

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

See also: Grave breach ^[1]; Violation ^[2]; Sanctions ^[4]; Individual criminal responsibility ^[5];

CASES

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

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>

[7] <https://casebook.icrc.org/case-study/spain-universal-jurisdiction-over-grave-breaches-geneva-conventions>