4. Captured combatants and civilians under the authority of an adverse party are entitled to respect for their lives, dignity, personal rights, and convictions. They shall be protected against all acts of violence and reprisals. They shall have the right to correspond with their families and to receive relief.

Serbian-Bulgarian War, 1885. The painting shows the practical application of the Geneva Convention. May 1996. ICRC Photo V-P-HIST-03584-34 by Thomas Pizer.

5. Everyone shall be entitled to benefit from fundamental judicial guarantees. No one shall be held responsible for an act he has not committed. No one shall be subjected to physical or mental torture, corporal punishment, or cruel or degrading treatment.

6. Parties to a conflict and members of their armed forces do not have an unlimited choice of methods and means of warfare. It is prohibited to employ weapons or methods of warfare of a nature to cause unnecessary losses or excessive suffering.

7. Parties to a conflict shall at all times distinguish between the civilian population and combatants in order to spare the civilian population and property. Neither the civilian population as such nor civilian persons shall be the object of attack. Attacks shall be directed solely against military objectives."[37]

37) "Basic rules of international humanitarian law in armed conflicts", ICRC. Available from: <https://www.icrc.org/en/doc/resources/documents/misc/basic-rules-ihl-311288.htm>.

Annex 1: Convention for the Amelioration of the Condition of the Wounded in Armies in the Field

Convention for the Amelioration of the Condition of the Wounded in Armies in the Field. Geneva, 22 August 1864

Article 1. Ambulances and military hospitals shall be recognized as neutral, and as such, protected and respected by the belligerents as long as they accommodate wounded and sick.
Neutrality shall end if the said ambulances or hospitals should be held by a military force.

Art. 2. Hospital and ambulance personnel, including the quarter-master's staff, the medical, administrative and transport services, and the chaplains, shall have the benefit of the same neutrality when on duty, and while there remain any wounded to be brought in or assisted.

Art. 3. The persons designated in the preceding Article may, even after enemy occupation, continue to discharge their functions in the hospital or ambulance with which they serve, or may withdraw to rejoin the units to which they belong.
When in these circumstances they cease from their functions, such persons shall be delivered to the enemy outposts by the occupying forces.

Art. 4. The material of military hospitals being subject to the laws of war, the persons attached to such hospitals may take with them, on withdrawing, only the articles which are their own personal property.
Ambulances, on the contrary, under similar circumstances, shall retain their equipment.

Art. 5. Inhabitants of the country who bring help to the wounded shall be respected and shall remain free. Generals of the belligerent Powers shall make it their duty to notify the inhabitants of the appeal made to their humanity, and of the neutrality which humane conduct will confer.
The presence of any wounded combatant receiving shelter and care in a house shall ensure its protection. An inhabitant who has given shelter to the wounded shall be exempted from billeting and from a portion of such war contributions as may be levied.

Art. 6. Wounded or sick combatants, to whatever nation they may belong, shall be collected and cared for.
Commanders-in-Chief may hand over immediately to the enemy outposts enemy combatants wounded during an engagement, when circumstances allow and subject to the agreement of both parties.
Those who, after their recovery, are recognized as being unfit for further service, shall be repatriated.
The others may likewise be sent back, on condition that they shall not again, for the duration of hostilities, take up arms.
Evacuation parties, and the personnel conducting them, shall be considered as being absolutely neutral.

Art. 7. A distinctive and uniform flag shall be adopted for hospitals, ambulances and evacuation parties. It should in all circumstances be accompanied by the national flag.
An armlet may also be worn by personnel enjoying neutrality but its issue shall be left to the military authorities.
Both flag and armlet shall bear a red cross on a white ground.

Art. 8. The implementing of the present Convention shall be arranged by the Commanders-in-Chief of the belligerent armies following the instructions of their respective Governments and in accordance with the general principles set forth in this Convention.

Art. 9. The High Contracting Parties have agreed to communicate the present Convention with an invitation to accede thereto to Governments unable to appoint Plenipotentiaries to the International Conference at Geneva. The Protocol has accordingly been left open.

Art. 10. The present Convention shall be ratified and the ratifications exchanged at Berne, within the next four months, or sooner if possible.

In faith whereof, the respective Plenipotentiaries have signed the Convention and thereto affixed their seals.

Done at Geneva, this twenty-second day of August, in the year one thousand eight hundred and sixty-four.

(Here follow signatures)

End-of-Lesson Quiz »

1. The conception of IHL can be traced to Dunant's account of which war?

A. The War of 1812
B. World War II
C. The Battle of Solferino
D. Wars in the Indian subcontinent

2. True or False: In 1977, after four sessions of Diplomatic Conferences, two Additional Protocols to the Geneva Conventions of 1949 were adopted.

A. True
B. False

3. According to the Basic Rules of International Humanitarian Law:

A. Captured combatants are not entitled to any protections.
B. Parties to a conflict have an unlimited choice of methods and means of warfare.
C. It is forbidden to kill or injure an enemy who surrenders.
D. Parties to a conflict are not required to distinguish between the civilian population.

4. The Hague Law:

A. Relates to limitations and prohibitions of specific means and methods of warfare.
B. Is concerned with non-combatants.
C. Was not relevant to the Conventions of 1899.
D. Provides protection for prisoners of war.

5. As a direct result of the suffering endured during the First World War (1914–1918), a Protocol prohibiting the use of _____ was adopted.

A. cluster munitions
B. gas
C. dumdum bullets
D. projectiles from balloons

6. The Hague Convention (IV) of 1907 deals with:

A. The rights of the elderly.
B. The laws of war on land.
C. The rights of a child.
D. The protection of the victims of non-armed conflicts.

7. The First Geneva Convention was adopted in _____.

A. 1906
B. 1949
C. 1866
D. 1864

8. Dunant, Moynier, Guillaume-Henri Dufour, Louis Appia, and Théodore Maunoir created a special committee that would later become:

A. The First Peace Conference.
B. The International Committee of the Red Cross (ICRC).
C. Four sessions of Diplomatic Conferences.
D. The Statute of the International Criminal Court (ICC).

9. Article 3 common to the four Geneva Conventions of 1949:

A. Radically modified the view that no international law provisions applied to non-international armed conflicts.
B. Provided a clear definition of non-international armed conflict.
C. Did not address civil wars.
D. Was never adopted by States.

Answer Key provided on the next page.

End-of-Lesson Quiz »

10. Protocol II of 1977 applies to _____.

A. wars of national liberation
B. non-international armed conflicts
C. internal tensions
D. riots in occupied territories

Answer Key »

1. C
2. True
3. C
4. A
5. B
6. B
7. D
8. B
9 A
10. B

Appendix A: List of Acronyms

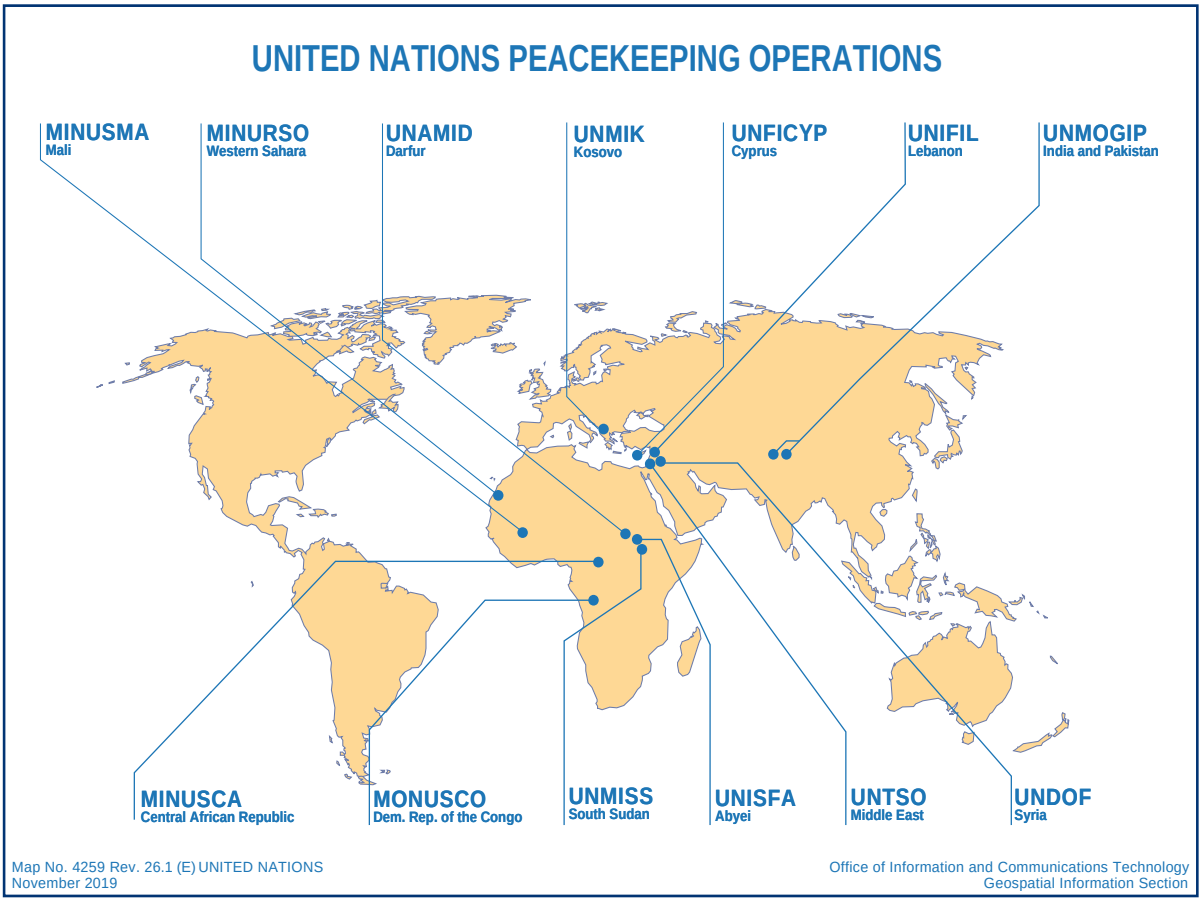
ACHR	American Convention on Human Rights; or the Pact of San José
Art.	Article
ATT	Arms Trade Treaty
BCE	Before the Common Era (previously BC, or Before Christ)
CBRN	chemical, biological, radiological, or nuclear (hazards)
CCM	Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction
CCW	Convention on Certain Conventional Weapons
CE	Common Era (previously AD, or *Anno Domini*)
CPTM	Core Pre-deployment Training Materials
CWC	Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction
DPO	Department of Peace Operations (formerly DPKO: Department of Peacekeeping Operations)
ECHR	Convention for the Protection of Human Rights and Fundamental Freedoms; or European Convention on Human Rights (drafted 1950, into effect 1953)
ERW	explosive remnants of war
HDLPiW	*How Does Law Protect in War?*
HR	human rights
HRL	human rights law
ICC	International Criminal Court
ICCPR	International Covenant on Civil and Political Rights
ICJ	International Court of Justice
ICRC	International Committee of the Red Cross
ICTR	International Tribunal for Rwanda
ICTY	International Tribunal for the former Yugoslavia
IHL	international humanitarian law
LOAC	laws of armed conflict(s)
MINUSMA	United Nations Multidimensional Integrated Stabilization Mission in Mali
N.B.	*nota bene* (but prefer "Note:")
NGO(s)	non-governmental organization(s)
NIAC	non-international armed conflict

OCHA	Office for the Coordination of Humanitarian Affairs
OHCHR	Office of the High Commissioner for Human Rights
POW(s)	prisoner of war(s)
POWs	prisoners of war
SOFA	status of forces agreement
TPNW	Treaty on the Prohibition of Nuclear Weapons
UN	United Nations
UNAMIR	United Nations Assistance Mission for Rwanda
UNEF	United Nations Emergency Force (deployed in 1956)
UNESCO	United Nations Educational, Scientific, and Cultural Organization
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund (better known as UNICEF; rarely spelled out)
UNITAF	Unified Task Force
UNMOGIP	United Nations Military Observer Group in India and Pakistan
UNPROFOR	United Nations Protection Force
UNTSO	United Nations Truce Supervision Organization
WHO	World Health Organization

Latin and Foreign Terms

hors de combat	out of combat
inter alia	among other things
jus ad bellum	legitimate reasons a State may engage in war
jus contra bellum	prohibition of use of force
jus in bello	law in war (rules applicable in armed conflict)
lex specialis	determines which rule prevails over another in a particular situation
nota bene	note well
nulla poena sine lege	no penalty without law
nullum crimen sine lege	no crime without law
opinio iuris/opinio juris	opinion of law or necessity
pacta sunt servanda	treaties must be respected by their parties
stricto sensu	in a narrow sense

Appendix B: Current Peacekeeping Missions



UN Peacekeeping Map from the UN Cartographic Section, November 2019: <https://www.un.org/Depts/Cartographic/map/dpko/P_K_O.pdf>.

» ***Looking for statistics or other data about peacekeeping around the world today? Visit the UN Peacekeeping resource page for the most up-to-date information about current peacekeeping operations and other UN missions: <https://peacekeeping.un.org/en/resources>.***

Appendix C: Bibliography

Commentary

Pictet, J. S., ed., *The Geneva Conventions of 12 August 1949: Commentary*, 4 vols. Geneva: ICRC.

Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, Vol. I, 1952. (466 pp.)

Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, Vol. II, 1960. (320 pp.)

Geneva Convention Relative to the Treatment of Prisoners of War, Vol. III, 1960. (764 pp.)

Geneva Convention for the Protection of Civilian Persons in Time of War, Vol. IV, 1958. (660 pp.)

Sandoz, Y., C. Swinarski, and B. Zimmermann, eds. *Commentary on the Additional Protocols of 8 June 1977 to the Geneva Conventions of 12 August 1949* (ICRC). Dordrecht, the Netherlands: Martinus Nijhoff Publishers, 1987. (1625 pp.)

Henckaerts, Jean-Marie, ed. *Commentary on the First Geneva Convention* (ICRC). Cambridge: Cambridge University Press, 2016, 2016. (1334 pp.)

Henckaerts, Jean-Marie, ed. *Commentary on the Second Geneva Convention* (ICRC). Cambridge: Cambridge University Press, 2017. (1331 pp.)

Clapham, Andrew, Paola Gaeta, and Marco Sassòli, eds. *The Geneva Conventions: A Commentary.* Oxford: Oxford University Press, 2015. (1651 pp.)

Suggested further reading

Best, Geoffrey. *War and Law since 1945*. Oxford: Clarendon Press, 1994. (454 pp.)

Bouchet-Saulnier, Françoise. *The Practical Guide to Humanitarian Law.* 2nd ed. Oxford: Rowman & Littlefield, 2007. (555 pp.)

Clapham, Andrew. "The Complex Relationship between the Geneva Conventions and International Human Rights Law." In *The 1949 Geneva Conventions: A Commentary*, edited by Andrew Clapham, Paola Gaeta, and Marco Sassòli, 701-735. Oxford: Oxford University Press, 2015.

David, Éric. *Principes de droit des conflits armés.* 4th ed. Brussels: Bruylant, 2008. (1117 pp.)

Deyra, Michel. *Le droit dans la guerre.* Paris: Gualino, 2009. (283 pp.)

Dinstein, Yoram. *The Conduct of Hostilities under the Law of International Armed Conflict.* Cambridge: Cambridge University Press, 2010. (320 pp.)

Droege, Cordula. "The Interplay between International Humanitarian Law and International Human Rights Law in Situation of Armed Conflict." In *Israel Law Review*, 40, no. 2 (2007): 310–355.

Fleck, Dieter, ed. *Handbook of Humanitarian Law*. 2nd ed. Oxford: Oxford University Press, 2008. (770 pp.)

Green, Leslie C. T*he Contemporary Law of Armed Conflict.* 3rd ed. Melland Schill Studies in International Law. Manchester, England: Manchester University Press, 2008. (434 pp.)

Henckaerts, Jean-Marie and Louise Doswald-Beck. *Customary International Humanitarian Law* (ICRC). 3 vols. Cambridge: Cambridge University Press, 2005. (5032 pp.)

Kolb, Robert. *Ius in bello — Le droit international des conflits armés: Précis*. Basel: Helbing Lichtenhahn, 2003. (299 pp.)

Kolb, Robert. *Ius in bello — Le droit international des conflits armés: Précis*. 2nd ed. Brussels: Bruylant, 2009. (551 pp.)

Kolb, Robert and Richard Hyde. *An Introduction to the International Law of Armed Conflicts.* Portland, Oregon: Hart, 2008. (348 pp.)

Kolb, Robert. *Advanced Introduction to International Humanitarian Law*, Northampton, Mass.: Edward Elgar Publishing, 2014. (232 pp.)

Melzer, Nils. *International Humanitarian Law: A Comprehensive Introduction*. Geneva: ICRC, 2016.<https://www.icrc.org/en/document/qa-international-humanitarian-law-comprehensive-introduction>.

Pictet, Jean. *Development and Principles of International Humanitarian Law.* Boston: Martinus Nijhoff Publishers, Henry-Dunant Institute, Geneva, 1985. (99 pp.)

Rogers, Anthony P. V. *Law on the Battlefield*. 2nd ed. Manchester, England: Manchester University Press, 2004. (269 pp.)

Sassòli, Marco. *International Humanitarian Law: Rules, Controversies, and Solutions to Problems Arising in Warfare.* Cheltenham: Edward Elgar Publishing, 2019. (720 pp.)

Sassòli, Marco. "The Role of Human Rights and International Humanitarian Law in New Types of Armed Conflicts." In *International Humanitarian Law and Human Rights Law: pas de deux,* edited by Orna Ben-Naftali, 34-94. Oxford: Oxford University Press, 2011.

Sassòli, Marco, Antoine Bouvier, and Anne Quintin. *How Does Law Protect in War?* 3rd ed. 3 vols. Geneva: ICRC, 2011. (2580 pp.)

Available from: <https://www.icrc.org/en/document/how-does-law-protect-war-0>.

Vité, Sylvain. "Typology of Armed Conflicts in International Humanitarian Law: Legal Concepts and Actual Situations." In *IRRC*, 91, no. 873 (2009): 69–94.

Websites with documentation on International Humanitarian Law

Red Cross and Red Crescent

International Committee of the Red Cross: <http://www.icrc.org>.

International Federation of Red Cross and Red Crescent Societies: <http://www.ifrc.org>.

United Nations

United Nations: <http://www.un.org>.

United Nations High Commissioner for Refugees: <http://www.unhcr.org>.

United Nations Office of the High Commissioner for Human Rights: <http://www.ohchr.org>.

UNESCO: <http://www.unesco.org>.

UNICEF: <http://www.unicef.org>.

United Nations Office for the Coordination of Humanitarian Affairs: <http://ochaonline.un.org/>.

International Justice

International Criminal Tribunal for the former Yugoslavia: <http://www.icty.org>.

United Nations International Residual Mechanism for Criminal Tribunals: <http://www.unictr.org>.

International Criminal Court: <http://www.icc-cpi.int>.

International Court of Justice: <https://www.icj-cij.org/en>.

International texts

The Hague Conventions, the Geneva Conventions, and other international humanitarian law conventions and status of participation in those treaties: <http://www.icrc.org/ihl>.

National implementation of international humanitarian law database: <http://www.icrc.org/ihl-nat>.

United Nations human rights documents database: <https://www.un.org/en/databases>.

E-learning courses

ICRC The Basic Rules of IHL: <https://www.icrc.org/en/online-training-centre>.

About the Author: Mr. Antoine A. Bouvier

Mr. Antoine A. Bouvier is a former legal adviser of the International Committee of the Red Cross.

A Swiss national, Mr. Bouvier studied law and international relations at the University of Geneva and the Graduate Institute of International and Development Studies (now called the Graduate Institute, or IHEID). He joined the International Committee of the Red Cross (ICRC) Legal Division as a legal adviser in 1984. From 1993 to 1994 he served as head of the ICRC Mission in Malawi. After two years as deputy head of the ICRC Division for Policy and Cooperation within the Movement, he was appointed as a delegate to Academic Circles. In this capacity, he has conducted a large number of training sessions in all parts of the world. In 2009, Mr. Bouvier joined the ICRC Advisory Service on International Humanitarian Law. He is the author of several articles on international humanitarian law and its dissemination and the co-author of *How Does Law Protect in War?*, a collection of cases, documents, and teaching materials on contemporary practice in international humanitarian law, from which several parts of this course have been adapted.

He retired from the ICRC in 2016 and works as a consultant.

All photographs that appear in the course manual were selected by the Peace Operations Training Institute.

Instructions for the End-of-Course Examination

Format and Material

The End-of-Course Examination is a multiple-choice exam that is accessed from the Online Classroom. Most exams have 50 questions. Each question gives the student four choices (A, B, C, and D), and only one is the correct answer. The exam covers material from all lessons of the course and may also include information found in the annexes and appendices. Video content will not be tested.

» ***Access the exam from your Online Classroom by visiting <www.peaceopstraining.org/users/courses/> and clicking the title of this course. Once you arrive at the course page, click the red "Start Exam" button.***

Time Limit

There is no time limit for the exam. This allows the student to read and study the questions carefully and to consult the course text. Furthermore, if the student cannot complete the exam in one sitting, he or she may save the exam and come back to it without being graded. The "Save" button is located at the bottom of the exam, next to the "Submit my answers" button. Clicking on the "Submit my answers" button will end the exam.

Passing Grade

To pass the exam, a score of 75 per cent or better is required. An electronic Certificate of Completion will be awarded to those who have passed the exam. A score of less than 75 per cent is a failing grade, and students who have received a failing grade will be provided with a second, alternate version of the exam, which may also be completed without a time limit. Students who pass the second exam will be awarded a Certificate of Completion.

Continue your POTI training experience »

- Visit <www.peaceopstraining.org/courses/> for a list of all current courses.
- If a particular category of study interests you, such as Human Rights, Logistics, or Military Studies, consider the POST Certificate programme available in six areas of specialization. See the requirements at <www.peaceopstraining.org/specialized-training-certificates/>.
- Stay connected with POTI by visiting our community page and engaging with other students through social media and sharing photos from your mission. Visit <www.peaceopstraining.org/community> for more. Once you pass your exam, see your name featured on the Honour Roll as well.