Clothing, usually of a specific colour/design, and insignia, worn by members of the same military unit. In international armed conflicts, combatants [1] have an obligation to distinguish themselves from the civilian population and this can be achieved by wearing a uniform. Therefore, members of the armed forces engaged in or preparing an attack [2] without wearing a uniform and/or failing to carry their arms openly are not entitled to the status [3] of prisoner of war [4]. The feigning of protected status by wearing the uniforms of the United Nations [5] or of a neutral [6] or other non-belligerent State is prohibited by IHL. A combatant attempting to gather information on the territory of the adverse party while in uniform shall not be considered a spy [7] (and will therefore benefit from prisoner of war status if captured).

See Combatants [1]; Attack [2]; Prisoners of war [4]; Spies [7]; Status [3]; United Nations [5]; Neutral State [6]; Perfidy [8];

**OUTLINE**

Chapter 9, III. 3. b) - wearing of enemy uniforms [9]

**LEGAL SOURCE**

HR, 23(f) [10]
Obligation for combatants to distinguish themselves

GC III, 4(A) [13]

P I, 44(3) [14]

CIHL, 106 [15]

CASES

United States Military Court in Germany, Trial of Skorzeny and Others [16]

Bosnia and Herzegovina, Using Uniforms of Peacekeepers [17]

Iraq, Crimes by Militia Groups [18]

BIBLIOGRAPHIC RESOURCES

JOBST Valentine, “Is the Wearing of the Enemy’s Uniform a Violation of the Laws of War?”, in AJIL, Vol. 35/3, 1941, pp. 435-442
Wearing of uniforms of UN, neutral or other States not party to the conflict

**LEGAL SOURCE**

PI, 37/1(d) [19] and 39/1 [11]

CIHL, 60 [20] and 63

CIHL, 63 [21]

**CASES**

Bosnia and Herzegovina, Using Uniforms of Peacekeepers [17]

Necessity (or other distinction) for combatant or belligerent status

**LEGAL SOURCES**

HR, 1 [22]

GCIII, 4/A(2) [13]
Spies

**LEGALE SOURCES**

HR, 29/2 [25]

PI, 39/3 [11] and 46/2 [28]

**Source URL:** https://casebook.icrc.org/glossary/uniform

**Links**

[1] https://casebook.icrc.org/glossary/combatants


[8] https://casebook.icrc.org/glossary/perfidy

[9] https://casebook.icrc.org/law/conduct-hostilities#iii_3_b_wear


[12] https://www.icrc.org/customary-ihl/eng/docs/v1_rul_rule62

