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**ADVISORY SERVICE**  
ON INTERNATIONAL HUMANITARIAN LAW

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**War Crimes under the Rome Statute of the  
International Criminal Court and their source in  
International Humanitarian Law**

Comparative Table

## NOTE

The present table seeks to provide the war crimes over which the International Criminal Court (ICC) has jurisdiction, together with the definition of such offences as found in other sources of international humanitarian law (IHL). The table aims, on the one hand, **to identify the origin of the terms used in the Statute's definitions of war crimes** and, on the other, **to highlight the differences in wording and content between those definitions and obligations arising under IHL instruments.**

More specifically, crimes under the ICC Statute are compared with the following:

- Grave breaches of the Geneva Conventions of 1949 and their Additional Protocol I;
- Other serious violations of the laws and customs of war applicable in international armed conflicts (based primarily on the 1899 Hague Declaration, the 1907 Regulations annexed to the Hague Convention No. IV, the 1925 Geneva Protocol, the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its protocols, the 1989 Convention on the Rights of the Child, the 1994 Convention on the Safety of United Nations and Associated Personnel, and the Statute of the International Criminal Tribunal for the former Yugoslavia);
- Serious violations of the laws and customs of war applicable in non-international armed conflicts (based primarily on Article 3 common to the four Geneva Conventions of 1949, their Additional Protocol II of 1977, the 1999 Optional Protocol to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, the 1989 Convention on the Rights of the Child, the 1994 Convention on the Safety of United Nations and Associated Personnel, the Statutes of the International Criminal Tribunals for Rwanda and the former Yugoslavia, and the Statute of the Special Court for Sierra Leone).

## **List of abbreviations** (treaties and other documents)

1899 Hague Declaration	Declaration concerning the Prohibition of Using Bullets which Expand or Flatten Easily in the Human Body (International Peace Conference, The Hague, 1899)
HRIV	Regulations Respecting the Laws and Customs of War on Land, annexed to The Hague Convention of 18 October 1907 Respecting the Laws and Customs of War on Land (Convention No. IV)
1925 Geneva Protocol	Geneva Protocol of 17 June 1925 for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases and of Bacteriological Methods of Warfare
GCI	Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, of 12 August 1949
GCII	Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, of 12 August 1949
GCIII	Geneva Convention relative to the Treatment of Prisoners of War, of 12 August 1949
GCIV	Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949
API	Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), of 8 June 1977
APII	Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), of 8 June 1977
1954 CCP	Convention for the Protection of Cultural Property in the Event of Armed Conflict, of 14 May 1954
Child Convention	Convention on the Rights of the Child, United Nations, 20 November 1989
ICTY Statute	Statute of the International Criminal Tribunal for the former Yugoslavia
ICTR Statute	Statute of the International Criminal Tribunal for Rwanda
1994 UN Convention	Convention on the Safety of United Nations and Associated Personnel, 9 December 1994
ICC Statute	Rome Statute of the International Criminal Court, 17 July 1998
1999 CCP OP	Optional Protocol to the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict, 26 March 1999
SCSL Statute	Statute of the Special Court for Sierra Leone, 16 January 2002
CIHL Study	ICRC Study on Customary International Humanitarian Law, ed. 2005

**COMPARATIVE TABLE:**

**WAR CRIMES FOUND IN THE ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT  
and THEIR SOURCE IN INTERNATIONAL HUMANITARIAN LAW**

WAR CRIMES UNDER THE ICC STATUTE		SOURCE AND PROVISION FOUND IN SOURCES OF IHL	
ICC Statute	Art. 8 (2) (a) (committed against protected persons)	GRAVE BREACHES OF THE 1949 GENEVA CONVENTIONS (committed against protected persons)	Source of IHL
Art. 8 (2) (a) (i)	Wilful killing	Wilful killing	Art. 50/ 51/ 130/147 of GC 1-IV respectively
Art. 8 (2) (a) (ii)	Torture or inhuman treatment, including biological experiments	Torture or inhuman treatment, including biological experiments	
Art. 8 (2) (a) (iii)	Wilfully causing great suffering, or serious injury to body or health	Wilfully causing great suffering or serious injury to body or health	
Art. 8 (2) (a) (iv)	Extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly	Extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly	Art. 50/ 51/147 of GC I, II and IV respectively
Art. 8 (2) (a) (v)	Compelling a prisoner of war or other protected person to serve in the forces of a hostile Power	Compelling a prisoner of war [or a protected person] to serve in the forces of the hostile Power	Art. 130 and 147 of GC III and GC IV respectively
Art.8 (2) (a) (vi)	Wilfully depriving a prisoner of war or other protected person of the rights of fair and regular trial	Wilfully depriving a prisoner of war [or a protected person] of the rights of fair and regular trial prescribed in this Convention	Art. 130 and 147 of GC III and GC IV respectively
Art. 8 (2) (a) (vii)	Unlawful deportation or transfer or unlawful confinement	Unlawful deportation or transfer or unlawful confinement	Art. 147 GC IV
Art. 8 (2) (a) (viii)	Taking of hostages	Taking of hostages	Art. 147 GC IV
	<b>Art. 8 (2) (b)</b>	<b>GRAVE BREACHES OF ADDITIONAL PROTOCOL I AND OTHER RELEVANT TEXTS</b>	
Art. 8 (2) (b) (i)	Intentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in hostilities	[When committed wilfully, in violation of the relevant provisions of this Protocol, and causing death or serious injury to body or health]  Making the civilian population or individual civilians the object of attack	Art. 85 (3) (a), plus Art. 51(2) AP I
Art. 8 (2) (b) (ii)	Intentionally directing attacks against civilian objects, that is, objects which are not military objectives	Civilian objects shall not be the object of attack or of reprisals	Art. 52 (1) AP I

<p>Art. 8 (2) (b) (iii)</p> <p><i>See also Art. 8 (2) (b) (xxiv)</i></p>	<p>Intentionally directing attacks against personnel, installations, material, units or vehicles involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter of the United Nations, as long as they are entitled to the protection given to civilians or civilian objects under the international law of armed conflict</p>	<p><b>[Peacekeeping missions:]</b></p> <p>United Nations and associated personnel, their equipment and premises shall not be made the object of attack or of any action that prevents them from discharging their mandate</p>	<p>Art. 7 (1) of the 1994 UN Convention</p>
		<p>1. The intentional commission of:</p> <p>(a) A murder, kidnapping or other attack upon the person or liberty of any United Nations or associated personnel</p> <p>(b) A violent attack upon the official premises, the private accommodation or the means of transportation of any United Nations or associated personnel likely to endanger his or her person or liberty</p> <p>(c) A threat to commit any such attack with the objective of compelling a physical or juridical person to do or to refrain from doing any act</p> <p>(d) An attempt to commit any such attack</p> <p>(e) An act constituting participation as an accomplice in any such attack, or in an attempt to commit such attack, or in organizing or ordering others to commit such attack, shall be made by each State Party a crime under its national law</p> <p>2. Each State Party shall make the crimes set out in paragraph 1 punishable by appropriate penalties which shall take into account their grave nature</p>	<p>Art. 9 of the 1994 UN Convention</p>
		<p><b>[Humanitarian assistance:]</b></p> <p>[Personnel participating in relief actions] shall be respected and protected</p>	<p>Art. 71 (2) of AP I.</p>
<p>Art. 8 (2) (b) (iv)</p>	<p>Intentionally launching an attack in the knowledge that such attack will cause incidental loss of life or injury to civilians or damage to civilian objects or widespread, long-term and severe damage to the natural environment which would be clearly excessive in relation to the concrete and direct overall military advantage anticipated</p>	<p><b>[Indiscriminate attacks:]</b></p> <p>[When committed wilfully, in violation of the relevant provisions of this Protocol, and causing death or serious injury to body or health]</p> <p>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, as defined in Article 57, paragraph 2 (a) (iii) [of API]</p>	<p>Art. 85 (3) (b) of AP I.</p>
		<p>Launching an attack which may be expected to cause incidental loss of 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, is prohibited</p>	<p>Rule 14 of CIHL study</p>
		<p><b>[Damage to the natural environment:]</b></p> <p>It is prohibited to employ methods or means of warfare which are intended, or may be expected, to cause widespread, long-term and severe damage to the natural environment</p> <p>[...] and thereby to prejudice the health or survival of the population</p>	<p>Art. 35 (3) of AP I</p> <p>Art. 55 (1) of AP I</p>
		<p>Attacks against the natural environment by way of reprisals are prohibited</p>	<p>Art. 55 (2) of AP I</p>

Art. 8 (2) (b) (v)	Attacking or bombarding, by whatever means, towns, villages, dwellings or buildings which are undefended and which are not military objectives	[When committed wilfully, in violation of the relevant provisions of this Protocol, and causing death or serious injury to body or health] Making non-defended localities and demilitarized zones the object of attack	Art. 85 (3) (d) of AP I;
		The attack or bombardment, by whatever means, of towns, villages, dwellings, or buildings which are undefended is prohibited	Art. 25 of HR IV
		Directing an attack against a zone established to shelter the wounded, the sick and civilians from the effects of hostilities; directing an attack against a demilitarized zone agreed upon between the parties to the conflict; and directing an attack against a non-defended locality is prohibited	Rules 35, 36, 37 of CIHL Study
Art. 8 (2) (b) (vi)	Killing or wounding a combatant who, having laid down his arms or having no longer means of defence, has surrendered at discretion	[When committed wilfully, in violation of the relevant provisions of this Protocol, and causing death or serious injury to body or health] Making a person the object of attack in the knowledge that he is ' <i>hors de combat</i> '	Art. 85 (3) (e) of AP I
		[It is especially forbidden:] (c) To kill or wound an enemy who, having laid down his arms, or having no longer means of defence, has surrendered at discretion;	Art. 23 (c) of HR IV
Art. 8 (2) (b) (vii)	Making improper use of a flag of truce, of the flag or of the military insignia and uniform of the enemy or of the United Nations, as well as of the distinctive emblems of the Geneva Conventions, resulting in death or serious personal injury	[When committed wilfully, in violation of the relevant provisions of this Protocol, and causing death or serious injury to body or health] The perfidious use, in violation of Article 37 [of API], of the distinctive emblem of the red cross, red crescent or red lion and sun or of other protective signs recognized by the Conventions or this Protocol	Art. 85 (3) (f) of AP I
		It is especially forbidden: [...] To make improper use of a flag of truce, of the national flag or of the military insignia and uniform of the enemy, as well as the distinctive badges of the Geneva Convention	Art. 23 (f) of HR IV
		The improper use of the white flag of truce; the distinctive emblems of the Geneva Conventions; the United Nations emblem and uniform, except as authorized by the organization; other internationally recognized emblems; the flags or military emblems, insignia or uniforms of the adversary; the flags or military emblems, insignia or uniforms of neutral or other States not party to the conflict, is prohibited	Rules 58, 59, 60, 61, 62, 63 of CIHL Study
Art. 8 (2) (b) (viii)	The transfer, directly or indirectly, by the Occupying Power of parts 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	[When committed wilfully and in violation of the Conventions or the Protocol] The transfer by the Occupying Power of parts 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, in violation of Article 49 of the Fourth Convention	Art. 85 (4) (a) of AP I
		Parties to an international armed conflict may not deport or forcibly transfer the civilian population of an occupied territory, in whole or in part, unless the security of the civilians involved or imperative military reasons so demand	Rule 129A of CIHL Study

		States may not deport or transfer parts of their own civilian population into a territory they occupy	Rule 130 of CIHL Study
Art. 8 (2) (b) (ix)	Intentionally directing attacks against buildings dedicated to religion, education, art, science or charitable purposes, historic monuments, hospitals and places where the sick and wounded are collected, provided they are not military objectives	Making the 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 by special arrangement, for example, within the framework of a competent international organization, the object of attack, causing as a result extensive destruction thereof, where there is no evidence of the violation by the adverse Party of Article 53, sub-paragraph (b) [of API], and when such historic monuments, works of art and places of worship are not located in the immediate proximity of military objectives	Art. 85 (4) (d) of AP I
		[... It is prohibited]: (a) to commit 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 (c) to make such objects the object of reprisals	Arts. 53 (a) and (c) of AP I
		In sieges and bombardments all necessary steps must be taken to spare, as far as possible, buildings dedicated to religion, art, science, or charitable purposes, historic monuments, hospitals, and places where the sick and wounded are collected, provided they are not being used at the time for military purposes	Art 27 (1) of HR IV
		The property of municipalities, that of institutions dedicated to religion, charity and education, the arts and sciences, even when State property, shall be treated as private property. All seizure of, destruction or wilful damage done to institutions of this character, historic monuments, works of art and science, is forbidden, and should be made the subject of legal proceedings	Art. 56 of HR IV
		The High Contracting Parties undertake to respect cultural property situated within their own territory as well as within the territory of other High Contracting Parties by refraining from any use of the property and its immediate surroundings or of the appliances in use for its protection for purposes which are likely to expose it to destruction or damage in the event of armed conflict; and by refraining from any act of hostility directed against such property	Art. 4 (1) of 1954 CCP

		<p>1. Any person commits an offence within the meaning of this Protocol if that person intentionally and in violation of the Convention or this Protocol commits any of the following acts:</p> <ul style="list-style-type: none"> <li>a. making cultural property under enhanced protection the object of attack</li> <li>b. using cultural property under enhanced protection or its immediate surroundings in support of military action</li> <li>c. extensive destruction or appropriation of cultural property protected under the Convention and this Protocol</li> <li>d. making cultural property protected under the Convention and this Protocol the object of attack</li> <li>e. theft, pillage or misappropriation of, or acts of vandalism directed against cultural property protected under the Convention</li> </ul> <p>2. Each Party shall adopt such measures as may be necessary to establish as criminal offences under its domestic law the offences set forth in this Article and to make such offences punishable by appropriate penalties. When doing so, Parties shall comply with general principles of law and international law, including the rules extending individual criminal responsibility to persons other than those who directly commit the act</p>	Art. 15 of the 1999 CCP OP
		<p>[The International Tribunal shall have the power to prosecute persons violating the laws or customs of war. Such violations shall include, but not be limited to:]</p> <p>Seizure of, destruction or wilful damage done to institutions dedicated to religion, charity and education, the arts and sciences, historic monuments and works of art and science</p>	Art. 3 (d) of ICTY Statute
		<p>Each party to the conflict must respect cultural property:</p> <ul style="list-style-type: none"> <li>A. Special care must be taken in military operations to avoid damage to buildings dedicated to religion, art, science, education or charitable purposes and historic monuments unless they are military objectives</li> <li>B. Property of great importance to the cultural heritage of every people must not be the object of attack unless imperatively required by military necessity</li> </ul>	Rule 38 of CIHL Study
		<p>Each party to the conflict must protect cultural property:</p> <ul style="list-style-type: none"> <li>A. All seizure of or destruction or wilful damage done to institutions dedicated to religion, charity, education, the arts and sciences, historic monuments and works of art and science is prohibited</li> <li>B. Any form of theft, pillage or misappropriation of, and any acts of vandalism directed against, property of great importance to the cultural heritage of every people is prohibited</li> </ul>	Rule 40 of CIHL Study
Art. 8 (2) (b) (x)	Subjecting persons who are in the power of an adverse party to physical mutilation or to medical or scientific experiments of any kind which are neither justified by	<p><b>[Physical mutilations:]</b></p> <p>It is, in particular, prohibited to carry out on such persons, even with their consent:</p> <ul style="list-style-type: none"> <li>(a) physical mutilations</li> </ul>	Art. 11 (2) (a) - in connection with 11 (4) of AP I (below)



	the medical, dental or hospital treatment of the person concerned nor carried out in his or her interest, and which cause death to or seriously endanger the health of such person or persons	<p><b>[Medical and scientific experiments:]</b></p> <p>[...]It is prohibited to subject the persons described in this Article to any medical procedure which is not indicated by the state of health of the person concerned[...]</p>	Art. 11 (1) of AP I
		Any wilful act or omission which seriously endangers the physical or mental health or integrity of any person who is in the power of a Party other than the one on which he depends and which either violates any of the prohibitions in paragraphs 1 and 2 [of API, Art. 11] or fails to comply with the requirements of paragraph 3 [of API, Art. 11] (includes physical mutilations, medical or scientific experiments and removal of tissue or organs for transplantation)	Art. 11 (4) of AP I
		Mutilation, medical or scientific experiments or any other medical procedure not indicated by the state of health of the person concerned and not consistent with generally accepted medical standards are prohibited	Rule 92 CIHL Study
Art. 8 (2) (b) (xi)	Killing or wounding treacherously individuals belonging to the hostile nation or army	It is prohibited to kill, injure or capture an adversary by resort to perfidy	Art. 37 (1) of AP I
		It is especially forbidden: [...] To kill or wound treacherously individuals belonging to the hostile nation or army	Art. 23 (b) of HR IV
		Killing, injuring or capturing an adversary by resort to perfidy is prohibited	Rule 65 of CIHL Study
Art. 8 (2) (b) (xii)	Declaring that no quarter will be given	It is prohibited to order that there shall be no survivors, to threaten an adversary therewith or to conduct hostilities on this basis	Art. 40 of AP I
		It is especially forbidden: [...] To declare that no quarter will be given	Art. 23 (d) of HR IV
		Ordering that no quarter will be given, threatening an adversary therewith or conducting hostilities on this basis is prohibited	Rule 46 of CIHL Study
Art. 8 (2) (b) (xiii)	Destroying or seizing the enemy's property unless such destruction or seizure be imperatively demanded by the necessities of war	It is especially forbidden: [...] To destroy or seize the enemy's property, unless such destruction or seizure be imperatively demanded by the necessities of war	Art. 23 (g) of HR IV
		[The International Tribunal shall have the power to prosecute persons violating the laws or customs of war. Such violations shall include, but not be limited to:]  Wanton destruction of cities, towns or villages, or devastation not justified by military necessity	Art. 3 (b) of ICTY Statute
		The destruction or seizure of the property of an adversary is prohibited, unless required by imperative military necessity	Rule 50 of CIHL Study

		<p>In occupied territory:</p> <p>(a) movable public property that can be used for military operations may be confiscated</p> <p>(b) immovable public property must be administered according to the rule of usufruct</p> <p>(c) private property must be respected and may not be confiscated</p> <p>except where destruction or seizure of such property is required by imperative military necessity</p>	Rule 51 of CIHL Study
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	It is especially forbidden: [...] To declare abolished, suspended, or inadmissible in a court of law the rights and actions of the nationals of the hostile party	Art. 23 (1) (h) of HR IV
Art. 8 (2) (b) (xv)	Compelling the nationals of the hostile party to take part in the operations of war directed against their own country, even if they were in the belligerent's service before the commencement of the war	A belligerent is likewise forbidden to compel the nationals of the hostile party to take part in the operations of war directed against their own country, even if they were in the belligerent's service before the commencement of the war	Art. 23 (2) of HR IV
Art. 8 (2) (b) (xvi)	Pillaging a town or place, even when taken by assault	The pillage of a town or place, even when taken by assault, is prohibited	Art. 28 of HR IV
		[The International Tribunal shall have the power to prosecute persons violating the laws or customs of war. Such violations shall include, but not be limited to:] Plunder of public or private property	Art. 3 (e) of ICTY Statute
		Pillage is prohibited	Rule 52 of CIHL Study
Art. 8 (2) (b) (xvii)	Employing poison or poisoned weapons	It is especially forbidden: [...] To employ poison or poisoned weapons	Art. 23 (a) of the HR IV
		[The International Tribunal shall have the power to prosecute persons violating the laws or customs of war. Such violations shall include, but not be limited to:] Employment of poisonous weapons or other weapons calculated to cause unnecessary suffering	Art. 3 (a) of ICTY Statute
		The use of poison or poisoned weapons is prohibited	Rule 72 of CIHL Study
Art. 8 (2) (b) (xviii)	Employing asphyxiating, poisonous or other gases, and all analogous liquids, materials or devices	The High Contracting Parties accept the prohibition of the use in war of asphyxiating, poisonous or other gases, and of all analogous liquids, materials or devices, and agree to extend it to the use of bacteriological methods of warfare	1925 Geneva Protocol, synthesis
		The use of biological weapons; the use of chemical weapons; and the use of riot-control agents as a method of warfare, is prohibited	Rule 73, 74, 75 of CIHL Study

		<p>The use of herbicides as a method of warfare is prohibited if they:</p> <p>(a) are of a nature to be prohibited chemical weapons</p> <p>(b) are of a nature to be prohibited biological weapons</p> <p>(c) are aimed at vegetation that is not a military objective</p> <p>(d) would cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which may be expected to be excessive in relation to the concrete and direct military advantage anticipated</p> <p>(e) would cause widespread, long-term and severe damage to the natural environment</p>	Rule 76 of CIHL Study
Art. 8 (2) (b) (xix)	Employing bullets which expand or flatten easily in the human body, such as bullets with a hard envelope which does not entirely cover the core or is pierced with incisions	The contracting Parties agree to abstain from the use of bullets which expand or flatten easily in the human body, such as bullets with a hard envelope which does not entirely cover the core or is pierced with incisions	1899 Hague Declaration (IV, 3)
Art. 8 (2) (b) (xx)	Employing weapons, projectiles and material and methods of warfare which are of a nature to cause superfluous injury or unnecessary suffering or which are inherently indiscriminate in violation of the international law of armed conflict, provided that such weapons, projectiles and material and methods of warfare are the subject of a comprehensive prohibition and are included in an annex to this Statute, by an amendment in accordance with the relevant provisions set forth in articles 121 and 123	It is prohibited to employ weapons, projectiles and material and methods of warfare of a nature to cause superfluous injury or unnecessary suffering	Art. 35 (2) of AP I
		It is especially forbidden: [...] to employ arms, projectiles, or material calculated to cause unnecessary suffering	Art. 23 (1) (e) of HR IV
		[The International Tribunal shall have the power to prosecute persons violating the laws or customs of war. Such violations shall include, but not be limited to:] Employment of poisonous weapons or other weapons calculated to cause unnecessary suffering	Art. 3 (a) of ICTY Statute
		The use of means and methods of warfare which are of a nature to cause superfluous injury or unnecessary suffering is prohibited	Rule 70 of CIHL Study
		The use of weapons which are by nature indiscriminate is prohibited	Rule 71 of CIHL Study
Art. 8 (2) (b) (xxi)	Committing outrages upon personal dignity, in particular humiliating and degrading treatment	The following acts are and shall remain prohibited [...]: [...] outrages upon personal dignity, in particular humiliating and degrading treatment [...]	Art. 75 (2) (b) of AP I
		[When committed wilfully and in violation of the Conventions or the Protocol] Practices of apartheid and other inhuman and degrading practices involving outrages upon personal dignity, based on racial discrimination	Art. 85 (4) (c) of AP I
		Torture, cruel or inhuman treatment and outrages upon personal dignity, in particular humiliating and degrading treatment, are prohibited	Rule 90 of CIHL Study
		Corporal punishment is prohibited	Rule 91 of CIHL Study

Art. 8 (2) (b) (xxii)	Committing rape, sexual slavery, enforced prostitution, forced pregnancy, as defined in article 7, paragraph 2 (f), enforced sterilization, or any other form of sexual violence also constituting a grave breach of the Geneva Conventions	The following acts are and shall remain prohibited [...]: [...] outrages upon personal dignity, in particular [...] enforced prostitution and any form of indecent assault	Art. 75 (2) (b) of AP I
		Women shall be especially protected against any attack on their honour, in particular against rape, enforced prostitution or any form of indecent assault	Art. 27 (2) of GC IV,
		Women shall be the object of special respect and shall be protected in particular against rape, forced prostitution and any other form of indecent assault	Art. 76 (1) of AP I
		Rape and other forms of sexual violence are prohibited	Rule 93 of CIHL Study
Art. 8 (2) (b)(xxiii)	Utilizing the presence of a civilian or other protected person to render certain points, areas or military forces immune from military operations	[...] Nor may [the presence of a POW] be used to render certain points or areas immune from military operations	Art. 23 (1) of GC III,
		The presence of a protected person may not be used to render certain points or areas immune from military operations	Art. 28 of GC IV
		The presence or movements of the civilian population or individual civilians shall not be used to render certain points or areas immune from military operations, in particular attempts to shield military objectives from attacks or to shield, favour or impede military operations	Art. 51 (7) AP I.
		The Parties to the conflict shall [...] endeavour to remove the civilian population, individual civilians and civilian objects under their control from the vicinity of military objectives	Art. 58 (a) of AP I
		The use of human shields is prohibited	Rule 97 of CIHL Study
Art. 8 (2) (b) (xxiv)	Intentionally directing attacks against buildings, material, medical units and transport, and personnel using the distinctive emblems of the Geneva Conventions in conformity with international law	<b>[Military and civilian medical units, including medical and religious personnel:]</b> Fixed establishments and mobile medical units of the Medical Service may in no circumstances be attacked	Art. 19 (1) of GC I
		Medical personnel exclusively engaged in the search for, or the collection, transport or treatment of the wounded or sick, [...] staff exclusively engaged in the administration of medical units and establishments, as well as chaplains attached to the armed forces, shall be respected and protected in all circumstances	Art. 24 of GC I
		Establishments ashore entitled to the protection of [GC I] shall be protected from bombardment or attack from the sea	Art. 23 of GC II
		The religious, medical and hospital personnel of hospital ships and their crews shall be respected and protected	Art. 36 of GC II
		Civilian hospitals [...] may in no circumstances be the object of attack. [...] Civilian hospitals shall be marked by means of the emblem provided for in Article 38 of GC I	Art. 18 (1) and (3) of GC IV

		Persons regularly and solely engaged in the operation and administration of civilian hospitals [...] shall be respected and protected. [...]The above personnel shall be recognizable [...] by means of a stamped, water-resistant armlet [...] issued by the State and shall wear the emblem provided for in Article 38 of GC I	Art. 20 (1) and (2) of GC IV
		1. Medical units shall be respected and protected at all times and shall not be the object of attack 2. Para. 1 shall apply to civilian medical units, provided that they: (a) belong to one of the Parties to the conflict (b) are recognized and authorized by the competent authority of one of the Parties to the conflict; (c) are authorized in conformity with Article 9 (2) of this Protocol	Art. 12 (1) and (2) of AP I
		Civilian medical personnel shall be respected and protected [...] Civilian religious personnel shall be respected and protected [...]	Art. 15 (1) and (5) of AP I
		Medical units exclusively assigned to medical purposes must be respected and protected in all circumstances. They lose their protection if they are being used, outside their humanitarian function, to commit acts harmful to the enemy	Rule 25 of CIHL Study
		Attacks directed against medical and religious personnel and objects displaying the distinctive emblems of the Geneva Conventions in conformity with international law are prohibited	Rule 29 of CIHL Study
		Medical units exclusively assigned to medical purposes must be respected and protected in all circumstances. They lose their protection if they are being used, outside their humanitarian function, to commit acts harmful to the enemy	Rule 30 of CIHL Study
		<b>[Hospital ships and other craft:]</b> Hospital ships entitled to the protection [of GC II] shall not be attacked from the land	Art. 20 of GC I
		Military hospital ships [...] may in no circumstances be attacked or captured	Art. 22 (1) of GC II
		Hospital ships utilized by National Red Cross Societies [...] shall have the same protection as military hospital ships	Art. 24 (1) of GC II
		Small craft [...] for coastal rescue operations shall also be respected and protected, so far as operational requirements permit	Art. 27 (1) of GC II
		Medical ships and craft other than those referred to in Article 22 of this Protocol and Article 38 of GC II shall, whether at sea or in other waters, be respected and protected in the same way as mobile medical units under the Conventions and this Protocol	Art. 23 (1) of AP I

		<b>[Medical transports:]</b> Transports of wounded and sick or of medical equipment shall be respected and protected in the same way as mobile medical units	Art. 35 (1) of GC I
		Convoys of vehicles or hospital trains on land or specially provided vessels on sea, [...] shall be respected and protected	Art. 21 of GC IV
		Medical vehicles shall be respected and protected in the same way as mobile medical units under the Conventions and this Protocol	Art. 21 of AP I
		Medical transports assigned exclusively to medical transportation must be respected and protected in all circumstances. They lose their protection if they are being used, outside their humanitarian function, to commit acts harmful to the enemy	Rule 28 of CIHL Study
		<b>[Medical aircraft:]</b> Medical aircraft [...] shall not be attacked. [...] They shall bear, clearly marked, the distinctive emblem prescribed in Article 38 [...]	Art. 36 (1) of GC I
		Aircraft exclusively employed for the removal of wounded and sick civilians [...] shall not be attacked [...] They may be marked with the distinctive emblem provided for in Article 38 of GC I	Art. 22 (1) and (2) of GC IV
		Medical aircraft shall be respected and protected subject to the provisions in this Part	Art. 24 of AP I
Art. 8 (2) (b) (xxv)	Intentionally using starvation of civilians as a method of warfare by depriving them of objects indispensable to their survival, including wilfully impeding relief supplies as provided for under the Geneva Conventions	Each High Contracting Party shall allow the free passage of all consignments [...] of essential foodstuffs, clothing and tonics intended for children under fifteen, expectant mothers and maternity cases	Art. 23 (1) of GC IV
		To the fullest extent of the means available to it, the Occupying Power has the duty of ensuring the food and medical supplies of the population [...]	Art. 55 (1) of GC IV
		If the whole or part of the population of an occupied territory is inadequately supplied, the Occupying Power shall agree to relief schemes on behalf of the said population, and shall facilitate them by all the means at its disposal	Art. 59 (1) of GC IV
		Starvation of civilians as a method of warfare is prohibited	Art. 54 (1) of AP I
		It is prohibited to attack, destroy, remove or render useless objects indispensable to the survival of the civilian population [...] for the specific purpose of denying them for their sustenance value to the civilian population or to the adverse Party [...]	Art. 54 (2) of AP I
		The parties to the conflict must allow and facilitate rapid and unimpeded passage of humanitarian relief for civilians in need, which is impartial in character and conducted without any adverse distinction, subject to their right of control.	Rule 55 of CIHL Study

		The parties to the conflict must ensure the freedom of movement of authorized humanitarian relief personnel essential to the exercise of their functions. Only in case of imperative military necessity may their movements be temporarily restricted	Rule 56 of CIHL Study
Art. 8 (2) (b) (xxvi)	Conscripting or enlisting children under the age of fifteen years into the national armed forces or using them to participate actively in hostilities	The Parties to the conflict shall take all feasible measures in order that children who have not attained the age of fifteen years do not take a direct part in hostilities and, in particular, they shall refrain from recruiting them into their armed forces	Art. 77 (2) of AP I
		States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities State Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces	Art. 38 (2) and (3) of the Child Convention
		Children must not be recruited into armed forces or armed groups	Rule 136 of CIHL Study
		Children must not be allowed to take part in hostilities	Rule 137 of CIHL Study
		<b>GRAVE BREACHES OF AP I NOT FOUND IN THE ROME STATUTE</b>	
--		[When committed wilfully, in violation of the relevant provisions of this Protocol, and causing death or serious injury to body or health]  Launching an attack against works or installations containing dangerous forces in the knowledge that such attack will cause excessive loss of life, injury to civilians or damage to civilian objects, as defined in Article 57, paragraph 2 (a) (iii) [of API]	Art. 85 (3) (c) of AP I
--		[When committed wilfully and in violation of the Conventions or the Protocol ]  Unjustifiable delay in the repatriation of prisoners of war or civilians	Art. 85 (4) (b) of AP I
--	<i>' Apartheid ' is considered a crime against humanity under Art. 7 of the ICC Statute</i>	[When committed wilfully and in violation of the Conventions or the Protocol]  Practices of ' apartheid ' and other inhuman and degrading practices involving outrages upon personal dignity, based on racial discrimination	Art. 85 (4) (c) of AP I
	<b>§Art. 8 (2) (c)</b>	<b>VIOLATIONS OF ARTICLE 3 COMMON TO THE FOUR GENEVA CONVENTIONS IN NON-INTERNATIONAL ARMED CONFLICTS</b>	
Art. 8 (2) (c) (i)	Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture	The following acts are and shall remain prohibited [...]: Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture	Common Article 3 (1) (a) of GC I-IV
		Murder is prohibited	Rule 89 of CIHL

		Torture, cruel or inhuman treatment and outrages upon personal dignity, in particular humiliating and degrading treatment, are prohibited	Rule 90 of CIHL
Art. 8 (2) (c) (ii)	Committing outrages upon personal dignity, in particular humiliating and degrading treatment	The following acts are and shall remain prohibited [...]: Outrages upon personal dignity, in particular humiliating and degrading treatment	Common Article 3 (1) (c) of GC I-IV
		Torture, cruel or inhuman treatment and outrages upon personal dignity, in particular humiliating and degrading treatment, are prohibited	Rule 90 of CIHL Study
		Corporal punishment is prohibited	Rule 91 of CIHL Study
Art. 8 (2) (c) (iii)	Taking of hostages	The following acts are and shall remain prohibited [...]: Taking of hostages	Common Article 3 (1) (b) of GC I-IV and reiterated in Art. 4 (2) (c) of AP II
		The taking of hostages is prohibited	Rule 96 of CIHL Study
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	The following acts are and shall remain prohibited [...]: The passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples	Common Article 3 (1) (d) of GC I-IV
		No one may be convicted or sentenced, except pursuant to a fair trial affording all essential guarantees	Rule 100 of CIHL Study
	<b>Art. 8 (2) (e)</b>	<b>OTHER SERIOUS VIOLATIONS OF THE LAWS OF ARMED CONFLICT APPLICABLE TO NON-INTERNATIONAL ARMED CONFLICTS</b>	
Art. 8 (2) (e) (i)	Intentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in hostilities	The civilian population as such, as well as individual civilians, shall not be the object of attack	Art. 13 (2) of AP II
		[The Special Court shall have the power to prosecute persons who committed the following serious violations of international humanitarian law:] Intentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in hostilities	Art. 4 (a) of SCSL Statute
		[Without prejudice to the generality of the foregoing, the following acts against persons referred to in paragraph 1 are and shall remain prohibited at any time and in any place whatsoever:] Acts of terrorism	Art. 4 (2) (d) of AP II; See also Art. 4 (d) of the ICTR Statute and Art. 3 (d) of the SCSL Statute
Art. 8 (2) (e) (ii)	Intentionally directing attacks against buildings, material,	Medical and religious personnel shall be respected and protected	Art. 9 (1) of AP II



	medical units and transport, and personnel using the distinctive emblems of the Geneva Conventions in conformity with international law	Medical units and transports shall be respected and protected at all times and shall not be the object of attack	Art. 11 (1) of AP II
		Medical units exclusively assigned to medical purposes must be respected and protected in all circumstances. They lose their protection if they are being used, outside their humanitarian function, to commit acts harmful to the enemy	Rule 25 of CIHL Study
		Medical transports assigned exclusively to medical transportation must be respected and protected in all circumstances. They lose their protection if they are being used, outside their humanitarian function, to commit acts harmful to the enemy	Rule 28 of CIHL Study
		Attacks directed against medical and religious personnel and objects displaying the distinctive emblems of the Geneva Conventions in conformity with international law are prohibited	Rule 29 of CIHL Study
		Medical units exclusively assigned to medical purposes must be respected and protected in all circumstances. They lose their protection if they are being used, outside their humanitarian function, to commit acts harmful to the enemy	Rule 30 of CIHL Study
Art. 8 (2) (e) (iii)	Intentionally directing attacks against personnel, installations, material, units or vehicles involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter of the United Nations, as long as they are entitled to the protection given to civilians or civilian objects under the international law of armed conflict	<b>[Peacekeeping missions:]</b> United Nations and associated personnel, their equipment and premises shall not be made the object of attack or of any action that prevents them from discharging their mandate	Art. 7 (1) of 1994 UN Convention
		1. The intentional commission of: (a) A murder, kidnapping or other attack upon the person or liberty of any United Nations or associated personnel (b) A violent attack upon the official premises, the private accommodation or the means of transportation of any United Nations or associated personnel likely to endanger his or her person or liberty (c) A threat to commit any such attack with the objective of compelling a physical or juridical person to do or to refrain from doing any act (d) An attempt to commit any such attack (e) An act constituting participation as an accomplice in any such attack, or in an attempt to commit such attack, or in organizing or ordering others to commit such attack, shall be made by each State Party a crime under its national law 2. Each State Party shall make the crimes set out in paragraph 1 punishable by appropriate penalties which shall take into account their grave nature	Art. 9 of 1994 UN Convention

		<p>[The Special Court shall have the power to prosecute persons who committed the following serious violations of international humanitarian law:]</p> <p>Intentionally directing attacks against personnel, installations, material, units or vehicles involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter of the United Nations, as long as they are entitled to the protection given to civilians or civilian objects under the international law of armed conflict</p>	Art. 4 (b) of SCSL Statute
		<p><b>[Humanitarian assistance:]</b></p> <p>Medical and religious personnel shall be respected and protected</p>	Art. 9 of AP II
		<p>Medical units and transports shall be respected and protected at all times and shall not be the object of attack</p>	Art. 11 (1) of AP II
Art. 8 (2) (e) (iv)	Intentionally directing attacks against buildings dedicated to religion, education, art, science or charitable purposes, historic monuments, hospitals and places where the sick and wounded are collected, provided they are not military objectives	<p>It is prohibited to commit any acts of hostility directed against historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of peoples</p>	Art. 16 of AP II
		<p>1. Any person commits an offence within the meaning of this Protocol if that person intentionally and in violation of the Convention or this Protocol commits any of the following acts:</p> <ul style="list-style-type: none"> <li>a. making cultural property under enhanced protection the object of attack</li> <li>b. using cultural property under enhanced protection or its immediate surroundings in support of military action</li> <li>c. extensive destruction or appropriation of cultural property protected under the Convention and this Protocol</li> <li>d. making cultural property protected under the Convention and this Protocol the object of attack</li> <li>e. theft, pillage or misappropriation of, or acts of vandalism directed against cultural property protected under the Convention</li> </ul> <p>2. Each Party shall adopt such measures as may be necessary to establish as criminal offences under its domestic law the offences set forth in this Article and to make such offences punishable by appropriate penalties. When doing so, Parties shall comply with general principles of law and international law, including the rules extending individual criminal responsibility to persons other than those who directly commit the act</p>	Art. 15 of the 1999 CCP OP
		<p>[The International Tribunal shall have the power to prosecute persons violating the laws or customs of war. Such violations shall include, but not be limited to:]</p> <p>Seizure of, destruction or wilful damage done to institutions dedicated to religion, charity and education, the arts and sciences, historic monuments and works of art and science</p>	Art. 3 (d) of ICTY Statute

		<p>Each party to the conflict must respect cultural property:</p> <p>A. Special care must be taken in military operations to avoid damage to buildings dedicated to religion, art, science, education or charitable purposes and historic monuments unless they are military objectives</p> <p>B. Property of great importance to the cultural heritage of every people must not be the object of attack unless imperatively required by military necessity</p>	Rule 38 of CIHL Study
		<p>Each party to the conflict must protect cultural property:</p> <p>A. All seizure of or destruction or wilful damage done to institutions dedicated to religion, charity, education, the arts and sciences, historic monuments and works of art and science is prohibited</p> <p>B. Any form of theft, pillage or misappropriation of, and any acts of vandalism directed against, property of great importance to the cultural heritage of every people is prohibited</p>	Rule 40 of CIHL Study
Art. 8 (2) (e) (v)	Pillaging a town or place, even when taken by assault	<p>[Without prejudice to the generality of the foregoing, the following acts against persons referred to in paragraph 1 are and shall remain prohibited at any time and in any place whatsoever:]</p> <p>Pillageage</p>	<p>Art. 4 (2) (g) of AP II</p> <p>See also Art. 4 (f) of ICTR Statute and Art. 3 (f) of SCSL Statute</p>
		<p>[The International Tribunal shall have the power to prosecute persons violating the laws or customs of war. Such violations shall include, but not be limited to:]</p> <p>Plunder of public or private property</p>	Art. 3 (e) of ICTY Statute
		Pillage is prohibited	Rule 52 of CIHL Study
Art. 8 (2) (e) (vi)	Committing rape, sexual slavery, enforced prostitution, forced pregnancy, as defined in article 7, paragraph 2 (f), enforced sterilization, and any other form of sexual violence also constituting a serious violation of article 3 common to the four Geneva Conventions	<p>[Without prejudice to the generality of the foregoing, the following acts against persons referred to in paragraph 1 are and shall remain prohibited at any time and in any place whatsoever:]</p> <p>Outrages upon personal dignity, in particular humiliating and degrading treatment, rape, enforced prostitution and any form of indecent assault</p>	Article 4 (2) (e) of AP II
		<p>[Without prejudice to the generality of the foregoing, the following acts against persons referred to in paragraph 1 are and shall remain prohibited at any time and in any place whatsoever:]</p> <p>Slavery and slave trade in all their forms</p>	Art. 4 (2) (f) of AP II
		Rape and other forms of sexual violence are prohibited	Rule 93 of CIHL Study
44(Art. 8 (2) (e) (vii)	Conscripting or enlisting children under the age of fifteen years into armed forces or groups or using them to participate actively in	Children who have not attained the age of fifteen years shall neither be recruited in the armed forces or groups nor allowed to take part in hostilities	Art. 4 (3) (c) of AP II

	hostilities	<p>2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities</p> <p>3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest</p>	Art. 38 (2) and (3) of the Child Convention
		<p>The Special Court shall have the power to prosecute persons who committed the following serious violations of international humanitarian law:]</p> <p>Conscripting or enlisting children under the age of 15 years into armed forces or groups or using them to participate actively in hostilities</p>	Art. 4 (c) of SCSL Statute
		Children must not be recruited into armed forces or armed groups	Rule 136 of CIHL Study
		Children must not be allowed to take part in hostilities.	Rule 137 of CIHL Study
Art. 8 (2) (e) (viii)	Ordering the displacement of the civilian population for reasons related to the conflict, unless the security of the civilians involved or imperative military reasons so demand	The displacement of the civilian population shall not be ordered for reasons related to the conflict unless the security of the civilians involved or imperative military reasons so demand	Art. 17 (1), first sentence of AP II
		Parties to a non-international armed conflict may not order the displacement of the civilian population, in whole or in part, for reasons related to the conflict, unless the security of the civilians involved or imperative military reasons so demand	Rule 129B of CIHL Study
Art. 8 (2) (e) (ix)	Killing or wounding treacherously a combatant adversary	Killing, injuring or capturing an adversary by resort to perfidy is prohibited	Rule 65 of the CIHL Study
Art. 8 (2) (e) (x)	Declaring that no quarter will be given	It is prohibited to order that there shall be no survivors	Art. 4 (1). third sentence of AP II
		Ordering that no quarter will be given, threatening an adversary therewith or conducting hostilities on this basis is prohibited	Rule 46 of CIHL Study
Art. 8 (2) (e) (xi)	Subjecting persons who are in the power of another party to the conflict to physical mutilation or to medical or scientific experiments of any kind which are neither justified by the medical, dental or hospital treatment of the person concerned nor carried out in his or her interest, and which cause death to or seriously endanger the health of such person or persons	[The] physical or mental health and integrity [of persons deprived of their liberty for reasons related to the armed conflict] shall not be endangered by any unjustified act or omission. Accordingly, it is prohibited to subject the persons described in this Article to any medical procedure which is not indicated by the state of health of the person concerned, and which is not consistent with the generally accepted medical standards applied to free persons under similar medical circumstances	Art. 5 (2) (e) of AP II
		Mutilation, medical or scientific experiments or any other medical procedure not indicated by the state of health of the person concerned and not consistent with generally accepted medical standards are prohibited	Rule 92 of CIHL Study

Art. 8 (2) (e) (xii)	Destroying or seizing the property of an adversary unless such destruction or seizure be imperatively demanded by the necessities of the conflict	[The International Tribunal shall have the power to prosecute persons violating the laws or customs of war. Such violations shall include, but not be limited to:]  Wanton destruction of cities, towns or villages, or devastation not justified by military necessity	Art. 3 (b) of ICTY Statute
		The destruction or seizure of the property of an adversary is prohibited, unless required by imperative military necessity	Rule 50 of CIHL Study

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