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To:

Troop Contributing Countries (see distribution list)

Subject:

Guidelines for the development of Rules of Engagement (ROE)

for United Nations Peacekeeping Operations

Enclosure:

Guidelines for the Development of Rules of Engagement (ROT)

for United Nations Peacekeeping Operations

Please find attached provisional Guidelines for the Development of the Rules of Engagement (ROE) for United Nations Peacekeeping Operations. These Guidelines respond to a requirement for training and planning tools identified by many Troop Contributing countries and should be considered a work-in-progress, subject to periodic review. The complete document includes a preamble, a UN Master List of Numbered ROE, including UN definitions for use with ROE, Supporting Directions and Procedures as well as UNPKO Weapon States.

Major General Tim Ford

Military Adviser

Department of Peacekeeping Operations



GUIDELINES

FOR THE DEVELOPMENT OF RULES OF ENGAGEMENT (ROE) FOR UNITED NATIONS PEACEKEEPING OPERATIONS

DEPARTMENT OF PEACEKEEPING OPERATIONS MILITARY DIVISION

MD/FGS/0220.0001 May 2002

GUIDELINES FOR THE DEVELOPMENT OF RULES OF ENGAGEMENT (ROE) FOR UNITED NATIONS PEACEKEEPING OPERATIONS

Introduction

1. United Nations Rules of Engagement (ROE) provide the parameters within which armed military¹ personnel assigned to United Nations Peacekeeping Operations (UNPKOs) may use force. They ensure that the use of force by UN armed military personnel is undertaken in accordance with the purposes of the Charter of the United Nations, the Security Council mandate, and the relevant principles of International Law, including the Laws of Armed Conflict. The ROE also assist the Force Commander (FC) in implementing military objectives of the mandate of a UNPKO pursuant to the pertinent Security Council resolutions (SCR).

Context

2. These Guidelines are provided as an essential element of the United Nations military planning process and operating procedures for peacekeeping operations (PKOs), thereby assisting the development of ROE for a new UNPKO. It is intended that the document will provide simple and informative direction, which will not only expedite the production of ROE for UNPKO but may also be used for generic training purposes.

Aim

3. The aim of these Guidelines is to ensure consistency in the development and implementation of ROE for UNPKOs.

Format of ROE document for a Specific UNPKO

4. The document containing the ROE for a specific UNPKO is to be structured as shown in the "Sample ROE" example at Attachment 2. The basic format is to be as follows:

^{1.} These Guidelines may also be used for the development of ROE for civilian police personnel and/or formed units assigned to a United Nations peacekeeping operation (UNPKO).

- a. Main Body. The main body explains the requirement for ROE, the ROE planning process and instructions for implementing changes in the ROE. Most importantly, it outlines the mandate that specifies the numbered ROE, which should apply to the relevant UNPKO. The script for the main body of ROE to a specific UNPKO is given in the example attached at Attachment 2. Those areas of the script that are highlighted (or typed in *italics*) in the attached example, reflect the elements of the document that will be different for each UNPKO. The remainder of the example must be retained as shown.
- b. <u>List of Numbered ROE (Annex A)</u>. This list contains the rules of engagement applicable to the specific UNPKO pursuant to its mandate as outlined in the Security Council resolution(s), as drawn from the United Nations Master List of Numbered ROE.
- c. <u>Definitions (Annex B)</u>. To ensure the cohesion of command and control during the use of ROE, a specific set of definitions is provided in Annex B to Attachment 2. These definitions are to be used in all future ROE as appropriate.
- d. <u>Supporting Directions and Procedures (Annex C)</u>. This annex provides the directions and procedures to be followed by United Nations armed military personnel when undertaking certain duties.
- e. <u>Weapon States (Annex D)</u>. This final annex identifies various weapon states that may be authorised by the FC without recourse to United Nations Headquarters (UNHQ).

UN Master List of Numbered ROE

- 5. The United Nations Master List of Numbered ROE (contained in Attachment 1) provides the rules from which specific ROE for future UNPKOs should be drawn. The Master List is intended to cover the broad spectrum of requirements for any UNPKO. However, it is not deemed to be exhaustive and may be subject to subsequent adjustments as required.
- 6. The ROE for a particular UNPKO, which are to be selected from the United Nations Master List of ROE, are derived from the interpretation of the authority conferred upon the UNPKO by the relevant SCRs.

Future Planning Process

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ROE - Guidelines

- 7. Within UNHQ the responsibility to prepare ROE rests with the Military Division in the Department of Peacekeeping Operations (DPKO). However, the initiation of work on the ROE will depend on the status of the UNPKO:
 - New Peacekeeping Operations. When the Security Council establishes a. the UNPKO, the Military Division, in consultation with the Office of Operations (OO), will prepare a draft of the ROE in accordance with the 'Sample ROE' attached to these guidelines and the mandate of the UN Mission. It will reflect the military objectives of the UNPKO as set out in the relevant SCR(s) and, as appropriate, any recommendations made in connection with ROE contained in the Secretary-General's relevant reports. The OO and the Office of Legal Affairs (OLA) will then review the draft ROE. The Under-Secretary-General for Peacekeeping Operations will approve the ROE after the necessary review by the OO and the OLA. The FC, when appointed, may review these ROE, in consultation with the Head of the Mission and may recommend any change to UNHQ, if considered necessary. The Military Division, the OO and the OLA will review all such recommendations. The necessary changes will be approved by the Under-Secretary-General for Peacekeeping Operations as considered appropriate. In case of any change, new ROE will be issued by the Under-Secretary-General for Peacekeeping Operations, revoking the existing ROE.
 - b. On-going Peacekeeping Operations. Where a UNPKO is already deployed, the Force Commander may propose changes to the ROE as required. Such proposals are to be reviewed by the Military Division at UNHQ in accordance with the procedure outlined in paragraph 7a above. If the recommendation is agreed, the Under-Secretary-General for Peacekeeping Operations will issue a formal change/amendment to the ROE.

<u>Note</u>: These ROE can only be amended or changed with the authority of the Under-Secretary-General for Peacekeeping Operations.

Limitations

8. Any United Nations Guideline(s)/directive(s) in no way restricts an individual's inherent right to act in self-defence.

Review

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9. This document and all its attachments (including the annexes) have been reviewed by both DPKO and the Office of Legal Affairs. Therefore, in preparing mission-specific ROE, if changes to the language of any part of the proposed text are deemed necessary, the proposed changes must be subject to the same review procedures. As a routine review/revision, these "Guidelines" and attached "Sample ROE" will be revised and updated annually by the Military Division, taking into account all comments and observations of the DPKO Office of Operations and the Office of Legal Affairs on mission-specific ROE during this period. Any suggestions made by Troop Contributing Countries (TCCs) will also be taken into account during this revision. The Military Division will provide a copy of the revised "Guidelines" and "Sample ROE", duly approved by the Under-Secretary-General for Peacekeeping Operations, to the Office of Operations and the Training and Evaluation Service of DPKO, and the Office of Legal Affairs, after all periodic reviews/revisions. A copy of all approved mission-specific ROE must be provided to the Office of Legal Affairs.

Use of Sample ROE for Training Purposes

10. The Training and Evaluation Service will provide these "Guidelines" and "Sample ROE" to TCCs for generic training of their troops for peacekeeping duties. It must be clearly mentioned that, whereas 'Sample ROE' may be used for generic training purpose they do not substitute the mission specific ROE. Whenever a country decides to contribute armed troops to a UNPKO, these troops must receive adequate information and training about the approved ROE for that particular mission.

Summary

11. ROE are one of the key documents in any PKO. It is essential that they are unambiguous and easy to use. Although this instruction defines what should be included in future ROE for specific UNPKO, adjustments may have to be made if so required.

Attachments:

- 1. United Nations Master List of Numbered ROE.
- 2. Sample ROE for a UNPKO² including 4 annexes.

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ROE - Guidelines

The example is prepared for the <u>Military Component</u> (which could include armed units/contingents) of a UNPKO. Should civilian police personnel and/or formed units be deployed alone or in addition to a military component, separate ROE for this component will be issued by DPKO.

SAMPLE ROE

Attachment 1 to MD/FGS/0220.0001 May 2002

UNITED NATIONS MASTER LIST OF NUMBERED ROE

- 1. The following ROE, when authorised, permit United Nations armed military personnel to use force in the circumstances specified below. However, the principle of minimum necessary force is to be observed at all times.
- 2. The United Nations Master List contains five sets of rules: Use of Force (Rule 1), Use of Weapon Systems (Rule 2), Authority to Carry Weapons (Rule 3), Authority to Detain, Search and Disarm (Rule 4) and Reaction to Civil Action/Unrest (Rule 5). The list provides various options from which a selection will be made under each of the five rules, to suit a specific UNPKO (see example contained in Annex A of Attachment 2).

Rule 1 - Use of Force

Rule No. 1.1	Use of force, up to, and including deadly force, to defend oneself and other UN personnel against a hostile act or a hostile intent is authorised.
Rule No 1.2 ¹	Use of force, up to, and including deadly force, to defend other international personnel against a hostile act or a hostile intent is authorised.
Rule No. 1.3	Use of force, up to, and including deadly force, to resist attempts to abduct or detain oneself and other UN personnel is authorised.
Rule No. 1.4 ²	Use of force, up to, and including deadly force, to resist attempts to abduct or detain other international personnel is authorised.
Rule No. 1.5	Use of force, up to, and including deadly force, to protect United Nations' installations, areas or goods, designated by the Head of the Mission in consultation with the Force Commander, against a hostile act is authorised.
Rule No. 1.6 ³	Use of force, up to and including deadly force, to protect key installations,

^{1.} This Rule can only be included in addition to Rule 1.1 if consistent with the mandate of the UNPKO.

^{2.} This Rule can only be included in addition to Rule 1.3 if consistent with the mandate of the UNPKO.

^{3.} This Rule can only be included in addition to Rule 1.5 if consistent with the mandate of the UNPKO.

areas or goods designated by the Head of the Mission in consultation with the Force Commander, against a hostile act is authorised.

OR:

Rule No. 1.7	Use of force, excluding deadly force, to protect key installations, areas or
	goods, designated by the Head of the Mission in consultation with the
	Force Commander, against a hostile act is authorised.

- Rule No. 1.8

 Use of force, up to, and including deadly force, to defend any civilian person who is in need of protection against a hostile act or hostile intent, when competent local authorities are not in a position to render immediate assistance, is authorised. When and where possible, permission to use force should be sought from the immediate superior commander.
- Rule No. 1.9 Use of force, excluding deadly force, to prevent the escape of any detained person, pending hand-over to appropriate civilian authorities, is authorised.
- Rule No. 1.10

 Use of force, up to, and including deadly force, against any person and/or group that limits or intends to limit freedom of movement is authorised.

 When and where possible, permission to use force should be sought from the immediate superior commander.

Rule 2 - Use of Weapon Systems

- Rule No. 2.1 Use of explosives in order to destroy weapons/ammunition, mines and unexploded ordnance, in the course of the disarmament exercise, is authorised.
- Rule No. 2.2 Indiscriminate pointing of weapons in the direction of any person is prohibited.
- Rule No. 2.3 Firing of all weapons other than for organised training and as authorised in these ROE, is prohibited.
- Rule No. 2.4 Firing of warning shots is authorised.
- Rule No. 2.5 Use of riot control equipment is authorised.
- Rule No. 2.6 Use of lasers for survey, range-finding and targeting is authorised.

Rule 3 - Authority to Carry Weapons

ROE Guidelines - Attachment 1: Page 2

Rule No. 3.1	Carriage of weapons is not authorised.
Rule No. 3.2	Carriage of unloaded personal weapons, whilst on duty, is authorised.
Rule No. 3.3	Carriage of unloaded personal weapons, both on duty and as designated by the Force Commander, is authorised.
Rule No. 3.4	Carriage of loaded personal weapons is authorised.
Rule No. 3.5	Hand-held support weapons, such as machine guns, light mortars and hand-held anti-tank weapons, may be carried in UN vehicles, but must be obscured from the public's view.
Rule No. 3.6	Overt carriage by individuals of hand-held support weapons, such as machine guns, light mortars and hand-held anti-tank weapons, is authorised.
Rule 4 - Authority t	o Detain, Search and Disarm
Rule 4 - Authority t Rule No. 4.1	Detention of individuals or groups who commit a hostile act or demonstrate a hostile intent against oneself, one's unit or United Nations personnel is authorised.
	Detention of individuals or groups who commit a hostile act or demonstrate a hostile intent against oneself, one's unit or United Nations

explosives is authorised.

authorised.

Searching, including of detained person(s), for weapons, ammunition and

Disarming individuals, when so directed by the Force Commander, is

5. Idem.

Rule No. 4.4

Rule No. +.5

ROE Guidelines - Attachment 1: Page 3

^{4.} This Rule can only be included in addition to Rule 4.3 if consistent with the mandate of the UNPKO.

Rule 5 - Reaction to Civil Action/Unrest

- Rule No. 5.1 Action to counter civil unrest is not authorised.
- Rule No. 5.2 When competent local authorities are not in a position to render immediate assistance, detention o my person who creates or threatens to create civil unrest with likely serious consequences for life and property is authorised.

Attachment 2 to

MD/

FGS/0220.0001 May 2002

SAMPLE ROE THIS IS AN EXAMPLE ONLY

[Mission's ROE File Reference]
Dated Day/ Month/ Year

RULES OF ENGAGEMENT

FOR THE MILITARY COMPONENT OF THE UNITED NATIONS MISSION IN ----- [UN---]

INTRODUCTION

- 1. This document, including all of its Annexes (A-D), constitutes the entire Rules of Engagement (ROE) for the United Nations Mission in ---- [UNM---].
- 2. This document provides the authority for the use of force and explains policy, principles, responsibilities and definitions of the ROE.
- 3. These ROE are directions to operational commanders, which delineate the parameters within which force may be used by designated United Nations military personnel during the United Nations peacekeeping operation, [UNM---]. They are founded on United Nations Security Council resolution [----]. Where issued as prohibitions, they are orders not to take specific actions. Where issued as permissions, they provide the authority for commanders to take certain specific actions if they are judged necessary to achieve the aim of the mission. The ROE allow for the use of the necessary degree of force to guarantee self-defence and define the circumstances under which the use of force by [UNM---] military personnel may be justified.
- 4. In addition to the main document, the key elements are attached as follows:

a. Authorized Numbered ROE for [UNM---] : Annex A

b. UN Definitions (for use with UN ROE) : Annex B

c. Supporting Directions and Procedures : Annex C

d. UNPKO Weapon States : Annex D

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ROE Guidelines- Attachment 2: Page 1

AUTHORITY

5. The power and authority of [UNM---] is derived from Security Council resolution [---] and must be exercised in a manner consistent with [UNM---]'s mandate as described in this resolution.

MISSION

6. The relevant provisions of Security Council resolution [xxxx (xxxx) of xx Month/Year] for [UNM---] are contained in Annex A - Authorised ROE for [UNM---].

EXECUTION OF ROE

- 7. **Principles**.
- a. General:
 - (1) The conduct of peacekeeping operations is guided by the purposes of the Charter of the United Nations and relevant principles of International Law.
 - (2) All [UNM---] military personnel must operate within the framework of this document which has been formulated in accordance with the parameters set out by relevant Security Council Resolutions.
 - (3) [UNM---] ROE provide direction to commanders at all levels, governing the use of force within the mission area. They define the degree and the manner in which force may be applied and are designed to ensure that the application of force is controlled and legal. The ROE inform commanders of the constraints imposed and the degree of freedom they have in the course of carrying out their mission.
 - (4) Throughout the conduct of peacekeeping operations, where force is to be used, all [UNM---] military personnel must comply with the international principles of proportionality, the minimum use of force and the requirement to minimise the rotential for collateral damage.
 - (5) Contingents are only to use weapons authorized by the United Nations.
 - (6) While the ROE may restrict the manoeuvre and operation of specific weapons systems, they do not:
 - (a) Describe specific doctrine, tactics and procedures.

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ROE Guidelines- Attachment 2: Page 2

(b) Address safety-related restrictions.

b. Self-Defence:

- (1) Nothing in these ROE negates a Commander's right and obligation to take all necessary and appropriate action for self-defence. All personnel may exercise the inherent right of self-defence.
- (2) Self-defence against a hostile force(s) may be exercised by individuals, or individual units under attack, as well as other United Nations military personnel who are able to assist those individuals or individual units under attack, or which are in imminent danger of being attacked.
- c. Military Necessity. The principle of military necessity authorises the use of only that force which is required to accomplish the mission. Military necessity does not authorise acts otherwise prohibited under international law.
- d. Alternatives to the Use of Force: Whenever the operational situation permits, every reasonable effort must be made to resolve a potential hostile incident by means other than the use of force (e.g. through negotiations or assistance including from local authorities).
- e. Duty to Challenge and Warn. Before resorting to the use of force, every reasonable step must be taken to deter any person or group from displaying hostile intent or committing a hostile act. The procedure required by the UN to challenge and warn is given at Annex C.
- f. Duty to Observe Fire/Target Identification. See Annex C, paragraphs 1 and 6.
- g. Duty to Use Minimum and Proportional Force:
 - (1) Any force used must be limited, in its intensity and duration, to that which is necessary and proportionate to achieve the objective.
 - (2) The use of force should be commensurate with the level of the threat.

 However, the level of response may have to be higher in order to minimise the cost in terms of United Nations casualties and civilian casualties.
 - (3) Commanders should, where appropriate, consider the use of alternatives to the use of physical force such as negotiation, psychological methods, and other non-lethal means, which may include the deployment or manoeuvre of larger forces in order to demonstrate resolve.

- h. Avoidance of Collateral Damage. When force is used, all necessary measures are to be taken to minimize collateral damage.
- i. Duty to Report. Each confrontation resulting in a detention, or involving the use of force, is to be reported through the chain of command as soon as possible, whether it results in casualties and/or damages or not. More details are included in Annex C.
- j. Use of Force Beyond Self-Defence
 - (1) The use of force beyond self-defence may be applied only in the circumstances listed below, consistent with the relevant provisions of Security Council resolution [] of [month/year] and subject to the conditions set out in these ROE
 - (a) (list all relevant provisions of the SCR)....
 - (2) The Force Commander, or the commander to whom the authorisation has been delegated, retains direct control over the use of force in these circumstances.
- 8. **Applicability**. The ROE set out in this document apply to all armed military personnel assigned to [UNM---] as authorised by the Security Council.
- 9. Responsibility of the Force Commander and Subordinate Commanders:
 - a. The implementation of the ROE is a command responsibility. The ROE are addressed to the Force Commander, who is then responsible for issuing them to all Subordinate Commanders.
 - b. The Force Commander and his/her Subordinate Commanders are not permitted to exceed these ROE, but may, when and as appropriate, recommend more restrictive limits on the actions of assigned forces, for United Nations Headquarters (UN HQ) approval. The Force Commander will issue the ROE to all contingents as received from UNHQ. He/she will ensure that all military personnel understand and apply these ROE correctly. The Force Commander and/or the contingent commander may issue additional guidance on the ROE and may incorporate these ROE into appropriate orders or instructions. The contingent commanders must inform the Force Commander of such instructions issued by them.

- c. All commanders must seek clarification if they consider the authorised ROE to be unclear or inappropriate for the military situation.
- d. It is the responsibility of the contingent commanders to ensure that all those under their command understand these ROE. To this end, the ROE must be translated in a clear and concise way into the language of each troop-contributing country. To assist in this process, UNHQ issues a ROE Aide-Memoire (Blue Card), translated into the language(s) appropriate for each contingent, to each individual. This is to be done before the contingent can be considered to be effective. The ROE Aide-Mémoire will be provided by the Military Division, in coordination with the mission training cells.
- e. Training in the application of ROE is the responsibility of commanders at all levels. ROE training sessions must be conducted on a regular basis and as a minimum once per month and whenever [UNM---] military personnel, including individual replacements or reinforcements as authorised by the Security Council, are deployed into the mission area.
- 10. **ROE Contravention**. The following procedures apply in dealing with a UNPKO ROE contravention:
 - a. Any ROE contravention must be reported to UN HQ (DPKO), through the United Nations chain of command, by the quickest possible means.
 - b. Flanking and subordinate commands should be informed where the consequences are likely to affect them.
 - c. Remedial measures, including training, must be taken to avoid reoccurrence.
 - d. Any contravention must be subject to a formal investigation. The United Nations will conduct this investigation according to the procedures detailed in the guidelines on disciplinary matters. The findings will be forwarded to United Nations Headquarters, which will provide relevant evidence and findings to the troop contributing country for follow-up and disciplinary action. The troop contributing country may also undertake its own investigation.
- 11. Security Classification. The ROE should be classified as UN RESTRICTED.
- 12. ROE Changes. These ROE can only be amended or changed with the authority of the Under-Secretary-General for Peacekeeping Operations.

UNITED NATIONSROE Guidelines- Attachment 2: Page 5

13. **Revocation** ¹. ROE of the Military Component of United Nations Mission in------(UNM---), dated ------, are hereby revoked (if *required*).

Jean-Marie Guéhenno
Under-Secretary-General
for Peacekeeping Operations
(Date/Month/Year)

Annexes:

- A. Authorised Numbered ROE for (UNM---).
- B. UN Definitions (for use with UN ROE).
- C. Supporting Directions and Procedures.
- D. UNPKO Weapon States.

To be included only if the previously issued ROE are being revoked.

SAMPLE ROE

Annex A to
Attachment 2 to
MD/FGS/0220.0001
May 2002

[Mission's ROE File Reference]
Dated Day/ Month/ Year

EXAMPLE ONLY

AUTHORISED NUMBERED ROE FOR (UN---)

SECURITY COUNCIL RESOLUTION (S)

- 1. The Security Council, by its Resolution [], decided "to establish a United Nations Mission in the -----[UNM---] with effect from [-----]".
- 2. Under the provisions of the Security Council Resolution [], [UNM---] Military Component has the following mandate:

(The mandate should be spelled out)

SPECIFIC ROE FOR (UNM---)

3. The following ROE have been authorised for use by the United Nations armed military personnel serving in (UN---).

Rule 1 - Level of Force

- Rule No. 1.1 Use of force, up to, and including deadly force, to defend oneself and other United Nations personnel against a hostile act or a hostile intent, is authorised.
- Rule No 1.2 Use of force, up to, and including deadly force, to defend other international personnel against a hostile act or a hostile intent, is authorised.

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ROE Guidelines - Attachment 2: Annex A-1

Rule No. 1.3	Use of force, up to, and including deadly force, to resist attempts to abduct or detain oneself and other United Nations personnel, is authorised.
Rule No. 1.5	Use of force, up to, and including deadly force, to protect United Nations installations, areas or goods designated by the SRSG in consultation with the Force Commander against a hostile act, is authorised.
Rule No. 1.7	Use of force, but excluding deadly force, to protect key installations, areas or goods designated by the Head of Mission in consultation with the Force Commander, against a hostile act, is authorised.
Rule No. 1.10	Use of force, up to, and including deadly force, against any person and/or group that limits or intends to limit freedom of movement, is authorised.

Rule 2 - Use of Weapon Systems

Rule No. 2.4 Firing of warning shots is authorised.

Rule 3 - Authority to Carry Weapons

Rule No. 3.3 Carriage of unloaded personal weapons, both on duty and as designated by the Force Commander, is authorised.

Rule 5 - Reaction to Civil Action/Unrest

Rule No. 5.1 Action to counter civil unrest is not authorised.

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ROE Guidelines - Attachment 2: Annex A-2

SAMPLE ROE

Annex B to
Attachment 2 to
MD/FGS/0220.0001
May 2002

[Mission's ROE File Reference]

<u>Dated Day/ Month/ Year</u>

UNITED NATIONS DEFINITIONS (FOR USE WITH ROE)

- 1. <u>Civil Unrest.</u> The commission, perpetration or instigation of acts of violence, which affect public peace and order.
- 2. <u>Collateral Damage</u>. Incidental loss of civilian life, injury to civilians, or damage to civilian property while engaging an authorised target.
- 3. <u>Cordon</u>. A deployment of UNPKO personnel around an object or location with the intent to isolate an area and restrict and/or control both access and exit.
- 4. **Detainee.** A detainee or detained person means any person deprived of personal liberty except as a result of conviction of an offence.
- 5. Force. The use of, or threat to use, physical means to achieve an authorized objective.
 - a. **Armed Force**. The use of weapons, including firearms and bayonets.
 - b. <u>Deadly Force</u>. The level of force which is intended or likely to cause death regardless of whether death actually results. This is the ultimate degree of force.
 - c. Non-deadly Force. The level of force which is neither intended nor likely to cause death, regardless of whether death actually results.
 - d. <u>Minimum Force</u>. The minimum degree of authorised force which is necessary and reasonable in the circumstances. A minimum degree of force is applicable whenever force is used. Minimum Force can be Deadly Force if appropriate.
 - e. <u>Unarmed Force</u>. The use of physical force, short of the use of armed force.
- 6. Hostile Act. An attack or other use of force which is intended to cause death, bodily harm or destruction.

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ROE Guidelines - Attachment 2: Annex B - 1

- 7. Hostile Intent. The threat of imminent use of force, which is demonstrated through an action which appears to be preparatory to a hostile act. Only a reasonable belief in the hostile intent is required, before the use of force is authorised. Whether or not hostile intent is being demonstrated must be judged by the on-scene commander, on the basis of one or a combination of factors, including:
 - a. The capability and preparedness of the threat.
 - b. The available evidence which indicates an intention to attack.
 - c. Historical precedent within the Mission's Area of Responsibility (AOR).
- 8. <u>Loaded Weapon</u>. A weapon is considered to be loaded when live round/ammunition is inserted/carried in the chamber/breach.
- 9. <u>Positive Identification</u>. Assured identification by a specific means, including any of the following methods: visual, electronic support measures, flight plan correlation, thermal imaging, passive acoustic analysis or Identify Friend or Foe (IFF) procedures.
- 10. **Proportionality.** The amount of force used, which is reasonable in intensity, duration and magnitude to achieve an authorized objective.
- 11. **Reasonable Belief.** Conditions and circumstances which lead a commander or individual to conclude that a threat exists.
- 12. <u>Self-Defence</u>¹. Self-Defence is the use of such necessary and reasonable force, including deadly force, by an individual or unit in order to protect oneself, one's unit and all United Nations personnel against a hostile act or hostile intent.
- 13. <u>Unloaded Weapon</u>. A weapon is considered to be unloaded when no live round/ammunition is inserted/carried in the chamber/breech.
- 14. <u>UN Personnel</u>. All members of the UNPKO (including locally recruited personnel whilst on duty), UN officials and experts on mission on official visits.
- 15. Other International Personnel. Personnel belonging to international agencies associated with the UNPKO in the fulfilment of its mandate, and other individuals or groups formally and specifically designated by the Head of Mission in consultation with UNHQ, including;
 - a. Members of organisations operating with the authority of the United Nations

The definition of selt-defence may be adjusted to reflect the mandate of a particular peacek-eping operation, as adopted by the Security Council.

Security Council (SC) or General Assembly (GA);

- b. Members of authorised charitable, humanitarian or monitoring organisations;
- c. Cther individuals or groups specifically designated by the Head of Mission;

but excluding foreign nationals such as businessmen and journalists.

16. Warning Shots. A warning shot is a shot fired at a safe point of aim, to avoid causing personal injury or collateral damage.

SAMPLE ROE

Annex C to
Attachment 2 to
MD/FGS/0220.0001
May 2002

[Mission's ROE File Reference]

Dated Day/ Month/ Year

SUPPORTING DIRECTIONS AND PROCEDURES

GENERAL

- 1. <u>Identification</u>. Assured identification of hostile forces prior to engagement is required. Unobserved fire is prohibited.
- 2 **Prohibitions.** The following prohibitions are to be observed when authorized ROE are being used:
 - a. Use of certain weapons and methods of combat under the relevant instruments of international humanitarian law, including, in particular, the prohibition on the use of asphyxiating, poisonous or other gases and biological methods of warfare; bullets which explode, expand or flatten easily in the human body; and certain explosive projectiles. The use of certain conventional weapons, such as non-detectable fragments, antipersonnel mines, booby traps and incendiary weapons, is prohibited.
 - b. Use of weapons or methods of warfare which may cause superfluous injury or _ unnecessary suffering, or which are intended, or may be expected to cause, widespread, long-term and severe damage to the natural environment.
 - c. Use of weapons or methods of combat of a nature to cause unnecessary suffering.
 - d. Attacks on monuments of art, architecture or history, archaeological sites, works of art, places of worship and museums and libraries which constitute the cultural or spiritual heritage of peoples. In its area of operation, the UNPKO shall not use such cultural property or their immediate surroundings for purposes which might expose them to destruction or damage. Theft, pillage, misappropriation and any act of vandalism directed against cultural property are strictly prohibited.
 - e. Use of methods of warfare to attack, destroy, remove or render useless objects indispensable to the survival of the civilian population, such as foodstuff, crops, livestock

UNITED NATIONS

ROE (Guideline)-Attachment 2: Annex C-1

GUIDELINES FOR THE DEVELOPMENT OF ROE FOR UNPKO PROVISIONAL

and drinking water installations and supplies.

- f. Making installations containing dangerous forces, namely dams, dikes and nuclear electrical generating stations, the object of military operations if such operations may cause the release of dangerous forces and consequent severe losses among the civilian population.
- g. Engaging in reprisals against objects and installations protected under this paragraph above.
- e. Engaging in punitive use of force and retaliation.
- 3 <u>Cordon Principles.</u> Cordons may only be conducted if the Force Commander judges that the situation warrants isolation of the area.

WARNING PROCEDURES

- 4 <u>Graduation</u>. The application of a graduated response, through the demonstration of determination and force as directed below, is intended to provide a warning as well as a deterrence to prevent escalation:
 - a. <u>Verbal Negotiation and/or Visual Demonstration</u>. Every effort must be made to warn any potential or actual aggressor before [UNM---] military personnel respond with force. The aim is to stop hostile activity.
 - b. <u>Unarmed Force</u>. If the preceding step is unsuccessful, where possible, minimum unarmed force may be employed.
 - c. <u>Charge Weapons</u>. An attempt should be made to make use of the visual and audible effect of charging weapons to convince any aggressor that failure to stop the aggressive activity may result in the use of deadly force.
 - d. <u>Warning Shots</u>. If the threat continues, and subject to the orders of the commander on the scene, warning shots should be fired at a safe point of aim, to avoid causing personal injury or collateral damage.
 - e. <u>Armed Force</u>. If all the preceding steps, including the use of unarmed force, are unsuccessful and there are no other choices available, the necessary armed force may be used. The decision to open fire will be made only on the order and under the control of the on-scene Commander, unless there is insufficient time. Before opening fire, a final warning is to be given as follows:

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(1) The warning may be given verbally (in the working language of the operation and in the local language), visually by a sign or by illumination (e.g. hand-held red flares, searchlights, etc);

You are to challenge in the local language:

"UNITED NATIONS, HALT OR I FIRE/NATIONS UNIES, HALTE OU JE TIRE"

- (2) The verbal or visual warning should be repeated as many times as circumstances allow or until the warning is complied with.
- Opening Fire Without Warning. The only circumstance under which it is permitted to open fire without attempting to follow the warning sequence, would be if an attack by an aggressor comes so unexpectedly that, even a moment's delay could lead to death of, or serious injury to oneself, UN personnel and those who are under the protection of the UNPKO as specified in the applicable ROE.

FIRING PROCEDURES

- 6. The use of firearms must be controlled, and there should be no indiscriminate firing. Automatic fire should only be used as a last resort. The following points must be kept in mind during fire:
 - a. Fire must be aimed.
 - b. Minimum rounds are to be fired to achieve the authorized objective.
 - c. All necessary precautions are to be taken to avoid collateral damage.
- 7. **Procedures after firing.** After any weapons firing, the following actions are to be taken:
 - a. <u>Medical Assistance</u>. All injured persons must be given first aid as soon as possible, when such aid can be given without endangering lives.
 - b. **Recording**. Details of the incident are to be recorded, including:
 - (1) Date, time and place of firing;
 - (2) Unit and personnel involved;

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- (3) The events leading up to firing;
- (4) Why [UNM---] personnel opened fire;
- (5) Who or what was fired on;
- (6) The weapons fired and the number of rounds discharged;
- (7) The apparent results of the firing; and
- (8) A diagram of the incident scene.
- c. Reporting. Following an immediate report that firing has taken place, the above information and the current situation are to be reported through the UN chain of command, to the Force Commander and United Headquarters HQ (DPKO), as rapidly as possible.

SEARCH AND APPREHENSION PROCEDURES

8. Authority to Stop and Search

- a. Persons wishing to enter United Nations premises, other installations and areas under [UNM---] protection can be requested to submit to a consensual search of their person and property. Refusal to be searched, or a refusal to surrender weapons, constitutes grounds for refusal of entry.
- b. Persons unlawfully attempting to enter or having unlawfully entered United Nations premises, other installations and areas under [UNM---] protection, may be stopped and searched for security purposes, using, where necessary, minimum force. Weapons must be seized in such instances and turned over to appropriate authorities as soon as possible.
- 9. **Search Procedure.** The following principles must be observed during all search procedures:
 - a. Searchers are not to humiliate or embarrass persons being searched;
 - b. The search should be conducted with due respect to socio-religious sensitivities. Where conditions allow, the search must be conducted by a person of the same gender.

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- c. The purpose of the search must be clearly stated in the orders and to the individuals to be searched;
- d. A searcher should always be protected by another United Nations armed military person; and
- e. Searches must be reported promptly to higher headquarters.

10. Authority to Apprehend and Detain

- a. Persons may not be apprehended other than in accordance with the authorisation given under Rule 4. All apprehended persons are to be turned over to the appropriate authorities, as soon as possible. Until handover takes place, such individuals may be detained. (UNM--) personnel are fully responsible for the safety and well-being of detainees, in compliance with International Law, as long as the individuals are in custody of (UNM--).
- b. Any weapons seized are to be turned over to the appropriate authorities.
- c. In order to prevent the escape of a detained person, force may be used as authorised by Rule 1.9.
- 11. <u>Treatment of Detainees</u>. Detainees must be treated in accordance with internationally accepted conventions. They are to be given rations, shelter and access to medical care.

SAMPLE ROE

Annex D to
Attachment 2 to
MD/FGS/0220.0001
May 2002

[Mission's ROE File Reference]
Dated Day/ Month/ Year

UNPKO WEAPON STATES

- 1. <u>General</u>. The Force Commander has the authority to set the following weapon states as he believes operationally appropriate, provided the state selected does not exceed the authority given by the SCR and as defined in the Numbered ROE for the UNPKO. Contingents can only use weapons authorized by the United Nations.
- 2. Safety requirements are to be observed at all times when military personnel are handling their weapons. All weapons must be made safe unless they are ordered to be ready for fire by the immediate military commander.
- 3. Graduated Weapon States:

State 1 - Personal Weapons (Rifles, sub-machine guns and pistols/revolvers, and Light Machine Guns):

- 1.1 Unloaded personal weapons and light machine guns are authorized to be carried by all military personnel.
- 1.2. Loaded personal weapons and light machine guns are authorized to be carried.

State 2 - Heavy Machine Guns

- 2.1 Unloaded heavy machine guns are not authorized to be carried by designated military personnel.
- 2.2 Loaded heavy machine guns are authorized to be carried by designated military personnel.

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State 3 - Mortars

- 3.1 Mortars are authorized to be used for target illumination.
- 3.2 Mortars are authorized to be used for firing smoke ammunition.
- 3.3 Mortars are authorized for firing high explosive ammunition.

State 4 - Recoilless Rifles and Rocket Launchers

- 4.1 Unloaded recoilless rifles and rocket launchers are authorized to be carried by designated military personnel.
- 4.2 Loaded recoilless rifles and rocket launchers are authorized to be carried by designated military personnel.

State 5 - Vehicle-Mounted Weapons

- 5.1 Vehicle-mounted weapons are not authorised to be loaded.
- 5.2 Vehicle-mounted weapons are authorised to be loaded.

State 6 - Aircraft/Helicopter-Mounted Weapons

- 6.1 Aircraft/helicopter-mounted missiles/guns are not authorised to be deployed.
- 6.2 Aircraft/helicopter-mounted unloaded missiles/guns are authorised to be deployed.
- 6.3 Aircraft/helicopter-mounted loaded missiles/guns are authorised to be deployed.

State 7 - Vessel-Mounted Weapons

7.1 Vessel-mounted missiles/guns are not authorised to be deployed.

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7.2 Vessel-mounted unloaded missiles/guns are authorised to be deployed	ed.
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7.3 Vessel-mounted loaded missiles/guns are authorised to be deployed.

State 8 - Infra-Red and Laser Equipment

8.1 Infra-red and laser equipment is authorised to be deployed for surveillance and target acquisition.

State 9 - Riot Control Equipment and Weapons

- 9.1 Riot control equipment and weapons are not authorised to be carried.
- 9.2 Riot control equipment and weapons are authorised to be carried

NB: Instructions for armoured-fighting vehicles (AFVs), artillery\howitzer guns, antiaircraft systems and any additional weapon systems authorized by the United Nations will be issued separately.

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