



**FIRST INTERNATIONAL FOLLOW-UP CONFERENCE TO THE ADOPTION OF THE
POLITICAL DECLARATION ON STRENGTHENING THE PROTECTION OF
CIVILIANS FROM THE HUMANITARIAN CONSEQUENCES ARISING FROM THE
USE OF EXPLOSIVE WEAPONS ON POPULATED AREAS (EWIPA DECLARATION)**

Oslo, 23.04.2024

Statement by Germany in Session 1 – *Military policies and practices*

Ladies and gentlemen,

As a matter of strict principle, **every Bundeswehr deployment is planned and carried out in full accordance with the requirements of international humanitarian law (IHL)**. The Bundeswehr implements these requirements of IHL for the protection of civilian objects and civilian populations, in particular the resulting obligations regarding the principle of discrimination, the principle of proportionality and also of caution in planning and carrying out military operations. Germany would also like to emphasize that military personnel of the Bundeswehr must not carry out any order that violates general rules of international law in particular IHL and thus has the right to refuse obedience in such a case, which is of heavy emphasis in our training.

The use of explosive weapons by the Bundeswehr is subject to NATO and national regulations and closely regulated by rules of engagement in such a way that the protection of the civilian population and civilian infrastructure is considered to the highest degree. In addition, the Bundeswehr takes into consideration significant changes in circumstances and continuously adapts its

actions to possible changes in the operational environment. These guidelines translate the rules of IHL in very strict and narrow terms. It follows that **the use of explosive weapons would in many cases only be possible to a limited extent or, depending on the situation, not at all.**

In all this, the Bundeswehr places **particular emphasis on the training of all soldiers of all ranks who are involved in the planning and execution of military operations in urban areas.** Therefore, all soldiers of the Bundeswehr concerned with the subject receive training and instruction on international law, including and with a strong emphasis on IHL and the rules set by the Protocols and their practical application. This training is conducted in the military units by superiors and legal advisers and at the Bundeswehr Schools and Academies by law scholars. Military manuals and orders concerning training and instruction in this respect are continuously updated. In this context, the Federal Government **continues to analyse and explore possibilities to further increase awareness of central elements of the EWIPA declaration.**

The Bundeswehr centers its training in operational planning on NATO procedures. With regard to EWIPA, this is in particular – the publicly available - **NATO's Joint Targeting Process (JTP)**, which is set out in Allied Joint Doctrine 3.9. Joint targeting is fundamentally an integration function that requires participation from the strategic and operational levels, all joint force staff elements and component commands, along with various non-military organizations, including non-governmental organizations, international organizations, and non-military governmental organizations, as part of NATO's Comprehensive Approach.

The **JTP** is therefore a procedure that also **serves to minimize unnecessary damage** and the risk to own forces. Highly accurate coordinates of the objects in the area of effect are required for the precise calculations or estimations of damage in order to be able to determine the right type of weapon to be used. The result of

this calculation is incorporated into the decision as to whether a deployment is warranted, **considering the legal requirements and the protection of the civilian population and civilian objects**. Following the use of the weapon, a battle damage assessment is carried out where operationally possible. This means that the damage caused is assessed. The information gained from this is used to optimize the further deployment of military force also with regard to the protection of the civilian population and civilian infrastructure.

Current measures to improve the above-mentioned procedures include, for example, the **procurement of additional tools that enable an even more effective and precise calculation of effects and so-called "weaponeering"** (selection of suitable agents and methods to achieve the effect). We also hope to **benefit from the experience of other armed forces in this field**. We also wish to contribute our own military expertise to a **mil-to-mil best practice exchange** for example in

- the military process of mandating a mission under political guidelines, or in
- the inclusion of national laws for military use in the development of rules of engagement, considering IHL and the special protection of the civilian population and civilian infrastructure.

Germany highly appreciates the EWIPA process and the stimulus that our exchange provides for military to deliver effective operations, to help to protect civilians in armed conflicts, and to prevent unnecessary humanitarian consequences.

Thank you.