TO: ADADA, UNAMID, EL FASHER
    QAIZI, UNMIS, KHARTOUM
INFO: MALCORRA, UNATIONS, NEW YORK
    VENESS, UNATIONS, NEW YORK
    HOLMES, UNATIONS, NEW YORK
    ANGELO, MINURCAT, N'DJAMENA
    BASSOLÉ, UNATIONS, EL FASHER

FROM: LE ROY, UNATIONS, NEW YORK

DATE: 3 March 2009

NUMBER: 0477

SUBJECT: Draft Guidelines on Denial and Destruction of COE
under conditions of Forced Abandonment

1. Further to our ongoing discussions and in response to
your request for guidance, please find attached the draft
DPKO guidelines on actions to be taken by military and
police contingents to deny the use of COE to armed groups
should circumstances arise in which a Force Commander or
Police Commissioner decides to order Forced Abandonment.
TCCs/PCCs would be reimbursed for any financial losses which
they may incur through such an action under the provisions
of Chapter 6 of the COE Manual “Procedures for Reimbursement
for Loss or Damage of Contingent-Owned Equipment”.

2. Pending their formal release as an official DPKO
guidance document, any requirement to implement Forced
Abandonment should be based upon these draft guidelines.

Many thanks and best regards.

[Drafted by Darfur IOT, DPKO/00/AD1]
D. GUIDELINES

D.1 Responsibilities

5. In an emergency situation, provided forces are under OPCON to the mission's Force Commander / Police Commissioner, the Force Commander / Police Commissioner may order the denial of a unit's COE.

6. The denial of military equipment, documents and supplies to armed groups is the responsibility of the unit using the equipment or holding the supplies.

7. In situations where COE has been centralised (for example at an evacuation Concentration Point) and the responsibility for the equipment has been formally handed over to another authorised body, authority for denial / destruction should be clearly delegated to that body by the Force Commander / Police Commissioner.

8. Missions and TCC / PCC should hold an inventory of COE at each location, to assist with reporting and accounting procedures.

D.2 Priorities

9. The priority and extent of the denial of COE, documents and supplies must be decided by the commander ordering it, taking into account the following:
   - The potential value of the items to armed groups
   - The potential use of items against the civilian population, humanitarian workers and mission personnel
   - The possible use by peacekeeping forces in the future, for example on return to the area after a temporary relocation/evacuation
   - The tactical situation on the ground

10. As a general guiding rule, Priority 1 will be attributed to:
   - Classified equipment, material and documents.
   - CIS, including crypto.
   - Weapons and ammunition.
   - Light utility vehicles, armoured personnel carriers (APCs) and armoured fighting vehicles (AFVs) and
   Priority 2 will be allocated to all other military equipment, stores, supplies or facilities which may be of use to armed groups.

D.3 Planning

11. Force Commander / Police Commissioner are to include guidance for equipment denial and destruction in their contingency plans. Situations may dictate that local commanders have to decide which option to take and when to do so: Force contingency plans will assist local commanders' decision making.
12. Options should be considered in the following order:

- **Recovery**: Repairable equipments should, wherever possible, be recovered by whatever means are available, e.g. vehicle-towed
- **Deny**: This option should be used if recovery is not possible and there is only a temporary risk of equipment falling into the hands of armed groups, for example a return of a peacekeeping force is feasible.
- **Destroy**: When recovery is not possible and the equipment is likely to fall into the hands of armed groups and may be used by them, then it is to be destroyed or denied.

13. Equipment denial / destruction should be included in missions' contingency plans, and mission headquarters are to ensure that all units prepare denial / destruction plans. As a minimum, plans should include:

- Options and methods for the denial / destruction of equipment, based on contingency scenarios.
- Prioritisation of equipment.
- Nomination and training of unit denial / destruction parties. Plans should be made for deploying ordnance, EOD and other specialists to provide the necessary expertise and technical assistance.

D.4 Methods

14. The main denial / destruction methods are:

- Distribution to other peacekeeping forces
- Distribution to the civil population, wherever possible through NGOs (this applies to food, water, medical supplies. Denial by contamination is not authorised for these commodities)
- Destruction of essential components
- Complete destruction (if time and manpower allow).

15. The majority of contingents' own equipments are issued with instructions on the correct methods for destruction: it is a contingent commander's responsibility to ensure that operators are trained for this. Destruction instructions are to be sought from manufacturers, donors or contingent commands in the event that these documents are not available in the mission. The most generally applicable methods of destroying equipment:

15.1 **Manual**: This requires an axe, pick, crowbar or similar implements. The vehicle or radio installation should be destroyed in accordance with the respective UN procedures (see Para 24).

15.2 **Mechanical**: Drain the engine oil, smash the radiator then run the engine until it seizes.

15.3 **Burning**: This requires petrol, oil or other flammable material. Remove and empty all portable fire extinguishers and discharge fixed fire extinguishers.
D.5 Authority

16. Only the Force Commander / Police Commissioner are authorised in the mission to order the destruction of COE as contained in these guidelines, and based on the tactical situation and the Mission’s ROE. The denial and destruction of equipment and stores should be authorised through the chain of command unless the tactical situation dictates that this is not possible and immediate action is required.

17. In exceptional circumstances, (for example, if it is not possible to communicate with the FC), the Contingent Commander may order the destruction of his own COE. The Contingent Commander will be accountable if the FC’s authority has not been given.

18. Once the Force Commander / Police Commissioner has authorised the denial and/or destruction of COE the same accountability methods are applied as per abandonment, contained in COE Manual, chapter 6, paragraphs 7-14.
   - It should be noted that some self-sustainment equipment is not reimbursable
   - For immobilisation, compensation may be made for loss or repair

19. The denial and destruction of equipment is to be reported through command channels and where possible should include an inventory of equipment denied and destroyed (see Para 8).

E. TERMS AND DEFINITIONS

20. Immobilisation - The purpose of immobilising equipment is to prevent its movement, repair and use by armed groups, but will normally allow future repair by peacekeeping forces. This involves the destruction or removal of a part or parts that cannot be readily replaced or repaired by armed groups, but leave the equipment in a repairable condition for peacekeeping forces.

21. Destruction - The purpose of destroying equipment is to reduce it to a condition that is beyond field repair. In the case of classified equipment this would also involve damaging it to such a degree as to prevent armed groups from duplicating it or learning its method of operation. Spare parts and other documents pertaining to such classified equipments should also be destroyed or removed.

F. REFERENCES


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1 A/C.5/49/70 Annex Appendix VI, Para 3 and 4.
G. MONITORING AND COMPLIANCE

26. Guidelines compliance shall be reviewed yearly by XXXXX. Non-compliance shall result in corrective action by a Mission’s respective Department’s management (DFS and DPKO).

H. DATES

27. These Guidelines shall become effective on XX XX 2009 and shall be reviewed no later than one year from this date or earlier, if required.

I. SPONSOR

28. The OMA will coordinate Guidelines updates as required with stakeholders in DFS and DPKO - for the approval by the Expanded Senior Management Team (ESMT).

K. HISTORY

29. These Guidelines were approved on XX XX 2009. They have not been amended.

SIGNED:

DATE:
Annex – Destruction Priorities for Types of Equipment

The following is for guidance purposes.

<table>
<thead>
<tr>
<th>Type of Equipment (not in priority order)</th>
<th>Priority</th>
<th>Parts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicles</td>
<td>1</td>
<td>Engine Block and Cooling System</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>Tyres/Tracks and Suspension</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>Hydraulic Systems</td>
</tr>
<tr>
<td>Radios</td>
<td>1</td>
<td>Transmitter</td>
</tr>
<tr>
<td>(UN CITS equipment to be destroyed in accordance with Reference B)</td>
<td>2</td>
<td>Receiver</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>Power Supply Units</td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>Antennae</td>
</tr>
<tr>
<td></td>
<td>5</td>
<td>Tuning Units</td>
</tr>
<tr>
<td>Vehicle-mounted weapons, machine guns, etc.</td>
<td>1</td>
<td>Breech/Breech Mechanism</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>Sight Periscope and Periscopes</td>
</tr>
<tr>
<td>Documents</td>
<td>1</td>
<td>UN Strictly Confidential</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>UN Confidential</td>
</tr>
<tr>
<td>Ammunition and explosives</td>
<td></td>
<td>Denial/destruction must be done only by qualified or authorised personnel, for example ordnance specialists (small arms ammunition) and EOD specialists.</td>
</tr>
</tbody>
</table>