



2012 Operational Law Handbook

The Judge Advocate General's Legal Center and School

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The Operational Law Handbook is a “how to” guide for Judge Advocates practicing operational law. It provides references and describes tactics and techniques for the practice of operational law. Like operational law itself, the Handbook is a focused collection of diverse legal and practical information. The handbook is not intended to provide “the school solution” to a particular problem, but to help Judge Advocates recognize, analyze, and resolve problems they will encounter in the operational context. Similarly, the Handbook is not intended to represent official U.S. policy regarding the binding application of varied sources of law, though it may reference source documents which themselves do so. The Handbook was designed and written for Judge Advocates practicing operational law. The size and contents of the Handbook are controlled by this focus. Frequently, the authors were forced to strike a balance between the temptation to include more information and the need to retain the Handbook in its current size and configuration. Simply put, the Handbook is made for the Soldiers, Marines, Sailors, Airmen, and Coast Guardsmen of the military Judge Advocate General’s Corps, who serve alongside their clients in the operational context. Accordingly, the Operational Law Handbook is compatible with current joint and combined doctrine. The Operational Law Handbook is not a substitute for official references. CHAPTER 1: Legal Basis for the Use of Force CHAPTER 2: The Law of Armed Conflict Troop Information Law of Armed Conflict Considerations in the Acquisition of Supplies and Services During Military Operations CHAPTER 3: International Human Rights Law CHAPTER 4: The Law of Armed Conflict Across the Conflict Spectrum Displaced Persons CHAPTER 5: Rules of Engagement SROE Extracts Sample ROE Cards CHAPTER 6: Intelligence Law and Interrogation Operations CHAPTER 7: International Agreements and SOFAs CHAPTER 8: Information Operations CHAPTER 9: Noncombatant Evacuation Operations (NEO) CHAPTER 10: Sea, Air, and Space Law CHAPTER 11: Detainee Operations Practical Consideration of Detainee Operations Detainee Operations at the Point of Capture (“Five S’s and T”) CHAPTER 12: Domestic Operations Memo on DoD Training Support to Civilian Law Enforcement Nat’l Def Auth Act FY 2002 Excerpt – Counterdrug CHAPTER 13: Reserve Component Soldiers and Operations CHAPTER 14: Fiscal Law DoD Financial Management Regulation Extract CHAPTER 15: Contingency and Deployment Contracting CHAPTER 16: Contingency Contractor Personnel CHAPTER 17: Emergency Essential Civilians Supporting Military Operations CHAPTER 18: Foreign and Deployment Claims Appendix A – Assignment of Single-Service Responsibility for Tort Claims Appendix B – Unit Claims Officer Deployment Guide Appendix C – Deployment Claims Office Operation Outline Appendix D – Sample Deployment Pocket Claims Card Appendix E – Gulf Region Corps of Engineers SOP CHAPTER 19: Environmental Law in Operations Appendix – Laws and Regulations

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