



Use of armed force in the metropolitan territory from 1791 to the present day

Earth Thought Notebooks

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Histoire & stratégie

Operation Sentinel is leading the Army ashore to re-examine its commitment to the national territory. However, its deployment on metropolitan soil is nothing new. In the aftermath of the French Revolution, the army plays an essential role in maintaining public order. Only the union of the trenches will bring a real break, leading to a progressive withdrawal of the armies in the TN, to the point of confining them to missions of assistance to the population in the event of natural disasters. The emergence of the security issue linked to the recent attacks has led to a profound reconsideration of this situation, in the light of the lessons of two centuries of history.

"Sentinel" gives rise to a strategic rupture. We can discuss the use of armies on the national territory, but not what constitutes a postulate: the French want to be protected where they are and it is the mission of the military to contribute to this" [1]. 1] With these remarks, the CEMA thus breaks with the logic of the gradual phasing out of the armed forces on national soil that had prevailed until then.

In 1791, Revolutionary France, faced with major internal unrest, decided to create a force in charge of public order: the national gendarmerie. This force, alongside the police, gradually oust the army from internal security missions. However, this shift can only be observed in the terrestrial environment. The Navy and the Air Force remain the only ones present in their respective environments, assuming the State's action at sea and the safeguarding of airspace. Consequently, apart from military operations against the forces of enemy States, the contribution of the Army is limited to participating in the resolution of natural disasters[2] while providing for its involvement in states of exception[3]. 3] The collapse of the "glass ceiling" on the employability of the army on national territory (NT) since the establishment of Operation Sentinel in 2015 marks a paradigm shift. However, this must be seen in the light of the lessons learned from history.

Does the legacy of two centuries of engagement of the Army on the metropolitan territory give it the keys to understanding how to adapt to the new threat embodied by the appearance of an enemy inside? What role can the army thus play in internal security?

The lessons learned from two centuries of deployments on metropolitan territory provide the Army with the necessary benchmarks to meet the challenges of a new security environment and optimize its engagement.

The following reflection aims to give meaning to this crescendo of commitment in the land environment on national territory. Thus, this study will attempt to highlight the constants and ruptures of history before proposing a new position for the Army in metropolitan France.

An irremovable base, a legacy of history

The settlement of the institutional instability at the end of the 19th century, combined with the ^{fraternization of} the trenches, gradually removed the army from the problem of public order. Contrary to the Navy and the Air Force, which remained "leaders" in their respective circles, the Army is now only "concurrent".

- "Cedant arma togae"

The principle of subordination of the military to civil authority is one of the oldest principles in the history of France. It applies both outside and inside the national territory. It is a constant in spite of the vicissitudes of the changes of political regimes. Thus the Ciceronian apostrophe "cedant arma togae" still finds an echo in today's world. The legislative corpus gives, in fact, differentiated roles to the civil and military spheres according to the rule of law (from common law to the law of war, passing through the different states of exception[4]). Moreover, the organization of armies on national territory remains closely subordinate to the civil power, as illustrated by the OTIAD chain[5]. Its engagement in metropolitan France is framed by the request for assistance or requisition.

This structure is the fruit of a long history. It is mainly explained by the recurrent fear of Caesarism by the political power. It must be said that this fear is not fantasized. Thus, the coup d'état of 18 fructidor an V (4 September 1797) is a [coup d'État](#) carried out under the Directory by the three directors, supported by the army, against the Jacobins on the one hand and the royalists, who were in the majority in the Councils (Council of Five Hundred and Council of Elders), on the other hand.

The same was true during the coup d'état of 2 December 1851. If the people of Paris reacted relatively little to defend a conservative assembly that stripped them of some of their political rights, this was not the case in the rural areas of nearly thirty departments. As a result of this republican insurrection of the provinces, thirty-two departments were placed under siege on December 8. With the state of siege, all power is locally given to the military authorities who, within a few days, quickly control the areas of republican resistance to the coup d'état.

Finally, the conditions of General de Gaulle's return in May 1958 and the ambiguous role

played by the army fuelled fears of political power against the military on the national territory.

This fear is an old one: the monarchical power had created, as early as the 14th century, the ^{marshal} service in order to control the warlords who, during and after the Hundred Years' War, formed, according to circumstances, bands of looters who devastated France.

- Ultima ratio

It would appear that if the use of the army is tightly controlled on the national territory, it is because its use is commonly regarded as a last chance. It is this principle of "ultima ratio" that gives it its full force. Its commitment cannot therefore be trivialized or used as a palliative to the lack of manpower in the internal security forces. To give in to this tendency would be to undermine its deterrent capacity. Indeed, when confronted with insurrectionary situations, political power has systematically relied on the army to restore order.

Such was the case with the repression of the Commune when the regular army entered Paris on 21 May 1871. Then began the bloody week, which resulted in between 6,000 and 7,500 deaths, of which about 1,400 were shot. This repression had the support of the great republican elected representatives of the National Assembly who, in order to preserve the still fragile Republic, gave their agreement to Thiers, fearing the Communards' outbidding.

It was the same during the repression of the insurrectionary strikes of 1947. On 29 November, 30,000 strikers demonstrated in Saint-Etienne. Armed with iron bars, they confronted the [republican security companies](#) (CRS) newly created by the Minister of the Interior, Jules Moch ([SFIO](#)). The companies quickly proved to be overwhelmed and the government once again called on the army to break the strikes. A similar observation was made in 1948 during the major mining strikes in the North.

Finally, the departure of General de Gaulle on 29 May 1968 to Baden-Baden, the headquarters of the French forces in Germany, to meet the General of the French Army in Baden-Baden, the head of the command of the French forces in Germany, to meet the General of the French Army in Baden-Baden, the head of the command of the French forces in Germany. General Massu, bears witness to the same logic of political power relying on military force in the event of an uncontrolled insurrection.

- The rise of a new actor: the gendarmerie

The organization of national defence is based on the duality of internal security forces and armed forces [6]. Schematically, this amounts to a distribution of roles as follows: the police and the gendarmerie deal with the problem of public order within the territory; the armies protect the borders and defend interests abroad.

There has so far been a generally accepted consensus on this relationship. In view of this differentiation, the gendarmerie was created to free the military from the police. Faced

with the problems of internal security and threats to borders, the Revolution renewed the former marshal service, renamed the National Gendarmerie in 1791, and doubled its strength. Later, in 1850, each canton had its own brigade. From then on, the regimes gradually discovered the value of having a military force responsible for ensuring public order. It was only with the Third Republic that the gendarmerie regained the political stability it needed to carry out its missions. Finally, the fraternization of the trenches made the use of the army as a repressive force illusory. In 1920, the mobile gendarmerie was created, completing the network of French territory. Finally, the State possessed a relevant instrument with a doctrine of employment, non-lethal means, and integrating the distinction between "angry citizen"/enemy.

From 1791 to 2015, two essential issues seemed to regulate the use of armed force on the national territory. The first, the institutional question, ended with the Third^{Republic}. Within this framework, the army was strongly committed. The social question is gradually following suit.

Refusing to confront its own citizens after the First World War, subordinated to civilian authority, used punctually as "the king's last argument", the army gradually faded from the metropolitan security landscape. The legacy of history should not, however, lead us to believe that any evolution is impossible. A certain number of ruptures can thus be observed.

New logics

The evolution of French society throughout the 19th century led to a^{reconsideration of} the use of armed force in metropolitan France. An antagonistic movement was taking shape: a freedom of action that was as much restricted by new rules of engagement and concern for one's image as it was encouraged by the emergence of an internal enemy.

- Towards "zero death" on the national territory

A first notable development concerns the relationship to institutional violence on the national territory. Driven by the judicialization of society, it has become unacceptable in public opinion. The concept of "zero deaths", which appeared in the 1990s in external operations, has been evident on the national territory since the 1960s. The framework for the use of force by the army in metropolitan France has thus become increasingly restrictive, now strictly limited to self-defence.

The Fourmies shooting on 1 May 1891 illustrates in this respect the great freedom of action enjoyed by the army in the maintenance of order before the turn of the Great War. On that day, the troop (84th^{RI} and 145th^{RI}) put a bloody^{end to} a workers' demonstration. The death toll was nine dead and 35 wounded. Although the forces of law and order were implicated, it was the instigators of the strike, Celine and Paul Lafargue, who were convicted of direct provocation to murder.

The repression of the Languedoc winegrowers' revolt in 1907 also shows the army's uncomplicated relationship to violence against these fellow citizens. In June, faced with

the largest demonstrations of the Third Republic (600 to 800,000 people), Clemenceau decided that force must remain the law and called on the army. Thus, 22 infantry regiments and 12 cavalry regiments occupied the whole of the South of France, i.e. 25,000 infantrymen and 8,000 cavalrymen. In Narbonne, the police inspector Grossot was badly mauled by the crowd. In order to free him, the troop was ordered to fire on the demonstrators. Five people are killed in the shootings. Nearly 33 wounded lay on the ground.

The Great War was the pivot of a notable upheaval: the common blood shed in the trenches for four years now prohibited the use of military force against fellow citizens. Thus, during the crisis of 6 February 1934, the army was absent. It was the gendarmerie and peacekeepers who suppressed the demonstration. The death toll was 15. Most of the victims were veterans. Following this event, the internal security forces will gradually integrate the concept of zero deaths.

- A growing concern for the armed-nation link

The State initially paid little attention to the public perception of the missions entrusted to the military. Thus it does not hesitate to assign them particularly unpopular tasks.

This was the case, in particular, during the implementation of the anticlerical policy conducted by the Third^{Republic}. The empathy of the soldier for the mission received is hardly taken into account. Also, during the expulsions of the religious congregations of 1880 and 1903, the army carried out a large part of the operations: the monks of the Grande Chartreuse were, for example, expelled manu militari on 29 April 1903. The expulsions met with numerous and violent oppositions from the population and the military, particularly in Brittany.

A new trend emerged after the defeat of 1870: the nation's efforts were to be directed towards revenge. A crucible of unity, the army wanted to be above the parties and refused to interfere in political quarrels that might harm the national cohesion necessary to defeat the enemy at the borders. To use the army to break riots is to "diminish its prestige". For General Lewal, this action withers the reputation of the army and is harmful to the nation: "It is French blood, and the best, that is lost" [7]. The risk of fuelling anti-militarism is real.

This concern for public perception and the preservation of the armed-nation bond took on a very particular turn after the Algerian War, when the army's image was permanently tarnished. The army sought to remain this soothing force within the French people. This remains a crucial issue following professionalization.

- An internal enemy?

As a consequence of the disappearance of the enemy at the borders and of a "continuum of threat", the distinction between defence and security is now blurred, constituting a last major evolution. Consequently, the army once again becomes an actor in the protection of its fellow citizens on the national territory.

This refocusing of the army on the protection of citizens is the consequence of a slow decline in state threats at known borders throughout the 19th and 20th centuries. The German threat was followed by the Soviet threat. Within this framework, the army is conceived as the tool ensuring the preservation and the sanctuarisation of the national territory. Nuclearisation introduces a profound rupture. From 1966 onwards, nuclear fire ensured the mission of sanctuarisation of the national territory and diminished the role of the conventional army. At the beginning of the 21st century, the emergence of new transnational and infra-state threats led the 2008 White Paper on Defence and National Security to make an initial rapprochement between defence and security and to refocus armies on national territory. Thus, the distinction between territorial protection and protection of citizens is gradually fading.

The attacks of January 2015 have profoundly changed the perception that political decision-makers and citizens have of their immediate security: The "enemy inside" is now identified as an extension of the one the soldier fights in external theatres of operations, in the Sahel-Saharan strip or in the Levant. The perception of a strategic continuity between these foreign military actors and their relays present on national soil (using the same weapons of war) suggests that the attacks perpetrated on the national territory are similar to attacks ordered and committed by the same will of external origin. This observation calls for a coherent military response between the defence of the front (as far away as possible, in OPEX) and the defence of the rear (as close as possible, on national territory). This continuum of threats outside and within our borders is a strategic novelty that reinforces the Army as a global player in national security.

It is interesting to note, however, that this "threat continuum" has already existed in the past. By defining an "enemy from within", the Revolution erased all barriers between law and order and war, assimilating counter-revolutionaries to agents from abroad. Similarly, this notion was present during the decolonization wars, establishing a link between elements of the Viet Minh and the PCF militants. The internal enemy then turned into a "subversive agent".

Beyond the ruptures mentioned, the commitment of the armed force on the metropolitan territory remained limited in time. However, the emergence of the security question, born of the waves of attacks from 1986 onwards, raised the new problem of long-term commitment.

Answer now!

As a consequence of the succession of Islamist attacks recently perpetrated on national soil, the French perception of the role of their army in metropolitan France seems to have changed considerably. Formerly perceived as a "protector of the territory", the soldier is now appreciated as a "protector of the citizen", just like any other agent of the internal security forces. The population has high expectations of its army. The army must now take note of this by questioning the meaning and positioning of its commitment in metropolitan France. The stakes are high: since the adversary systematically favours attack at the very place where defence is absent, the military must be "at the rendezvous of the possible".

- Reinvesting the field of perceptions

The strategic break initiated by the launch of Operation Sentinel offers the armies the opportunity to operate in the area of perceptions in order to strengthen the cohesion and resilience of the French. To do so, the armies - and the Army in particular - can count on a major asset: that of being of popular extraction. In a way, it embodies the last contact of marginalized populations with the State. No other institution is capable of creating such a social bond and national cohesion. Better still, because it emanates from the nation, the army bears the spirit of defence of the French people, based on the values of fraternity and sacrifice that have made France what it is today. In this sense, therefore, the military instrument offers the very example of a counter-narrative to the discourse of hatred and division of our enemies.

Acting on perceptions also means increasing the fear of the military among our adversaries. This fear could be usefully accentuated by developing the soldier's unpredictability. Indeed, for uncertainty to change sides, the army must intervene by surprise. This seems all the more obvious as our military means are limited, and it is important to make the best use of them: under- or over-using soldiers in predictable ways is a luxury that France cannot afford over time. It therefore seems imperative to abandon the static mode of action in favour of mobile methods that allow us to observe, monitor or control an area, day or night, to provide information... or to intervene. In the same vein, the proposal for "dispersal of armaments" - i.e. the retention of discreet plainclothes armaments for officers on the Israeli model - could also contribute to generating doubt in the adversary.

If unpredictability appears to be the necessary condition for regaining tactical initiative and deterring the adversary, the fear of the soldier could be further consolidated by the display of a more aggressive posture. This could be achieved through the militarization of vehicles and more dissuasive non-verbal communication.

Finally, action on internal military perception could be envisaged. The aim here is to disinhibit the soldier by unlocking a few locks in the legal environment. Indeed, except in exceptional situations and unless the civilian authority expressly wishes to extend the prerogatives of the soldier,^[8] his commitment on the national territory falls within the framework of ordinary law. The responsibility of soldiers is therefore governed by the penal code and their means of action are limited. Thus, the use of force by military personnel engaged on national territory is strictly limited to "the legitimate defence of oneself or of others, the command of the legitimate authority (except in the case of a manifestly unlawful order) or the apprehension of the perpetrator of a crime or flagrante delicto punishable by imprisonment". Therefore, the extension of Article L 4123-12-III^[9] of the Defence Code to the use of armed force on national territory could be considered.^{9]} of the Defence Code to the use of armed force on the national territory could prove to be appropriate since it would protect the soldier on the penal level by guaranteeing his irresponsibility as long as he respects the law.

In addition, the question of giving the military administrative police powers - as already enjoyed by some private railway police officers - should be raised. The soldier would be more effective if he were allowed to carry out actions normally reserved for the security forces, such as checking the identity, screening, searching and obstructing a suspect. The Italian Esercito has had a similar exemption since 2008 in the context of Operation Strade Sicure.

- Optimising the defensive posture

Not surprisingly, the absolute mastery of coercive tactical know-how is immediately obvious to the soldier. Indeed, the legal obligation "to assist persons in danger" and "self-defence extended to others" could lead the soldier to have to act first because he has been the first auxilium immu. This situation could thus lead him to have to use his weapons even in an assault of opportunity in the face of a situation requiring an instantaneous reaction (the shooting in Little Cambodia, for example).

An effective territorial network could be obtained by capitalizing on popular empathy. Indeed, by relying on the local anchoring of the units involved and taking inspiration from the example of "vigilant neighbours", the following could be achieved. set up by the gendarmes, the armed force would benefit from constantly updated intelligence generated by a popular alert network. For its part, the civilian population would benefit from a "proximity service" enabling it to immediately contact "its" military personnel in the event of a serious incident or the observation of an unusual phenomenon [10].

10] The question of a possible subscription of military units to sectors could then arise in order to maintain optimum intelligence. In this context, the loyalty of soldiers to areas would no doubt prove to be relevant since, by guaranteeing the establishment of virtuous trust over time with the population, it would facilitate the feedback of intelligence.

Furthermore, another solution for optimising this network could involve reconsidering the use of operational reserve units (ORUs) in metropolitan France. Indeed, given the excellent local knowledge of reservists in the field, territorialisation of the reserve would be a useful way of "re-meshing France", particularly its sensitive areas or military deserts. In this respect, UROs could be specifically dedicated to certain areas in which they would be particularly well placed to provide useful ambient military intelligence. Better still, this project of territorialisation of the reserve could, in the future, form the basis of the "national guard" evoked by the President of the Republic[11].

- Acting differently

Unlike the two other armies, which are first responders in their own environment, the Army is and wishes to remain, apart from states of exception, a concurrent force. Integrating the direct link between "protection" and "deterrence" - the latter being not only nuclear and outwardly oriented, but also conventional and directed - the army is a force that can be used to protect and deter.e towards the enemy within - the army has an interest in proposing a new use of force in metropolitan France by becoming an "army of employment". Therefore, it is not intended to act "in place of", but as a complement to the internal security forces, which it must not become a substitute for either. It is therefore a question of proposing a new strategic offer of the military tool, characterised by an asserted recognition of its participation in global deterrence. In this framework, land forces would play a "broad spectrum" role ranging from prevention to protection, enabling intervention in the event of a crisis.

The perpetuation of this commitment on the national territory could be formalised in the operational contract of the army by an adapted PPST[12]. The general mission of the

armed force in this framework would then be to contribute to the protection of the nation by a visible deployment of land forces (LF) in selected areas to complement the ISF or in autonomous action for their benefit. This would involve **protecting** (installations), escorting, monitoring, controlling **areas (fixed points and patrols)** and providing information (ambient and field **information**).

In order to become an army of employment on the national territory, the army must propose innovative modes of action with a strong military impact. These could be of three types:

- To take over or complement the Internal Security Forces (ISF) by giving priority to specific modes of action (protection of sites, securing sectors by patrols, escorting convoys). The use of armed force in this case would be in support of the action of the ISF, through relief or reinforcement, in order to enable them to refocus on their public security missions;
- Produce ad hoc effects complementary to those of the ISF through specialized capabilities (command support in the area of design and planning, acquisition of intelligence from ROIM/ROEM/ROHUM[13], DECONTA - CYNO - FS - CYBER - 3D - SAN [14] capabilities - production of drinking water or electricity, etc.). Complementarity with the ISPs would play a key role here since it would be a question of acting locally with specific capacities that they do not have;
- Supporting ISPs in depth and in the long term by carrying out complementary actions on the periphery of their areas of action or in degraded environments. The armed force would act here either as a complement to the permanent protection mechanism of the ISF (territorial network), or in support of the ISF and the continuity of State action in a crisis situation. In concrete terms, this would mean reinvesting in the gaps in the territory where soldiers would be given missions to control territorial access points, border areas with difficult access and specifically identified areas where a non-permanent grid would be set up.

Finally, an innovative option could be to revisit the texts governing the operational defence of the territory (DOT) by combining the permanent contribution to the general security of the national territory (TN), the reassurance of the armed-nation link and the continuum of operational readiness. The aim would be to deploy land units (from the DIA to the IATF [15]) in areas chosen in accordance with security needs (from borders to towns and cities, through the countryside and remote areas, strategic nodes and sensitive sites), under cover of open terrain exercises. The idea would therefore consist in exchanging operational preparation for territorial networking while reinforcing a deterrent presence. Land forces would thus contribute directly to conventional deterrence in the NW, to prevention, intelligence and territorial control while training. Better still, in addition to deterring "the enemy within", these actions would remobilize units engaged in the NW and strengthen the armed-nation bond.

These two centuries of deployment on the metropolitan territory are keys to understanding the new security situation. Above all, we can highlight the need for the army not to claim a role as a first responder and to remain within a military chain of command.

If the responsiveness of the military apparatus in the global fight against terrorism (deployment of 10.000 troops on the NL) was unanimously hailed following the events of January 2015, Operation Sentinel nevertheless led to a twofold rupture by considerably

changing the logic of the armed force's commitment. Indeed, from a limited intervention in the context of a natural disaster, it became a long-term intervention in response to a major security threat. The perpetuation of Sentinelle therefore calls for a review of the concept of the use of the military in the NW in order to optimise its engagement: there is an opportunity to describe a real land-based PPS in which the army would be "in its place, in its place alone but in its place with optimum use of its capabilities".

Finally, its interest - combined with that of the French - would be to be a first contributor to a conventional deterrent.

Saint-cyrien of the promotion "General Vanbremeersch", the BANCEL Battalion Chief chose to serve in the infantry. He spent his first part of his career in the 1st Rifle Regiment as section chief, deputy officer then unit commander where he was projected seven times. Assigned to the EMOT as of 2012, he served successively as officer of the watch and then officer in charge within the G35-TN. He has been a trainee at the Joint Superior Course (JSC) since¹ September 2015.

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Saint-cyrien of the promotion "General Vanbremeersch", Battalion Commander GROSSIN chose to serve in the foreign legion. He spent his first part of his career in the 2nd foreign infantry regiment as section chief, deputy officer and then unit commander where he was projected four times. Assigned to the SMITer from 2012 to 2015, he served as projection section chief. Since¹ September 2015, he has been a trainee at the Superior Joint Course (CSIA).

1] Hearing of Army General Pierre de Villiers, Chief of Staff of the Armed Forces before the Senate Defence Committee on 18 November 2015.

2] Apart from the Harpie, Titan and other ad hoc security missions (G20 for example).

3] State of emergency (Law 55-385 of 3 April 1955), state of siege (Article 36 of the 1958 Constitution), DOT (Decree 73-325 of 1 March 1973).

4] Law 55-385 of 3 April 1955: "state of emergency" decreed in case of imminent danger resulting from serious breaches of public order or events of public calamity. Duration limited to 12 days. Article 36 of the Constitution: "State of siege" with transfer of powers of law and order and policing from the civil authority to the military authority in the event of imminent danger resulting from a foreign war or armed insurrection. The decree designates the territory to which it applies and its duration.

5] Territorial hierarchical organization of the armies that establishes a structure mirroring the prefectural chain of command

6] Order 59-147 of 7 January 1959 on the general organisation of national defence.

[7] Lewal (General), "Colonial troops" Baudouin, Paris, 1894, pp42-43.

8] Authorization for the use of force in the context of a special supplementary requisition, in particular.

9] A member who exercises coercive measures or uses force when necessary for the performance of his or her mission is not criminally liable.

10] Based on the widespread use of smartphones, one could even imagine that, thanks to social networks, soldiers would themselves be geolocalized for greater responsiveness ... but also for greater vulnerability.

11] Speech to the Congress gathered in Versailles on November 16, 2015.

12] PPST: permanent posture of terrestrial security.

[13] Image-based intelligence / signals intelligence / man-made intelligence

14] decontamination capabilities; canine; special forces; here computer capabilities (intelligence, defense, attack); 3rd dimension; Health. Here capabilities for sorting and treatment of the injured in large numbers and in emergency situations.

15] DIA: Joint Task Force; JTFG: Joint Battle Group.

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