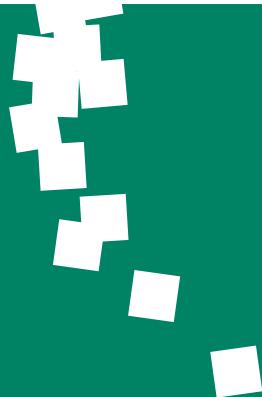


ANNEX TO THE GUIDANCE DOCUMENT

GENERAL AND SPECIFIC PROTECTION OF WOMEN UNDER INTERNATIONAL HUMANITARIAN LAW



This Annex includes both the general and specific protection afforded to women under international humanitarian law, meaning that some of the legal provisions apply equally to men and women without adverse distinction, while others apply exclusively to women. Although this table only refers to international humanitarian law, other bodies of law, such as human rights law, refugee law and domestic law also protect women in situations of armed conflict.

KEY

GC = Geneva Convention

AP = Additional Protocol

ICC = International Criminal Court

PART I: CIVILIAN POPULATION

ISSUE	PROVISIONS	CONTENT
PERSONAL SAFETY	GC I, Art. 12; GC II, Art. 12	<p>The wounded and sick, and members of the armed forces who are at sea and who are wounded, sick or shipwrecked, must be respected and protected in all circumstances. They shall be treated humanely without any adverse distinction founded on sex, race, nationality, religion, political opinions, or any similar criteria. Any attempts upon their lives, or violence to their persons, are strictly prohibited; in particular, they must not be murdered or exterminated, subjected to torture or to biological experiments.</p>
	GC I, Art. 12(4); GC II, Art. 12(4)	<p>Women must be treated with all consideration due to their sex.</p>
	GC I, Art. 15(1); GC II, Art. 18(1)	<p>Parties to the conflict must take all possible measures to search for and collect the wounded, sick and shipwrecked to protect them against pillage and ill-treatment, to ensure their adequate care.</p>
	GC IV, Arts.14; 15	<p>Parties to a conflict may establish safety or neutralized zones in an attempt to shield the civilian population, including in particular the wounded, sick, aged, children, expectant mothers and mothers of children under seven from the effects of war.</p>
	GC IV, Art. 27	<p>Women must be especially protected against any attack on their honour, in particular against rape, enforced prostitution, or any other form of indecent assault.</p>

PERSONAL SAFETY	GC IV, Art. 31	Prohibition of the use of physical or moral coercion to obtain information from protected persons.
	GC IV, Art. 32	Prohibition of taking any measure to cause the suffering or extermination of protected persons, including murder, torture, corporal punishment, mutilation, medical or scientific experiments not required by medical treatment and other measures of brutality applied by civilian or military agents.
	GC IV, Art. 33	Prohibition of reprisals against protected persons, pillage , collective penalties and all measures of intimidation or terrorism .
	GC IV, Art. 34	Prohibition of the taking of hostages .
	AP I, Art. 48	Parties to an armed conflict must distinguish between combatants and civilians and civilian objects and direct attacks only against military objectives.
	AP I, Art. 51(1)	Civilians and the civilian population must enjoy general protection against dangers arising from military operations.
	AP I, Art. 51(2)	Prohibition of acts or threats of violence whose primary purpose is to spread terror among the civilian population.
	AP I, Art. 51(4)	Prohibition of indiscriminate attacks of a nature to strike military and civilians or civilian objects without distinction or which may be expected to cause incidental loss of civilian life, injury to civilians or damage to civilian objects

PERSONAL SAFETY	AP I, Art. 51(6)	which would be excessive in relation to the concrete and direct military advantage expected.
	AP I, Art. 51(7)	Prohibition of attacks against civilian population or civilians by way of reprisals .
	AP I, Art. 54	Prohibition of using the presence or movements of the civilian population or individual civilians to shield military objectives from attacks.
	AP I, Art. 56	Prohibition of starvation of civilians as a method of warfare and of the destruction of objects indispensable to the survival of the civilian population.
	AP I, Art. 57	Prohibition of carrying out attacks on works and installations that may cause the release of dangerous forces and severe losses among the civilian population.
	AP I, Art. 75	Parties to an armed conflict must take constant care in the conduct of military operations to spare the civilian population, civilians and civilian objects.

PERSONAL SAFETY	AP I, Art. 76	<p>Women must be protected in particular against rape, forced prostitution and any other form of indecent assault. To the maximum extent feasible, parties to a conflict must endeavour to avoid the pronouncement of the death penalty on pregnant women or mothers having dependent infants for an offence related to the armed conflict. The death penalty for such offences must not be executed on such women.</p>
	GCs, Common Art. 3	<p>Parties to a non-international armed conflict must respect the following minimum standards: persons taking no active part in hostilities, must in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or similar criteria. The following acts are prohibited: violence to life and person, in particular murder, mutilation, cruel treatment and torture, taking of hostages and outrages upon personal dignity, in particular humiliating and degrading treatment.</p>
	AP II, Art. 4(1)	<p>In non-international armed conflicts all persons who do not take part or who have ceased to take part in hostilities, whether or not their liberty has been restricted, are entitled to respect for their person and honour. They must in all circumstances be treated humanely, without any adverse distinction.</p>
	AP II, Art. 4(2)	<p>Prohibition of violence to the life, health and physical or mental well-being of persons in non-international armed conflicts, in particular murder as well as cruel treatment such as torture, mutilation or any form of corporal punishment; collective punishments; taking of hostages; acts of terrorism; outrages upon personal dignity, in particular humiliating and degrading treatment, rape,</p>

PERSONAL SAFETY	AP II, Art. 13	enforced prostitution and any form of indecent assault; slavery and the slave trade in all their forms; pillage and threats to commit any of the foregoing acts.
	AP II, Art. 14	Prohibition of attacking civilians in non-international armed conflicts and prohibition of acts of violence whose primary purpose is to spread terror among civilian population.
	AP II, Art. 15	Prohibition of starvation of the civilian population as a means of warfare in non-international armed conflicts .
	Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti- Personnel Mines and on their Destruction, 1997, Art. 5(2)	Prohibition of attacking works or installations that may cause the release of dangerous forces and severe losses among the civilian population, in non-international armed conflicts .
	GC I, Art. 50; GC II, Art. 51; GC III, Art. 130; GC IV, Art. 147	Wilful killing, torture or inhuman treatment, including biological experiments, wilfully causing great suffering or serious injury to body or health and taking of hostages are grave breaches .

PERSONAL SAFETY	<p>AP I, Art. 85(3) (a)-(e)</p> <hr/> <p>ICC Statute, Art. 8(2)(a)(i); (ii); (iii); (viii); Art. 8(2)(b)(i); (iv); (x); (xxv)</p> <hr/> <p>ICC Statute, Art. 8(2)(c)(i); (iii); Art. 8(2)(e)(l); (xi)</p>	<p>Making the civilian population or individual civilians the object of attack; launching an indiscriminate attack affecting the civilian population or civilian objects in the knowledge that such attack will cause excessive loss of life, injury to civilians or damage to civilian objects; launching an attack against works or installations containing dangerous forces in the knowledge that such attack will cause excessive loss of life, injury to civilian or damage to civilian objects; making non-defended localities and demilitarized zones the object of attack and making a person the object of attack in the knowledge that s/he is <i>hors de combat</i> are grave breaches.</p> <hr/> <p>Wilful killing; torture or inhuman treatment, including biological experiments; wilfully causing great suffering, or serious injury to body and health; taking of hostages; intentionally directing attacks against the civilian population or individual civilians not taking direct part in hostilities; intentionally launching an attack in the knowledge it will cause incidental loss of life or injury to civilians which would be clearly excessive in relation to the concrete and direct overall military advantage anticipated; and intentionally using starvation of civilians as a method of warfare by depriving them of objects indispensable to their survival are war crimes in international armed conflicts.</p> <hr/> <p>Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture; the taking of hostages; intentionally directing attacks against the civilian population or against civilians not taking direct part in hostilities; subjecting persons to physical mutilation or to medical or scientific experiments of any kind, not justified by the medical treatment of the person</p>
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		concerned and which cause death or seriously endanger the health of the person concerned are war crimes in non-international armed conflicts .
SEXUAL VIOLENCE	GC IV, Art. 27	Women must be especially protected against any attack on their honour , in particular against rape, enforced prostitution , or any form of indecent assault .
	AP I, Arts.75(2)(a); (b)	Prohibition of violence to the life, health or physical or mental well-being of persons, in particular torture of all kinds, whether physical or mental and prohibition of outrages upon personal dignity , in particular humiliating and degrading treatment, enforced prostitution and any form of indecent assault or threats thereof.
	AP I, Art. 76	Women must be the object of special respect and must be protected in particular against rape, forced prostitution and any other form of indecent assault.
	GCs, Common Art. 3	Prohibition of outrages upon personal dignity , in particular humiliating and degrading treatment in non-international armed conflicts .
	AP II, Arts.4(2)(a); (e)	The following acts against persons <i>hors de combat</i> are prohibited in non-international armed conflicts : violence to life, health and physical or mental well-being, in particular cruel treatment such as torture; outrages upon personal dignity , in particular humiliating and degrading treatment, rape, enforced prostitution and any form of indecent assault; and slavery.

	ICC Statute, Arts. 8(2)(b)(xxi); (xxii); 8(2)(c)(ii); 8(2)(e)(vi)	Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence as well as outrages upon personal dignity, in particular humiliating and degrading treatment, are war crimes in both international and non-international armed conflicts.
DISPLACE-MENT	GC IV, Art. 45	Prohibition of the transfer of aliens in the power of a party to the conflict to a third State not party to GC IV.
	GC IV, Art. 45(4)	Prohibition of transferring aliens in the power of a party to the conflict to a country where s/he has reason to fear persecution (the principle of <i>non-refoulement</i>).
	GC IV, Art. 49(1),(2)	In situations of occupation, prohibition of individual or mass forcible transfers , both within the occupied territory and beyond its borders, except if this is necessary either for the security of the civilian population or for imperative military reasons ("evacuations").
	GC IV, Art. 49(3)	An Occupying Power undertaking evacuations must ensure, to the greatest practicable extent, that proper accommodation is provided to receive the protected persons, that removals are effected in satisfactory conditions of hygiene, health, safety and nutrition, and that members of the same family are not separated .
	GC IV, Art. 49	Evacuated persons must be transferred back to their homes as soon as hostilities in the area in question have ceased.

DISPLACE-MENT	AP II, Art. 17	Prohibition of forced displacement of the civilian population both within a country and across a border in non-international armed conflicts unless the security of the civilians or imperative military reasons so demand.
	AP II, Art. 17	Basic conditions for orderly displacements in non-international armed conflicts (satisfactory conditions of shelter, hygiene, health, safety and nutrition).
	GC IV, Art. 147	Unlawful deportation or transfer of protected persons is a grave breach.
	AP I, Art. 85 (4) (a)	The transfer by the Occupying Power of its own civilian population into the territory it occupies, or the deportation or transfer of all or parts of the population of the occupied territory within or outside this territory is a grave breach .
	ICC Statute, Art. 8(2)(a)(vii); (e) (viii)	Unlawful transfers or deportations of protected persons are war crimes in both international and non-international armed conflicts.
FREEDOM OF MOVEMENT	GC IV, Arts.35; 38(4); 48	Right of aliens to leave the territory of a party to an armed conflict or occupied territory, and move away from an area particularly exposed to the dangers of war.
FOOD AND ESSENTIAL HOUSEHOLD ITEMS	GC IV, Art. 23	States Parties must allow the free passage of certain goods intended for specific categories of the civilian population belonging to another State Party, even if the latter is its adversary in the conflict.

FOOD AND ESSENTIAL HOUSEHOLD ITEMS	GC IV, Art. 55	An Occupying Power must provide food and medical supplies for the population and should bring the necessary foodstuffs, medical stores and other articles into the occupied territory if the resources of that territory are inadequate.
	GC IV, Arts. 59; 60	While an Occupying Power retains primary responsibility for meeting the needs of the population of the occupied territory, if the whole or a part of the population is inadequately supplied it must agree to relief schemes and must facilitate them by all means at its disposal.
	AP I, Arts. 35(3); 55(1)	Prohibition of means and methods of warfare intended or expected to cause widespread, long-term or severe damage to the natural environment and thereby prejudice the health or survival of the population.
	AP I, Art. 52(1)	Attacks may not be directed against civilian objects (such as food supplies).
	AP I, Art. 54(1)	Prohibition of starvation of the civilian population as a method of warfare.
	AP I, Art. 54(2)	Prohibition of attacking, destroying, removing or rendering useless objects indispensable to the survival of the civilian population, including foodstuffs, agricultural areas for the production of foodstuffs, crops and livestock.
	AP I, Art. 54(4)	Objects indispensable to the survival of the civilian population must not be the object of reprisals .

FOOD AND ESSENTIAL HOUSEHOLD ITEMS	AP I, Art. 70(1)	In situations other than occupation, where the civilian population of a party to a conflict is not adequately provided with supplies, humanitarian and impartial relief actions must be undertaken, and priority must be given to children, expectant mothers, maternity cases and nursing mothers.
	AP I, Art. 70(2)	Parties to a conflict must allow and facilitate rapid, unimpeded passage for all relief consignments , equipment and personnel, even if such assistance is intended for the civilian population of the adverse party.
	AP I, Arts. 70(2); (3)(c)	Parties to a conflict must not in any manner divert relief consignments from the purpose for which they are intended nor delay their forwarding, except in cases of urgent necessity in the interest of the civilian population concerned.
	AP I, Art. 71	Personnel participating in relief actions must be respected and protected .
	AP II, Art. 14	Prohibition of starvation of the civilian population as a method of warfare in non-international armed conflicts and of attacking, destroying, removing or rendering useless objects indispensable to its survival.
	AP II, Art. 18(1)	In non-international armed conflicts, relief societies may offer their services.
	AP II, Art. 18(2)	If the civilian population is suffering undue hardship owing to a lack of supplies essential for its survival, such as foodstuffs and medical supplies, relief actions of an exclusively humanitarian and impartial nature, conducted without any adverse distinction, must be undertaken, subject to the consent of the State concerned.

FOOD AND ESSENTIAL HOUSEHOLD ITEMS	ICC Statute, Arts. 8(2) (b)(iii); 8(2)(e)(ii)	Intentionally directing attacks against personnel, installations, material, units or vehicles involved in a humanitarian assistance mission is a war crime in both international and non-international armed conflicts.
	ICC Statute, Arts. 8(2)(b) (ii); (iv); (xxv)	Intentionally directing attacks against civilian objects; launching an attack intended or expected to cause damage to the natural environment and intentionally using the starvation of civilians as a method of warfare by depriving them of objects indispensable to their survival, including wilfully impeding relief supplies , are war crimes in international armed conflicts.
WATER	AP I, Art. 54(2); AP II, Art. 14	Prohibition of attacks against objects indispensable to the survival of the civilian population including attacks against drinking water installations, supplies and irrigation works in international and non-international armed conflicts.
SOURCES OF LIVELIHOOD	GC IV, Art. 33	Prohibition of pillage (taking of property belonging to private individuals).
	GC IV, Art. 39	Protected persons who, as a result of the war, have lost their gainful employment, must be granted the opportunity to find paid employment . Subject to security considerations, such opportunity must be equal to that of nationals.
	GC IV, Art. 52	An Occupying Power is prohibited from taking measures aimed at creating unemployment or at restricting opportunities offered to workers in an occupied territory, to induce them to work for the Occupying Power.

SOURCES OF LIVELIHOOD	AP I, Art. 52(1)	Civilian objects shall not be the object of attack or of reprisals.
	AP I, Art. 54(2)	Prohibition of destruction of objects indispensable to the survival of the civilian population such as agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations or supplies, and irrigation works.
	AP II, Arts. 4(2)(g); 14	Prohibition of pillage and destruction of objects necessary to the survival of the civilian population in non-international armed conflict .
	ICC Statute, Arts. 8(2)(b)(xvi); (xiii); 8(2)(e)(v); (xii)	Pillage and destroying or seizing the property of an adversary unless such destruction or seizure is imperatively demanded by the necessities of the conflict is a war crime in both international and non-international armed conflicts.
SHELTER	GC IV, Art. 14	Parties to a conflict may conclude agreements to establish and recognize " safety zones and localities " to protect from the effect of hostilities wounded, sick and aged persons, children under fifteen, expectant mothers and mothers of children under the age of seven.
	GC IV, Art. 15	Neutralized zones may be established in conflict areas, intended to shelter from the effects of war civilian persons who take no part in the hostilities and perform no work of a military character.
	GC IV, Art. 23	States must permit the free passage of all consignments of essential clothing intended for children under fifteen, expectant mothers and maternity cases .

	GC IV, Art. 33	Prohibition of pillage and reprisals against the property of protected persons.
	GC IV, Art. 49	In situations of occupation, the Occupying Power must ensure, to the greatest practicable extent, that proper accommodation is provided for receiving transferred or evacuated protected persons.
	GC IV, Art. 53	In situations of occupation, any destruction of real or personal property is prohibited unless rendered absolutely necessary by military operations.
	GC IV, Art. 59	Clothing forms part of relief actions for the civilian population which an Occupying Power must allow.
SHELTER	AP I, Art. 52(1)	Civilian objects must not be the object of attacks or reprisals .
	AP I, Art. 52(2)	Civilian dwellings and shelters are protected unless used to make an effective contribution to military action, and their destruction in the circumstances prevailing at the time offers a definite military advantage.
	AP I, Arts. 61(a)(iii); (x)	Civil defence activities to protect the civilian population from danger expressly include the management of shelters and the provision of emergency accommodation and supplies.
	AP I, Arts. 62; 63	Parties to a conflict must respect and protect civil defence organizations and their personnel and allow them to perform their tasks.

SHELTER	AP I, Art. 62(3)	Buildings and material used for civil defence purposes and shelters provided for the civilian population are civilian objects and must not be destroyed or diverted from their proper use except by the party to whom they belong.
	AP I, Art. 69	In situations of occupation, the Occupying Power must ensure, to the fullest extent of the means available to it, and without adverse distinction, the provision, <i>inter alia</i> , of bedding , means of shelter and other supplies essential to the survival of the civilian population of the occupied territory.
	AP II, Art. 4(2)(g)	Prohibition of pillage and collective punishment , such as the destruction of dwellings in non-international armed conflicts .
	AP II, Art. 17	In non-international armed conflicts, during evacuations , all possible measures must be taken in order that the civilian population may be received under satisfactory conditions of shelter, hygiene, health and nutrition.
	GC I, Art. 50, GC II, Art. 51; GC IV, Art. 147	Extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly are grave breaches .
	AP I, Art. 85(3)(b)	Launching an indiscriminate attack affecting the civilian population or civilian objects in the knowledge that such attack will cause excessive loss of life, injury to civilians or damage to civilian objects is a grave breach .
	ICC Statute, Arts. 8(2)(a)(iv); 8(2)(b)(xiii); 8(2)(e)(v); (xii)	Wanton destruction or seizure of the enemy's property, unless imperatively demanded by the necessities of war, and pillaging a town or place are war crimes in both international and non-international armed conflicts.

SHELTER	ICC Statute, Arts. 8(2)(b)(ii); (iv); (v)	<p>Intentionally directing attacks against civilian objects, intentionally launching an attack in the knowledge it will cause damage to civilian objects, which would be excessive in relation to the concrete and direct overall military advantage anticipated, and attacking towns, villages, dwellings or buildings which are undefended and which are not military objectives are war crimes in international armed conflicts.</p>
HEALTH	GC I, Art. 12; GC II, Art. 12	<p>The wounded, sick or shipwrecked must not wilfully be left without medical assistance and care, nor shall conditions exposing them to contagion or infection be created. Only urgent medical reasons may authorize priority in the order of treatment to be administered.</p>
	GC I, Art. 15(3); GC II, Art. 18(2)	<p>Local arrangements may be concluded between parties to a conflict for the passage of medical and religious personnel to besieged or encircled areas.</p>
	GC I, Art. 19(1); GC II, Art. 37	<p>Fixed establishments and mobile medical units of the medical service may in no circumstances be attacked, but must at all times be respected and protected by parties to a conflict. Should they fall into the hands of the adverse party, their personnel must be free to pursue their duties, as long as the capturing power has not itself ensured the necessary care of the wounded and sick found in such establishments and units. The medical and hospital personnel in the hands of the enemy may continue to carry out their duties as long as this is necessary for the care of the wounded and sick.</p>

	GC I, Art. 23	In time of peace, States and, after the outbreak of hostilities, parties to a conflict, may establish in their territory and, if the need arises, in occupied areas, hospital zones and localities so organized as to protect the wounded and sick from the effects of war, as well as the personnel entrusted with the organization and administration of these zones and localities, and with the care of these persons.
HEALTH	GC I, Art. 24; GC II, Art. 36	Medical personnel exclusively engaged in the search for, or the collection, transport or treatment of the wounded and sick, or in the prevention of disease, staff exclusively engaged in the administration of medical units and establishments, as well as chaplains attached to the armed forces and medical and hospital personnel of hospital ships and their crews must be respected and protected in all circumstances.
	GC I, Art. 33	Medical material, buildings and stores must not be destroyed and must only be used for medical purposes.
	GC I, Art. 35	Transports of wounded and sick or of medical equipment shall be respected and protected in the same way as mobile medical units.
	GC I, Arts. 38-44; 53-54; GC II, Arts. 41-45; GC IV, Arts. 18-22; AP I, Arts. 8(I); 18(4); 38	The distinctive red cross/red crescent emblem must be displayed by medical and religious personnel on medical units and transports. The emblem must be respected at all times and must not be used improperly.
	GC II, Art. 22	Military hospital ships may in no circumstances be attacked or captured, but must at all times be respected and protected.

HEALTH	GC II, Art. 28	Should fighting occur on board a warship, the sick-bays shall be respected and spared as far as possible.
	GC IV, Art. 16	The wounded and sick , as well as the infirm and expectant mothers , must be the object of particular protection and respect.
	GC IV, Art. 16	Parties to a conflict must facilitate the steps taken to search for the wounded and to protect them from ill-treatment.
	GC IV, Art. 17	Belligerents must endeavour to conclude agreements for the removal from besieged or encircled areas of the wounded, sick, infirm, elderly, children and maternity cases, and for the passage of medical personnel and equipment to such areas.
	GC IV, Art. 18	Civilian hospitals organized to provide care for the wounded and sick, the infirm and maternity cases shall be protected from attack.
	GC IV, Art. 19	The protection to which civilian hospitals are entitled shall not cease unless they are used to commit acts harmful to the enemy.
	GC IV, Arts. 20-22	Personnel engaged exclusively in the operation of civilian hospitals and medical transports must be respected and protected .
	GC IV, Art. 23	All States must allow the free passage of consignments of medical and hospital stores intended for civilians in another State, even though it may be their opponent in a conflict.

HEALTH	GC IV, Art. 32; AP I, Art. 11	Prohibition of any medical procedure not indicated by the health of the person concerned.
	GC IV, Art. 50	In situations of occupation, the Occupying Power may not hinder the application of any preferential measures with regard to food, medical care and protection against the effects of war which may have been adopted prior to the occupation in favour of children under fifteen, expectant mothers and mothers of children under seven years of age.
	GC IV, Art. 55	In situations of occupation, the Occupying Power may only requisition medical supplies available in occupied territories if the requirements of the civilian population have been taken into account.
	GC IV, Art. 55; AP I, Art. 14	In situations of occupation, to the fullest extent of the means available to it, the Occupying Power must provide the population with medical supplies and should bring in the necessary medical stores and other articles if the resources of the occupied territory are insufficient.
	GC IV, Art. 56	In situations of occupation, to the fullest extent of the means available to it, the Occupying Power must ensure and Maintain medical and Hospital Establishments and services , public health and hygiene in the occupied territory, particularly regarding the adoption of preventive measures to combat the spread of contagious diseases. When adopting or implementing policies relating to health and hygiene, the Occupying Power must take into account the moral and ethical susceptibilities of the population.

HEALTH	GC IV, Art. 59; AP I, Art. 70	Provisions relating to relief actions all include medical supplies among the relief consignments.
	AP I, Art. 8(a)	The definition of wounded and sick expressly includes maternity cases , newborn babies and other persons who may be in immediate need of assistance or care, such as expectant mothers , and who refrain from any act of hostility.
	AP I, Art. 10	All wounded and sick , whichever party they belong to, must be respected, protected and treated humanely, and are entitled to receive, to the fullest extent practicable and with the least possible delay, the medical care and attention required by their condition, without distinction on any grounds other than medical ones.
	AP I, Arts. 16; 17	No one can be penalized or punished for having provided medical assistance , in particular for the benefit of someone belonging to the adverse party. Such protection applies to both medical personnel and members of the civilian population who provide medical assistance.
	AP I, Art. 70(1)	In the distribution of relief consignments, including medical items, priority should be given to children, expectant mothers , maternity cases and nursing mothers .
	GCs, Common Art. 3	The wounded and sick must be collected and cared for in non-international armed conflicts .

HEALTH	<p>AP II, Art. 7</p> <hr/> <p>AP I, Art. 85(3)(f)</p> <hr/> <p>ICC Statute, Arts. 8(2)(b)(ix); (xxiv);8(2)(e)(iv)</p> <hr/> <p>ICC Statute, Arts. 8(2)(b)(x); 8(2)(e)(xi)</p>	<p>In non-international armed conflicts, the wounded and sick must receive, to the fullest extent practicable and with the least possible delay, the medical care and attention required by their condition.</p> <hr/> <p>The perfidious use of the distinctive red cross/red crescent emblem is a grave breach.</p> <hr/> <p>Intentionally directing attacks against hospitals and places where the wounded and sick are collected, provided they are not military objects, and against buildings, material, medical units and transport and personnel using the distinctive emblems of the GCs in conformity with international law are war crimes both in international and non-international armed conflicts.</p> <hr/> <p>Subjecting persons to physical mutilation or to medical or scientific experiments of any kind that are not justified by the medical treatment of the persons concerned nor carried out in their interest, and causing death or seriously endangering health are war crimes both in international and non-international armed conflicts.</p>
HYGIENE AND SANITATION		See "WATER" and "HEALTH" in Part I of this Annex.
PRESERVATION OF FAMILY LINKS	GC I, Art. 16	Parties to a conflict must prepare and forward to each other through the National Information Bureau death certificates or duly authenticated lists of dead , together with wills or other documents of importance to the next of kin.

PRESERVATION OF FAMILY LINKS	GC I, Art. 17	Prior to burial or cremation of the dead, parties to a conflict must carry out a careful examination with a view to establishing identity .
	GC III, Arts. 70-71; GC IV, Arts. 106-107	Prisoners of war and detained or interned civilians may correspond with family members.
	GC III, Art. 122; GC IV, Arts. 136-141	Parties to a conflict must establish, upon the outbreak of hostilities, a National Information Bureau , responsible for receiving and transmitting information concerning prisoners of war or protected persons in the party's power.
	GC III, Art. 123; GC IV, Art. 140	The Central Information Agency must collect and transmit information on each person's full identity and regularly updated details of their place of detention and any transfer, release, admittance to hospital or death. The Agency collects and transmits information provided by the National Information Bureaux.
	GC IV, Art. 25	All persons in the territory of a party to an armed conflict, or in a territory occupied by it, must be able to give news of a strictly personal nature to members of their families, wherever they may be, and to receive news from them.
	GC IV, Art. 26; AP I, Art. 74	Parties to an armed conflict must facilitate enquiries by members of families dispersed during conflict, with the objective of renewing contact, and must encourage the work of organizations engaged in this task.
	GC IV, Art. 27	In the context of occupation, protected persons are entitled to respect for their family rights .

PRESERVATION OF FAMILY LINKS	<p>GC IV, Arts. 43; 106; AP I, Art. 79; GC III, Arts.17; 18</p> <hr/>	<p>Identification information must be taken and registered for various categories of persons in the hands of a party to the conflict, e.g. interned and detained civilians, journalists, prisoners of war.</p> <hr/>
	<p>GC IV, Art. 49</p> <hr/>	<p>In situations of occupation, if the Occupying Power carries out evacuations, it must ensure, to the greatest practicable extent, that members of the same family are not separated.</p> <hr/>
	<p>GC IV, Art. 50</p> <hr/>	<p>In situations of occupation, the Occupying Power must take all necessary steps to facilitate the identification of children and the registration of their parentage. The Occupying Power is prohibited from changing the personal status of children.</p> <hr/>
	<p>GC IV, Art. 82; AP I, Art. 75(5) and Art. 77(4)</p> <hr/>	<p>In situations of occupation, if civilians are interned, members of the same family must be lodged together. Internees may request that their children who are left at liberty without parental care be interned with them.</p> <hr/>
	<p>GC IV, Arts. 107; 116; 128</p> <hr/>	<p>In situations of occupation, family members are permitted to visit detained or interned relatives. If the place of detention has been changed, correspondence must be forwarded without delay.</p> <hr/>
	<p>GC IV, Art. 128</p>	<p>In situations of occupation, to ensure that family links are not severed in situations where only certain members of a family have been interned, and they are transferred from one place of internment to another, internees must be officially advised of their departure and their new address in time for them to inform their next of kin.</p>

PRESERVATION OF FAMILY LINKS	AP I, Art. 32	Activities concerning the missing and the dead are prompted by the right of families to know the fate of their relatives.
	AP I, Art. 34	As soon as circumstances permit, parties to a conflict and other States in whose territory graves and other burial locations are situated must conclude agreements to facilitate access to gravesites by relatives of the deceased. They must also facilitate the return of the remains of the deceased to the home country at the request of the country or of the next of kin.
	AP I, Art. 78(3)	If children are evacuated from their State of nationality, the evacuating State must issue an identification card for each child , setting out as much information as possible, and forward the card to the ICRC's Central Tracing Agency, in order to facilitate the return of children at the end of the conflict.
	AP II, Art. 4(3)(b)	In non-international armed conflicts , parties to a conflict are required to take all appropriate steps to reunite families that have been separated.
	AP II, Art. 5(2)(b)	Persons whose liberty has been restricted for reasons related to a non-international armed conflict must be allowed to send and receive correspondence .
ACCESS TO EDUCATION AND INFORMATION	GC IV, Arts. 24; 50; AP I, Art. 78(2)	Parties to an armed conflict are required to facilitate the education of children separated from their families. Emphasis is placed on entrusting the education, wherever possible, to persons of a cultural tradition similar to that of the children.

ACCESS TO EDUCATION AND INFORMATION	<p>GC IV, Art. 50</p> <hr/> <p>AP I, Art. 57(2)(c)</p> <hr/> <p>AP II, Art. 4(3)(a)</p>	<p>In situations of occupation, the Occupying Power is required to facilitate the proper working of all national and local institutions devoted to the care and education of children.</p> <hr/> <p>An effective advance warning must be given prior to the launch of an attack that may affect the civilian population.</p> <hr/> <p>In non-international armed conflicts, children must receive an education, including religious and moral education, in keeping with the wishes of their parents, or in the absence of parents, of those responsible for their care.</p>
RELIGIOUS AND CULTURAL PRACTICES	<p>GC I, Art. 15(3)</p> <hr/> <p>GC I, Art. 17(2)</p> <hr/> <p>GC I, Art. 17; GC III, Art. 120; GC IV, Art. 130</p> <hr/> <p>GC I, Art. 24; GC II, Art. 36; AP I, Art. 15(5)</p>	<p>Local arrangements may be concluded between parties to a conflict for the passage of medical and religious personnel and equipment on their way to besieged or encircled areas.</p> <hr/> <p>Bodies must not be cremated except for imperative reasons of hygiene or motives based on the religion of the deceased.</p> <hr/> <p>Persons who die in the hands of the enemy must be buried, if possible, in accordance with the rites of their religion.</p> <hr/> <p>Religious personnel must be respected and protected.</p>

RELIGIOUS AND CULTURAL PRACTICES	GC I, Art. 28; GC II, Art. 37; GC III, Arts. 35-7; GC IV, Arts. 17; 58; 93	Religious personnel have the right to provide spiritual assistance to the wounded, sick and shipwrecked, to prisoners of war, to civilians in besieged areas, to civilian internees and detainees and to the civilian population of occupied territories.
	GC III, Art. 34; GC IV Arts. 38(3); 93	Prisoners of war, interned civilians and protected persons in occupied territories have the right to practise their religion , for example by attending services of their faith.
	GC IV, Art. 23; 108; 142; AP I, Art. 70	Religious items are included in the supplies which must be granted free passage through the territories of parties to GC IV or which can be provided in relief consignments by humanitarian organizations.
	GC IV, Art. 27	Protected persons are entitled, in all circumstances, to respect for their religious convictions and practices, and their manners and customs.
	AP I, Art. 53	Cultural objects and of places of worship are protected. Prohibition of any acts of hostility directed against the historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of peoples; of using such objects in support of the military effort and of making such objects the object of reprisals.
	AP I, Art. 69; GC IV, Art. 58	In situations of occupation , the Occupying Power is required to the fullest extent of the means available to it, to ensure the provision of objects necessary for religious worship and to accept consignments of books and articles

RELIGIOUS AND CULTURAL PRACTICES	<p>AP II, Arts. 4(1); 4(3)(a)</p> <p>AP II, Art. 16</p> <p>AP I, Art. 85 (4)(d)</p> <p>ICC Statute, Arts. 8(2)(b)(ix); 8(2)(e)(iv);</p>	<p>required for religious needs and to facilitate their distribution in the occupied territory.</p> <p>In non-international armed conflicts, the convictions and religious practices of all persons who are not taking a direct part in hostilities must be respected and children must be able to receive religious and moral education.</p> <p>Prohibition of acts of hostility against places of worship, which constitute the cultural and spiritual heritage of peoples as well as their use in support of the military effort in non-international armed conflicts.</p> <p>Making clearly recognized historic monuments, works of art or places of worship, which constitute the cultural or spiritual heritage of peoples and to which special protection has been given, the object of attack, causing extensive destruction thereof, where there is no evidence that the adverse party has violated the prohibition to use such objects in support of the military effort, and when such historic monuments, works of art and places of worship are not located in the immediate proximity of military objectives, are grave breaches.</p> <p>Intentionally directing attacks against buildings dedicated to religion, provided they are not military objectives, is a war crime in both international and non-international armed conflicts.</p>
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LEGAL ISSUES	Hague Regulations, Art. 3, AP I, Art. 90(1)	Right to compensation for violations of the Hague Regulations, the GCs and AP I.
	Hague Regulations, Art. 23(h)	Prohibition on declaring abolished, suspended or inadmissible in a court of law the rights and actions of nationals of the hostile party.
	GC I, Art. 16; GC II, Art. 19; GC III, Arts. 77; 120; GC IV, Arts. 113; 129	Death certificates, authenticated lists of dead, wills, powers of attorney and other legal documents relating to persons in the power of the adverse party must be transmitted.
	GC IV, Art. 24; AP I, Art. 78(3)	Parties to armed conflict must issue personalized identification documents or other means of identification, such as identity discs, to children.
	ICC Statute, Art. 8(2)(b)(xiv)	Declaring abolished, suspended or inadmissible in a court of law the rights and actions of the nationals of the hostile party, is a war crime in international armed conflicts .

PART II: WOMEN DEPRIVED OF THEIR FREEDOM

ISSUE	PROVISIONS	CONTENT
ACCOMMODATION, FOOD AND WATER	GC III, Art. 23; GC IV, Art. 83	Prisoner-of-war camps and internment camps must not be located in areas particularly exposed to the dangers of war, and must not be used to render certain points or areas immune from military operations.
	GC III, Art.22; GC IV, Art.85	Prisoners of war and civilian internees must be detained in premises affording every guarantee of hygiene and healthfulness . Prisoners of war and civilian internees must be removed as soon as possible to a more favourable climate if placed in unhealthy areas or where the climate is injurious to them.
	GC III, Arts. 22; 97; GC IV, Arts. 84; 124	Prisoners of war and civilian internees should be held in separate detention facilities , or at least in different quarters.
	GC III, Arts. 25; 97; GC IV, Arts. 76; 85; 124; AP I, Art. 75(5)	In prisoner-of-war and civilian internment camps, and where prisoners of war and civilian internees are detained for disciplinary punishment, women must be confined in separate quarters from men and must be under the immediate supervision of women .
	GC III, Art. 26; GC IV Art. 89	Prisoners of war and interned civilians must be given daily food rations sufficient in quantity, quality and variety to keep them in good health and prevent nutritional deficiencies. Account must be taken of their customary diet.

ACCOMMODATION, FOOD AND WATER	GC IV, Art. 82; AP I, Art. 75(5)	Whenever members of the same family are deprived of their liberty, they are required to be accommodated as family units .
	AP II, Art. 5(2)(a)	In non-international armed conflicts , except when men and women of the same family are accommodated together, women must be held in quarters separate from those of men and must be under the immediate supervision of women .
	AP II, Art. 5(2)(b)	Persons who have been deprived of their liberty in relation to a non-international armed conflict must to the same extent as the local population be provided with food and drinking water and be afforded protection against the dangers of armed conflict.
	AP II, Art. 5(2)(c)	In non-international armed conflicts , places of internment and detention must not be located close to the combat zone, and internees and detainees must be evacuated if these places become particularly exposed to the dangers arising from armed conflict, provided the evacuation can be carried out in adequate conditions of safety.
TREATMENT AND SAFETY	GC III, Arts. 13; 14	Prisoners of war must be treated humanely at all times and are entitled to respect for their persons and their honour in all circumstances.
	GC III, Art. 13	A Detaining Power must protect prisoners of war from acts of violence or intimidation and from insults and public curiosity.

TREATMENT AND SAFETY	GC III, Arts.13; 14	Unlawful acts or omissions by a detaining authority causing the death or seriously endangering the health of prisoners of war are prohibited. Prisoners of war must not be subjected to physical mutilation or to medical or scientific experiments.
	GC III, Art. 14	Women prisoners of war must be treated with all the regard due to their sex and must in all cases benefit from treatment as favourable as that granted to men.
	GC III, Art. 17	Prohibition of the use of physical or mental torture and any form of coercion in order to secure information of any kind from prisoners of war.
	GC III, Art. 88	Female prisoners of war may not be sentenced to more severe punishment or be treated more severely when undergoing punishment than female or male members of the Detaining Power's forces for a similar offence.
	GC III, Art. 97; GC IV, Arts. 76; 124; AP I, Art. 75(5); AP II, Art. 5(2)(a)	Women deprived of their liberty in relation to international or non-international armed conflicts must be placed under the immediate supervision of women .
	GC IV, Art. 97	A woman civilian internee must not be searched except by a woman.
	GC IV, Art. 117	Disciplinary penalties may not be inhuman, brutal or dangerous to the health of civilian internees and account must be taken of the internees' age, sex and state of health.
	AP II, Art. 5(2)(e)	The physical or mental integrity of persons deprived of their liberty for reasons related to a non-international conflict must not be endangered by any

		unjustified act or omission. It is prohibited to subject these persons to any medical procedure not justified by the state of health of the person concerned.
HEALTH AND MEDICAL CARE	GC III, Art. 15; GC IV, Art. 81	A Detaining Power must provide free of charge any medical attention required by the state of health of prisoners of war or civilian internees.
	GC III, Art. 55	Every prisoner-of-war camp must have an adequate infirmary and, if necessary, isolation wards for contagious or mental diseases . Prisoners of war suffering from serious diseases or who are in need of special treatment, surgical procedures or hospital care must be admitted to military or civilian hospitals where such treatment can be provided. Periodic check-ups must also be carried out to assess the fitness of prisoners of war for work, with particular regard to the nature of work which the prisoners of war are required to perform.
	GC III, Art. 72; GC IV, Art. 108	Medical supplies form part of the relief shipments that prisoners of war and interned civilians are allowed to receive, either individually or collectively.
	GC IV, Art. 91	Every place of internment must have an adequate infirmary . Isolation wards must be set aside for cases of contagious or mental diseases. Maternity cases and internees suffering from contagious diseases, or whose condition requires special treatment, surgical procedures or hospital care, must be admitted to an institution where adequate treatment can be given, and must receive care not inferior to that provided for the general population.

	AP II, Arts. 5(1)(b); 5(2)(d)	Persons deprived of their freedom in relation to a non-international armed conflict must be afforded safeguards as regards health to the same extent as the local population, and must have the benefit of medical examinations .
HYGIENE AND SANITATION	GC III, Art. 28	Prisoners of war must be provided with sufficient water and soap for their personal use and for washing their personal laundry.
	GC III, Art. 29	A Detaining Power must take all sanitary measures necessary to ensure the cleanliness and healthfulness of prisoner-of-war camps, and to prevent epidemics. In any camps accommodating women , separate conveniences must be provided for them.
	GC IV, Arts.85(1); (3)	A Detaining Power must take all necessary and possible measures to ensure that interned civilians, from the outset of their internment, are accommodated in buildings or quarters which afford every possible safeguard as regards hygiene and health , and provide efficient protection against the rigours of the climate and the effects of the war. Internees must be provided with sufficient water and soap for their daily personal use and for washing their personal laundry.
	GC IV, Art. 85(4)	Whenever it is necessary, as an exceptional and temporary measure, to accommodate women internees who are not members of a family unit in the same place of internment as men, the provision of separate sleeping quarters and sanitary conveniences for the use of such women internees shall be obligatory.

	AP II, Art. 5(1)(b)	Persons deprived of their freedom in relation to non-international armed conflict must be afforded safeguards as regards hygiene to the same extent as the local civilian population.
PRESERVATION OF FAMILY LINKS		See "PRESERVATION OF FAMILY LINKS" in Part I of this Annex and "ACCOMMODATION, IFOOD AND WATER" in Part II of this Annex.
EDUCATIONAL, RECREATIONAL AND WORK PROGRAMMES	GC III, Art. 38	A Detaining Power must encourage the practice of intellectual, educational and recreational pursuits among prisoners of war, and provide adequate premises and the necessary equipment for this.
	GC III, Arts. 49; 51; 52	A Detaining Power may utilize the labour of prisoners of war who are physically fit, taking into account their age, sex, rank and physical aptitude. Prisoners of war must be granted suitable working conditions. Unless they volunteer, they may not be employed to perform labour of an unhealthy or dangerous nature.
	GC III, Art. 72; GC IV, Art. 108	Individual and collective relief shipments for prisoners of war and civilian internees may include books and objects of an educational or recreational character, and, in the case of prisoners of war, scientific equipment, examination papers, musical instruments, sports outfits, and materials which permit the pursuit of studies and cultural activities.
	GC III, Art. 98	All prisoner-of-war camps must include sufficient open space for the purpose of physical exercise, including sports and games. Prisoners of war undergoing

EDUCATIONAL, RECREATIONAL AND WORK PROGRAMMES	GC IV, Art. 94	disciplinary punishment must also be allowed to exercise and to remain in the open air for at least two hours daily.
	GC IV, Art. 95	A Detaining Power must ensure the education of children and young people in civilian internee camps and allow them to attend schools, either within the place of internment or outside. Special playgrounds must be reserved in the place of detention for children or young people.
	AP II, Art. 4(3)(a)	A Detaining Power must not employ civilian internees as workers unless they so desire. Work of a degrading or humiliating character or which is directly related to military operations is prohibited.
	AP II, Art. 5(1)(c)	In non-international armed conflicts , children are required to receive education in keeping with the wishes of their parents.
	AP II, Art. 5(1)(e)	Persons deprived of their freedom in relation to a non-international armed conflict are allowed to receive individual or collective relief , which should be taken as including books and other objects of an educational or recreational character.
If made to work , persons deprived of their freedom for reasons related to the armed conflict must have the benefit of working conditions and safeguards similar to those enjoyed by the local population.		

	<p>GC III, Art. 130; GC IV, Art. 147</p> <hr/> <p>ICC Statute, Art. 8(2)(a)(v)</p>	<p>Compelling prisoners of war and protected persons to serve in the armed forces of a hostile power is a grave breach.</p> <hr/> <p>Compelling prisoners of war and other protected persons to serve in the forces of a hostile power is a war crime in international armed conflicts.</p>
RELIGIOUS AND CULTURAL PRACTICES	<p>GC III, Arts. 34-37; GC IV, Arts. 86; 93</p> <hr/> <p>GC III, Art. 72; GC IV, Art. 108; AP II, Art. 5(1)(c)</p> <hr/> <p>GC IV, Art. 82</p> <hr/> <p>AP II, Art. 4(1)</p>	<p>Prisoners of war and civilian internees must be granted complete latitude in the exercise of their religious duties, including attendance at religious services of their faith. Detaining Powers must provide adequate premises in which such services can be held. Detained ministers of religion must be allowed to minister freely.</p> <hr/> <p>Individual and collective relief shipments for prisoners of war and civilian internees may include articles of a religious character.</p> <hr/> <p>A Detaining Power must, as far as possible, accommodate civilian internees according to their nationality, language and customs.</p> <hr/> <p>In non-international armed conflicts, all persons, regardless of whether their liberty has been restricted, are entitled to respect for their convictions and religious practices.</p>
PERSONAL DOCUMENTS	<p>GC I, Art. 40; GC III, Arts. 18; 77; GC IV, Art. 97</p>	<p>Prisoners of war and civilian internees must not be without identification documents. If they lack such documents, the Detaining Power is required to provide them.</p>

	GC III, Art. 77; GC IV, Art. 113	Detaining Powers are required to facilitate the execution and authentication of documents such as wills, powers of attorney and letters of authority by prisoners of war and interned civilians, in particular by allowing them to consult a lawyer.
JUDICIAL GUARANTEES	GC III, Art. 84; GC IV, Art. 71; AP I, Art. 75(4); AP II, Art. 6(2)	Right to be judged by an impartial and regularly constituted court recognizing the principles of regular judicial procedures.
	GC III, Art. 86; GC IV, Art. 117; AP I, Art. 75(4)(h)	Principle of <i>non bis in idem</i> (prohibition of double jeopardy).
	GC III, Art. 87; GC IV, Art. 33; AP I, Art. 75(4)(b); AP II, Art. 6(2)(b)	Principle of individual criminal responsibility.
	GC III, Art. 88	A woman prisoner of war must not be sentenced to a punishment more severe, nor treated more severely while undergoing punishment than a woman member of the armed forces of the Detaining Power dealt with for a similar offence. A woman prisoner of war may in no case be sentenced or treated more severely while undergoing punishment than a male member of the armed forces of the Detaining Power dealt with for the same offence.
	GC III, Arts. 99; 105; GC IV, Arts. 72; 74; AP I, Art. 75(4)(a); (g); AP II, Art. 6(2)(a)	Right to a defence : right to legal assistance, to a competent interpreter, as well as the right to call and examine witnesses.

JUDICIAL GUARANTEES	GC III, Art. 99; GC IV, Art. 67; AP I, Art. 75(4)(c); AP II, Art. 6(2)(c)	Principle of <i>nullum crimen sine lege</i> (no crime without law).
	GC III, Art. 104; GC IV, Art. 71; AP I, Art. 75(4)(a); AP II, Art. 6(2)(a)	Right to be promptly informed of the offences with which an individual is charged.
	GC III, Art. 106; GC IV, Art. 73; AP I, Art. 75(4)(j); AP II, Art. 6(3)	Right to appeal .
	AP I, Art. 75	Fundamental judicial guarantees apply to persons who are in the power of a party to an international conflict, who do not benefit from more favourable treatment under the GCs or AP I.
	AP I, Art. 75(4)(d); AP II, Art. 6(2)(d)	Right to the presumption of innocence .
	AP I, Art. 75(4)(e); AP II, Art. 6(2)(e)	Right to be present at one's trial.
	AP I, Art. 75(4)(f); AP II, Art. 6(2)(f)	Right not to testify against oneself or to confess guilt.
	AP I, Art. 75(4)(i)	Right to have judgement pronounced publicly .
	AP I, Art. 76(2)	Pregnant women and mothers having dependant infants who are arrested, detained or interned for reasons related to the armed conflict shall have their cases considered with the utmost priority .



JUDICIAL GUARANTEES	AP I, Art. 76(3)	To the maximum extent feasible, parties to a conflict must endeavour to avoid the pronouncement of the death penalty on pregnant women or mothers having dependent infants, for an offence related to the armed conflict. The death penalty for such offences must not be executed on such women.
	GCs, Common Art. 3	Prohibition on passing sentences and carrying out executions without previous judgement pronounced by a regularly constituted court, affording all judicial guarantees , in non-international armed conflicts .
	AP II, Art. 6	Safeguards to be applied in the prosecution and punishment of persons charged with criminal offences related to a non-international armed conflict , including that the death penalty shall not be carried out on pregnant women or mothers of young children.
	GC III, Art. 130; GC IV, Art. 147; AP I, Art. 85(4)(e);	Depriving a protected person of a fair and regular trial is a grave breach .
	GC IV, Art. 147	Unlawful confinement of a protected person is a grave breach .
	ICC Statute, Arts.8(2)(a)(vi); (vii)	Wilfully depriving a prisoner of war or other protected person of the right to a fair and regular trial, and the unlawful confinement of a protected person are war crimes in international armed conflicts .

JUDICIAL GUARANTEES	ICC Statute, Art. 8(2)(c)(iv)	The passing of sentences and the carrying out of executions without previous judgement pronounced by a regularly constituted court, affording all judicial guarantees which are generally recognized as indispensable is a war crime in non-international armed conflicts.
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