These are particularly serious violations of IHL, endangering protected persons and/or objects, or breaching important international values, for which the individual criminal responsibility of perpetrators may be engaged. War crimes can be committed in both international and non-international armed conflicts, although the list of possible war crimes is not identical for both types of conflicts.

The Geneva Conventions and Additional Protocol I establish that certain violations of IHL are to be considered “grave breaches”, and they must be prosecuted by High Contracting Parties on the basis of the principle of universal jurisdiction. Other serious violations of IHL are established by customary international law and by international criminal law treaties. Such serious violations of IHL, together with grave breaches, constitute war crimes.

War crimes constitute one category of “international crimes”, the others being genocide and crimes against humanity.

See Breach; Violations; Individual criminal responsibility; Genocide; Crimes Against Humanity; International Criminal Court; ICTY; ICTR; International criminal law; Individual criminal responsibility;
Chapter 13, Introductory Text [14]

Chapter 13, I. a. [15]

Chapter 13, II. [16]

Chapter 13, IV. a. [17]

LEGAL SOURCE

Penal sanctions required for

GCI, 50 [18] (see ICRC updated Commentary [19])

GCII, 51 [20] (see ICRC updated Commentary [21])

GCIII, 130 [22]

GCIV, 147 [23]


Fundamental guarantees for persons accused of war crimes

GCI, 49/4 [26] (see ICRC updated Commentary [27])

GCII, 50/4 [28] (see ICRC updated Commentary [29])
GCIII, 82 [30]-88 [31] and 105 [32]-108 [33] and 129/4 [34]

GCIV, 146/4 [35]

PI, 75/7 [36]

**CASES**

The International Criminal Court (Part A., Art. 8) [37]

Germany, International Criminal Code (Paras. 8-12) [38]

Canada, Crimes Against Humanity and War Crimes Act (Section 4) [39]

Ghana, National Legislation Concerning the Emblem [40]

Belgium, Law on Universal Jurisdiction. (A., Art. 136 (c).) [41]

United States, War Crimes Act [42]

Hungary, War Crimes Resolution [43]

United States Military Tribunal at Nuremberg, United States v. Alfried Krupp et al. [44]

Netherlands, In re Pilz [45]
Israel, Human Rights Committee’s Report on Beit Hanoun (Paras. 49, 68 and 75)

Case Study, Armed Conflicts in the former Yugoslavia (17, 27 and 32)

UN, Statute of the ICTY (Part B. and Part C., Arts 2 and 3)

ICTY, The Prosecutor v. Tadic (Part A., Paras. 79-84)

ICTY, The Prosecutor v. Rajic (Part A., Para. 8)


Colombia, Constitutionality of IHL Implementing Legislation

United States, Military Commissions

Mali, Destruction of World Cultural Heritage

Iran, Victim of Cyber warfare

South Sudan: Medical Care Under Fire

Health Care in Pakistan’s Tribal Areas

Switzerland, The Immunity of General Nezzar
Democratic Republic of Congo, Fighting with the M 23 Group

Central African Republic, Coup d'Etat

Somalia, the fate of Children in the conflict

The armed conflict in Syria

European Court of Human Rights, Kononov v. Latvia

Israel/Palestine, Operation Protective Edge (Gaza, 13 June - 26 August 2014)

ICTY, The Prosecutor v. Radovan Karadzic


Mali, Accountability for the Destruction of Cultural Heritage

Sweden/Syria, Can Armed Groups Issue Judgments?

UN, Security Council Resolution 2286 on Attacks on Hospitals

Iraq, Forced displacement and deliberate destruction

El Salvador, Supreme Court Judgment on the Unconstitutionality of the Amnesty Law
USA, Al-Shimari v. CACI Premier Technology, Inc. [84]

Syria, Report by UN Commission of Inquiry (March 2017) [85]

Afghanistan, Bombing of a Civilian Truck [86]

Italy, Use of force against ambulances in Iraq [87]

Syria, the Battle for Aleppo [88]

Switzerland: Gold Looting Case [89]

Israel/Palestine, Accountability for the Use of Lethal Force [90]

ICC, Confirmation of Charges against LRA Leader [91]

Colombia Peace Agreement [92]

Spain, Universal Jurisdiction over Grave Breaches of the Geneva Conventions [93]

UN/Colombia, Human Rights Committee Clarifications and Concluding Observations (2016) [94]

International Criminal Court, Trial Judgment in the Case of the Prosecutor V. Jean-Pierre Bemba Gombo [95]

Iraq, The Battle for Mosul [96]
Germany, Aerial Drone Attack in Mir Ali/Pakistan

Eastern Ukraine, Attacks Against and Military Use of Schools

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

Central African Republic/Democratic Republic of Congo/Uganda, LRA attacks

Central African Republic, Coup d'Etat

Iraq, Crimes by Militia Groups

Georgia: Attacks against peacekeepers

32nd International Conference of the Red Cross and Red Crescent, Sexual and gender-based violence: joint action on prevention and response

South Sudan, Activities of Oil Companies

BIBLIOGRAPHIC RESOURCES

Suggested readings:


BYRON Christine, War Crimes and Crimes against Humanity in the Rome Statute of the International Criminal Court


**Further readings:**


GRADITZKY Thomas, “Individual Criminal Responsibility for Violations of


**Source URL:** https://casebook.icrc.org/glossary/war-crimes

**Links**
[1] https://casebook.icrc.org/glossary/violations
[8] https://casebook.icrc.org/glossary/genocide
[10] https://casebook.icrc.org/glossary/breach
[12] https://casebook.icrc.org/glossary/international-criminal-tribunal-former-yugoslavia
[103] https://casebook.icrc.org/case-study/georgia-attacks-against-peacekeepers
[105] https://casebook.icrc.org/case-study/south-sudan-activities-oil-companies