Under certain circumstances, persons and objects that are protected under international humanitarian law lose the protection conferred upon them. In such cases, they may become lawful military objectives [1].

Such a loss of protection can occur when persons protected against attack directly participate in hostilities [2], or when civilian objects [3] are used for military purposes. In addition, if medical personnel commit or medical objects are used to commit acts harmful to the enemy, outside their humanitarian function, lose their special protection and may even be attacked if they directly participate in hostilities (persons) or turn into military objectives (objects).

See Status [4]; Military objectives [1]; Direct participation in hostilities [2]; Loss of Status [5]; Protected Persons [6];
PI, 8(a)-(b) [7], 41 [8] and 42 [9]

for civilians

When DPH: See Direct participation in hostilities [2]

PI, 51/3 [10]

PII, 13/3 [11]

CIHL, 6 [12]

for civilian objects

if military contribution

PI, 52/2 [13]

for civil defence objects

PI, 67/1 [14]

for cultural, spiritual objects

HR, 27 [15]

Hague Convention on Cultural Property, Arts. 4/2 [16], 11 [17] and 19 [18]
for medical objects

for acts harmful to the enemy

HR, 27 \[15\]

GCI, 21 \[19\] (see ICRC updated Commentary \[20\]) and 35 \[21\] (see ICRC updated Commentary \[22\])

GCII, 34 \[23\] (see ICRC updated Commentary \[24\])

GCIV, 19 \[25\]

PI, 13 \[26\]

PII, 11/2 \[27\]

CIHL, 28 \[28\]

other specially protected objects

PI, 54/3 \[29\], 56/2 \[30\], 59/7 \[31\], 60/7 \[32\]

CASE

Afghanistan, Attack on Kunduz Trauma Centre \[33\]
Afghanistan, Bombing of a Civilian Truck [34]

Iraq/Syria/UK, Drone Operations against ISIS [35]

Israel/Palestine, Accountability for the Use of Lethal Force [36]

Eastern Ukraine, Attacks Against and Military Use of Schools [37]

Eastern Ukraine, OHCHR Report on the Situation: November 2016 - February 2017 [38]

Central African Republic, No Class: When Armed Groups Use Schools [39]

Georgia: Attacks against peacekeepers [40]

Source URL: https://casebook.icrc.org/glossary/loss-protection

Links