

United States Marine Corps
Professional Development Series



The Law of War



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THE LAW OF WAR

GENERAL INFORMATION:

Discipline in combat is essential. Disobedience to the law of war dishonors the Nation, the Marine Corps, and the individual Marine. In most cases, law of war violations also constitutes violations of the UCMJ. The nine principles of the law of war are

1. Fight only enemy combatants.
2. Do not harm enemies who surrender: disarm them and turn them over to your superior.
3. Do not kill or torture prisoners.
4. Collect and care for the wounded, whether friend or foe.
5. Do not attack medical personnel, facilities, or equipment.
6. Do not destroy more than the mission requires.
7. Treat all civilians humanely.
8. Do not steal; respect private property and possessions.
9. Do your best to prevent violations of the law of war. Report all violations to your superiors, a military lawyer, a chaplain, or provost marshal.

Violations of the law of war have an adverse impact on public opinion, both nationally and internationally. Instead of weakening the enemy's will to fight, such violations actually strengthen it. In fact, they have, on occasion, served to prolong a conflict by inciting an opponent to continue resistance. Violations of these principles prejudice the good order and discipline essential to success in combat.

PRINCIPLES OF THE LAW OF WAR:

1. Marines fight only an enemy combatant.

a. All persons in uniform, carrying a weapon or participating in any way in military operations or activities, are known as combatants. Under the laws of armed conflict, only combatants are considered proper targets and may be fired upon. All others are called noncombatants.

b. If you are in doubt in differentiating between combatants and noncombatants, consult your superior before pursuing any course of action.

2. Marines do not harm enemies who surrender. You must disarm them and turn them over to your superiors.

a. Never attack enemy soldiers who surrender or enemy soldiers who are captured, sick or wounded.

b. When you have POWs, you should follow the six Ss: SEARCH, SECURE, SILENCE, SEGREGATE, SAFEGUARD, and SPEED the prisoners to the rear.

3. Marines do not kill or torture prisoners.

a. You must never kill, torture, or mistreat a prisoner because such actions are violations of the law and the prisoners may provide you with vital information about the enemy.

b. Treating prisoners well reflects on how the enemy will treat our fellow Marines that may have been taken capture. Humane treatment of POWs is right, honorable, and required under the laws of armed conflict. Improper treatment of prisoners by us is punishable by court-martial.

4. Marines collect and care for the wounded, whether friend or foe.

a. You should also provide medical care to the wounded whether friend or foe.

b. You are required under the laws of armed conflict to provide the same kind of medical care to the sick and wounded as you would provide to your own.

5. Marines do not attack medical personnel, facilities, or equipment.

a. Noncombatants include civilians, medical personnel, and chaplains. Humane treatment of noncombatants may also assist you in obtaining valuable intelligence to allow you to better pursue your mission.

6. Marines destroy no more than the mission requires.

a. Under the laws of armed conflict, you are not permitted to attack villages, towns, or cities. You are allowed to engage the enemy that is in a village, town, or city and destroy any equipment or supplies that the enemy has when your mission requires it.

b. In all cases, you must not create more destruction than is necessary to accomplish your mission. When you use firepower in a populated area, you must attack only the military targets.

c. Marines do not attack protected property. Examples of protected property include buildings dedicated to religion, art, science, or charitable purposes; historical monuments; hospitals and places where the sick and wounded are collected and cared for; and schools and orphanages for children.

7. Marines treat all civilians humanely.

a. Treat civilians humanely and private property as if it were your own. Become familiar with the country you are in, its traditions, and customs of its citizens. This will assist you in the proper treatment of civilians.

b. Under no circumstance should you fire upon any medical personnel or equipment used for medical welfare of the people or the enemy. Most medical personnel and facilities are marked with a red cross on a white background. However, a few countries use a different symbol. This is one reason why it is important to be familiar with the customs of the country in which you are operating. Similarly, never pose as a Red Cross person when you are not one. Your life may depend on the proper use of the Red Cross symbol.

8. Marines do not steal. Marines respect private property and possessions.

a. Marines do not steal from civilians. Failure to obey these rules is a violation of the laws of armed conflict and punishable by court-martial.

9. Violations of the laws of war can have an impact on the accomplishment of the mission during combat.

a. As Marines, we all recognize that full compliance with the laws of armed conflict is not always easy, especially in the confusion and passion of battle. For instance, you might be extremely angry and upset because your unit has taken a lot of casualties from enemy booby traps or hit-and-run tactics. But, you must never engage in reprisals or acts of revenge that violate the laws of armed conflict.

REFERENCE(S):

MCRP 5-12.1A, *The Law of Land Warfare*

MCRP 6-11B, *Discussion Guide for Marine Corps Values*