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The term applied to the inhabitants of a territory which has not been occupied, who on the approach of the enemy spontaneously take up arms to resist the invading troops without having had time to organize themselves into regular armed forces. They must be regarded as combatants ^[1] if they carry arms openly and respect the laws and customs of armed conflict.

If captured they have a right to be treated as prisoners of war ^[2]. The *levée en masse* should not be confused with resistance movements.

OUTLINE

Chapter 6, I. 2. ^[3] *Levée en masse* ^[3]

Chapter 6, Combatants and Prisoners of War ^[4]

LEGAL SOURCE

GCIII, 4/A(6) ^[5]

DOCUMENT

German Invasion of Crete ^[6]

CASES

International Law Commission, Articles on State Responsibility (Part A., Art. 9 and Commentary) ^[7]

Israel, Military Prosecutor v. Kassem and Others ^[8]

Georgia/Russia, Human Rights Watch's Report on the Conflict in South Ossetia (Para. 95) ^[9]

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Links

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

[2] <https://casebook.icrc.org/glossary/prisoners-war>

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<https://www.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=2F681B08868538C2C12563CD00>

[6] <https://casebook.icrc.org/case-study/german-invasion-crete>

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