In general international law, a sanction can be defined by an action carried out by one or more states toward another one to force the latter to comply with its legal obligations. In domestic law, a sanction relates to the penalty annexed to a violation of a law as a mean of enforcing it.

In IHL more particularly, the term ‘sanctions’ may be applied:

a. to the sanctions applicable to civilian internees and prisoners of war responsible for breaches of the laws, regulations and general orders to which they are subject;

b. to the sanctions applicable to persons who have committed war crimes or other breaches of international humanitarian law; or

c. to the sanctions applicable to commanders responsible for failure to act.

See Disciplinary sanctions; Violations; Breaches; State responsibility; Individual criminal responsibility.

OUTLINE

Chapter 13 – Implementation of International Humanitarian Law, VIII. The United Nations, 6. Respect for IHL and economic sanctions

Chapter 13 – Implementation of International Humanitarian Law, IV. The prosecution of war crimes
Chapter 6 - Combatants and Prisoners of War, III. Treatment of prisoners of war, h) punishment for acts committed prior to capture

Chapter 8 - The Protection of Civilians, IV. Special rules on Occupied Territories, 6. Protection of persons deprived of liberty, c.) civilian internees

LEGAL SOURCE

GC I, Art 49 (see ICRC updated Commentary)

GC II, Art 50 (see ICRC updated Commentary)

GC III, Art. 82-108, 129

GC IV, Art 146

P I, Art. 85(1)

CIHL, Rules 100-102, 157 and 158

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USSR, Poland, Hungary and the Democratic People's Republic of Korea, Reservations to Article 85 of Convention III
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ICTY, The Prosecutor v. Tadic [34]

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ICTY, The Prosecutor v. Kunarac, Kovac and Vukovic [40]

ICTY, The Prosecutor v. Galic [41]
ICTY, The Prosecutor v. Strugar [42]

ICTY, The Prosecutor v. Boskoski [43]

ICTY, The Prosecutor v. Mrksic and Sljivancanin [44]

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