Department of Defense
DIRECTIVE

NUMBER 2065.1E
December 7, 2004

ASD(SOLIC)

SUBJECT: Assignment of Personnel to United Nations Missions

References: (a) Title 10, United States Code
(b) Secretary of Defense Memorandum, "Delegation of Authority to Approve Department of Defense Personnel Assignments to the United Nations for Headquarters Support," January 14, 1994 (hereby canceled)
(c) Under Secretary of Defense for Policy Memorandum, "U.S. Military Support to the United Nations Mission in Ethiopia and Eritrea (UNMEE)," October 31, 2000 (hereby canceled)
(d) Secretary of Defense Memorandum, "United Nations Truce Supervision Organization (UNTSO)," July 20, 1973 (hereby canceled)
(e) DoD Directive 5101.1, "DoD Executive Agent," May 9, 2003
(f) Section 7421 et seq. of title 22, United States Code

1. PURPOSE

Pursuant to the authority vested in the Secretary of Defense under Section 113 of reference (a), this Directive:

1.1. Establishes policies and assigns responsibilities for the receipt, analysis, coordination and approval of assignments of DoD military or civilian personnel to serve with United Nations (UN) Missions.

1.2. Cancels references (b) through (d).

1.3. Pursuant to reference (e), designates the Secretary of the Army as the Executive Agent for DoD Support to UN Missions. This designation replaces and subsumes the Executive Agent designations made in references (c) and (d).

2. APPLICABILITY AND SCOPE

This Directive:

2.1. Applies to the Office of the Secretary of Defense (OSD), the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all

other organizational entities in the Department of Defense (hereafter referred to collectively as the "DoD Components"). The term "Military Services" as used herein applies to the Army, the Navy, the Air Force, the Marine Corps, and the Coast Guard (when not a part of the Navy).

2.2. Applies to all assignments (whether permanent or temporary duty) of DoD military and civilian personnel in support of UN Missions, but does not apply to the deployment of units in support of UN operations. When the deployment of units is required, the Chairman of the Joint Chiefs of Staff shall prepare the appropriate orders for approval by the Secretary of Defense.

2.3. Applies to authorized personnel support to a UN Mission in place on the effective date of this Directive and to such support to a UN Mission in the future.

2.4. Takes precedence over DoD memoranda or other issuances that contain conflicting guidance on the assignment of personnel to UN Missions or Executive Agent responsibilities for such assignments.

3. POLICY

It is DoD policy that:

3.1. All initial assignments of DoD military and civilian personnel to any UN Mission shall be approved by the Secretary of Defense. Follow-on assignments to a UN Mission, including assignments resulting from the extension of a UN mandate shall be managed by the Executive Agent for DoD Support to UN Missions.

3.2. DoD military and civilian personnel shall be assigned only to UN Missions in countries where sufficient protections exist to ensure U.S. personnel shall not be exposed to the risk of assertion of jurisdiction by the International Criminal Court (ICC) consistent with U.S. policy and the American Servicemembers' Protection Act (reference (f)). Such protections may be provided, as applicable, by a Status of Forces Agreement in effect in the country where the UN Mission takes place, a bilateral agreement between the United States and that country consistent with Article 98 of the ICC Treaty, a UN Security Council Resolution under Chapter VII of the UN Charter, or other legally binding provisions or agreements.

3.3. DoD military and civilian personnel serving in UN Missions shall be under the management oversight of an Executive Agent and supported by a single focal point official who shall be responsible for providing command, oversight, training, and administrative and logistics support for all DoD personnel serving in UN Missions.

4. RESPONSIBILITIES

4.1. The Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, under the Under Secretary of Defense for Policy, shall oversee the process for the receipt, analysis, coordination, and approval (or other disposition) of requests for personnel to serve with UN Missions received from the UN and forwarded by the Department of State to the Department of Defense, and shall:

4.1.1. Upon receipt of a request for DoD personnel to serve with a UN Mission, determine, in coordination with the General Counsel of the Department of Defense (DoD, GC), and other officials responsible for policy regarding the ICC, whether the assignment of personnel meets the provisions of reference (f), thereby protecting DoD personnel from the jurisdiction of the ICC.

4.1.2. Forward to the Secretary of Defense for decision an Action Memorandum coordinated with the Chairman of the Joint Chiefs of Staff; the DoD, GC; and others as appropriate. The Action Memorandum shall contain all pertinent information concerning the request for personnel, including the determination required by subparagraph 4.1.1.

4.1.3. Coordinate with the Department of State to determine force protection responsibilities for DoD personnel serving on UN Missions.

4.2. The OSD Principal Staff Assistants shall, within their functional areas, exercise their designated authorities and responsibilities as established by law or DoD guidance to facilitate the mission of the Executive Agent for DoD Support to UN Missions.

4.3. The Secretaries of the Military Departments shall:

4.3.1. Provide the military and civilian personnel to support UN Missions, as requested by the Chairman of the Joint Chiefs of Staff. Personnel shall be directed to report to the U.S. Military Observer Group, Washington (USMOG-W) (a jointly staffed organization), for anti-terrorism training and for administrative and logistics support before executing their assignments. Active or Reserve component personnel who are required for UN Missions for a period that exceeds 180 days may be assigned pursuant to permanent change of station orders as an authorized overstrength in the appropriate component. Retirees supporting UN Missions shall be ordered to active duty pursuant to Section 688 of reference (a).

4.3.2. Provide personnel as requested by the Executive Agent for DoD Support to UN Missions, to staff the USMOG-W.

4.3.3. Cooperate with and support the Executive Agent for DoD Support to UN Missions to ensure the effective and efficient use of resources and facilitates the mission of the Executive Agent.

4.4. The Secretary of the Army is hereby designated as the Executive Agent for DoD Support to UN Missions in accordance with reference (e). In this role, and in addition to the responsibilities prescribed in paragraph 4.3, the Secretary of the Army shall:

4.4.1. Command and oversee all DoD personnel serving in UN Missions through the Commander of the USMOG-W to ensure that mission requirements and the administrative and logistics needs of the personnel are met.

4.4.2. Program and budget to fund the operational and support requirements of the USMOG-W and provide administrative and logistics support for personnel serving in UN Missions, including but not limited to equipment, training, and transportation. Provide an officer to serve as the Commander of the USMOG-W.

4.4.3. Coordinate the assignment of personnel approved to serve in UN Missions and the replacement of such personnel with the Chairman of the Joint Chiefs of Staff and the Secretaries of the Military Departments or their designated representatives.

4.5. The Chairman of the Joint Chiefs of Staff shall, after approval of the request for personnel, request that the Secretaries of the Military Departments and, when appropriate, the Commander, U.S. Special Operations Command, and the other Combatant Commanders, provide appropriate military and civilian personnel as approved by the Secretary of Defense. Personnel shall be directed to report to the USMOG-W for anti-terrorism training and for administrative and logistics support.

5. EFFECTIVE DATE

This Directive is effective immediately.

Donald H. Rumsfeld
Secretary of Defense