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LOOTING  
GUIDE FOR COMMANDERS

**INTRODUCTION**

1. The recent occupation of various towns in S. Iraq by UK Forces has been accompanied by acts of looting. The cause of this looting is not known and may range from venting anger at remnants of the Ba'ath Party to common criminality.
2. However, in the absence of Iraqi police, the duty of preventing such looting falls to UK Forces who are now in Occupation. Under the law of Occupation, the Occupying Power (UK Forces) is responsible for law and order and must seek to prevent a breakdown of that order.
3. However, as UK forces, in the absence of Iraqi Police, are effectively acting as the police force, the powers available to UK Forces are different from the powers available to them in war fighting. This is because we are now acting against civilians. UK Forces are used to this situation in Northern Ireland and the Balkans and the principle of minimum force applies.
4. It is a matter for Commanders to decide how to deal with such a problem and the nature and gravity will vary from situation to situation. However, although not prescriptive, various powers to Commanders are set out below.

**INTERVENTION**

6. It is permitted for UK Forces to intervene to prevent a crime taking place and may use reasonable force in so doing. Commanders may therefore intervene in such circumstances.

**INCREASED PATROLLING**

7. An increase in patrolling may be sufficient to deter looters.

**RIOT CONTROL MEASURES**

8. Under ROE 500 (C)

"Service personnel may be deployed and use public order control equipment to control (civilians). Batons, riot control clothing and baton rounds may be employed"

Commanders are clearly able to take riot control measures and can use necessary force to control the riot situation

**TEMPORARY DETENTION**

9. Under ROE 680 B (1)

"Temporary detention of persons posing a threat to Coalition Forces or elements under UK protection or otherwise interfering with or threatening the Coalition mission is permitted"

Looting would fall within the definition of "threatening the Coalition mission"

10. Once detained, the looter should be handed over to the RMP who will remove the suspect to a Police Station and take all the suspects details. At the present time, it is unclear whether there is power to lock up such persons. If they can be handed over to the Iraqi authorities by the RMP then the Iraqi authorities may detain. The UK does not have the power to detain permanently at the present time but this matter is being addressed.

#### WARNING SHOTS

11. Under ROE 660 F (1) warning shots may be fired.

#### MILITARY POLICE

12. The Military Police may be tasked to the scene and anyone who is temporarily detained by UK Forces should be handed over to them.

#### SELF DEFENCE

13. At all times, UK Forces have the right of defence of themselves, their unit and Coalition Forces. If during the maintenance of law and order the life of a UK soldier, his colleague or his unit are threatened then lethal force may be used if reasonable in the circumstances.

#### LAW OF ARMED CONFLICT

14. It should be remembered that the Law of Armed Conflict still applies whilst hostilities are continuing. Nothing mentioned above affects the right to attack positively identified Iraqi military Forces.

#### CONCLUSION

15. The current situation means that the Law of Armed Conflict exists alongside our duties in restoring law and order. The essential difference in dealing with law and order is that it involves civilians and not combatants and therefore the force used has to be reasonable in the circumstances. The process of establishing law and order will be evolutionary and the powers to deal with such situations will increase as the Occupation continues.

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