

Office of the Secretary of Defense ⁵⁴⁵⁰⁵⁵²
Chief, RDD, ESD, WHS
Date: 22 AUG 2013 Authority: EO 13526
Declassify: X Deny in Full: _____
Declassify in Part: _____
Reason: _____
MDR: 13-M-3004

#1A

~~CONFIDENTIAL~~

THE JOINT CHIEFS OF STAFF
WASHINGTON, D.C. 20321

MCS 19-62
12 February 1982

DECLASSIFIED IN FULL
Authority: EO 13526
Chief, Records & Declass Div, WHS
Date: AUG 21 2013

MEMORANDUM FOR THE DEPUTY SECRETARY OF DEFENSE

Subject: Progress Report on the JCS Review of the 1977
Protocols Additional to the 1949 Geneva
Convention (U)

1. (U) Reference your memorandum* requesting a progress report on the JCS review of the Additional Protocols. The Joint Chiefs of Staff are formulating their views on ratification of the Additional Protocols and anticipate completion of their review in December 1982. To arrive at a recommendation concerning ratification, the Joint Chiefs of Staff must await completion in mid-1982 of the ongoing Service reviews. Simultaneously, the Joint Staff is initiating the process of having the unified and specified commanders assess the Additional Protocols primarily from an operational perspective. The CINCs formal assessment will require, in turn, the opportunity to review the Services' recommendations as well as the comments of component force commanders. This process will lead to formal review by the Joint Chiefs of Staff late this year. The Additional Protocols - the most complex agreements on the law of armed conflict ever negotiated - merit the thorough review described above and in the Enclosure.

2. With regard to your request for statements of understanding and reservations, the Joint Chiefs of Staff submitted** preliminary proposals in December 1977 for statements of understanding and reservations for possible use at ratification. In view of the current Service studies and in view of the revisions of those 1977 proposals currently being discussed in the interagency working

~~CLASSIFIED BY 550 BMD
8 JAN 87 BY 550 BMD NO. 17748
DECLASSIFY ON 550 BMD~~

~~CONFIDENTIAL~~

13-M-3004

~~CONFIDENTIAL~~

group,** the formal submission of statements of understanding and reservations should await completion of the JCS review.

For the Joint Chief of Staff:

DECLASSIFIED IN FULL
Authority: EO 13526
Chief, Records & Declass Div. WHS
Date:

AUG 21 2013

James E. Dalton
JAMES E. DALTON
Lieutenant General, USAF
Director, Joint Staff

Attachment
a/s

References:

- * Memorandum from the Deputy Secretary of Defense, 8 January 1982, "Request for DOD Positions on US Adherence to Law of War Agreements (U)"
- ** JCSM-448-77(U), 7 December 1977, "Protocols I and II -- Humanitarian Law During Armed Conflict"
- *** Joint Staff and Service representatives, in coordination with OSD, participate in an interagency working group chaired by the Department of State Legal Adviser's Office and convened in 1981.

Attachment to JCS 2497/24
Enclosure to JCS 2497/18-1

~~CONFIDENTIAL~~