

United Nations Command
Unit #15259
APO AP 96205-5259



United Nations Command
Regulation 525-8

Combined Forces Command
Unit #15255
APO AP 96205-5255



Combined Forces Command
Regulation 525-8

27 April 2012

Military Operations

LAW OF WAR COMPLIANCE REGULATION

***This regulation supersedes UNC/CFC regulation 525-8, dated 1 November 1993.**

FOR THE COMMANDING GENERAL:

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Summary. This regulation contains information and guidance for appropriate law of war (LOW) compliance regulation in United Nations Command (UNC) and Combined Forces Command (CFC).

Summary of Change. This document has been substantially changed. A full review of its contents is required.

Applicability. This regulation applies to all divisions, offices and subordinates of HQ UNC, and HQ CFC, including all component commands and subordinate units, irrespective of nationality or service component.

Supplementation. Issue of further supplements to this regulation by subordinate commands is prohibited unless prior approval is obtained from the Commander, UNC/CFC, ATTN: CFCJA, Unit #15255, and APO AP 96205-5255.

Forms. USFK forms are available at www.usfk.mil.

Records Management. Records created as a result of processes prescribed by this regulation must be identified, maintained, and disposed of according to AR 25-400-2. Record titles and descriptions are available on the Army Records Information Management System (ARIMS) at <https://www.arims.army.mil>.

Suggested Improvements. The proponent of this regulation is the Office of the Staff Judge Advocate. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) to the Commander, UNC/CFC, ATTN: CFCJA (OPLAW), Unit #15237 APO AP 96205-5237.

Distribution. Electronic Media Only (EMO).

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1. Purpose

The purpose of this regulation is to ensure compliance with the requirements of the Law of War (LOW); to ensure that all rules of engagement and operational plans, directives and policies of this Headquarters (HQ) are consistent with the LOW; and to ensure that the LOW obligations of the HQ are understood and enforced by each member of the United Nations Command (UNC) and the Republic of Korea-United States (ROK-US) Combined Forces Command (CFC).

2. References

a. Required publication. Geneva Convention for the Amelioration of the Condition of the wounded and Sick in Armed Forces in the Field; Sick and Shipwrecked Members of Armed Forces at Sea; Relative to the Treatment of Prisoners of War; and Relative to the Protection of Civilian Persons in Time of War, dated 12 August 1949. Cited in subparagraph 5f(1).

b. Related publications.

(1) Hague Convention Number III, Relative to the Opening of Hostilities, 18 October 1907.

(2) Hague Convention Number IV, Respecting the Laws and Customs of War on Land and Annex Thereto Embodying Regulations Respecting the Laws and Customs of War on Land, 18 October 1907.

(3) Hague Convention Number V, Respecting the Rights and Duties of Neutral Powers and Persons in Case of War on Land, 18 October 1907.

(4) DoD Directive 2311.01E, signed 9 May 2006, "Change 1" Incorporated 15 Nov 2010, Certified as Current 22 Feb 2011.

3. Explanation of Abbreviations and Terms

Abbreviations and terms used in this regulation are explained in the glossary.

4. Responsibilities

a. The Commander, UNC/CFC, (COMUNC/CFC) shall ensure that all rules of engagement and operational plans, policies, and directives are developed, issued, periodically evaluated, and executed in a manner consistent with the LOW.

b. The Assistant Chief of Staff (ACofS), C3, in coordination with the UNC and CFC Judge Advocates (UNCJA and CFCJA), and the ACofS, C2, shall ensure target nomination planning in support of UNC/CFC and components is consistent with the LOW.

c. The ACofS, C3, shall ensure that all rules of engagement and operational plans, policies, and directives issued by COMUNC/CFC are consistent with the LOW. All such rules, plans or orders will be referred to the UNCJA and CFCJA for legal review to ensure compliance with the LOW. ACofS, C3, will ensure that realistic training involving the LOW is integrated into all operational exercises and that UNC/CFC personnel receive such training in the law of armed conflict as is appropriate to their positions and responsibilities.

d. The ACofS, C5, shall ensure that all operational plans, policies, and directives prepared or received by HQ UNC and HQ CFC are referred to the UNCJA and CFCJA for legal review to ensure compliance with the LOW.

e. The UNCJA and CFCJA shall provide general legal guidance on the LOW, to include review of rules of engagement and operational plans, policies, and directives issued by UNC/CFC. The UNCJA and CFCJA will monitor the investigation and disposition of alleged violations of the LOW.

f. Commanders will:

(1) Ensure that members of their commands are familiar with the principles and rules of the LOW as contained in the Geneva Conventions of 1949, the related references, and this regulation, commensurate with individual duties and responsibilities.

(2) Ensure prompt, formal investigation and reporting through the chain of command all reportable incidents committed by or against members of their commands.

(3) Collect, record and report to the COMUNC/CFC (ATTN: UNCJA and CFCJA) all information originating in their commands regarding any reportable incidents.

(4) Provide for appropriate disposition, in accordance with national military justice codes, of cases involving alleged violations by persons subject to military court-martial jurisdiction.

5. Policies

a. Each Soldier, Sailor, Airman and Marine, irrespective of nationality, who is under the operational control or operating in support of COMUNC/CFC will be trained in and comply with the LOW.

b. Members of the forces under operational control of COMUNC/CFC will comply with LOW during all armed conflict, however such conflicts are characterized, and in all other military operations.

c. War crimes allegedly committed by or against members of, or persons accompanying or serving with, the forces under operational control of COMUNC/CFC, or any other ROK forces, *or any other persons*, such as contractor personnel or subcontractors, will be promptly reported, thoroughly investigated and, where appropriate, remedied by corrective action. The LOW obligations of the U.S. are observed and enforced by the COMUNC/CFC and UNC/CFC contractors assigned to or accompanying UNC/CFC forces.

d. All reportable incidents are reported through the command channels for ultimate transmission to appropriate U.S. agencies, allied governments, or other appropriate authorities. Once it has been determined that U.S. persons are not involved in a reportable incident, an additional U.S. investigation shall be continued only at the direction of the appropriate Combatant Commander. The on-scene commanders shall ensure that measures are taken to preserve evidence of reportable incidents pending transfer to U.S., allied, or other appropriate authorities.

e. COMUNC/CFC will maintain an effective program to prevent violations of the LOW.

6. Procedures

Each commander receiving a report of alleged or suspected violations of the LOW will investigate the allegation in accordance with national and service procedures. The UNCJA and CFCJA shall be notified of all alleged violations and provided a copy of the investigation.

Glossary

Section I. Abbreviations

ACofS	Assistant Chief of Staff
CFC	Combined Forces Command
COM	Commander
HQ	Headquarters
JA	Judge Advocate
LOW	Law of War
ROK	Republic of Korea
UNC	United Nations Command
U.S.	United States of America
SecDef	Secretary of Defense

Section II. Terms

Law of War. That part of international law that regulates the conduct of armed hostilities. The “Law of War” (LOW) is often called the “Law of Armed Conflict” and the two terms are synonymous. The LOW encompasses all international law for the conduct of hostilities binding on the United States or its individual citizens, including treaties and international agreements to which the United States is a party, and applicable customary international law.

Reportable Incident. A possible, suspected, or alleged violation of the LOW, for which there is credible information, or conduct during military operations other than war that would constitute a violation of the LOW if it occurred during an armed conflict.

War Crime. Any serious violation of the of the LOW, including, but not limited to, unjustified killing of noncombatants, torture, taking hostages, compelling a prisoner of war to serve in the armed force of the hostile power, making use of forbidden arms or ammunition, mutilating dead bodies, firing on localities that are undefended and without military significance, abusing or firing on a flag of truce, misusing the Red Cross emblem, poisoning wells or streams, pillage or purposeless destruction, summary execution without trial of spies or other persons who have committed hostile acts, and violations of surrender terms.