



## **APPENDIX D: ROE CONSIDERATIONS**

Last Updated: 4 March 2012

### **PRIMARY ROE CONSIDERATIONS**

#### **What do the rules of engagement (ROE) say?**

- ★ When can US forces and others be defended?
- ★ What can be attacked?
- ★ How can it be attacked?
- ★ Where can it be attacked?
- ★ When can it be attacked?
- ★ Whose permission is needed to attack?

#### **What purpose do the ROE serve?**

- ★ Provide guidance on the use of force—political, military, and legal.
- ★ Control the transition from peace to war (or vice versa).
- ★ Provide a mechanism to facilitate planning.
- ★ Prevent fratricide, civilian casualties, national/coalition political damage, or mission failure.

#### **Have ROE been agreed upon for multinational operations?**

- ★ By military commanders?
- ★ By policy makers?
- ★ Do the ROE of the multinational force permit the same degree of individual self-defense and unit self-defense as the US SROE?

## ROE FUNDAMENTALS

### Mission Planning

- ★ ROE are not a substitute for guidance, intent, and judgment or planning.
- ★ ROE development is a collaborative process involving commanders, operators, JAGs, and others.
- ★ ROE development is an integral part of operations planning including branch/sequel plans.
- ★ ROE development begins with mission analysis.
- ★ ROE instructions are set out in the commander's initial planning guidance.
- ★ ROE development is tied to course of action (COA) development.
- ★ COA analysis includes ROE refinement.

### Advisories

- ★ US ROE are fundamentally permissive.
- ★ Brief current ROE at every [joint task force](#) (JTF) update.
- ★ Monitor ROE training and interpretation.
- ★ Do not substitute ROE for planning.
- ★ Use serial ROE messages and not appendices.
- ★ Do not just ask for ROE—justify ROE.
- ★ Resolve ROE disputes **before** the fight.
- ★ Understand that ROE during irregular warfare are normally more restrictive than in traditional war.

## ROE GAME PLAN

### Establish a close working relationship with your [judge advocate general](#) (JAG).

- ★ Early judge advocate involvement in each of the AOC divisions helps satisfy the legal review obligations under the LOAC and avoids potential last-minute problems with ATO approval and mission execution.
- ★ JAGs can identify and defuse potential showstoppers with host nations and overflight early in the planning process.

- ✦ JAGs can assist operators in getting clear, concise ROE and special instructions crafted and approved.

**Establish an ROE cell to enhance mission planning and execution.** A critical function is JAG involvement at inception to maximize planning efforts and to yield lawful ROE.

- ✦ Formulate ROE requests based on JFC objectives, guidance, and intent.
- ✦ Ensure adequate dissemination of:
  - ✦ ✦ Chairman of the CJCS SROE.
  - ✦ ✦ Any theater-specific ROE.
  - ✦ ✦ Mission-specific ROE (often termed "serial ROE").
  - ✦ ✦ Applicable multinational or coalition ROE.
- ✦ Determine if ROE amendments/supplements are needed.
- ✦ Institute scenario-based ROE training (JAGs can coordinate efforts).

**Determine the effect of the ROE.** ROE and international law, to include law of armed conflict (LOAC), often impact targeting decisions. A good rule of thumb is to factor these restraints into the planning/targeting process early on.

**Establish combat identification procedures that are consistent with the ROE.**

- ✦ Allow units and individuals to conduct actions appropriate for self-defense.
  - ✦ Adjust ROE to fit warfighter needs.
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