Under the Fourth Geneva Convention, it is prohibited to remove or to carry out individual or mass forcible transfers [1] of protected persons [2] from the occupied territory to the territory of the Occupying Power or to that of any other country, regardless of the motive for such removal/transfer. There are good reasons for considering – and the jurisprudence of international criminal tribunals and the ICC Statute have recognized – that this prohibition applies equally to forcible transfers within an occupied territory. In international armed conflicts, such removals/transfers constitute war crimes [3]. In non-international armed conflicts [4], there is a broader, and more general prohibition against forced movement of civilians [5], unless their security or imperative military reasons so demand.

See Protected persons [2]; Occupation [6]; War crimes [3]; Non-international armed conflict [4]; Transfer [1];
of own population to occupied territory

GCIV, 49/6 [9]

PI, 85/4(a) [10]

CIHL, 130 [11]

of protected persons from occupied territory

GCIV, 49/1 [9, 147] [12]

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of nationals of Occupying Power who have sought refuge in occupied territory

GCIV, 70/2 [14]

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Libya, Report of the Office of the UN High Commissioner for Human Rights (2014/15) [44]

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Chapter 12, II. b) more absolute prohibition of forced displacements

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Sudan, Report of the UN Commission of Enquiry on Darfur (Paras. 226 and 328)

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Case Study, Armed Conflicts in the Great Lakes Region (part II. A.)

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Suggested readings:


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

Links
[1] https://casebook.icrc.org/glossary/transfer
[7] https://casebook.icrc.org/law/civilian-population#iii_1_aa
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