Civilian person

“Civilian” means, in an international armed conflict, any person who does not belong to the armed forces \[1\] and does not take part in a “levée en masse \[2\]”.

In case of doubt whether a person is a civilian or not, that person must be considered to be a civilian.

“Civilian \[3\]” means, in a non-international armed conflict, all persons who are neither members of state armed forces nor members of an organized armed group \[4\].

Civilian population

The civilian population is made up of civilian persons. In international armed conflicts, the presence within the civilian population of individuals who do not come within the definition of civilians does not deprive the population of its civilian character. Appropriate rules protect the whole population of a party to a conflict without any adverse distinction. Both in international \[5\] and non-international armed conflicts \[6\], the civilian population enjoys general protection against the dangers of military operations.

Special protection

journalists See Journalists \[7\]
women See Women \[8\]
children See Children [9]
protected persons See Protected persons [12]

OUTLINE

Chapter 9, 5. Definition of the civilian population [13]

LEGAL SOURCE

PI, 50 [14]

CIHL, 5 [15]

DOCUMENT

ICRC Appeals on the Near East [16] (C. [17], para 7 [16])

CASES

Israel, Military Prosecutor v. Kassem and Others [18]

Case Study, Armed Conflict in the former Yugoslavia [19] (para 27 [20])


Sudan, Report of the UN Commission of Enquiry on Darfur (A. paras 291-292 and 422)
South Sudan: Medical Care Under Fire

Health Care in Pakistan’s Tribal Areas

Libya, NATO Intervention 2011

ICTY, The Prosecutor v. Radovan Karadzic


Iraq, Forced displacement and deliberate destruction

Yemen, Potential Existence and Effects of Naval Blockade

Iraq: Situation of Internally Displaced Persons

Syria, the Battle for Aleppo

ICC, Confirmation of Charges against LRA Leaders

ICRC, Statement - War in Cities; What is at Stake?

Colombia Peace Agreement
Chapter 8, 1. Rules benefiting all civilians [48]

Chapter 8, IV. Special rules on occupied territories [49]

Chapter 9, Prohibited attacks [50]

Chapter 5, introductory text [51]

Chapter 9, II. 7. Loss of protection: The concept of direct participation in hostilities and its consequences [52]

Chapter 9, b) the presence of a combatant or military objective among the civilian population [53]

LEGAL SOURCE

HR, 23(b) [54], 25-28 [55]

GCIV, 13-26 [56]

PI, 48 [57], 51 [58], 52 [59], 57 [60]

CIHL, 88 [61], 89 [62], 90 [63], 91 [64], 92 [65], 93 [66], 94 [67], 95 [68], 96 [69], 97 [70], 98 [71], 99 [72], 100 [73], 101 [74], 102 [75], 103 [76], 104 [77], 105 [78]

deporation, transfer and forced evacuation (See also Deportation [79]; Displaced persons [80]; Evacuation [81])
Prohibition of discrimination

GC Common 3 [88] (see ICRC updated Commentary [89])

GCIV, 13 [56], 27 [90]

PI, 9/1 [91], 10/2 [92], 70/1 [93], 73 [94], 75/1 [95], 85/4(c) [83]

CIHL, 88 [61]

treatment of persons

HR, 44-46 [96], 50 [97]

GC Common 3 [88] (see ICRC updated Commentary [89])

GCIV, 25 [98], 26 [99], 27 [100], 31-34 [101], 147 [102]

PI, 11 [103], 17 [104], 74 [105], 75 [95], 85 [83]
in occupied territories (See also Occupation)

GCIV, 5/2-3, 55, 59-63, 64/2, 65

PI, 69, 45/3, 75

attacks intended to spread terror (See also Terror)

PI, 51/2

PII, 13/2

prohibition of direct attack

HR, 25

GCIV, 28

PI, 51/2-3

PII, 13

CIHL, 1

protection against effects of hostilities (See also Precautions against the effects of attacks)
loss of protection if DPH (See also Direct participation in hostilities)

presence of a combatant or a military objective among the civilian population

in NIAC
prohibition of reprisals (See also Reprisals [136])

GCIV, 33 [137]

prohibition of starvation as a method of war (See also Starvation [141])

PI, 54/1 [123]

prohibition of human shields (See also Human shields [144])

PI, 51/7 [139]

in hospital & safety zones, neutralized zones, demilitarized zones (See
also Hospital and safety zones and localities \([145]\)

GCI, Annex I 1-4 \([146]\)

GCIV, 14 \([147]\) and Annex I 1-4 \([148]\)

PI, 60 \([126]\)

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IACHR, Tablada (paras 178 \([149]\) and 189 \([150]\))

Israel, Evacuation of Bodies in Jenin \([151]\)

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Syria, Report by UN Commission of Inquiry (March 2017) \([154]\)

Italy, Use of force against ambulances in Iraq \([155]\)

Germany, Aerial Drone Attack in Mir Ali/Pakistan \([156]\)

Central African Republic/Democratic Republic of Congo/Uganda, LRA attacks \([157]\)
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UN, Resolutions and Conference on Respect for the Fourth Convention (E. II. 2.)

ICRC Appeals on the Near East

ICRC, DPH

ICRC, Interpretive Guidance on the Notion of Direct Participation in Hostilities

BIBLIOGRAPHIC RESOURCES

Suggested reading:


DOWNES Alexander B., Targeting Civilians in War, Ithaca, London, Cornell


Source URL: https://casebook.icrc.org/glossary/civilian-population

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