“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]

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**DEFINITION**

| PI, 43/2 [11] |

**Members of armed forces**

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**OUTLINE**

| Chapter 6, I. Who is a combatant? [12] |

**LEGAL SOURCES**

| conditions |
members of regular armed forces

GCIII, 4A/1 [17]

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

GCI, 13/3 [13] (see ICRC updated Commentary [14])

GCII, 13/3 [15] (see ICRC updated Commentary [16])

GCIII, 4A/3 [17]

PI, 43/1 [11]

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

PI, 43/1

members of organised resistance groups

GCI, 13/2 (see ICRC updated Commentary)

GCII, 13/2 (see ICRC updated Commentary)

GCI, 13/2 (see ICRC updated Commentary)

GCII, 13/2 (see ICRC updated Commentary)

PI, 44/6

members of regular armed forces including militias and volunteer corps

PI, 43/1-2

levée en masse See levée en masse

GCI, 13/6 (see ICRC updated Commentary)

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ICRC, International Humanitarian Law and the challenges of contemporary armed conflicts in 2015 [para 117 [31]]

USA, Jawad v. Gates [32]

Germany, Aerial Drone Attack in Mir Ali/Pakistan [33]

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

Unprivileged combatants
See Mercenaries [35]
See Spies [36]

Unlawful combatants
See Unlawful combatants [9]

BIBLIOGRAPHIC RESOURCES
Suggested readings:


**Further readings:**


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

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