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The Detaining Power <sup>[1]</sup> may require prisoners of war <sup>[2]</sup> to work, subject to certain conditions and guarantees. Existing rules regulate authorized work, the duration of labour, the prohibition of dangerous or humiliating labour, working pay, labour detachments and the treatment of prisoners working for private employers.

It is also permitted to employ civilian internees <sup>[3]</sup> as workers, but only if they so desire and subject to certain prohibitions (e.g. of degrading or humiliating work) and conditions, and for a fair wage.

International humanitarian law also regulates work by foreigners in the territory of a belligerent, and by protected persons <sup>[4]</sup> in occupied territory.

## OUTLINE

Chapter 8, II. 3. b) dd) forced labour <sup>[5]</sup>

## LEGAL SOURCE

**of medical and religious personnel; prisoners engaged on medical duties or who are ministries of religion; persons in hospital or safety zone**

GCI, 28/2(c) <sup>[6]</sup> (see ICRC updated Commentary <sup>[7]</sup>)

GCIII, 32 <sup>[8]</sup>, 33/2(c) <sup>[9]</sup> and 36 <sup>[10]</sup>

GCIV, Annex 1, Art. 2 <sup>[11]</sup>

PII, 10/2 <sup>[12]</sup>

### **of POWs**

GCIII, 49 <sup>[13]</sup>-57 <sup>[14]</sup>, 62 <sup>[15]</sup>

### **of civil internees and protected persons**

GCIV, 39 <sup>[16]</sup>, 40 <sup>[17]</sup>, 51 <sup>[18]</sup>-52 <sup>[19]</sup>, 89/4 <sup>[20]</sup>, 90/3 <sup>[21]</sup>, 95 <sup>[22]</sup>, 143/1 <sup>[23]</sup> and 5 <sup>[23]</sup>

CIHL, 95 <sup>[24]</sup>

### **prohibition of forced labour**

GCIV, 40 <sup>[17]</sup>, 51 <sup>[18]</sup> and 95 <sup>[22]</sup>

CIHL, 95 <sup>[24]</sup>

### **of civil defence**

PI, 63/1 <sup>[25]</sup>

### **in NIAC**

PII, 5/1(e) [26]

## CASES

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<https://www.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=CB85078F0644B873C12563CD0>

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[24] [https://www.icrc.org/customary-ihl/eng/docs/v1\\_rul\\_rule95](https://www.icrc.org/customary-ihl/eng/docs/v1_rul_rule95)

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[27] [https://casebook.icrc.org/case-study/case-study-armed-conflicts-former-yugoslavia#para\\_9](https://casebook.icrc.org/case-study/case-study-armed-conflicts-former-yugoslavia#para_9)

[28] [https://casebook.icrc.org/case-study/democratic-republic-congo-conflict-kivus#part\\_iii\\_para\\_51](https://casebook.icrc.org/case-study/democratic-republic-congo-conflict-kivus#part_iii_para_51)

[29] <https://casebook.icrc.org/case-study/icc-confirmation-charges-against-lra-leader>