Acts inviting the confidence of an adversary to lead him to believe he is entitled to, or is obliged to grant, protection under the rules of international humanitarian law applicable in armed conflict, with intent to betray that confidence, constitute perfidy. The following acts are examples of perfidy:

a. feigning an intent to negotiate under a flag of truce [1];

b. feigning surrender [2];

c. feigning incapacitation by wounds or sickness;

d. feigning civilian or non-combatant status;

e. feigning protective status by the use of signs, emblems or uniforms of the United Nations or of a neutral or other State not party to the conflict;

f. making improper use of the emblem of the red cross [3], red crescent or red crystal [3].

Under international humanitarian law, it is prohibited to kill, injure or capture an adversary by resort to perfidy.

See Ruses of war [4];
Chapter 9, III. 3. b) perfidy [6]

LEGAL SOURCE

HR, 23/b and f [7], 34 [8]

PI, 37 [9] and art. 85 3. (f) [10]

CIHL, 57 [11]-65 [12]

CASES

US Military Court in Germany, Trial of Skorzeny and Others [13]

Bosnia and Herzegovina, Using Uniforms of Peacekeepers [14]

Sri Lanka, Naval War against Tamil Tigers [15]

BIBLIOGRAPHIC RESOURCES

Suggested readings:


Further readings:


Source URL: https://casebook.icrc.org/glossary/perfidy

Links

[1] https://casebook.icrc.org/glossary/truce
[12] https://www.icrc.org/customary-ihl/eng/docs/v1_rul_rule65