
War Crimes Investigation



U.S. Marine Corps

DEPARTMENT OF THE NAVY
Headquarters United States Marine Corps
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FOREWORD

1. PURPOSE

Marine Corps Reference Publication (MCRP) 4-11.8B, *War Crimes Investigation*, helps Marines determine when specific actions violate the laws of war. This publication provides all Marines with an understanding of their responsibility when non-compliance with or breaches of the law of war are suspected.

2. SCOPE

MCRP 4-11.8B provides specific examples of actions taken by members of a military organization which have been considered noncompliance with or breaches of the law of war. This publication describes the responsibility of each Marine to report suspected war crimes and the reporting procedures. Specific examples of violations of the Uniform Code of Military Justice are given.


3. SUPERSESION

FMFRP 4-25, *War Crimes Investigation*, dated 3 December 1993.

4. CERTIFICATION

Reviewed and approved this date.

BY DIRECTION OF THE COMMANDANT OF THE MARINE CORPS

A handwritten signature in black ink, appearing to read "J. E. Rhodes". The signature is written in a cursive style with some loops and flourishes.

J. E. RHODES
Lieutenant General, U.S. Marine Corps
Commanding General
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To Our Readers

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Unless otherwise stated, whenever the masculine or feminine

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Chapter I

General Observations

1. Definition

The term “war crime” means a violation of the law of war. Examples of the law of war are the four Geneva Conventions of 1949 which protect wounded, sick, and shipwrecked members of armed forces; enemy prisoners of war (EPW); and civilians who are in your custody. Other examples of the law of war are the Hague Conventions which include rules concerning how we fight (for example, we do not normally select as targets things like churches, schools, and hospitals which have no military value), and what weapons we are allowed to use (for example, we do not use weapons like hollow tip bullets because they are designed to inflict unnecessary suffering).

2. Categories of War Criminals

While most war crimes are committed by members of the armed forces, civilians have been known to violate the rights of individuals protected by the Geneva and Hague Conventions. An example of this is when a civilian attacks or abuses an EPW such as a downed pilot. In this instance the civilian has violated the law of war and that makes him guilty of a war crime. The fact that he is not a member of the military will not save him from being imprisoned or executed if judged to be a war criminal.