“Combatant” describes those persons with a right to directly participate in hostilities between States.

The following persons are combatants in an international armed conflict [1]:

a. Members of the armed forces [2], except medical personnel [3] and religious personnel [4].

b. Members of other militias and members of other volunteer corps, including those of organized resistance movements, belonging to a Party to the conflict, provided that such militias or volunteer corps, including such organized resistance movements, fulfil the following conditions:

1. they are commanded by a person responsible for his subordinates;
2. they wear a fixed distinctive sign recognizable at a distance;
3. they carry their arms openly; and
4. they conduct their operations in accordance with the laws and customs of war.

c. Members of the regular armed forces who profess allegiance to a government or authority not recognized by the other Party to the conflict.

d. Participants in a levée en masse [5].

Combatants are required to distinguish themselves from the civilian population [6] while they are engaged in an attack [7] or in a military operation preparatory to an attack [7]. A combatant who fails to distinguish himself while he is engaged in an attack [7] or in a
military operation preparatory to an attack [7] loses his combatant status if he is captured, which means he does not have prisoner of war status [8] and can be tried for an act of war. However, he is to be given protections equivalent in all respects to those provided to prisoners of war [8] under the third Geneva Convention.

Notably, in international armed conflicts governed by Additional Protocol I, a combatant distinguishes himself sufficiently if he carries his arms openly:

a. during each military engagement; and
b. during such time as he is visible to the adversary while engaged in a military deployment preceding the launching of an attack [7] in which he is to participate.

A combatant who falls into the power of an adverse party to the conflict is a prisoner of war [8].

See also Unlawful combatants [9], Detention [10]
members of regular armed forces

members of armed forces to group professing allegiance to non-recognised government, or authorities

members of irregular militia, volunteer corps belonging to a party to a conflict
members of organised armed groups or units responsible to a party to a conflict

members of organised resistance groups

members of regular armed forces including militias and volunteer corps

levée en masse See levée en masse
GCIII, 4A6

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**DOCUMENT**

France, Accession to Protocol I (B. para. 7)

**CASES**

Malaysia, Osman v. Prosecutor

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US, Status and Treatment of Detainees Held in Guantanamo Naval Base

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USA, Jawad v. Gates [32]

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Syria, Syrian rebels treat captured Filipino soldiers as 'guests' [34]

ICTY, The Prosecutor v. Prlić et al. [35]

US, Combatant Immunity and Recognition of belligerency [38]

Unprivileged combatants
See Mercenaries [37]
See Spies [38]

Unlawful combatants
See Unlawful combatants [9]

BIBLIOGRAPHIC RESOURCES

Suggested readings:


Further readings:


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

Links
[1] https://casebook.icrc.org/glossary/international-armed-conflict
[8] https://casebook.icrc.org/glossary/prisoners-war
[37] https://casebook.icrc.org/glossary/mercenaries
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