Purposes of LOAC

- Limit damages and casualties.
- Safeguard fundamental human rights and avoid unnecessary suffering.
- Make it easier to restore peace after the conflict.
- Maintain public support by using military resources in a humane manner.
LOAC Protection

- Lawful combatants: wear uniform and carry arms openly.
- Noncombatants: civilians and certain military personnel (chaplains and medics) and POWs.
- No protection for unlawful combatants: terrorists, spies and civilians who take up arms.
Fundamental LOAC Principles

- Necessity: only take actions necessary to accomplish valid military objective.
- Proportionality: use only the force necessary to accomplish that military objective.
- Chivalry: fight honorably
Necessity in Targeting

- Lawful targets: combatants; military installations; military aircraft; infrastructure that supports the war effort.

- Unlawful targets: hospitals; churches; schools; cultural objects; chaplains; parachutists; POWs.
  - Can lose status as unlawful target if you use facility for military purpose.
Proportionality

- Use only that amount of force necessary for mission accomplishment:
  - Limits on types of weapons.
  - Limits on how we use weapons.
Types of Weapons

- Lawful weapons: full metal jacket small arms ammunition; napalm; explosives.
- Unlawful weapons: poisons; biological weapons; hollow point bullets; chemical weapons.
Unlawful Use of Military Weapon

- Using any weapon in a way that the damage to civilians clearly outweighs military gain.
- Altering weapon to cause more damage or suffering.
Chivalry

- Forbids treacherous acts:
  - Perfidy.
  - Using enemy uniforms to attack.
  - Marking command post with red cross.
Prisoners of War

- Army responsible for POW camps.
- Geneva Conventions protect POW:
  - Treatment;
  - Questioning;
  - Medical care;
  - Labor;
  - Discipline.
Treatment of POWs

- Protect from attack from any combatants.
- POW camps must be marked and are protected from attack by LOAC.
LOAC Enforcement

- US law (UCMJ and federal law).
- International Tribunals.
- Public Opinion.
Individual LOAC Responsibilities

- "Superior Orders" defense is no defense.
  - Didn’t work at Nuremberg trials.
  - Must take steps to prevent others from violating LOAC.
- Report LOAC violations (command channels, chaplain, JAG).
Examples of LOAC Violations

- Maltreatment of POWs or civilians.
- Fighting in uniform of enemy.
- Improper use of white flag or red cross.
  - Weapons stored with medical supplies.
  - Improper use of symbol destroys protected status.
- Targeting cultural property.
Questions?