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Home > Enquiry

An enquiry must be opened, on application by one of the parties to an armed conflict ^[1], into any alleged violation ^[2] of the 1949 Geneva Conventions ^[3].

OUTLINE

Chapter 13, II. 4. Enquiries (spontaneously or following complaints) ^[4]

Chapter 13. IX. 1. a) enquiry procedures ^[5]

LEGAL SOURCE

GCI, 52 ^[6] (see ICRC updated Commentary ^[7])

GCII, 53 ^[8] (see ICRC updated Commentary ^[9])

GCIII, 132 ^[10]

GCIV, 149 ^[11]

PI, 90/2(e) ^[12]

DOCUMENTS

Switzerland Acting as Protecting Power in World War II ^[13]

United Kingdom/Germany, Sinking of the Tübingen in the Adriatic ^[14]

CASES

Israel/Gaza, Operation Cast Lead (Part II.) ^[15]

Israel, The Targeted Killings Case (Para. 40) ^[16]

Israel, Human Rights Committee's Report on Beit Hanoun (Paras. 67-75) ^[17]

Israel, Report of the Winograd Commission (Para. 46) ^[18]

Case Study, Armed Conflicts in the former Yugoslavia (Para. 25) ^[19]

UN, Request for an Investigation on War Crimes ^[20]

ECHR, Isayeva v. Russia ^[21] (Paras. 30-98 ^[22], 168 ^[23], 182 ^[24])

Georgia/Russia, Independent International Fact-Finding Mission on the Conflict in South Ossetia ^[25] (Paras. 140-148 ^[25])

UN, Statement of a Special Rapporteur on Drone Attacks ^[26]

ECHR, Al-Skeini et al. v. UK ^[27]

Afghanistan, Attack on Kunduz Trauma Centre ^[28]

Libya, NATO Intervention 2011 ^[29]

Libya, Report of the Office of the UN High Commissioner for Human Rights (2014/15) ^[30]

UN, Security Council Resolution 2286 on Attacks on Hospitals ^[31]

Afghanistan, Bombing of a Civilian Truck ^[32]

Italy, Use of force against ambulances in Iraq ^[33]

Germany, Aerial Drone Attack in Mir Ali/Pakistan ^[34]

Central African Republic, Coup d'Etat ^[35]

South Sudan, AU Commission of Inquiry on South Sudan ^[36]

32nd International Conference of the Red Cross and Red Crescent, Sexual and gender-based violence: joint action on prevention and response ^[37]

BIBLIOGRAPHIC RESOURCES

Suggested readings:

VITÉ Sylvain, *Les procédures internationales d'établissement des faits dans la mise en oeuvre du droit international humanitaire*, Brussels, Bruylant, 1999, 485 pp.

STEWART James G., "The UN Commission of Inquiry on Lebanon: A Legal Appraisal", in *Journal of International Criminal Justice*, Vol. 5, No. 5, November 2007, pp. 1039-1059.

WALDMAN Adir, *Arbitrating Armed Conflict, Decisions of the Israel-Lebanon Monitoring Group*, Huntington N.Y., Juris, 2003, 320 pp.

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Links

[1] <https://casebook.icrc.org/glossary/armed-forces>

[2] <https://casebook.icrc.org/glossary/violations>

[3] <https://casebook.icrc.org/glossary/geneva-conventions>

[4] https://casebook.icrc.org/law/implementation-mechanisms#ch_4

[5] <https://casebook.icrc.org/law/implementation-mechanisms>

[6]

<https://www.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=97BE7D1106F2CBDAC12563CD>

[7] [https://ihl-](https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Comment.xsp?action=openDocument&documentId=21EC2BF5463A88F8C1257F7A0)

[databases.icrc.org/applic/ihl/ihl.nsf/Comment.xsp?action=openDocument&documentId=21EC2BF5463A88F8C1257F7A0](https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Comment.xsp?action=openDocument&documentId=21EC2BF5463A88F8C1257F7A0)

[8]

<https://www.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=19DD9913F07CE0FAC12563CD>

[9] [https://ihl-](https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Comment.xsp?action=openDocument&documentId=AA04EF2788189526C125811500)

[databases.icrc.org/applic/ihl/ihl.nsf/Comment.xsp?action=openDocument&documentId=AA04EF2788189526C125811500](https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Comment.xsp?action=openDocument&documentId=AA04EF2788189526C125811500)

[10]

<https://www.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=DE383A11617FE6EAC12563CD>

[11]

<https://www.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=F357AFB4C58D9810C12563CD>

[12]

<https://www.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=38C248ABDA17143EC12563CD>

[13] <https://casebook.icrc.org/case-study/switzerland-acting-protecting-power-world-war-ii>

[14] <https://casebook.icrc.org/case-study/united-kingdomgermany-sinking-tubingen-adriatic>

[15] <https://casebook.icrc.org/case-study/israelgaza-operation-cast-lead#part2>

[16] https://casebook.icrc.org/case-study/israel-targeted-killings-case#para_40

[17] https://casebook.icrc.org/case-study/israel-human-rights-committees-report-beit-hanoun#para_67

[18] https://casebook.icrc.org/case-study/israel-report-winograd-commission#para_46

[19] https://casebook.icrc.org/case-study/case-study-armed-conflicts-former-yugoslavia#art_25

[20] <https://casebook.icrc.org/case-study/un-request-investigation-war-crimes>

[21] <https://casebook.icrc.org/case-study/echr-isayeva-v-russia>

[22] https://casebook.icrc.org/case-study/echr-isayeva-v-russia#para_30

[23] https://casebook.icrc.org/case-study/echr-isayeva-v-russia#para_168

[24] https://casebook.icrc.org/case-study/echr-isayeva-v-russia#para_182

[25] https://casebook.icrc.org/case-study/georgiarussia-independent-international-fact-finding-mission-conflict-south-ossetia#para_140

[26] <https://casebook.icrc.org/case-study/un-statement-special-rapporteur-drone-attacks>

[27] <https://casebook.icrc.org/case-study/echr-al-skeini-et-al-v-uk>

[28] <https://casebook.icrc.org/case-study/afghanistan-attack-kunduz-trauma-centre>

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[30] <https://casebook.icrc.org/case-study/libya-report-office-un-high-commissioner-human-rights-201415>

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[32] <https://casebook.icrc.org/case-study/afghanistan-bombing-civilian-truck>

[33] <https://casebook.icrc.org/case-study/italy-use-force-against-ambulances-iraq>

[34] <https://casebook.icrc.org/case-study/germany-aerial-drone-attack-mir-alipakistan>

[35] <https://casebook.icrc.org/case-study/central-african-republic-coup-detat-0>

[36] <https://casebook.icrc.org/case-study/south-sudan-au-commission-inquiry-south-sudan>

[37] <https://casebook.icrc.org/case-study/32nd-international-conference-red-cross-and-red-crescent-sexual-and-gender-based-violence>