The principle of proportionality prohibits attacks against military objectives which are “expected to cause incidental loss of civilian life, injury to civilians [1], damage to civilian objects [2], or a combination thereof, which would be excessive in relation to the concrete and direct military advantage [3] anticipated”.

In other words, the principle of proportionality seeks to limit damage caused by military operations by requiring that the effects of the means [4] and methods of warfare [5] used must not be disproportionate to the military advantage [3] sought.

**OUTLINE**

Chapter 4. III. 2. c) proportionality [8]

Chapter 9, II. 6. c) dd) principle of proportionality [7]

**LEGAL SOURCE**

PI, 51/5b [8]

CIHL, 14 [9]
ICRC, The Challenges of Contemporary Armed Conflicts

ICJ, Nuclear Weapons Advisory Opinion (Para. 43)

Israel/Gaza, Operation Cast Lead (Part I, Paras. 120-126, 230-232)

Israel, The Targeted Killings Case (Paras. 40-46)

Israel, Human Rights Committee’s Report on Beit Hanoun (Paras. 38-42)

United States/United Kingdom, Report on the Conduct of the Persian Gulf War

ICTY, The Prosecutor v. Kupreskic et al. (Para. 526)

Federal Republic of Yugoslavia, NATO Intervention (Part A., Paras. 4, 18-19 and Part B., Paras 75-78)

Afghanistan, Drug Dealers as Legitimate Targets

Afghanistan, Goatherd Saved from Attack

Afghanistan, Assessment of ISAF Strategy

Civil War in Nepal (Part II.)

ECHR, Isayeva v. Russia
Georgia/Russia, Human Rights Watch’s Report on the Conflict in South Ossetia (Paras. 28-30, 41-47)

Georgia/Russia, Independent International Fact-Finding Mission on the Conflict in South Ossetia (Paras. 66-67)

Cambodia/Thailand, Border Conflict around the Temple of Preah Vihear

Iran, Victim of Cyber warfare

The armed conflict in Syria

Autonomous Weapon Systems

Libya, NATO Intervention 2011

UN, Report of the Secretary-General for the World Humanitarian Summit


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


Syria, Report by UN Commission of Inquiry (March 2017)
Afghanistan, Bombing of a Civilian Truck [47]

Italy, Use of force against ambulances in Iraq [48]

Syria, the Battle for Aleppo [49]

ICRC, Statement - War in Cities ; What is at Stake? [50]

Germany, Aerial Drone Attack in Mir Ali/Pakistan [51]

Eastern Ukraine, OHCHR Report on the Situation: November 2016 - February 2017 [52]

Central African Republic, No Class: When Armed Groups Use Schools [53]

BIBLIOGRAPHIC RESOURCES

suggested readings:


FENRICK William J., “The Rule of Proportionality and Protocol I in Conventional


Further readings:


KRÜGER-SPRENGEL Friedhelm, “Le concept de proportionnalité dans le droit de la guerre. Rapport présenté au Comité pour la protection de la vie humaine dans les conflits armés, VIIIe Congrès de la Société internationale de droit


