A presumption consists of accepting that something is true in the absence of sufficient evidence to the contrary. IHL prescribes several presumptions to be made during armed conflicts. In international armed conflicts, persons having committed a belligerent act and having fallen into the power of an adverse party must be presumed to be prisoners of war until such time as their status has been determined by a competent tribunal. In all armed conflicts, persons must be presumed to be civilians and objects normally dedicated to civilian purposes (such as places of worship, houses or schools) must be presumed to be civilian objects. Moreover, anyone accused of a criminal offence related to the armed conflict must be presumed innocent until proven guilty according to the law.

See Direct participation in hostilities; Combatants; Status; Tribunal; Civilians; Prisoners of war; Accused; Civilian objects;
of combatant and POW status

OUTLINE

Chapter 6, II. 1. Presumption of combatant and prisoner-of-war status

Chapter 9, II. 12. Presumptions
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**Presumption of civilian object**

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Source URL: https://casebook.icrc.org/glossary/presumptions

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