection between the relevant object and specific combat operations. However, for an object to satisfy this element there must be a reasonably

proximate nexus between that object and the adversary's military action. That is, the connection between the object and military action must not be too remote.

8.11 **Military advantage.** The military advantage is the advantage anticipated from attacking an object. This advantage may be measured by its effect on the whole military operation or campaign and the attack need not be viewed in isolation. Military advantage includes the security of friendly forces. For a military advantage to arise, an attack must logically relate to weakening the adversary's military forces, either directly or indirectly. However, the relationship between the attack and the effect on the adversary's forces must be sufficiently proximate so as to avoid permitting attacks on an excessive or indeterminate range of objects.

Proportionality

8.12 Attacks are prohibited 'which may be expected to cause incidental civilian casualties, damage to civilian objects or a combination thereof which would be excessive in relation to the concrete and direct military advantage anticipated'. This principle only applies when an attack has the possibility of affecting civilians or civilian objects. Proportionality requires the commander to reasonably weigh the military advantage arising from the attack against the harmful effects to civilians and civilian objects.[2]

8.13 Incidental loss of life or injury and collateral damage may be unavoidable while attacking a target. The law recognises that death, injury, or destruction to protected persons and objects may occur during operations. When making targeting decisions, the question that must be weighed by commanders is whether such collateral effects are excessive in relation to the anticipated military advantage, not simply whether such collateral effects will occur. However, commanders and staff must 'take all feasible precautions in the choice of means and methods of attack with a view to avoiding, and in any event to minimising, incidental loss of civilian life, injury to civilians, and damage to civilian objects.'

Unnecessary suffering

8.14 It is prohibited to use means (arms or weaponry) or methods calculated to cause unnecessary suffering. This includes those weapons which are prohibited outright by treaty or international law (examples include poison and small arms projectiles which expand or explode) as well as the unlawful use of otherwise lawful weapons.

Distinction

8.15 When prosecuting targets, parties to armed conflict are always required to distinguish between combatants[3] and civilians, and between civilian objects and

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2. As a matter of policy, the proportionality test has at times been expanded to apply to the broader grouping of protected persons and objects.

3. The term 'combatant' is used in this chapter in its generic sense, indicating persons who do not enjoy the protection against attack accorded to civilians, but does not imply a right to combatant or prisoner

military objectives. Military attacks must be directed only against military objectives, including combatants.[4]

8.16 **Prohibition against indiscriminate attacks.** The rule against indiscriminate attacks requires forces to avoid attacks which:

a. are not directed at a specific military objective

b. employ a method or means of combat which cannot be directed at a specific military objective

c. employ a method or means of combat the effects of which cannot be limited as required by AP1.

Weapons

8.17 Weapon selection is based on a number of criteria including mission profile, desired effect, threat and legal considerations. More detail on permissible use of weapons and weapon systems is located in ADDP 06.4—*Law of Armed Conflict*. Copies of legal reviews of weapons under AP1 are available to Defence personnel in accordance with Defence Instruction (General) Operations 44.1—*Legal Review of New Weapons* or its replacement. Legal considerations apply to the use or carriage of all weapons. New and developing weapons, or those with particular legal considerations or prohibitions, may include:

a. precision-guided munitions

b. cluster munitions

c. autonomous weapon systems

d. cyber weapons

e. unmanned aerial systems

f. ballistic missile defence

g. incendiary weapons

h. anti-personnel landmines

i. anti-vehicle/armour landmines

j. depleted uranium weapons

k. riot control agents

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of war status. As such it includes combatants in an international armed conflict and armed forces, dissident armed forces and organised armed groups in a non-international armed conflict.

4. AP1 Art. 49 (1) defines attacks as ‘acts of violence against the adversary whether in offence or defence’.

l. blinding lasers.

Basis for decision-making

8.18 Commanders and others responsible for planning, authorising or executing attacks in an armed conflict must base their assessment of targets on the information and intelligence that is reasonably available to them at the time. Australia affirmed this position in its *Declaration of Understandings to the Additional Protocols to the Geneva Convention* (specifically in relation to Articles 51–58 inclusive). The full text of Australia's Declarations of Understanding to the Additional Protocols to the Geneva Convention is included in Annex 8A.

Relationship between legal advice and intelligence

8.19 The application of LOAC principles to targeting requires ongoing intelligence support. Intelligence informs many LOAC decisions, including the assessment of whether a proposed target is a military objective, the estimation of the collateral damage expected from an attack, as well as the military advantage to be derived from an attack. The importance of the relationship between the intelligence and legal process cannot be underestimated. Moreover, legal officers can be expected to make specific requests for intelligence to perform their role and to inform their commander's decisions.

APPLICATION OF THE LAW OF ARMED CONFLICT TO TARGETING

8.20 The ADF has processes that incorporate legal considerations and application of LOAC within targeting. This includes:

a. a logical framework that can be applied to all targeting (the six-step LOAC process), see Australian Defence Force Publication (ADFP) 3.14.2—*Targeting Procedures*

b. legal input to legal and command guidance (in particular ROE and the targeting directive)

c. preparation of LTAs

d. legal input to other subordinate operation instructions and aides-memoire

e. legal briefings on all of the above.

Legal targeting assessment

8.21 An LTA is an assessment produced by legal officers to assist planners and Commanders in identifying the legal issues applicable to a target under consideration for engagement, and therefore constitutes legal advice. A formal LTA is produced for deliberate targeting and for dynamic targeting when practicable. An LTA is produced as part of the target selection process and covers compliance with LOAC, the ROE and targeting directive. To develop an LTA for individual targets, legal officers use target intelligence and other specialist advice. See ADFP 3.14.2, Annex 6C for an example LTA format.

OTHER ISSUES

Multinational considerations

8.22 **Differing legal obligations.** Nations within a multinational partnership may have differing national legal obligations. For example, unlike most of its allies, the United States of America (USA) has not yet ratified AP1. The US position is that certain provisions of AP1 do not reflect customary international law. However, the USA accepts that many of the provisions of AP1 do encapsulate customary international law, including most of the provisions relevant to targeting. The USA is also not a party to the Ottawa Treaty which prohibits anti-personnel land mines (APL) or the Convention on Cluster Munitions, whereas Australia and most US allies are parties to both. This can affect multinational targeting, particularly where US forces operating alongside the ADF are equipped with cluster munitions or APL. In all cases, legal advice should be sought on the effect that differing legal obligations may have on multinational targeting and the activities that support them.

8.23 **Different interpretations.** Differing interpretations of shared legal obligations are potentially as important as differing legal obligations. Multinational partners, applying the same law, may reach different conclusions as to whether, for example, a target is a military objective or whether an attack satisfies the principle of proportionality.

8.24 **Policy differences.** Even where there is no difference in legal obligations or interpretation, partners may have differing policies. Such policy differences, possibly reflected in their national ROE (or in other policy documents such as a targeting directive in the ADF context), may mean that a partner will refrain from attacking a military objective, notwithstanding that they accept that the target is lawful. Additionally, differences in the levels at which internal targeting approvals are set by individual partners may also become important. While one partner may be able to approve targeting quickly at a relatively low level, another may require a significant lead-time to allow the completion of their internal approval process (which may include government-level approval).

8.25 **Management of multinational issues.** Successful management of MN legal issues and policy constraints requires:

a. early and ongoing liaison to identify differences

b. resolution of those differences where possible

c. where resolution is impossible, ensuring that:

   (1) differences are not overstated

   (2) action is taken to ensure that any differences are properly factored into the planning and execution of targeting.

8.26 The development of relationships between multinational legal advisers is an important aspect of this process. Additionally, subject to national security considerations, the sharing of relevant national directions and orders, such as relevant parts of the targeting directive, can greatly reduce the chance of misunderstandings between partners.

Violations of legal obligations by other states

8.27 All parties to a conflict are obliged to comply with the principles of distinction and proportionality, and to take all feasible precautions in the protection of civilians and civilian objects. These obligations remain regardless of the actions of the adversary. For instance, the principles of distinction and proportionality must be adhered to, regardless of any attempts by the adversary to shield military objectives from attack by the presence or movement of civilians.

8.28 ADF members are obligated to report to higher command the actions of parties to the conflict (including Australia) that they believe are manifestly contrary to Australian domestic law, LOAC, and any other legal and command guidance the ADF member has been provided.

Targeting, law of armed conflict and military public affairs

8.29 ADF spokespersons on targeting issues must possess a working knowledge of relevant legal principles and terminology. Differences between multinational partners in relation to legal obligations, interpretations and policy constraints can be expected to be of public and media interest. It is important that military public affairs is aware of these differences and understands what this means for Australian participation in multinational operations.

Consequence management

8.30 Demonstrable compliance with LOAC principles and processes, both generally and in relation to targeting is very important and particularly if:

a. targeting results in anticipated collateral damage

b. targeting results in unintended or unexpected consequences, such as higher collateral casualties than anticipated

or

c. an attacked target, is alleged not to have been a military objective.

8.31 In situations such as those outlined in paragraph 8.30, the availability of evidence that the precautions required by LOAC were undertaken is essential. This evidence may include the LTA for the target, as well as any instructions and briefings used by those planning and executing the attack. In particular, evidence that demonstrates that LOAC principles and processes were complied with is relevant to any formal investigation of an incident and any potential adverse action against individuals, as well as any public statements that may be required. While such evidence will not rectify the physical damage caused, they may prevent an engagement being mischaracterised as a war crime either by the media or, more seriously, as a finding by a court, tribunal or inquiry.

Annex:
8A Australia's Declarations of Understanding to the Additional Protocols

ANNEX 8A

AUSTRALIA'S DECLARATIONS OF UNDERSTANDING TO THE ADDITIONAL PROTOCOLS

This is an exact copy of Australia's declaration at the ratification of the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977.[5]

1. In depositing its instrument of ratification for Protocol 1, Australia hereby makes declarations of understanding in relation to Articles 5, 44 and 51 to 58 inclusive of the said Protocol.

2. It is Australia's understanding that in relation to Article 5, with regard to the issue whether, and in what measure, Protecting Powers may have to exercise any functions within the combat zone (such as may be implied by provisions in Parts II and IV of the Protocol), the role of the Protecting Power will be of a like character to that specified in the First and Second Conventions and Part II of the Fourth Convention, which apply mainly to the battlefield and its immediate surroundings.

3. It is the understanding of Australia that in relation to Article 44, the situation described in the second sentence of paragraph 3 can exist only in occupied territory or in armed conflicts covered by paragraph 4 of Article 1. Australia will interpret the word 'deployment' in paragraph 3(b) of the Article as meaning any movement towards a place from which an attack is to be launched. It will interpret the words 'visible to the adversary' in the same paragraph as including visible with the aid of binoculars, or by infra-red or image intensification devices.

4. In relation to Articles 51 to 58 inclusive it is the understanding of Australia that military commanders and others responsible for planning, deciding upon, or executing attacks, necessarily have to reach their decisions on the basis of their assessment of the information from all sources, which is available to them at the relevant time.

5. In relation to paragraph 5(b) of Article 51 and to paragraph 2 (a) (iii) of Article 57, it is the understanding of Australia that references to the 'military advantage' are intended to mean the advantage anticipated from the military attack considered as a whole and not only from isolated or particular parts of that attack and that the term 'military advantage' involves a variety of considerations including the security of attacking forces. It is the further understanding of Australia that the term 'concrete and direct military advantage anticipated', used in Articles 51 and 57, means a *bona fide* expectation that the attack will make a relevant and proportional contribution to the objective of the military attack involved.

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[5]. Notification by the depositary addressed to the ICRC on 24 June 1991. Link https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Notification.xsp?action=openDocument&documentId=10312B4E9047086EC1256402003FB253

6. It is the understanding of Australia that the first sentence of paragraph 2 of Article 52 is not intended to, nor does it, deal with the question of incidental or collateral damage resulting from an attack directed against a military objective.

GLOSSARY

The source for approved Defence terms, definitions and abbreviations is the Australian Defence Glossary (ADG), available on the Defence Restricted Network at http://adg.eas.defence.mil.au/adgms/. Note: The ADG is updated periodically and should be consulted to review any amendments to the data in this glossary.

TERMS AND DEFINITIONS

battle damage assessment (BDA)

A component of combat assessment, the timely and accurate assessment of physical and/or functional damage resulting from the application of military force, either kinetic or non-kinetic, against a military objective.
Note: Composed of physical damage assessment, change assessment, functional damage assessment and target system assessment.

candidate target list (CTL)

List of targets which have met intermediate target development criteria and are being vetted and validated.

casualty

In relation to personnel, any person who is lost to their organisation by reason of having been declared dead, wounded, diseased, detained, captured or missing.

civilian object

Any object which is not a military objective.

collateral damage

Incidental civilian casualties or damage to civilian equipment, infrastructure, information or protected objects by military action against a legitimate target.

collateral damage estimation (CDE)

The holistic process of determining the potential for collateral damage resulting from target engagement.

collateral effects estimation (CEE)

The comprehensive consideration of potential collateral effects (other than damage) resulting from non-lethal effects.

combat assessment (CA)

A component of targeting assessment, the assessment of the effectiveness of targeting actions to produce effects.
Note: Comprises four components:

1. battle damage assessment
2. kinetic weapons effectiveness assessment
3. non-kinetic weapons effectiveness assessment
4. future targeting and re-attack recommendations.

combatant

An organised armed force, group or unit, except medical service and religious personnel, who are under the command of a party to a conflict and subject to an internal disciplinary system.

course of action (COA)

A possible plan that would achieve an objective or the desired end state.

deliberate targeting

The prosecution of planned targets to achieve desired effects in accordance with the commander's objectives and end state.

dual-use target

A target characterised as having both a military and civilian purpose or function.

Notes:

1. Consists, in most cases, of facilities/structures associated with senior government level command and control, national communications infrastructure, media centres, national power and petroleum oil and lubricants infrastructure, industrial facilities, and public utilities providing support to both the non-combatant civilian population and the combatant military.
2. May also consist of facilities/structures that are protected by the Law of Armed Conflict but occupied by combatants.

dynamic targeting (DT)

The prosecution of targets identified too late, or not selected for action in time to be included in deliberate targeting.

effect

The consequence of an action or cause, which impacts physical, physiological, psychological or functional capabilities.

effects assessment

A component of targeting assessment, the assessment of the effectiveness of targeting actions to produce effects which achieve objectives.

end state

The political and/or military situation to be attained at the end of an operation, which indicates that the objective has been achieved.

fires

The use of weapon systems to create lethal or non-lethal effects on a target.

friendly fire

Unintentional engagement of friendly assets (personnel, equipment, infrastructure or information) by friendly forces.
Note: May or may not result in casualties (including fratricide), or damage to, or destruction of, equipment, infrastructure and information.

functional damage assessment

The assessment of the effect of action to degrade or destroy the functional or operational capability of a target to perform its intended purpose and on the level of success in achieving operational objectives established against a target.

Note: Based on all-source information, and includes an estimation of the time required for recuperation or replacement of the target function.

geospatial intelligence (geoint)

The collection, analysis, and dissemination of imagery and geospatial information to describe, assess, and visually depict physical features and geographically referenced activities in the air, land, maritime and space domains.
Note: This definition applies not only to products and services, but also to the process of conducting analysis.

high pay-off target (HPT)

A target whose loss to the adversary will significantly contribute to the success of the friendly mission.

Note: Comprises those high-value targets that must be acquired and successfully engaged for the success of the friendly commander's mission.

high-value individual (HVI)

An individual whose loss would disproportionately degrade an adversary’s capability or morale.

high-value target (HVT)

A target which is likely to be required for completion of the adversary's mission.

information operations (IO)

The operational level planning and execution of coordinated, synchronised and integrated kinetic and non-kinetic actions against the capability, will and understanding of target systems and/or target audiences, particularly decision-making, while protecting and enhancing our own.

joint desired point of impact (JDPI)

A unique, alpha-numeric coded aimpoint identified by a three dimensional (latitude, longitude, elevation) mensurated point.
Note: It represents a desired point of impact or penetration of a weapon or capability and is used as the standard for identifying aimpoints.

joint effects targeting board (JETB)

The operational level forum that bridges the gap between joint task force level targeting and the strategic consequence management focus of the strategic effects and targeting board.
Note: The forum in which the Chief of Joint Operations or delegated commander approves targets or refers them to higher authority for approval.

joint effects and targeting working group (JETWG)

The staff group that coordinates and directs targeting staff effort across Headquarters Joint Operations Command or subordinate headquarters staff branches, to inform the joint effects targeting board.
Note: Conducts planning and coordination associated with joint targeting.

joint fires

Fires delivered during the employment of forces from two or more components in coordinated action to produce desired effects in support of a common objective

joint integrated prioritised target list (JIPTL)

A prioritised list of targets drawn from the PJTL and PJSL, approved and managed by the joint force commander.

joint restricted frequency list (JRFL)

A time and geographically oriented listing of functions, nets, and frequencies requiring protection from friendly electronic attack.
Note: It should be limited to the minimum number of frequencies necessary for friendly forces to accomplish objectives.

joint target list (JTL)

A consolidated list of targets so designated because they meet the commander's objectives.
Note: Forms part of the master target list.

joint targeting cycle (JTC)

A six-phase systematic method for selecting and prioritising targets and matching the appropriate response to them.
Note: Comprises:

1. end state and commander’s objectives
2. target development and prioritisation
3. capabilities analysis
4. commander’s decision and force apportionment
5. mission planning and force execution
6. targeting assessment.

joint task force (JTF)

A force composed of assigned or attached elements of two or more Services established for the purpose of carrying out a specific task or mission.

kinetic

Involving the use of forces of dynamic motion/energy to achieve an effect.

Note: Includes traditional explosive weapons as well as capabilities that can create radiofrequency effects such as continuous wave jammers, lasers, directed energy and pulsed radiofrequency weapons.

law of armed conflict (LOAC)

The international law regulating the conduct of states and combatants engaged in armed hostilities.

legal targeting assessment (LTA)

An assessment produced by legal officers to assist planners in identifying the legal issues applicable to a specific target under consideration for engagement.

military objective

An object which by its nature, location, purpose or use makes an effective contribution to adversary military action and whose total or partial destruction, capture or neutralisation, in the circumstances ruling at the time, offers a definite military advantage.

master target list (MTL)

A list of objects and targets comprising the joint target list, restricted target list and no-strike list.

measure of effectiveness (MOE)

A criterion used to assess changes in system behaviour, capability, or operational environment that is tied to measuring the attainment of an end state, achievement of an objective or creation of an effect.

measure of performance (MOP)

A criterion used to assess friendly actions that are tied to measuring task accomplishment.

mensuration

The process of measurement of a feature or location on the earth to determine an absolute latitude, longitude, and elevation.

Note: For targeting applications, the errors inherent in both the source for measurement as well as the measurement processes must be understood and reported.

non-combatant

An individual in an area of combat operations, who is not armed and is not participating in any activity in support of any of the factions or forces involved in combat.

Note: Could include military medical personnel, chaplains and those out of combat, including prisoners of war and the wounded, sick and shipwrecked.

non-combatant and civilian casualty cut-off value (NCV)

The casualty threshold for any anticipated effects which, if exceeded, would require the target to be forwarded to the Chief of the Defence Force or higher authority for national-level review as a sensitive target, unless delegated otherwise according to the established rules of engagement.

non-kinetic

Not involving the use of forces of dynamic motion and/or energy to achieve an effect.

no–strike list (NSL)

A list of objects or entities characterised as protected from the effects of military operations under international law and/or rules of engagement. Attacking these may violate the law of armed conflict or interfere with friendly relations with indigenous personnel or governments.

no-strike list category I (NSL CAT I)

The most sensitive set of no-strike entities based on protections in LOAC and other laws, and have significant policy concern. They form the core of the NSL.

no-strike list category II (NSL CAT II)

After NSL CAT I these are the remainder of no-strike entities based on protections in LOAC and other laws, and have significant policy concern.

objective

A clearly defined and attainable goal for a military operation, for example seizing a terrain feature, neutralising an adversary's force or capability, or achieving some other desired outcome that is essential to a commander's plan and towards which the operation is directed.

on-call target

A planned target upon which fires or other actions are determined using deliberate targeting and triggered, when detected or located, using dynamic targeting.

operation

A series of tactical actions with a common unifying purpose, planned and conducted to achieve a strategic or campaign end state or objective within a given time and geographical area.

operational environment (OE)

All the elements, conditions and circumstances which may influence the employment of capabilities and the decisions of the commander during campaigns and operations.

Note: Its chief characteristics are complexity, instability and persistent threat

operational effects targeting board (OETB)

The forum in which the Chief of Joint Operations or delegated commander approves targets or refers them to higher authority for approval.

Note: The operational level forum that bridges the gap between joint task force level targeting and the strategic consequence management focus of the strategic effects and targeting board.”

physical damage assessment

The estimate of the quantitative extent of physical damage (through munition blast, fragmentation, and/or fire damage effects) to a target resulting from the application of military force.

Note: This assessment is based upon observed or interpreted damage.

planned target

Target that is known to exist in the operational environment, upon which actions are planned using deliberate targeting, creating effects which support commander's objectives.

Note: There are two types of planned targets: scheduled and on-call.

precision-guided munition (PGM)

A weapon that uses a seeker to detect electromagnetic energy reflected from a target or reference point and, through processing, provides guidance commands to a control system that guides the weapon to the target.

precision point mensuration (PPM)

The three-dimensional derivation of a precise target location as geospatial coordinates from stereoscopic imagery used to generate joint desired points of impact for precision weapons.

prioritised joint target list (PJTL)

A prioritised list of validated targets from the MTL that may be prosecuted to achieve lethal or non-lethal effects.

re-attack and future targeting recommendation

A component of combat assessment derived from the results of battle damage assessment and weapons effectiveness assessment, providing to the commander systematic advice on re-attack of targets and further target selection to achieve objectives.

Notes:

1. Considers objective achievement, target and aimpoint selection, attack timing, tactics, and weapon system and munitions selection.
2. An operations and intelligence function.

restricted target

A target that has specific restrictions placed on the actions authorised against it due to operational considerations.

restricted target list (RTL)

A list of targets that have specific restrictions placed on the actions authorised against them.

rules of engagement (ROE)

Directions endorsed by Government and issued by commanders, which delineate the circumstances, and limitations within which military force may be applied to achieve military objectives.

Notes:

1. They do not inhibit or replace but are part of the command function.
2. They may be framed to limit certain actions; alternatively, they may authorise actions to the full extent permissible under domestic and international law.

scheduled target

A planned target upon which fires or other actions are scheduled for prosecution at a specified time.

sensitive target

A target that exceeds the delegation required for engagement and may require additional approval, for example, by national level review by the Government of Australia or the Chief of the Defence Force.

sensitive target approval and review

The process of referring for additional review and approval to prosecute sensitive targets, for example, to national level review.

Notes:

1. Addresses collateral damage concerns.
2. Addresses targets that exceed authorisation contained in the Targeting Directive or Rules of Engagement.
3. Addresses targets that may have adverse political ramifications.

target

An entity or object which may be subjected to an effect.

target approval authority (TAA)

The authority to approve targets for action based on the sensitivity of the target and the expected level of collateral damage.

target development

The analysis, assessment, and documentation processes to identify and characterise potential targets that, when successfully engaged, support the achievement of the commander's objectives.

Note: Involves the systematic examination of potential target systems—and their components, individual targets, and even elements of targets—to determine the necessary type and duration of the action that must be exerted on each target to create a desired effect that is consistent with the commander's specific objectives.

target engagement authority (TEA)

The officer who authorises action against a target.

Notes:

1. Approval for a target will come from only one TEA, though multiple TEA may be appointed for each operation.
2. All or part of TEA responsibility may be delegated.

target material production (TMP)

The conduct of target material production across the targeting process from intermediate target development (facility outline, critical elements, Law of Armed Conflict) to advanced target development (precision point mensuration, joint desired points of impact and collateral damage estimation).

target material (TM)

Graphic, textual, tabular, digital, video, or other presentations of target data, primarily designed to support operations against designated targets by one or more weapon systems.

Note: Suitable for training, planning, executing, and evaluating operations.

target nomination list (TNL)

A prioritised list of targets drawn from the JTL and nominated by commanders and agencies for inclusion on the joint integrated prioritised target list (JIPTL).

target of opportunity

A target identified too late, or not selected for action in time, to be included in deliberate targeting that, when detected or located, is processed using dynamic targeting.

Note: Comprises unplanned and unanticipated targets.

target system

All targets in a location that are functionally or otherwise related.

Note: Functionally related means that all targets in the system contribute towards the function of the system, or each plays a part in the final product.

target system analysis (TSA)

An all-source examination of potential target systems to determine relevance to objectives, military importance and priority of engagement.

Note: An open-ended analytic process produced through intelligence production using national and theatre validated requirements as a foundation.

target system component

A set of targets belonging to one or more groups of industries and basic utilities required to produce component parts of an end product, or one type of a series of interrelated commodities.

target validation

That part of target development that ensures all vetted targets meet the objectives and criteria outlined in the commander's guidance and ensures compliance with the Law of Armed Conflict and rules of engagement.

target vetting

That part of target development that assesses the accuracy of intelligence on a target.

targeting

The process of identifying targets for possible engagement and determining the attack system to capture, destroy, degrade or neutralise them.

targeting assessment

An assessment of the effectiveness of targeting.

Note: Comprises three components: effects assessment, combat assessment and collateral damage assessment.

targeting directive (TD)

The principal strategic level directive for the conduct of targeting.

Notes:

1. The Chief of the Defence Force is usually the issuing authority.
2. In parallel with rules of engagement, informs all subordinate targeting guidance and should allow maximum operational flexibility and autonomy, consistent with national policy.

time-sensitive target (TST)

A target designated by a commander that requires immediate response because it is a highly lucrative, fleeting target of opportunity or because it poses (or will soon pose) a danger to friendly forces.

unanticipated target

A target of opportunity that was unknown or not expected to exist in the operational environment.

unplanned target

A target of opportunity that is known to exist in the operational environment but is not detected in time for deliberate targeting.

weaponeering

The process of determining the quantity of a specific type of kinetic or non-kinetic means required to achieve a desired effect on a target, considering target vulnerability, weapons effect, munitions delivery accuracy, damage criteria, probability of kill and reliability of engagement means.

weapons effectiveness assessment (WEA)

The assessment of the military force applied in terms of the effectiveness of kinetic weapon systems and munitions and non-kinetic means, to determine and recommend any required changes to the methodology, tactics, weapon system, munitions, fusing, and/or weapon delivery parameters to increase force effectiveness.

Notes:

1. Conducted concurrently and interactively with battle damage assessment.
2. Primarily the responsibility of operations with required inputs and coordination from the intelligence community.

SHORTENED FORMS OF WORDS

ATI	asset–target interaction
AP1	Additional Protocol I to the Geneva Convention of 1949
ADDP	Australian Defence Doctrine Publication
ADF	Australian Defence Force
ADFP	Australian Defence Force Publication
A-G	Attorney-General
AGD	Attorney-General's Department
APL	anti-personnel landmine
BDA	battle damage assessment
C2	command and control
CA	combat assessment
CDE	collateral damage estimate
CDEM	collateral damage estimation methodology
CDF	Chief of the Defence Force
CIS	communication and information systems
CJOPS	Chief of Joint Operations
CJTF	commander joint task force
CTL	candidate target list
D3A	decide, detect, deliver and assess
DEPSEC SP&I	Deputy Secretary Strategic Policy and Intelligence
DFAT	Department of Foreign Affairs and Trade
DHA	Department of Home Affairs
DP	decisive point
DT	dynamic targeting
ETB	effects targeting board
ETCG	effects targeting coordination working group
F2T2EA	find, fix, track, target, engage, assess
F3EAD	find, fix, finish, exploit, assess, disseminate
FE	force element
geoint	geospatial intelligence
HPT	high pay-off target
HQJOC	Headquarters Joint Operations Command
HVI	high-value individual
HVT	high-value target
IHT	international humanitarian law
ISR	intelligence, surveillance and reconnaissance
JFAO	joint force area of operations
JIPTL	joint integrated prioritised target list
JMAP	Joint Military Appreciation Process
JRFL	joint restricted frequency list

JTC	joint targeting cycle
JTF	joint task force
JTL	joint target list
LOAC	law of armed conflict
LOO	lines of operation
LTA	legal targeting assessment
MN	multinational
MOE	measure of effectiveness
MOI	measure of impact
MOP	measure of performance
MTL	master target list
NATO	North Atlantic Treaty Organization
NSC	National Security Committee
NSL	no-strike list
OE	operational environment
OETB	operational effects targeting board
OETCG	operational effects and targeting co-ordination group
OETWG	operational effects and targeting working group
OGD	other government department
OODA	observe, orientate, decide, act
PJTL	prioritised joint target list
PM&C	Department of Prime Minister and Cabinet
PPM	precision point mensuration
RAAF	Royal Australian Air Force
ROE	rules of engagement
RTL	restricted target list
SCNS	Secretaries' Committee on National Security
SETB	Strategic Effects and Targeting Board
TD	targeting directive
TEA	target engagement authority
TM	target material
TMP	target material production
TNL	target nomination list
TSA	target system analysis
TST	time-sensitive target
USA	United States of America
VCDF	Vice Chief of the Defence Force
WEA	weapons effectiveness assessment

Defence FOI 018/21/22
Item 6 Document 1



Developed By
Joint Doctrine Directorate

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