

HANDOUT 6: REPORTING ON ARMED CONFLICTS: IHL RULES ON THE CONDUCT OF HOSTILITIES

International law on the conduct of hostilities regulates and limits the methods and means of warfare used by parties to an armed conflict. It aims to strike a balance between legitimate military action and the humanitarian objective of reducing human suffering, particularly among civilians.

Parties to the conflict MUST...

- distinguish between combatants and civilians and between military objectives and civilian objects (**principle of distinction**)
- not attack those who are not, or no longer, taking direct part in hostilities (civilians, wounded, sick, shipwrecked, surrendered or captured fighters)
- not attack civilian objects
- not use indiscriminate weapons

- not launch an attack which may be expected to cause incidental loss of civilian life, injury to civilians or damage to civilian objects or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated (**principle of proportionality**)
- take all feasible **precautions** in the choice of targets and of means and methods of attack with a view to avoiding, and in any event to minimizing, incidental loss of civilian life, injury to civilians and damage to civilian objects (**principle of precaution**)
- not use certain **weapons that cause excessive suffering, e.g.:**
 - chemical and biological weapons, exploding or expanding bullets, non-detectable fragments or blinding
- not use certain **methods of warfare, e.g.:**
 - ordering that there shall be no survivors
 - spreading terror among the civilian population
 - taking hostages
 - starving civilians or destroying objects that are indispensable for the survival of the population
 - taking reprisals against protected persons and objects
 - using sexual violence
 - recruiting or using children in armed conflict
 - using human shields