



US Rules of Engagement for Iraq, Nov 2006

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Description

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This document is the United States Rules of Engagement for Iraq. It details U.S. Army policy regarding identifying and killing targets and targeted groups, detaining civilians, and provides specific rules for operations involving mosques and other religious property.

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HEADQUARTERS MULTI-NATIONAL CORPS – IRAQ
BAGHDAD, IRAQ, APO AE 09342
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APPENDIX 7 TO ANNEX C TO MNC-I OPERATIONS ORDER 06- 03 (U)

(U) RULES OF ENGAGEMENT

(U) References:

- a. (U) CJCSI 3121.01B, Standing Rules Of Engagement (SROE), 13 Jun 05.
- b. (U) EXECUTIVE ORDER 11850.
- c. (U) CJCSI 3121.01A, Standing Rules of Engagement for U.S. Forces, 15 Jan 00 (superseded).
- d. (S//REL) FRAGO_280 MNC-I POLICY AND GUIDANCE REGARDING ESCALATION OF FORCE (EOF) TO MNC-I OPORD 06-01.
- e. MNC-I FRAGO 280 to OPORD 05-03
- f. MNF-I FRAGO 06-230
- g. MNF-I FRAGO 06-189
- h. MNC-I FRAGO 215 to OPORD 06-01
- i. Tab F to Appendix 8 to Annex C to MNC-I OPORD 06-04, 1 Oct 06.

1. (U) **Situation**. No change.

2. (U) **Mission**. No change.

3. (U) **Execution**.

a. (S//REL) **GENERAL GUIDANCE**: This establishes the Rules of Engagement (ROE) for all forces under the control of Multi-National Corps – Iraq. Coalition Forces (CF) may establish more restrictive ROE in accordance with their national caveats. Conflicting ROE will be addressed on a case-by-case basis.

(1) (U) These ROE give commanders the maximum flexibility to use the amount of force required to accomplish the mission. They represent all authority to use force that has been authorized by Commander MNF-I, CDRUSCENTCOM, and SECDEF. A commander must consider the assigned mission, the current situation, higher commander's intent and all other available guidance in determining the level of force required for mission accomplishment. The level of force employed may not exceed the force required to accomplish the assigned mission.

(2) (U) The use of force to accomplish authorized missions will be necessary and proportional in order to comply with the Law of Armed Conflict (LOAC). The use of force will

also be reasonable in intensity, duration and magnitude.

(3) (S//REL) Positive identification (PID) of all targets is required prior to engagement. All personnel must ensure that, prior to any engagement, non-combatants and civilian structures are distinguished from proper military targets.

(4) (U) Military operations will be conducted, in so far as possible, to ensure that incidental injury to civilians and collateral damage to civilian objects are minimized.

(5) (U) Civilian structures, especially cultural and historic buildings, nonmilitary structures, civilian population centers, mosques and other religious places, hospitals and facilities displaying the red crystal, red crescent, or red cross, are protected structures and will not be attacked except when they are being used for military purposes.

(6) (S//REL) APPLICABILITY. The ROE contained in this OPORD are applicable to all US Forces assigned to, or under the operational or tactical command and control of CDR, MNC-I, while conducting military operations. Coalition Forces may use their own national ROE, but may not apply ROE which are less restrictive without prior coordination with MNC-I SJA.

(7) (U) Subordinate commanders are encouraged to promulgate their own ROE which are tailored to their own area of operations so long as they are not more permissive than the MNC-I ROE. Copies of ROE annexes produced at subordinate levels must be provided to the MNC-I SJA via email to MNC-ISJAOPS@s-iraq.centcom.smil.mil.

b. (U) **DESIGNATED TERRORIST ORGANIZATIONS (DTO).**

(1) (S//REL) DESIGNATED TERRORIST ORGANIZATIONS. The following groups are Designated Terrorist Organizations:

- (a) (S//REL) Al Qaida and related organizations.
- (b) (S//REL) Ansar Islam (AI).
- (c) (S//REL) Taliban.
- (d) (S//REL) Asbat Al-Ansar.
- (e) (S//REL) Egyptian Islamic Group (aka Gamaat Al-Islamiyya).
- (f) (S//REL) Hamas.
- (g) (S//REL) Hizballah/Islamic Jihad Organization.

- (h) (S//REL) Al Aqsa Martyrs Brigade.
- (i) (S//REL) Harakat Ul Mujahidin.
- (j) (S//REL) Lashkar E Tayyiba.
- (k) (S//REL) Palestinian Islamic Jihad.
- (l) (S//REL) Egyptian Islamic Jihad.
- (m) (S//REL) Jemaah Islamiyah.
- (n) (S//REL) The Islamic Movement of Uzbekistan.

(o) (S//REL) Other groups or terrorist organizations specifically identified by Commander, USCENTCOM or Commander, MNF-I.

(2) (S//REL) ENGAGEMENT OF DTO MEMBERS. Members of a DTO may be attacked based upon who they are even if they have not committed a hostile act or demonstrated hostile intent. Because of the difficulty of identifying a member of a Designated Terrorist Organization, and the significant amount of intelligence required to distinguish Designated Terrorists from the rest of the civilian populace, all authority to engage Designated Terrorist Organizations, is withheld to Division Commanders (or equivalent for Coalition Forces) at a minimum. Prior to striking a Designated Terrorist Organization, all reasonable steps must be taken to ensure that collateral damage to civilian objects and incidental injury to civilians is minimized.

(3) (S//REL) REQUIREMENTS FOR ENGAGING DTO MEMBERS AND FACILITIES. Designated Terrorists and Designated Terrorist groups, cells, and facilities (belonging to terrorist groups) specified in para. 3.b.(1) above are authorized objects of attack so long as the commander authorizing the strike:

- (a) (S//REL) has established PID using current vetted intelligence;
- (b) (S//REL) conducts or receives a collateral damage estimate (CDE); and
- (c) (S//REL) has authority to approve the strike under paragraph 3.d. Kinetic Strikes.

c. (U) SELF DEFENSE.

(1) (U) Persons who commit Hostile Acts. MNC-I personnel may engage those individuals who commit Hostile Acts. When a Hostile Act has been committed, the right exists to use proportional force, including deadly force, in order to deter or neutralize the potential attacker or to destroy the threat. MNC-I personnel may continue to engage persons who have committed a Hostile Act until (1) the individual(s) who committed the act can no longer be positively identified, (2) the individual surrenders and is no longer a threat, or (3) the individual is injured and no longer a threat.

(2) (U) Persons who Display Hostile Intent. MNC-I personnel may engage any person who displays Hostile Intent. Hostile Intent is the threat of imminent use of force. The use of proportional force, up to and including deadly force, is authorized in self defense against an individual who displays Hostile Intent against Coalition Forces or other designated personnel.

(3) (U) Pursuit in Self-Defense. MNC-I personnel may pursue and engage forces that have committed a hostile act or demonstrated hostile intent, as long as PID is maintained, until the individual surrenders and is no longer a threat, or, the individual is injured and is no longer a threat.

(4) (U) Use of Force in Self-Defense. The determination of whether the use of force against Coalition Forces is imminent will be based upon an assessment of all facts and circumstances known at the time and may be made at any level (including by the individual soldier). Imminent does not necessarily mean immediate or instantaneous. Imminent requires that a commander have an honest and reasonable belief that a hostile action will occur unless the commander intervenes. In the context of self-defense against an imminent threat, imminent means that a commander has an honest and reasonable belief that an attack against Coalition Forces or other designated personnel or property will occur unless the commander uses force to intervene.

(5) (U) Defense of Other than Coalition Force Members.

(a) (S//REL) PROTECTION OF DESIGNATED PERSONNEL. Use of proportional force, up to and including deadly force, is authorized to protect Coalition Forces and other designated personnel from hostile acts or displays of hostile intent. The following personnel have been designated for protection:

1 (S//REL) Citizens and other nationals of Coalition Force Countries;

2 (S//REL) Detained persons, POWs, and criminal suspects under MNF custody MUST be protected at all times;

3 (S//REL) Iraqi Forces, and/or personnel participating in military operations with MNF and the Iraqi Government, and their associated mission essential equipment and supplies;

4 (S//REL) Non-governmental organizations (NGO) and international organizations (IO) providing humanitarian assistance and/or relief in Iraq and their associated mission essential equipment and supplies. Specifically, necessary force, up to and including deadly force, may be used to protect the International Committee of the Red Cross (ICRC), United Nations (UN) relief organizations, such as the United Nations Assistance Mission to Iraq (UNAMI), and any United States or United Nations supported relief organizations and their mission essential equipment and supplies;

(b) (S//REL) **THIRD PARTY VIOLENCE.** Within Iraq necessary force, up to and including deadly force, may be used against individuals or groups of individuals who commit, or are about to commit, an act that is likely to cause death or serious bodily harm to another. When time and circumstances permit, use graduated measures of force.

d. (S//REL) **KINETIC STRIKE AUTHORIZATION.** There are three categories of strike approval/authorization: (1) Troops in Contact (TIC)/Self-Defense; (2) Deliberate Targets; and (3) Time-Sensitive Targets (TSTs). (1) TIC and (2) Self-Defense are outlined below. Deliberate Targets and TSTs are divided into sections according to the specific type of target (i.e. terrorists/groups/cells) below.

(1) (S//REL) TROOPS IN CONTACT (TIC)/SELF-DEFENSE (SD): When troops are in contact with a Hostile Force or acting in self-defense, the On-Scene Commander (OSC) may employ any available weapon system, organic and non-organic. The Collateral Damage Estimate Methodology (required for Deliberate and Time-Sensitive Targets) does not apply to actions in TIC/SD.

(a) (S//REL) OSC Responsibilities. The OSC is responsible for establishing PID, military necessity, and ensuring that strikes are proportional. If PID of a Hostile Force is lost due to the target's movement/relocation, PID must be re-established prior to striking the target.

(b) (S//REL) Counterfire. Division Commanders must approve continued engagement when using a radar acquisition as the sole means of PID in excess of 10 minutes. This authority may be delegated to the level of Brigade (O6/COL) equivalent for non-U.S. forces) and no further without approval from Commander, MNC-I.

(c) (S//REL) Pursuit of Hostile Forces. On-scene commanders in continuous contact with a Hostile Force may continue to engage the Hostile Force and may continue to engage with all available weapons systems in self-defense. When Coalition Forces are no longer threatened (i.e. the imminent threat to Coalition Forces has ceased) and Coalition Forces pursue the Hostile Force into an area where the death of noncombatants is likely, the local Brigade (O6/COL equivalent for non-U.S. forces) level commander must approve continued engagement with indirect fire, air-delivered weapons systems, or any weapon when the injury or death of

noncombatants is anticipated. The phrase “where the death of noncombatant is likely” means that it is reasonable to expect noncombatant casualties or that the presence of noncombatants cannot be reasonably confirmed or denied.

(2) (S//REL) DELIBERATE TARGETS. A deliberate target is a pre-planned offensive use of air-to-surface and surface-to-surface conventional ordnance which requires the completion of a formal Collateral Damage Estimate (CDE) in accordance with paragraph 3.b.(2)(a)2. of reference i, and the appropriate level of approval to conduct the strike. Deliberate Targets must be positively identified (PID) and distinguished from civilians and civilian objects prior to engagement. Responsibility for PID rests with the unit commander that nominates the target for attack, but may be augmented by intelligence or other assets. PID must be verified by the authorizing commander prior to engaging the target to ensure that conditions have not changed from the time of nomination of the target. A Formal Collateral Damage Estimate (CDE) must be completed prior to striking a deliberate target. Approval authority to strike Deliberate Targets, whether persons or objects, depends on the level of collateral damage anticipated. Engaging Deliberate Targets in HIGH CD areas (30+ noncombatant casualties) requires SECDEF approval. Engaging in LOW CD areas (1-29 noncombatant casualties) requires Commander, MNC-I approval. Engaging in NO CD areas (zero noncombatant casualties) requires Division Commander (or equivalent) approval. No further delegation is authorized except as described in paragraph 3.d.(2)(b). Commanders have authority, within stated limits, to strike the following persons or objects as deliberate targets:

(a) (S//REL) MEMBERS OF A DESIGNATED TERRORIST ORGANIZATION. Members of the Designated Terrorist Organizations specified in para. 3.b.(1) above are authorized objects of attack as Deliberate Targets.

(b) (S//REL) FACILITIES ASSOCIATED WITH DESIGNATED TERRORIST ORGANIZATIONS. Facilities associated with Designated Terrorist Organizations are those structures that are being used by Designated Terrorist Organizations in the conduct of hostilities, such as safe houses, IED manufacturing, weapons storage, or the repeated conduct of ambushes. Facilities also include locations that have been used or are equipped to be used as tactical ambush points, past sniper or indirect fire positions, hostile armaments, munitions and equipment (including non-tactical vehicles) and are authorized targets of attack as deliberate targets (see reference i). These targets are often intermixed with and difficult to distinguish from civilian activities and locations, and therefore require the utmost care to protect the civilian populace. For non-precision guided surface-to-surface ballistic munitions (PG SSBM) in No CD areas, authority may be delegated in accordance with reference i.

(c) (S//REL) IRAQI LINES OF COMMUNICATION. Iraqi Lines of Communication that are being used to support enemy operations are proper objects of attack as deliberate targets. Strikes should, to the extent possible, disable and disrupt rather than destroy.

(3) (S//REL) TIME SENSITIVE TARGETS (TST). A TST is an offensive use of armed

force against an objective that is expected to be available for a limited time, and which the opportunity to attack will be lost if it is treated as a Deliberate Target. As such, the approval authorities for some, but not all, of the Time Sensitive Targets are delegated to a lower level than Deliberate Targets, and a formal Collateral Damage Estimate (CDE) is not required if time does not permit. In order for a target to be considered a TST, there must be insufficient time to obtain formal CDE or insufficient time to gain SECDEF approval. Responsibility for PID rests with the unit commander that nominates the target for attack. Once PID is established, a request for a formal CDE must be submitted, and a field CDE completed. PID must be verified by the commander authorizing the strike before engaging the target to ensure that conditions have not changed since the target was nominated. Approval authority to strike TSTs, whether persons or objects, depends on the level of collateral damage expected. Engaging TSTs in HIGH CD (30+ noncombatant casualties) areas requires Commander, MNF-I or DIROPS, USCENTCOM approval. Engaging LOW CD areas (1-29 noncombatant casualties), requires Commander, MNC-I approval. Engaging NO CD (zero noncombatant casualties) areas requires Division Commander (or equivalent) approval. Commanders have authority, within stated limits, to strike the following as TSTs:

(a) (S//REL) MEMBERS OF A DESIGNATED TERRORIST ORGANIZATION. Members of the Designated Terrorist Organizations specified in para. 3.b.(1) above are authorized objects of attack as TSTs.

(b) (S//REL) INDIVIDUALS ON THE CDRUSCENTCOM HVT List. Individuals on the CDRUSCENTCOM HVT list qualify as a TST if constrained timelines prevent processing the target as a Deliberate Target.

e. (S//REL) OBSERVATION. All fires should be observed fires. The AN/TPQ36, Q46, and Q37 (Firefinder) radars and AN/TPQ-48v1 version of the Lightweight Counter-Mortar Radar (LCMR) qualify as sole source PID so long as the target is engaged within 10 minutes of acquisition. For all other fires, the commander authorizing the strike will determine the appropriate level of observation needed to ascertain Positive Identification.

f. (S//REL) PROTECTED COLLATERAL OBJECTS: These objects/places comprise a subset of objects defined by LOAC whose damage or destruction require the approval of CDRUSCENTCOM, unless their destruction is required in self-defense. The following is a list of examples of protected objects:

(1) (U) Religious, cultural, and historical institutions, structures, and terrain. Examples include mosques, churches, monuments, cemeteries, museums, libraries, and internationally recognized historical/cultural sites.

(2) (U) Diplomatic offices, foreign missions, and sovereign nonmilitary property of other nations within the area of operations. Examples include embassies, consulates, ambassadorial residences, and their maritime assets.

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(3) (U) Nongovernmental Organizations (NGO) (such as International Red Cross/Crescent and United Nations relief organizations) property, equipment, and personnel.

(4) (U) Prisoner of war (POW) camps and concentrations and government detention facilities/prisons.

(5) (U) Medical facilities (both civilian and military) including hospitals, clinics, field hospitals, and medical training facilities.

(6) (U) Public education facilities including nonmilitary schools, colleges, universities, and institutes.

(7) (U) Civilian refugee camps and concentrations.

(8) (U) Facilities whose engagement may result in pollution that cannot be contained, to include contamination of standing water, streams, and rivers.

(9) (U) Dams or dikes whose engagement may result in the flooding of civilian areas.

g. (S//REL) **WEAPONS**. Use of all types of conventional weapons is permitted in accordance with these ROE.

(1) (S//REL) MINES. Commander, MNF-I must approve any use of self-destructing/self-deactivating or command-detonated mines, except as provided below. Requests for all other types of mines must be made through the chain of command to SECDEF for approval.

(2) (S//REL) CLAYMORE MINES. Commander, MNF-I delegates to US CDRs, in the rank of MG and above, the authority to employ M18A1 claymore mines for self-defense in the command-detonated mode. Commander, MNF-I does not authorize mechanical or non-command detonated use of the M18A1 claymore mines.

(a) (S//REL) Approval authorities will base their decision to emplace M18A1 claymore mines upon the current threat assessment, enemy situation and operational requirements.

(b) (S//REL) When emplaced, the OSC will authorize detonation of the M18A1 claymore mines in self-defense.

(c) (S//REL) When emplaced in deliberate defense, annotate on the base defense plan the location of the M18A1 claymores. Upon completion of any mission, units will recover unexpended M18A1 claymores, render them safe and store them for use during future operations. If, during extreme situations, the M18A1 claymore mines are not recovered and rendered safe, units will immediately report the number and location of mines, along with plans

to recover the mines.

(3) (S//REL) RIOT CONTROL AGENTS (RCA). MSC CDRs and US Division CDRs are the approval authority for employing RCA. In the case of detention facilities, the facility Commander has approval authority. This release authority is non-delegable. RCA may only be used in limited circumstances and postures.

(a) (S//REL) RCA may only be used in the following situations: (i) To protect US and/or designated personnel and facilities from civil disturbance; (ii) During personnel recovery (PR) operations; (iii) To control rioting prisoners or detainees; (iv) During maritime operations involving civilians; (v) Where civilians are used to mask and/or screen an attack.

(b) (S//REL) Posture of Use. RCA may only be used in defensive military modes to save lives and may not be used solely against combatants. RCA should be employed in a graduated manner and only after the use of Riot Control Means (RCM) have failed or would otherwise be ineffective. Only those service members that have received proper training may employ RCA.

(c) (S//REL) The use of any RCA shall be immediately reported through operational channels to MNF-I Strategic Operations.

(d) (S//REL) CDRUSCENTCOM may request additional authorities from SECDEF, as required.

(4) (S//REL) RIOT CONTROL MEANS (RCM). MSC CDRs, Division CDRs or Detention Facility CDRs may approve the deployment and graduated use of RCM. These CDRs may delegate the authority to deploy and use RCM, except those components that include RCA, to the OSC. Only those service members that have received proper training may employ RCM.

h. (U) **INTERNATIONAL BORDERS.**

(1) (S//REL) BORDER CROSSING. In the absence of host country permission, SECDEF approval is required for entry into the land, air, inland waters or territorial seas of Iran, Syria, or any other country bordering Iraq. In planning such an entry, SECDEF intention to obtain POTUS approval will be taken into account. The presence of an international boundary should always be considered during self-defense, but international boundaries do not prohibit Coalition Forces from taking those actions which are necessary in self-defense.

(2) (S//REL) OSCs may authorize detention of personnel reasonably suspected of transporting contraband or of entering or traversing Iraq to join or assist hostile forces or terrorist organizations. They may also authorize seizure and/or destruction of supplies and equipment, including equipment that is not obviously military (i.e. civilian) equipment, which is reasonably suspected of being contraband or supporting persons entering or traversing Iraq to join or assist hostile forces or terrorist organizations. In using force to detain personnel suspected of engaging

in the above activities, CDRs must take proportionate action and avoid endangering civilians. CDRs must report their actions through command channels through MNF-I Strategic Operations to CDRUSCENTCOM.

(3) (S//REL) Commander, MNF-I is authorized to assist the Iraqi Government (IG) with restricting cross-border movement and/ or restrict freedom of movement (e.g. curfews) inside Iraq. This authority may be used to prevent infiltration of persons entering or transversing Iraq to join or assist hostile forces or declared terrorist organizations, or to otherwise assist the IG to perform security functions. Commander, MNF-I may delegate this authority down to the OSC when required.

i. (S//REL) **OPERATIONS INVOLVING MOSQUES AND OTHER RELIGIOUS STRUCTURES**. The entry on or into religious property by Coalition Forces can have significant political and cultural consequences. The following rules apply to Mosques, minarets, known husaniyahs (prayer houses), cemeteries, and other religious structures:

(1) (S//REL) Commanders must consider political and cultural sensitivities when planning and executing operations that impact upon religious property.

(a) (S//REL) Iraqi Security Forces (ISF) will conduct mosque operations or operations on any other religious property whenever possible. Commanders, however, may not circumvent the need to gain approval for pre-planned mosque operations merely by using ISF as the lead force in a raid. The use of ISF (either MOI or MOD) to lead a pre-planned mosque operation still requires approval from the required authority. It is the connection of Coalition Forces to the entry of the religious site which triggers the need for notification and approval. Coalition Forces are connected to the entry of a religious site when they are present during the entry, or request ISF to conduct the entry, even if the Mosque is in IA battlespace.

(b) (S//REL) Time and security situation permitting, commanders will use permissive measures (i.e. cordon and knock) to gain entry into mosques or other religious property and associated structures.

(c) (S//REL) Time permitting, MNF-I will notify US Embassy prior to conducting operations against mosques or other religious property and associated structures.

(d) (S//REL) Commanders will plan and coordinate IO effects for mosque operations and other religious property.

(2) (S//REL) **RETURNING FIRE INTO A MOSQUE OR OTHER RELIGIOUS STRUCTURES DURING TIC/SELF-DEFENSE**. The OSC is the approval authority for all counter battery and reactive fire, including all organic and non-organic weapons systems, rotary and fixed wing aircraft. The OSC will notify MNC-I C3 (through the operational chain of command) before, during, or after the operation as the situation permits. MNC-I C3 will notify MNF-I STRATOPS.

(3) (S//REL) ENTRY AND SEARCH OF MOSQUES OR OTHER RELIGIOUS STRUCTURES DURING TIC/SELF-DEFENSE. There are three requirements to enter and search a mosque or other religious structure during or immediately following TIC/Self-Defense: (1) OSC/CDR has a reasonable belief that the target contains hostile forces, individuals assisting hostile forces, weapons, ammunition, important information, or any materials, equipment or contraband that may be used by hostile forces during hostilities; (2) Colonel (O-6) Commander must approve the entry and search; and (3) the OSC will notify MNC-I C3 (through the operational chain of command) before, during, or after the operation as the situation permits. MNC-I C3 will notify MNF-I STRATOPS.

(4) (S//REL) PREPLANNED ENTRY INTO MOSQUES OR OTHER RELIGIOUS STRUCTURES. Preplanned entry into mosques or other religious structures requires the prior approval of Commander, MNC-I and notification (through the operational chain of command) to MNC-I C3. MNC-I C3 will notify MNF-I STRATOPS.

(a) (S//REL) CG MNF-I retains approval authority of all Mosque entry operations for Mosques on the MNF-I Restricted Mosque List.

(b) (S//REL) CG MNC-I retains the approval authority of all Mosque entry operations for Mosques on the MNC-I Restricted Mosque List.

(c) (S//REL) For Mosques or other religious property not on the MNF-I or MNC-I Restricted Mosque List, Commander MNC-I delegates authority to approve pre-planned Mosque or religious property entry to the level of the Division Commander.

(d) (S//REL) For Mosques or other religious property not on the MNF-I or MNC-I Restricted List, authority to approve pre-planned entry operations may be delegated by Division Commanders to the level of Brigade Commander in all MSCs. Approval authority may not be further delegated.

(e) (S//REL) Approval authority for CJSOTF pre-planned Mosque or religious property entry operations in each MSC is the MSC Commander or the MNC-I Commander.

(f) (S//REL) For OCF-I, within MND-B, approval authority for Mosque or religious property entry operations is the MND-B Commander, or, in his absence the MNF-I Commander. For all other AOs, OCF-I approval authority is the MNF-I Commander

(4) (S//REL) PREPLANNED KINETIC STRIKES AGAINST MOSQUES OR OTHER RELIGIOUS STRUCTURES. CDRUSCENTCOM must approve any preplanned kinetic engagements of religious buildings or mosques.

(5) (S//REL) DETENTION OF CLERICS OR IMAMS ON MOSQUE PROPERTY. In

order to detain a cleric or imam on mosque property, the detention must be based on one of the following four criteria. The imam or cleric (1) is or was engaged in criminal activity; (2) is interfering or has interfered with mission accomplishment; (3) is on a list of persons wanted for questioning for criminal or security threat actions; or (4) detention is necessary for imperative reasons of security. Clerics or imams may not be detained on mosque property if the only basis for detention is making prohibited statements, distributing prohibited material in violation of CPA Order 14, or making statements inciting violence. A preplanned action to detain a cleric or imam on mosque property requires prior approval of Commander, MNC-I and notification (through the operational chain of command) to MNC-I C3. MNC-I C3 will notify MNF-I STRATOPS. Detention of a cleric or imam on mosque property during a TIC/Self-Defense situation requires prior approval of the Colonel (O-6) Commander. The OSC will notify MNC-I C3 (through the operational chain of command) before, during, or after the operation, as the situation permits. MNC-I C3 will notify MNF-I STRATOPS.

j. (S//REL) **CORDON AND SEARCH**. In order to ensure the security and stability of Iraq, the On-Scene Commander (OSC) is authorized to cordon and search any residence, structure or facility in Iraq if the OSC has a reasonable belief that the target contains hostile forces, individuals assisting hostile forces, weapons, ammunition, important information, or any materials, equipment or contraband that may be used by hostile forces during hostilities. Time permitting, and consistent with mission accomplishment, the OSC should make every effort to coordinate and conduct cordon and search operations with Iraqi Forces. For search and entry of structures dedicated to religious use, follow the guidance specific to Mosque Operations.

k. (U) **USE OF FORCE**.

(1) (U) **ESCALATION OF FORCE (EOF)**. Reference d is the source for EOF measures within Iraq. EOF do not deny personnel the right to act in self-defense. If individuals pose a threat to Coalition Forces by committing a hostile act or demonstrating hostile intent, US Forces may use force, up to and including deadly force, to eliminate the threat. When time and circumstances permit, appropriate escalation of force measures assist Soldiers to determine whether hostile intent exists. EOF is conducted in accordance with reference d when responding to a suspected display of hostile intent that threatens Coalition Forces or other designated personnel with death or serious bodily injury. When a Soldier has PID of a hostile act or demonstration of hostile intent that threatens death or serious bodily injury, the soldier is permitted to use deadly force without proceeding through EOF.

(2) (S//REL) **DETENTION OF CIVILIANS**. MNC-I personnel may stop, detain and search civilians when there is a reasonable belief that the person falls into one of the following categories: (1) are or were engaged in criminal activity; (2) interfere with mission accomplishment; (3) are on a list of persons wanted for questioning for criminal or security threat actions; or (4) the individual poses an imperative threat to the Coalition Forces or the security and stability in Iraq (e.g. attempts to destroy property that has been designated for protection). These prerequisites do not limit the inherent right of self-defense. US Forces may always use force, up to and including deadly force, to neutralize and/or detain individuals who

commit hostile acts or exhibit hostile intent against US Forces or Coalition Forces. For detention of clerics or imams, follow guidance in Par. 3.i.(5).

(3) (S//REL) PROTECTION OF DESIGNATED PROPERTY. Necessary force, up to and including deadly force, is authorized to protect property designated by CDRUSCENTCOM as vital to the execution of the mission. When time and circumstances permit, use EOF in accordance with reference d. Such property may be protected with necessary force, up to and including deadly force. CDRUSCENTCOM has designated the following property as vital to the execution of the mission:

(a) (S//REL) Coalition Forces' mission essential equipment and supplies, including: weapons, ammunition, vehicles, communications and cryptology equipment, and hazardous materials.

(b) (S//REL) Public and private financial institutions; government buildings, including museums, courts, public schools and universities, and other facilities containing vital government records.

(c) (S//REL) WMD or suspected WMD facilities or material, to include all manufacturing and storage sites.

(d) (S//REL) Oil fields and related equipment (e.g. wells, pumping stations, and pipelines).

(e) (S//REL) Public utilities and facilities including those that generate, distribute, or transport electricity, petroleum or water intended for civilian consumption, such as commercial fuel service stations, civilian mass transit facilities, water supply facilities, waste facilities, and urban gas supply.

(f) (S//REL) Dams or dikes that if damaged or destroyed may result in the flooding of civilian areas.

(g) (S//REL) Agricultural processing, storage, or distribution facilities producing food for civilian consumption.

(h) (S//REL) Hospitals and other public health facilities.

(i) (S//REL) On a case-by-case basis, the OSC may designate certain property as essential to the protection and security of Coalition Forces.

(4) (S//REL) NON-DESIGNATED PROPERTY. All non-designated property may be protected with non-deadly force. US Forces may detain individuals to protect such property.

(5) (S//REL) WARNING SHOTS. Warnings shots are only authorized when the use of

deadly force would otherwise be authorized in a particular situation. Warning shots are not authorized to prevent looting, to protect non-designated property, or to clear traffic congestion.

1. (U) **DEFINITIONS.**

(1) (S//REL) COALITION FORCES (CF): Those nations who have armed forces assigned in Iraq as part of the Multi-National Force mission.

(2) (S//REL) COLLATERAL DAMAGE (CD): CD is defined as “unintended physical damage to any non-combatant person(s), property, or environment(s) occurring incidental to military operations.” Collateral damage potential is determined by comparing weapons effect required to meet a specified military objective (i.e. desired target effect) and the likelihood that collateral damage will occur.

(3) (S//REL) CONTACT: Contact, when used within the context of Troops in Contact, means that an MNC-I unit is currently encountering a hostile act or demonstration of hostile intent. It does not require that the unit PID the source of the hostility. For example, a unit that is receiving incoming small arms fire is “in contact” even though they cannot ascertain the source of the small arms fire. However, the unit cannot respond with proportional force unless they can PID the source.

(4) (S//REL) CONTRABAND: Goods destined for Iraq that are susceptible to use in armed conflict, including absolute contraband such as munitions, weapons, and uniforms, as well as conditional contraband such as construction materials, fuel and other equipment susceptible to either peaceful or warlike purposes.

(5) (S//REL) DESIGNATED TERRORIST ORGANIZATION. A person providing support to or a member of the following international terrorist organizations, or any groups/cells/facilities associated therewith: Al Qaida, Ansar Islam (AI), Taliban, Asbat Al-Ansar, Egyptian Islamic Group (aka Gamaat Al-Islamiyya), Hamas, Hizballah/Islamic Jihad Organization, Al Aqsa Martyrs Brigade, Harakat Ul Mujahidin, Lashkar E Tayyiba, Palestinian Islamic Jihad, Egyptian Islamic Jihad, Jemaah Islamiyah, the Islamic Movement of Uzbekistan, or other terrorist groups specifically designated by Commander, USCENTCOM or Commander, MNF-I.

(6) (S//REL) ECONOMIC OBJECTS: Facilities, structures, and related equipment (e.g. pipelines) customarily associated with the production, refinement and/or storage of commercial products such as crude oil, petroleum, petrochemicals, natural gas, fertilizers, and hydrogen.

(7) (S//REL) FACILITIES (Associated with Designated Terrorists): A facility is a structure whose character has changed from a civilian object to a legitimate military objective through its purpose, location, or use. The term facilities also includes locations of possible attack such as tactical ambush points, and past sniper or indirect fire points.

(8) (S//REL) FIELD CDE: A process used by trained personnel to estimate the collateral damage anticipated at a given target. Units who do not have personnel trained to conduct Field CDE must request that their higher headquarters conduct the Field CDE.

(9) (S//REL) FORMAL COLLATERAL DAMAGE ESTIMATION (CDE): Formal CDE is the process used to determine the anticipated number of collateral casualties, collateral damage to civilian objects, and damage to the environment that is anticipated to occur during an attack by Coalition Forces.

(10) (S//REL) HIGH COLLATERAL DAMAGE TARGETS: Those targets that, if struck, are estimated to result in significant collateral effects on non-combatant persons and structures, including: (a) Non-combatant casualties estimated at 30 or greater; (b) Significant effects on protected sites in accordance with paragraph 3.a.(5); (c) Effects that significantly impact the non-combatant population, including significant effects on the environment/facilities/infrastructure not related to an adversary's war making ability; or (d) Targets in close proximity to known human shields.

(11) (S//REL) HOSTILE ACT: An attack or other use of force by any civilian, paramilitary, or military force or terrorist(s), with or without national designation, against Coalition Forces, Coalition Force nationals, their property, and/or other designated non-Coalition Force nationals and their property. It also includes force used directly to preclude or impede the mission and/or duties of US Forces, including the recovery of US personnel and vital US Government property.

(12) (S//REL) HOSTILE INTENT: The threat of imminent use of force against Coalition Forces, Coalition Force Nationals, and/or other designated non-Coalition Force nationals, and their property. It also includes the threat of force to preclude or impede the mission and/or duties of Coalition Forces, including the recovery of Coalition Force personnel or vital Coalition Force property.

(13) (U) IMMINENT: Imminent does not necessarily mean immediate or instantaneous. Imminent requires that a commander have an honest and reasonable belief that a hostile action will occur unless the commander intervenes. In the context of self-defense against an imminent threat, imminent means that a commander has an honest and reasonable belief that an attack against Coalition Forces or other designated personnel or property will occur unless the commander uses force to intervene.

(14) (S//REL) INFRASTRUCTURE: Facilities, structures and related equipment customarily associated with sustainment of the civilian population (public works), such as: communication facilities (television, telephone, radio, microwave, etc.); port facilities; dams; dikes; power generation facilities; canals and similar objects.

(15) (S//REL) IRAQI SECURITY FORCES: Iraqi Security Forces are comprised of Iraqi

police and security forces including, but not limited to: Ministry of Interior (MOI) assets to include Iraqi Police Service (IPS), Border Police Services (BPS), Iraqi National Police (INP) and Special Police Forces (SPF); Ministry of Defense (MOD) assets to include Iraqi Armed Forces (IAF – Army, Navy and Air Forces), Iraqi Intervention Forces (IIF), Iraqi National Guard (ING), Iraqi Special Operations Forces (ISOF); Iraqi National Intelligence Service (INIS), and individual ministry Facilities Protection Service (FPS) assets.

(16) (S//REL) LINES OF COMMUNICATION: Structures and related equipment such as roads; highways; bridges; tunnels and rail systems (including rail yards and rolling stock) used for transportation.

(17) (U) MILITARY NECESSITY: A law of armed conflict principle that recognizes valid military objectives as those objects, which, by their nature, use, location, or purpose offer the enemy a military advantage. Military necessity does not authorize acts otherwise prohibited by the law of war

(18) (S//REL) POSITIVE IDENTIFICATION (PID). PID is a reasonable certainty that the object of attack is a legitimate military target in accordance with applicable ROE based on current vetted intelligence and/or direct observation. For target acquisition assets PID is geospatially defined as a reasonable certainty of having a target location error (TLE) of 75 meters or less. If PID is lost due to the target's movement/relocation, PID must be re-established prior to striking the target. The only single-source HUMINT that can establish PID is US or Coalition Forces who have "eyes-on" the target through direct observation including with optical devices such as cameras, UAVs, and targeting pods.

(19) (U) PROPORTIONALITY: Using an amount of force such that the resulting collateral damage may not be excessive in relation to the concrete and direct military advantage to be gained.

(20) (S//REL) RIOT CONTROL AGENTS (RCA): RCAs are any chemical that can rapidly produce sensory irritation and debilitating effects that disappear in a short time. RCAs include, but are not limited to, CS gas, CN gas, and OC "pepper spray."

(21) (S//REL) RIOT CONTROL MEANS (RCM): RCM are any system designed as a non-lethal means of dispersing unruly crowds, rioting prisoners, or for the protection of designated personnel. They include, but are not limited to, riot control clothing, foam/rubber bullets, beanbags, water cannons, and flash bangs.

(22) (S//REL) TIME-SENSITIVE TARGETS (TSTs): A TST is an offensive use of armed force against an objective that is expected to be available for a limited time, and which the opportunity to attack will be lost if it is treated as a Deliberate Target. As such, the approval authorities for some, but not all, of the Deliberate Targets are delegated to a lower level than Deliberate Targets, and a formal Collateral Damage Estimate (CDE) is not required if time does not permit. In order for a target to be considered a TST, there must be insufficient time to obtain

formal CDE or insufficient time to gain SECDEF approval.

4. (U) **Administration and Logistics**.

a. (U) All commanders will ensure their personnel are familiar with the Law of Armed Conflict and with these ROE.

b. (U) Commanders may issue amplified ROE guidance applicable to forces under their command. Commanders will ensure that modified or supplemental ROE:

(1) (U) Remain consistent with the intent of higher headquarters' ROE.

(2) (U) Result in more definitive guidance to subordinate commanders.

(3) (U) Do not impair the commander's inherent right of self-defense.

5. (U) **Command and Control** POC: COL Michele M. Miller, Multi National Corps Iraq, Staff Judge Advocate.

TABS

a. (U) MNC-I Rules of Engagement (ROE) Card

b. (U) MNC-I MiTT/SPiTT Guidance Card



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