In 1993, a comprehensive Convention prohibiting the development, production, stockpiling, and use of chemical weapons was adopted. This treaty supplements the basic prohibition contained in the 1925 Geneva Protocol.

In 1995, a new Protocol, an appendage to the 1980 Convention, was adopted. This new instrument prohibited the use of laser weapons designed to cause permanent blindness.

In 1997, a Convention prohibiting the use, stockpiling, production, and transfer of anti-personnel mines was signed in Ottawa.

In 1998, the Statute of the International Criminal Court (ICC) was formulated in Rome. This accomplishment was the culmination of years of effort and showed the resolve of the international community to ensure that those who commit grave crimes do not go unpunished. The ICC has jurisdiction over serious international crimes (genocide, crimes against humanity, war crimes, and aggression), regardless of where they are committed. Legally speaking, the Rome Statute is not an IHL treaty; it is, rather, a treaty of international criminal law. It should, however, be mentioned in this list because the Court has jurisdiction on war crimes, the most serious violations of IHL.

In 1999, a new Protocol to the 1954 Convention on cultural property was adopted. The Second Protocol (1999) enables the States party to that Convention to supplement and reinforce the protection system established in 1954. It clarifies the concepts of safeguarding and respect for cultural property; it lays down new precautions in attacks and against the effects of attacks; and institutes a system of enhanced protection for property of the greatest importance for humanity.

In 2000, an Optional Protocol to the 1989 Convention on the Rights of the Child was adopted. This Protocol raises the minimum age for compulsory recruitment from 15 to 18 and calls on States to raise the minimum age for voluntary recruitment above 15. It provides that armed groups should not use children under 18 years of age in any circumstances and calls on States to criminalize such practices.

In 2003, the international community adopted a treaty to help reduce the human suffering caused by explosive remnants of war and bring rapid assistance to affected communities. Explosive remnants of war are unexploded weapons such as artillery shells, mortars, grenades, bombs, and rockets left behind after an armed conflict.

In 2005, a Diplomatic Conference held in Geneva adopted a Third Additional Protocol to the Geneva Conventions, creating an additional emblem alongside the red cross and red crescent. Devoid of any religious, political, or cultural connotation, the additional emblem, known as the red crystal, should provide a comprehensive and lasting solution to the emblem question. It will appear as a red frame in the shape of a square placed on a diagonal on a white background.

In 2008, governments negotiated and adopted the Convention on Cluster Munitions. This important international humanitarian law treaty prohibits the use, production, stockpiling, and transfer of cluster munitions and requires States to take specific action to ensure that these weapons claim no future victims.[13]

In 2013, the Arms Trade Treaty (ATT) was adopted. It regulates international transfers of conventional arms, as well as their ammunition, parts, and components, with a view to reducing human suffering. The ATT makes arms transfer decisions subject to humanitarian concerns by forbidding transfers when

13) Sassòli, Bouvier, and Quintin, "Sources of Contemporary International Humanitarian Law", in HDLPiW Vol 1, 2.

there is a defined level of risk that war crimes or serious violations of international human rights law will be committed. The ATT was adopted on 2 April 2013 and opened for signatories on 3 June 2013. The Treaty came into force on 24 December 2014.

In 2017, a UN Diplomatic Conference resulted in the adoption of the Treaty on the Prohibition of Nuclear Weapons (TPNW). It is the first globally applicable multilateral agreement to comprehensively prohibit nuclear weapons. It is also the first to include provisions to help address the humanitarian consequences of nuclear weapon use and testing. The Treaty complements existing international agreements on nuclear weapons, in particular the Treaty on the Non-Proliferation of Nuclear Weapons, the Comprehensive Nuclear-Test-Ban Treaty and agreements establishing nuclear-weapon-free zones.

The TPNW was adopted by a United Nations Diplomatic Conference on 7 July 2017 and opened for signature on 20 September 2017. *The treaty is not yet in force.* It will enter into force once 50 States have notified the UN Secretary-General that they agree to be bound by it.[14]

It is worth noting that the international community supported the treaties of IHL. Although some instruments have been universally ratified (for example, the 1949 Geneva Conventions), other treaties still enjoy a much more limited degree of participation.[15]

Section 1.4 The Standing of IHL within Public International Law

The rules and principles of IHL are actually legal rules — not just moral or philosophical precepts or social custom. The result of the legal/normative nature of these rules is, of course, the existence of a detailed regime of rights and obligations imposed upon the different parties to an armed conflict. For those States that have accepted them, the treaties of IHL are of a *binding* character. This means, among other things (*inter alia)*, that the most serious violations thereof trigger individual criminal responsibility (see Lesson 5).

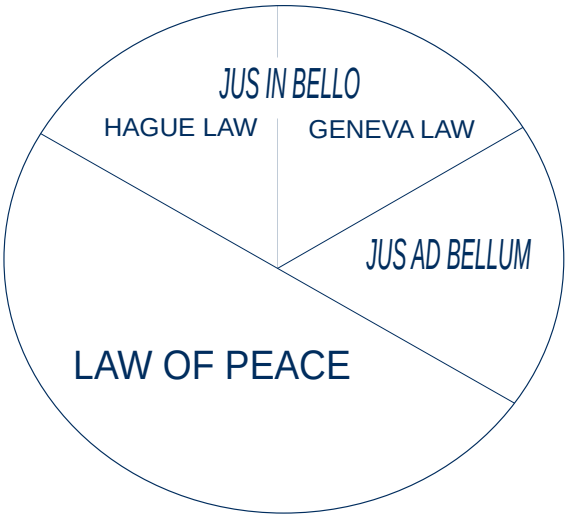

Figure 1-2: Relationship between public international law and international humanitarian law

International humanitarian law must be understood and analysed as a distinct part of a more comprehensive framework: The rules and principles regulating the coordination and cooperation between the members of the international community — that is, public international law.

Table 1-1 illustrates this fact: IHL should thus be considered as an integral (but distinct) part of public international law.

14) On 24 October 2020, Honduras became the 50th State to ratify the treaty, allowing the treaty to enter into force in January 2021. "The Treaty on the Prohibition of Nuclear Weapons", ICRC, 04 December 2019. Available from: <https://www.icrc.org/en/download/file/109625/2017_treaty_on_the_prohibition_of_nuclear_weapons.pdf>.

15) See an updated table showing the States party to the main treaties at "Treaties, States Parties and Commentaries", ICRC, accessed 6 March 2020. Available from: <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/INTRO/475>.

REFUGEE LAW	HUMAN RIGHTS LAW
INTERNATIONAL HUMANITARIAN LAW	
LAWS GOVERNING DIPLOMATIC RELATIONS	LAWS GOVERNING ECONOMIC RELATIONS
LAWS GOVERNING THE PEACEFUL SETTLEMENTS OF CONFLICT	LAWS GOVERNING INTERNATIONAL ORGANIZATIONS

Table 1-1

Figure 1-2 shows more precisely how IHL fits into the general framework of public international law and how it differs from another distinct part of this whole, the principles of *jus ad bellum.*

The distinction between *jus ad bellum* and *jus in bello*

Jus ad bellum (which regulates the *resort* to armed force) refers to the principle of fighting a war based on precise causes, such as self-defence. On the other hand, *jus in bello* (the rules applicable in armed conflicts, aka IHL) refers to the principle of fighting a war justly and encompasses standards of proportionality and distinctions between civilians and combatants.

International humanitarian law (IHL) initially developed at a time when the use of force was a lawful form of international relations, when States were not prohibited from waging war, and when they had the right to make war (*jus ad bellum*). Consequently, it was not a problem logically for international law to contain certain rules of behaviour for States to observe in war (the *jus in bello*, or law regulating the conduct of war), if they resorted to that means.

Today, however, the use of force between States is prohibited by a rule of international law (the *jus ad bellum* has changed into a *jus contra bellum*).[16] Exceptions to this general prohibition are allowed in cases of individual and collective self-defence,[17] United Nations Security Council enforcement measures,[18] and arguably to enforce peoples' right to self-determination (national liberation wars).[19] Logically, at least one side of a contemporary international armed conflict is therefore violating the rules of *jus ad bellum*, just by using force, however respectful it may be of IHL. All municipal laws of the world equally prohibit the use of force against (governmental) law enforcement agencies.

Despite the prohibition against armed conflicts, they continue to occur. Today States recognize that international law has to address this reality of international life, not only by combating the phenomenon but also by regulating it to ensure a level of humanity in this fundamentally inhumane and illegal situation. For practical and humanitarian reasons, IHL must apply impartially to both belligerents: The one resorting lawfully to force and the one resorting unlawfully to force. Otherwise, it would be impossible to practically maintain respect for IHL as, at least between the belligerents, it is always

16) Expressed in United Nations, Charter of the United Nations, 26 June 1945, Chapter I, Art. 2(4): "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations." Available from: <http://www.un.org>.

17) Recognized in United Nations, Charter of the United Nations, 26 June 1945, Chapter VII, Art. 51: "Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security."

18) Established in Chapter VII of the Charter of the United Nations.

19) The legitimacy of the use of force to enforce the right of peoples to self-determination (recognized in Art. 1 of both United Nations Human Rights Covenants) was recognized for the first time in UN General Assembly resolution 2105 (XX), adopted on 20 December 1965. Available from: <https://undocs.org>.

controversial which party resorted to force in conformity with the *jus ad bellum* and which violated the *jus contra bellum*. In addition, from a humanitarian standpoint, the victims on both sides of the conflict need the same protection, and they are not necessarily responsible for the violation of the *jus ad bellum* committed by "their" party.

Therefore, IHL must be honoured independently of any argument for *jus ad bellum* and has to be completely distinguished from *jus ad bellum*. Any past, present, and future theory of a "just" war only concerns *jus ad bellum.* It cannot justify (but is frequently used to imply) that those fighting a "just" war have more rights or fewer obligations under IHL than those fighting an unjust war.

The preamble of the Additional Protocol I of 1977 clearly reaffirms this complete separation between *jus ad bellum* and *jus in bello* and reads:

> "The High Contracting Parties,
>
> Proclaiming their earnest wish to see peace prevail among peoples,
>
> Recalling that every State has the duty, in conformity with the Charter of the United Nations, to refrain in its international relations from the threat or use of force against the sovereignty, territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,
>
> Believing it necessary nevertheless to reaffirm and develop the provisions protecting the victims of armed conflicts and to supplement measures intended to reinforce their application,
>
> ***Expressing*** **their conviction that nothing in this Protocol or in the Geneva Conventions of 12 August 1949 can be construed as legitimising or authorizing any act of aggression or any other use of force inconsistent with the Charter of the United Nations,** [emphasis added]
>
> Reaffirming further that the provisions of the Geneva Conventions of 12 August 1949 and of this Protocol must be fully applied in all circumstances to all persons who are protected by those instruments, without any adverse distinction based on the nature or origin of the armed conflict or on the causes espoused by or attributed to the Parties to the conflict."[20]

This complete separation between *jus ad bellum* and *jus in bello* implies that IHL applies whenever there is *de facto* (in fact) an armed conflict, even when that conflict qualifies as illegal under *jus ad*

20) "Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts", 8 June 1977, Preamble. Available from: <https://ihl-databases.icrc.org/ihl/INTRO/470>.

The towers and gables of the Peace Palace, home of the International Court of Justice (ICJ) in The Hague. 19 January 1984. UN Photo #110327 by UN Photo.

bellum, and that no *jus ad bellum* arguments may be used in interpreting IHL. However, it also implies that the rules of IHL may not render the *jus ad bellum* impossible to implement (for example, render legitimate self-defence unlawful).

Section 1.5 The Sources of International Humanitarian Law

Since international humanitarian law is an integral part of public international law, its sources correspond, logically enough, to those of the latter. Article 38 of the Statute of the International Court of Justice defines these sources.

According to Article 38(1)(a–d) of the Statute of the International Court of Justice, which is regarded as an authoritative statement on the sources of international law, the Court shall apply:

- International conventions (please note "convention" is another word for "treaty");
- International custom, as evidence of a general practice accepted as law;
- The general principles of law recognized by civilized nations; and
- Judicial decisions and the teachings of the most highly qualified publicists, as subsidiary means for the determination of rules of law.[21]

Treaties and custom are the main sources of international law. In respect to IHL, the most important treaties are the Geneva Conventions of 1949, the Additional Protocols of 1977, and the so-called Hague Conventions. While treaties are only binding upon parties to a treaty, States can also be bound by rules of **customary international law**.

> "Such rules are established by way of repetitive and uniform practice of States involved in armed conflicts or of third States concerning armed conflicts, in the belief that the behaviour that is practiced is obligatory.
>
> Two elements are considered in determining the existence of customary law: practice and *opinio iuris*. Practice refers to State conduct that is consistent (but not necessarily absolutely

21) United Nations, *Statute of the International Court of Justice*, 18 April 1946. Available from: <https://www.icj-cij.org/en/statute>.

> uniform) over time. *Opinio iuris* is a subjective element, i.e., the belief that that specific pattern of action is required by law.
>
> In the field of IHL, examples of practice include expressions in official statements, military manuals and can also be found in allegations of violations by one state against another state, or in defences against violations."[22]

Customary international humanitarian law is of crucial importance in today's armed conflicts because it fills gaps left by treaty law in both international and non-international conflicts and so strengthens the protection offered to victims.

There is wide consensus among scholars that the rules contained in the four Geneva Conventions of 1949 for the protection of victims of war and in the Hague Convention (IV) of 1907 on the laws of war on land (with the exception of administrative, technical, and logistical regulations) reflect customary international law.[23] There is also agreement that many provisions of Additional Protocol I and, to a lesser degree, that the rules contained in Additional Protocol II, reflect custom. When treaty rules reflect custom, they become binding for all States.

The exact content of customary law is sometimes difficult to determine and possibly controversial. In 1995, the States parties to the Geneva Conventions invited the International Committee of the Red Cross (ICRC) to study the content of customary international humanitarian law. The ICRC worked with a broad range of renowned experts to look at current State practice in IHL. The aim was to identify customary law in this area and thereby clarify the legal protection it offered victims of war. The study, completed in 2005, identified 161 rules of customary IHL that constitute the common core of humanitarian law binding on all parties to all armed conflicts. These rules enhance the legal protection of victims of war throughout the world.[24]

General principles of law also bind States. In regard to IHL, one may think of the fundamental principles of IHL, such as the principles of distinction, of humanity, of military necessity, or the principle of proportionality.[25]

However, as shown in Figure 1-3, some sources specific to IHL must also be taken into consideration.

Section 1.6 The Material Field of Application of IHL: When Does IHL Apply?

International humanitarian law applies in two very different types of situations: International armed conflicts and non-international armed conflicts. Before defining these two situations of application, a few words should be said about the notion of "armed conflict", which from 1949 onward has replaced the traditional notion of "war".

22) "Customary international humanitarian law", ICRC, 29 October 2010. Available from: <https://casebook.icrc.org>.
23) For the full text for the IV Hague Convention of 1907, please go to: The Hague, "Respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land", 18 October 1907. Available from: <https://ihl-databases.icrc.org/ihl>.
24) For more on the 161 rules of customary international humanitarian law and their commentary, please visit: "Customary IHL", ICRC, 29 October 2010. Available from: <https://ihl-databases.icrc.org/>.
25) See: Lesson 4.

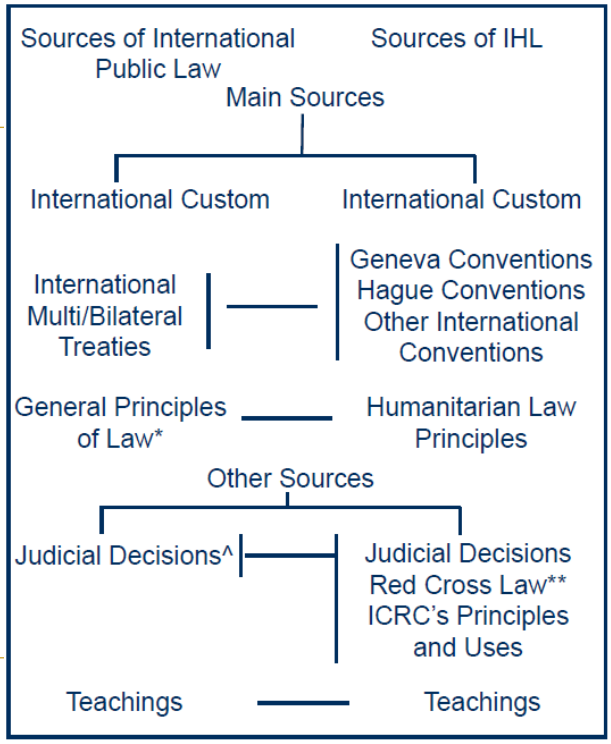

Figure 1-3: Sources of IHL

* These are, for example, good faith; non-retroactivity; and principles of legality (nullum crimen sine lege: No crime without law; nulla poena sine lege: No penalty without law).

^ Decisions made by both national and international parties.

** Resolutions adopted by International Conferences of the Red Cross and Red Crescent (see also Lesson 8).

According to the Commentary on the First Geneva Conventions of 1949:

> "The substitution of this much more general expression ('armed conflict') for the word 'war' was deliberate. One may argue almost endlessly about the legal definition of 'war'. A State can always pretend when it commits a hostile act against another State, that it is not making war, but merely engaging in a police action, or acting in legitimate self-defence. The expression 'armed conflict' makes such arguments less easy. Any difference arising between two States and leading to the intervention of armed forces is an armed conflict ... even if one of the Parties denies the existence of a state of war."[26]

Although the treaties of IHL systematically refer to different types of "armed conflicts", they do not provide for a general definition of that concept. The International Criminal Tribunal for the former Yugoslavia (ICTY) developed the first comprehensive definition. According to this definition, "an armed conflict exists whenever there is a resort to armed force between States or protracted armed violence between governmental authorities and organized armed groups or between such groups within a State."[27]

26) Jean S. Pictet, *Commentary of the First Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field* (Geneva: ICRC, 1952): 32. Available from: <https://ihl-databases.icrc.org/ihl/COM/365-570005?OpenDocument>.

27) Sassòli, Bouvier, and Quintin, "ICTY, The Prosecutor v. Tadić, Jurisdiction", in HDLPiW Vol. 3, 7. See: ICTY, *ICTY Prosecutor v. Dusko Tadić*, IT-94-1-AR72 (1995).

This definition is now widely accepted and has since been used in a number of military manuals and in numerous court cases (which demonstrate how judicial decisions can become sources of IHL).

International armed conflict

IHL relating to international armed conflict applies "to all cases of declared war or of any other armed conflict which may arise between two or more of the High Contracting Parties, even if the state of war is not recognized by one of them."[28] The same set of provisions also applies "to all cases of partial or total occupation of the territory of a High Contracting Party, even if the said **occupation** meets with no resistance".[29]

> "In international humanitarian law, a territory is considered occupied when it is actually placed under the authority of the adverse foreign armed forces. The occupation extends only to the territory where such authority has been established and can be exercised. A State's territory may therefore be partially occupied, in which case the laws and obligations of occupation apply only in the territory that is actually occupied. When a State consents to the presence of foreign troops, there is no occupation.
>
> Detailed rules [contained in particular in the Fourth Hague Convention of 1907 and in the Fourth Geneva Convention of 1949] set out the rights and duties of the occupying forces which are, generally speaking, bound to take the necessary steps to restore law and order and public life and maintain them as well as possible while respecting the laws in force, unless absolutely prevented from doing so."[30]

Traditional doctrine thus limits the notion of international armed conflict to armed contests between States. During the Diplomatic Conference that led to the adoption of the two Additional Protocols of 1977, this conception was challenged, and it was finally recognized that "wars of national liberation" should also be considered international armed conflicts.[31]

Non-international armed conflict

Traditionally, non-international armed conflicts (or, to use an outdated term, "civil wars") were considered purely internal matters for States, for which no international law provisions applied. The adoption of Article 3 common to the four Geneva Conventions of 1949 radically modified this view.

28) I Geneva Convention, "Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of 12 August 1949", 12 August 1949, Chapter I, Article 2. Available from: <https://ihl-databases.icrc.org/ihl>.

29) I Geneva Convention, "Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of 12 August 1949", 12 August 1949, Chapter I, Article 2. Available from: <https://ihl-databases.icrc.org/ihl>.

30) "Occupation", ICRC, 1 May 2020. Available from: <https://casebook.icrc.org>.

31) Situations are defined in Art. 1(4) of Additional Protocol I as "armed conflicts in which peoples are fighting against colonial domination and alien occupation and against racist regimes in the exercise of their right of self-determination". "Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts", 8 June 1977, Part I, Article 1(4). Available from: <https://ihl-databases.icrc.org/>.

For the first time, the community of States agreed on a set of minimal guarantees to respect during non-international armed conflicts. In spite of its extreme importance, Article 3 does not offer a clear definition of the notion of non-international armed conflict.[32]

During the Diplomatic Conference of 1974–1977, the need for a comprehensive definition of the notion of non-international armed conflict was reaffirmed and dealt with accordingly in Article 2 of Additional Protocol II.

According to that provision, it was agreed that Protocol II "Shall apply to all armed conflicts not covered by Article 1 of Protocol I and which take place in the territory of a High Contracting Party between its armed forces and dissident armed forces or other organized armed groups which, under responsible command, exercise such control over a part of its territory as to enable them to carry out sustained and concerted military operations and to implement this Protocol."[33]

This fairly restrictive definition applies only to the situations covered by Additional Protocol II. The definition does not apply to all types of situations covered by Article 3 common to the four Geneva Conventions.[34] Practically, there are thus situations of non-international armed conflicts in which only Article 3 will apply, the level of organization of the dissident groups being insufficient for Protocol II to apply. Conversely, common Article 3 will apply to all situations covered by Additional Protocol II.

Other situations

IHL is not applicable in situations of internal violence and tensions. Article 1(2) of Additional Protocol II clearly makes this point, stating that "This Protocol shall not apply to situations of internal disturbances and tensions, such as riots, isolated and sporadic acts of violence and other acts of a similar nature, as not being armed conflicts."[35]

Section 1.7 A Delicate but Crucial Issue: The Classification of Situations

Why is the classification (also known as qualification) of situations important?

It is important because IHL applies only in very specific situations: armed conflicts, either international or non-international. In all other types of situations, different sets of rules will apply: Domestic law (including criminal law) and international human rights law (see Lesson 6).

32) Art. 3 common to the four Geneva Conventions of 1949 merely states that it is applicable "in the case of armed conflict not of an international character occurring on the territory of one of the High Contracting Parties". I Geneva Convention, "Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of 12 August 1949", 12 August 1949, Chapter I, Article 3; II Geneva Convention, "Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea of 12 August 1949", 12 August 1949, Chapter I, Article 3; III Geneva Convention, "Geneva Convention Relative to the Treatment of Prisoners of War of 12 August 1949", 12 August 1949, Chapter I, Article 3; IV Geneva Convention, "Relative to the Protection on Civilian Persons in Time of War of 12 August 1949", 12 August 1949, Part I, Article 3. Available from: <https://ihl-databases.icrc.org/ihl>.

33) "Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts", 8 June 1977, Part I, Article I. Available from: <https://ihl-databases.icrc.org/ihl>.

34) "Protocol Additional to the Geneva Conventions of 1949, and relating to the Protection of Victims of Non-International Armed Conflicts", 8 June 1977, Part I, Article I: "This Protocol, which develops and supplements Article 3 common to the four Geneva Conventions of 12 August 1949 without modifying its existing conditions of application [...]." Available from: <https://ihl-databases.icrc.org/ihl>.

35) The notion of internal disturbances and tensions had not been made the object of precise definitions during the 1974–1977 Diplomatic Conference. See: Lesson 3.

Who has the primary responsibility to classify situations?

State parties to the treaties have a primary responsibility in this field. By committing to "respect and ensure respect" of IHL (Article 1, common to the four 1949 Geneva Conventions and to the Additional Protocol I of 1977), the States have accepted the obligation to implement *bona fide* the objective elements of the definition of armed conflicts.

How are situations classified in practice?

In some cases, situations will be qualified by the parties to the conflict. This classification may be either *explicit*: The State (either by the executive branch, the judiciary, or parliament) will recognize the existence of an armed conflict, international or non-international; or *implicit*, for example, by granting to or demanding for the status of prisoner of war to captured combatants.

In many cases, States or non-State actors involved in a situation of violence will be reluctant, mostly for political reasons, to recognize the existence of an armed conflict. They will deny the existence of an armed conflict and claim that they are rather conducting law enforcement or police operations against bandits or terrorists.

In a growing number of cases the classification of situations will be given by third parties: Through resolutions adopted by the United Nations Security Council or General Assembly, by regional organizations, or by States not directly involved.

Section 1.8 The Basic Rules of International Humanitarian Law[36]

The International Committee of the Red Cross drafted for its own understanding and use these seven basic informal rules intended to aid the ICRC itself in facilitating and promoting international humanitarian law:

> "**1**. Persons *hors de combat* ('out of combat') and those who do not take a direct part in hostilities are entitled to respect for their lives and their moral and physical integrity. They shall in all circumstances be protected and treated humanely without any adverse distinction.
>
> **2**. It is forbidden to kill or injure an enemy who surrenders or who is *hors de combat*.
>
> **3**. The wounded and sick shall be collected and cared for by the party to the conflict which has them in its power. Protection also covers medical personnel, establishments, transports, and equipment. The emblem of the red cross, the red crescent, or red crystal is the sign of such protection and must be respected.

36) These rules, drawn up by the ICRC, summarize the essence of international humanitarian law. They do not have the authority of a legal instrument and in no way seek to replace the treaties in force. They were drafted with a view to facilitating the promotion of IHL. "Basic rules of international humanitarian law in armed conflicts", ICRC, 31 December 1988. Available from: <https://www.icrc.org>.