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The term refers not only to criminal punishment, but also to other types of sanctions ^[1], harassment or administrative action taken against a group in retaliation for an act committed by an individual/s who are considered to form part of the group. Such punishment therefore targets persons who bear no responsibility ^[2] for having committed the conduct in question. Historically used as a deterrence tool by occupying powers to prevent attacks from resistance movements, collective punishments for acts committed by individuals during an armed conflict are prohibited by IHL against prisoners of war ^[3] or other protected persons ^[4].

International humanitarian law prohibits collective punishment of prisoners of war ^[3] or other protected persons ^[4] for acts committed by individuals during an armed conflict ^[5].

The imposition of collective punishment is a war crime ^[6].

See War crimes ^[6], Sanctions ^[1]; Individual criminal responsibility ^[7];

OUTLINE

Chapter 8, II. 2. b) - prohibition of collective punishment ^[8]

LEGAL SOURCES

HR, 50 ^[9]

GCIII, 87/3 ^[10]

GCIV, 33 ^[11]

PI, 75/2(d) ^[12]

PI, 75/4(b) ^[12]

PII, 4/2(b) ^[13]

CIHL, 103 ^[14]

DOCUMENT

ICRC, Appeals on the Near East ^[15]

UN, Minimum Humanitarian Standards ^[16]

CASES

Sierra Leone, Special Court Ruling in the AFRC Case ^[17]

Switzerland, Qualification of the Conflict in El Salvador ^[18]

India, Rev. Mons. Monteiro v. State of Goa ^[19]

Amnesty International, Breach of the Principle of Distinction ^[20]

ICTY, The Prosecutor v. Martić ^[21]

Israel/Gaza, Operation Cast Lead ^[22]

Israel/Lebanon/Hezbollah Conflict in 2006 ^[23]

Sierra Leone, Special Court Ruling on Immunity for Taylor ^[24]

India, Press Release, Violence in Kashmir ^[25]

ICRC, IHL and the Challenges of Contemporary Armed Conflicts ^[26]

Case Study, Armed Conflicts in the former Yugoslavia ^[27]

Democratic Republic of the Congo, Conflict in the Kivus ^[28]

Israel, House Demolitions in the Occupied Palestinian Territory ^[29]

Israel, Human Rights Committee's Report on Beit Hanoun ^[30]

UN Security Council, Sanctions Imposed Upon Iraq ^[31]

UN, Guidelines for UN Forces ^[32]

ICTY, The Prosecutor v. Gali? ^[33]

Israel, Blockade of Gaza and the Flotilla Incident ^[34]

Iraq, Forced displacement and deliberate destruction ^[35]

Iraq: Situation of Internally Displaced Persons ^[36]

BIBLIOGRAPHIC RESOURCES

Suggested reading :

KOSMOPOULOS Georgios, “Collective Punishments under International Humanitarian Law: an Analysis of the 2006 War in Lebanon”, in *Pace Diritti Umani*, Vol. 5, No. 3, 2009, pp. 95-120.

Further reading :

COHEN Amichai, “Economic Sanctions in IHL – Suggested Principles”, *Hebrew University International Law Research Paper*, No. 14-09, June 2009, 33 pp.

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- [14] https://www.icrc.org/customary-ihl/eng/docs/v1_rul_rule103
- [15] <https://casebook.icrc.org/case-study/icrc-appeals-near-east>
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- [30] <https://casebook.icrc.org/case-study/israel-human-rights-committees-report-beit-hanoun>
- [31] <https://casebook.icrc.org/case-study/un-security-council-sanctions-imposed-upon-iraq>
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