

A punishable act which although not a grave breach <sup>[1]</sup> is contrary to international humanitarian law, whether the breach is established because of the direct violation <sup>[2]</sup> of a rule or because of the failure to fulfill an obligation. Indeed, not every violation of IHL will constitute a war crime <sup>[3]</sup> or grave breach. Some violations do not involve similarly serious consequences, but they remain contrary to IHL.

See also: Grave breach <sup>[1]</sup>; Violation <sup>[2]</sup>; Sanctions <sup>[4]</sup>; Individual criminal responsibility <sup>[5]</sup>;

## CASES

- USA, *Al-Shimari v. CACI Premier Technology, Inc.* <sup>[6]</sup>
- Spain, *Universal Jurisdiction over Grave Breaches of the Geneva Conventions* <sup>[7]</sup>

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**Source URL:** <https://casebook.icrc.org/glossary/breach>

### Links

[1] <https://casebook.icrc.org/glossary/grave-breaches>

[2] <https://casebook.icrc.org/glossary/violations>

[3] <https://casebook.icrc.org/glossary/war-crimes>

[4] <https://casebook.icrc.org/glossary/sanctions>

[5] <https://casebook.icrc.org/glossary/individual-criminal-responsibility>

[6] <https://casebook.icrc.org/case-study/usa-al-shimari-v-caci-premier-technology-inc>

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