The principle of distinction is a fundamental principle of international humanitarian law [1] which provides that parties to an armed conflict must “at all times distinguish between the civilian population [2] and combatants [3] and between civilian objects [4] and military objectives [5] and accordingly shall direct their operations only against military objectives”. This implies that indiscriminate attacks [6] and the use of indiscriminate means [7] and methods of warfare [8] are prohibited.

See Fundamental principles of IHL [1]; Adverse distinction [9]; Civilian population [3]; Combatants [3]; Civilian objects [4]; Military objectives [5]; Indiscriminate attacks [6]; Means of warfare [7]; Methods of warfare [8];
obligation of combatants to distinguish themselves

GCIII, 4/A(1) and (2) [16]

PI, 44/3 [17]

CIHL, 106 [18]

DOCUMENTS

France, Accession to Protocol I [19] (Part B., para. 8 [20])

ICRC Appeals on the Near East [21] (Part B. [22])

CASES

Malaysia, Osman v. Prosecutor [23]

Nigeria, Pius Nwaoga v. The State [24]

United States, The Schlesinger Report [26]

Afghanistan, Code of Conduct for the Mujahideen [27] (Art. 63 [27])

United States, Status and Treatment of Detainees Held in Guantanamo Naval Base [28]

ECHR, Khatsiyeva v. Russia [29] (Paras. 132-138 [29])

Cambodia/Thailand, Border Conflict around the Temple of Preah Vihear [30]

Belgium, Public Prosecutor v. G.W. [31]

ICRC Appeals on the Near East [32]

Israel/Gaza, Operation Cast Lead [33]

Israel, Human Rights Committee’s Report on Beit Hanoun [34]

United States/United Kingdom, Report on the Conduct of the Persian Gulf War [35]

Armed Conflicts in the former Yugoslavia [36] (Para. 13 [36])

Federal Republic of Yugoslavia, NATO Intervention [37]
South Sudan: Medical Care Under Fire

European Court of Human Rights, Kononov v. Latvia

Autonomous Weapon Systems

U.S., Lethal Operations against Al-Qa'ida Leaders

Libya, NATO Intervention 2011

UN, Report of the Secretary-General for the World Humanitarian Summit

ICRC, International Humanitarian Law and the challenges of contemporary armed conflicts in 2015 (Paras. 229-230)


Syria, Report by UN Commission of Inquiry (March 2017)

Afghanistan, Bombing of a Civilian Truck

Italy, Use of force against ambulances in Iraq

Syria, the Battle for Aleppo

Iraq/Syria/UK, Drone Operations against ISIS
Iraq, The Battle for Mosul

Germany, Aerial Drone Attack in Mir Ali/Pakistan

Syria, Syrian rebels treat captured Filipino soldiers as 'guests'

Central African Republic/Democratic Republic of Congo/Uganda, LRA attacks

Central African Republic, Coup d'Etat

Georgia: Attacks against peacekeepers

BIBLIOGRAPHIC RESOURCES

Suggested readings:


DINSTEIN Yoram, “Distinction and Loss of Civilian Protection in International


PETERS Ralph, “The New Warriors Class”, in *Parameters*, Summer 1994, pp. 16-26


SCHMITT Michael N., “The Impact of High and Low-Tech Warfare on the


Further reading:


GEHRING Robert W., “Protection of Civilian Infrastructures”, in Law and


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

Links