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WAR CABINET.

BOMBARDMENT POLICY.

Report by the Chief of Staff Committee.

Just before the war instructions were issued by His Majesty's Government to principal Commanders, to govern the conduct of all forms of bombardment. A copy of these instructions is attached as Annex I. The underlying motive at the time of the issue of these instructions was that, on all grounds, we should seize any possible chance of avoiding unrestricted air warfare in the coming conflict. It was considered almost certain that German air action would cause us to withdraw, or drastically amend these instructions during the first few days of war.

2. The opening up of the war in the West has necessitated the adoption of a much wider interpretation of the term "military objective" than that contained in the existing instructions which are now binding on our Commanders in other possible theatres of war. There would appear to be no advantage to be gained by restricting the action of our Commanders more severely in one theatre than in another. Moreover, under the existing rules, our Commanders abroad may be severely handicapped, due to the present restriction on the methods which they are allowed to employ.

3. We, therefore, propose that the existing instructions governing bombardment (Annex I) should be cancelled and that revised instructions (Annex II) should be issued forthwith. We seek the approval of the War Cabinet to these revised instructions.

(Signed) R.E.O. PEIRSE,
V.C.A.S.

R.H. HAINING,
V.C.I.G.S.

C.S. DANIEL,
(for C.N.S.)

Cabinet War Room.
ANNEX I

INSTRUCTIONS BY HIS MAJESTY'S GOVERNMENT TO GOVERN THE CONDUCT OF ALL FORMS OF BOMBARDMENT, ISSUED IMMEDIATELY PRIOR TO THE OUTBREAK OF THE WAR.

1. The following instructions will govern the conduct of all forms of bombardment until the restrictions therein contained are modified.

   These restrictions, in the meantime, are not to be relaxed on any account pending further instructions, even in retaliation for indiscriminate action by an enemy.

2. The object of the instructions is not to define legitimate military objectives, but to lay down a course of action in accordance with the agreed policy, which it may be expedient to adopt at the outset of war. It will be observed that the effect will be to restrict bombardment more severely than is required by a reasonable interpretation of existing international law.

3. Only the following "purely military objectives in the narrowest sense of the word" may be bombarded from the sea or air. Army Commanders will conform generally to the spirit of these instructions:

   (a) Naval forces, i.e. warships, auxiliaries actually attendant on the Fleet, naval docks, barracks and other establishments manned by naval personnel.

   (b) Army units, fortifications, coast defence works, barracks, camps, billets, depots, dumps, and other establishments manned by military personnel.

   (c) Air units, military aerodromes, depots, storage units, bomb stores and other establishments manned by air personnel.

   (d) Troop transports (whether at sea or in harbour), roads, canals, and railways used for military communications, military road and inland water transport. Trains, road and inland water transport are not to be attacked unless they can reasonably be presumed to be of a military character.

   (e) Accumulations of Navy, Army or Air Force stores. (This does not authorise attack on factories).

   (f) Naval, Army and Air Force fuel installations or dumps in the field or situated within the confines of the Naval, Army and Air Force establishments mentioned in sub-paragraphs (a) to (c) above.

   (Note: Bulk stocks of fuel, not covered by the above definition, are not to be bombarded under these instructions).
Action against objectives in paragraph 3 above will be subject to the following general principles:

(a) The intentional bombardment of civil populations is illegal.

(b) It must be possible to distinguish and identify the objectives in question.

(c) Bombardment must be carried out in such a way that there is reasonable expectation that damage will be confined to the objective and that civilian populations in the neighbourhood are not bombarded through negligence.

Thus it is clearly illegal to bombard a populated area in the hope of hitting a legitimate target which is known to be in the area, but which cannot be precisely located and identified.

Subject to the general policy set out above, Commanders must exercise their discretion, and orders for bombardment should be framed according to the spirit of that policy and not necessarily to the letter. In particular it must be borne in mind that the fact of an objective being unquestionably military does not necessarily or invariably justify bombardment of it. Thus an anti-aircraft or coast defence gun situated in the centre of a populous area could not be bombarded with reasonable expectation that damage would be confined to it. A small detachment of troops in billets in, or a convoy of transport passing through a town, or a troop transport lying alongside a commercial wharf, are unquestionably military objectives, but the bombardment of such objectives in a town might involve risks to the civil population out of all proportion to the military importance of the target at the time and might thus be unjustifiable. Justification for bombardment even of unquestionably military objectives must therefore depend upon circumstances and must be decided by Commanders acting in the spirit of these instructions.

The necessary action is being taken to secure the adherence of our prospective allies to this policy, and the necessary communications are being made to the Governments of the Dominions and of India.

Later, it may be desirable, to extend the scope of these instructions to the full extent allowed for by the following:

- Naval Bombardment
- Air Force Bombardment

Hague Convention No. IX of 1907.

The Draft Hague Rules of Aerial Warfare 1922/23 as interpreted in Air Ministry instructions to be issued in the near future.

Until such times as further instructions are issued from London, however, the above will stand. They are, however, liable to be modified at the shortest notice.

The action of armies is well established by practice and is not in dispute. Commanders of military forces on the ground will use every reasonable precaution to avoid undue loss of civilian life by artillery bombardment.
Proposed Revised Instructions by His Majesty's Government to govern the Conduct of Artillery Bombardment.

1. The following instructions are to be substituted for those previously governing bombardment policy. The latter are hereby cancelled.

2. The action of armies is well established by practice. Commanders of land forces will use every reasonable precaution to avoid undue loss of civilian life by artillery bombardment.

3. Bombardment by naval and air forces is to be confined to military objectives and must be subject to the following general principles:
   
   (a) The intentional bombardment of civil populations as such is illegal.
   
   (b) It must be possible to identify the objective.
   
   (c) The attack must be made with reasonable care to avoid undue loss of civil life in the vicinity of the target.
   
   (d) The provisions of Red Cross conventions are to be observed.

4. The following military objectives may be attacked:

   In the following categories the term "military" is used in its widest sense to include all armed forces. These do not include merchant ships whether defensively armed or not.

   (a) Military forces including naval auxiliaries of whatever description and whether or not attendant on the fleet; troop transports and military supply ships whether at sea or in port.
   
   (NOTE. Areas in which all shipping can be treated as enemy transports or military supply ships will be specially notified.)

   (b) Military works and fortifications.

   (c) Military establishments and depots including barracks, camps, billets and naval dockyards; aerodromes, whether designated military or civil; stores and dumps of military supplies.

   (d) Shipyards, factories and other establishments engaged in the manufacture, assembly or repair of military material, equipment or supplies, power stations ancillary thereto; fuel and oil producing plants, refineries and storage installations.

   (e) Lines of communication and transportation and means of intercommunication serving military purposes.

   (f) Provided that the principles set out in paragraph 3 above are observed, other objectives, the destruction of which is an immediate military necessity may be attacked for particular reasons.

5. In the case of naval bombardment of objectives in a town, warning should be given if the safety of the attacking force or the success of the operations is not jeopardised by so doing.