



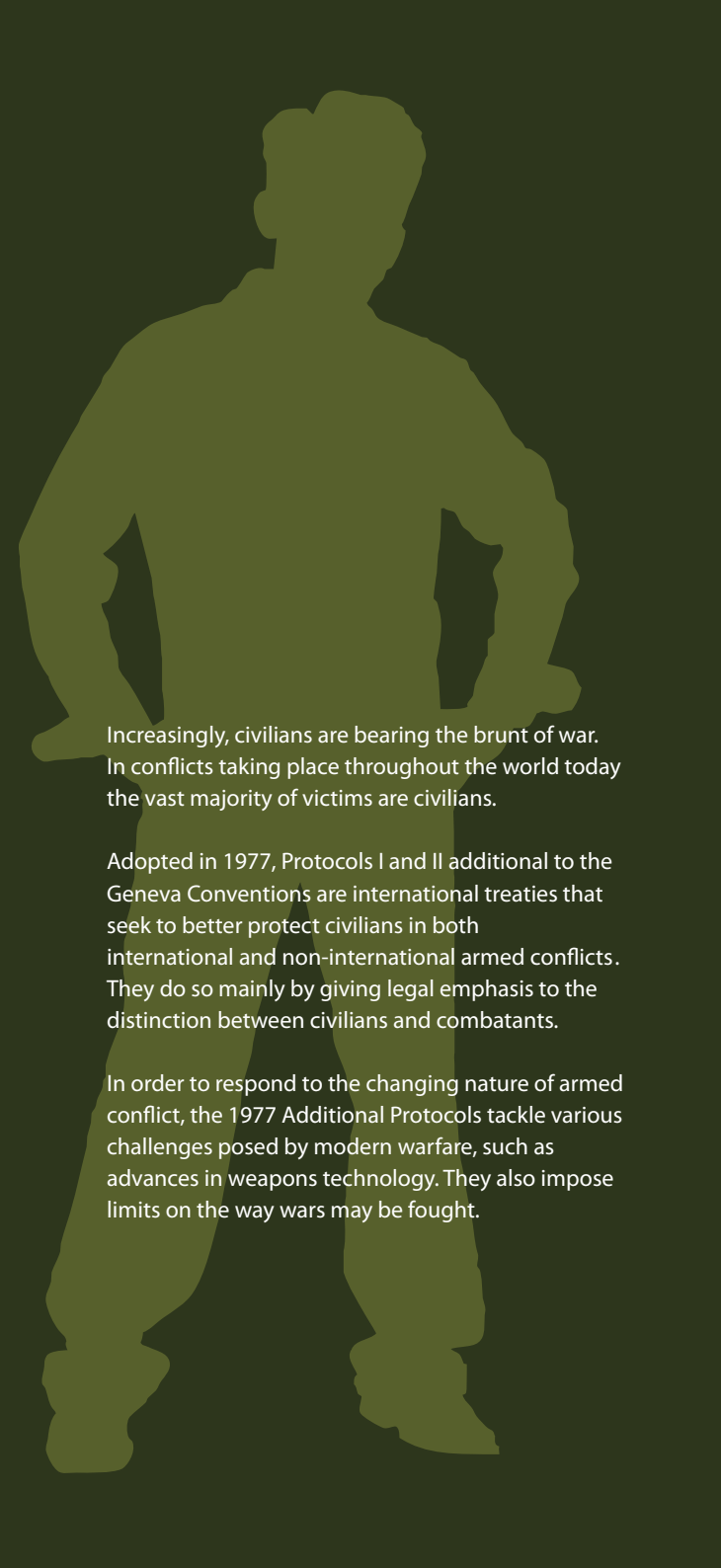
DISTINCTION

PROTECTING CIVILIANS IN ARMED CONFLICT

Protocols additional to the Geneva Conventions



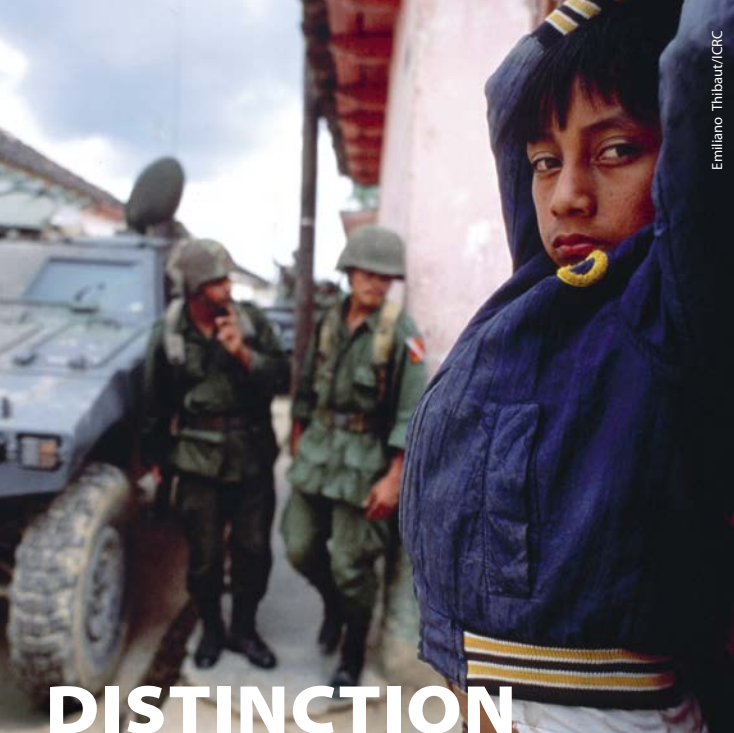
ICRC



Increasingly, civilians are bearing the brunt of war. In conflicts taking place throughout the world today the vast majority of victims are civilians.

Adopted in 1977, Protocols I and II additional to the Geneva Conventions are international treaties that seek to better protect civilians in both international and non-international armed conflicts. They do so mainly by giving legal emphasis to the distinction between civilians and combatants.

In order to respond to the changing nature of armed conflict, the 1977 Additional Protocols tackle various challenges posed by modern warfare, such as advances in weapons technology. They also impose limits on the way wars may be fought.



DISTINCTION

The cornerstone of the 1977 Additional Protocols is the principle of distinction. This requires that parties to an armed conflict distinguish between civilians and combatants and also between civilian objects and military targets. Observing this principle is indispensable for securing the protection of civilians.

Additional Protocols I and II prohibit:

- combatants from posing as civilians
- indiscriminate attacks
- acts of violence - or threats to commit them - whose primary purpose is to spread terror
- the destruction of objects that are indispensable to the survival of communities
- attacks on places of worship and on monuments

"... The civilian population as such, as well as individual civilians, shall not be the object of attack..."

Article 51, Additional Protocol I



PROPORTIONALITY

To prevent unnecessary suffering among civilians, the 1977 Additional Protocols seek to ensure respect for the principle of proportionality in all military operations.

They require all those involved to take every possible precaution with respect to the means and methods of warfare used so as to avoid - or minimize - incidental loss of life, injury to civilians and damage to civilian objects.

"An attack shall be cancelled or suspended if it becomes apparent... that the attack may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated."

Article 57, para. 3, Additional Protocol I



PROTECTION

Those who are not taking part in an armed conflict must be respected, protected and treated humanely. The 1977 Additional Protocols specify that:

- The wounded and the sick, both civilian and military, must be collected and cared for, without discrimination.
- Women and children must be respected and protected from any form of indecent assault.
- Children and adolescents must be granted special protection. Those under the age of 15 must not be recruited or authorized to take part in hostilities.
- Family members who are separated by conflict should be reunited. People also have the right to know the fate of missing relatives.

"They send us to the front because most of us are short so when they are firing their weapons, you know that the bullets go above us. Because we are short, we don't bother to lie down or crawl – we just keep advancing. You understand?"

Former child soldier

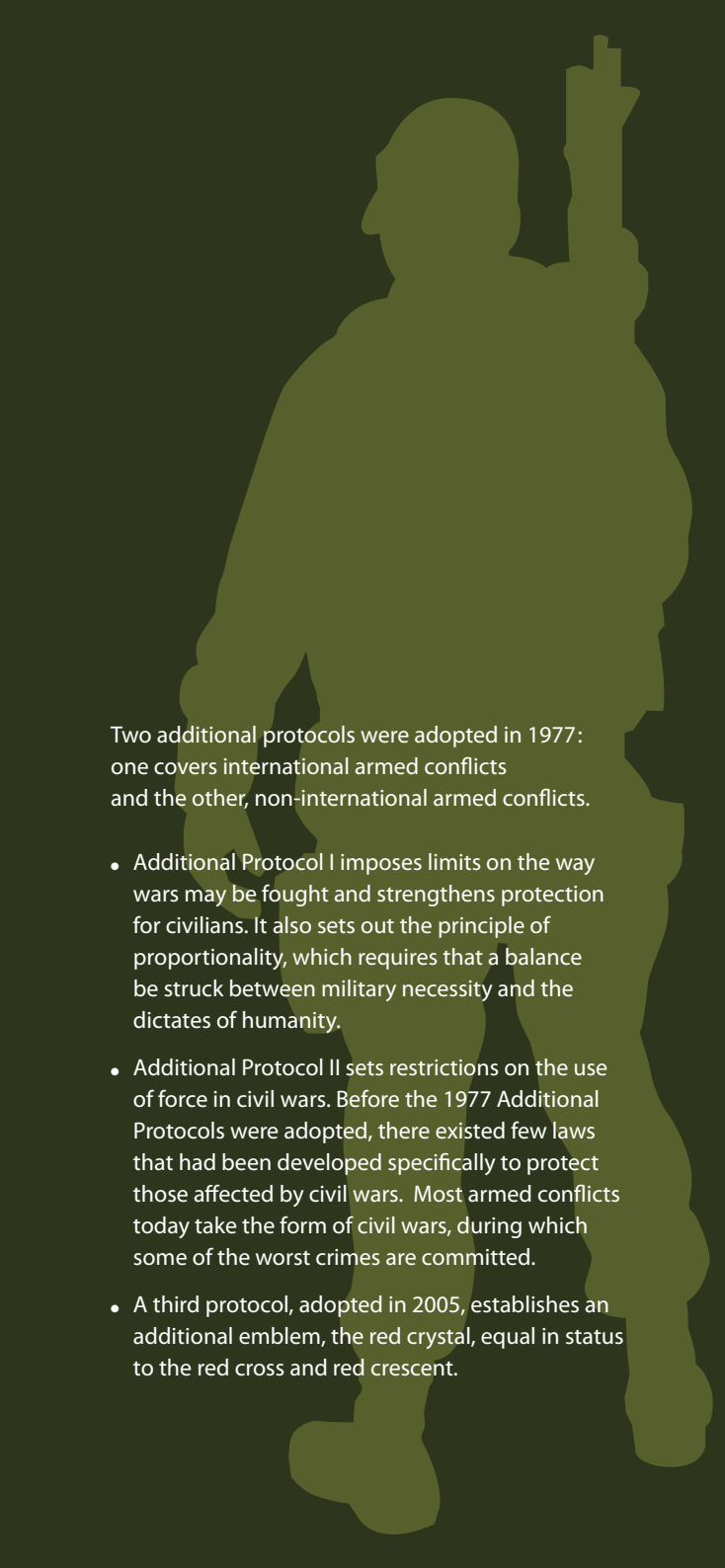


COMBATANTS

Combatants are entitled to protection. The 1977 Additional Protocols specify that:

- Injuries and suffering inflicted on an opponent must not exceed that which is necessary to achieve a legitimate military objective.
- Combatants who are no longer capable of taking part in military operations may not be attacked.
- In international conflicts, combatants who are captured must be presumed to be prisoners of war, and they must be protected as specified by the Geneva Conventions.
- Prisoners of war who cannot be cared for must be set free.

"I really thought they were going to throw me overboard. Well, I suppose that when you have been captured, you tend to be a bit paranoid. They took me to a hospital and this doctor told me, 'Here you are just another patient.' And the truth is that is exactly how I felt from then on."

A dark silhouette of a soldier in profile, facing left, holding a rifle. The soldier is wearing a helmet and a uniform. The background is a dark, textured grey.

Two additional protocols were adopted in 1977: one covers international armed conflicts and the other, non-international armed conflicts.

- Additional Protocol I imposes limits on the way wars may be fought and strengthens protection for civilians. It also sets out the principle of proportionality, which requires that a balance be struck between military necessity and the dictates of humanity.
- Additional Protocol II sets restrictions on the use of force in civil wars. Before the 1977 Additional Protocols were adopted, there existed few laws that had been developed specifically to protect those affected by civil wars. Most armed conflicts today take the form of civil wars, during which some of the worst crimes are committed.
- A third protocol, adopted in 2005, establishes an additional emblem, the red crystal, equal in status to the red cross and red crescent.



Protocols I and II additional to the Geneva Conventions have been ratified by most countries. Their rules must be respected.

Civilians caught up in armed conflict must be protected.

Find out more at www.icrc.org



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