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
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LEGAL SOURCE

GC I, Art 49 [14] (see ICRC updated Commentary [15])

GC II, Art 50 [16] (see ICRC updated Commentary [17])

GC III, Art. 82 [18]-108 [19], 129 [20]

GC IV, Art 146 [21]

P I, Art. 85(1) [22]

CIHL, Rules 100 [23]-102 [24], 157 [25] and 158 [26]

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