

# IHL PRINCIPLES ON THE CONDUCT OF HOSTILITIES

With the outbreak of a new round of fighting in the Israeli-Palestinian context, the following is a short reminder of the key principles of international humanitarian law (IHL) regulating the conduct of hostilities.

Under IHL, the rules regulating the conduct of hostilities include three key principles: distinction, proportionality, and precautions. These principles are part of customary international law.

## A. Distinction

The principle of distinction asserts that the parties to a conflict shall at all times distinguish between civilians and combatants on the one hand, and between civilian objects and military objectives on the other, and that the parties should direct their military operations only against combatants and military objectives.<sup>1</sup>

Based on the principle of distinction, all means and methods of warfare that cannot distinguish between those who take part in hostilities and those who do not or between civilian objects and military objectives are prohibited.

## B. Proportionality

The principle of proportionality states that even in the presence of a clear military objective, it is prohibited to launch an attack where it can be expected to cause excessive incidental loss of civilian life, injury to civilians, damage to civilian objects (or a combination of these) compared to the concrete and direct military advantage anticipated.<sup>2</sup>

## C. Precautions in attack

The parties to the conflict are obliged to respect the principle of precautions in attack, which supplements the general obligation to distinguish at all times between civilians and combatants, and between

civilian objects and military objectives.<sup>3</sup> Accordingly, the parties to an armed conflict must take precautionary measures in order to minimize civilian casualties and damages. These include notably (but not exclusively) obligations to:

- take all feasible precautions in the choice of means and methods of attack by, for example, employing the most precise weapons at the disposal of a party;
- give effective warning to civilians of an imminent attack unless circumstances do not permit;<sup>4</sup> and
- cancel or suspend an attack if it becomes apparent that the objective is not a military objective or that the attack will be disproportionate.

## D. Precautions against the effects of attacks

The parties to the conflict must also take “passive precautions” to protect the civilian population and civilian objects that are under their control from future attacks by the enemy.<sup>5</sup> For example, they must remove civilians and civilian objects from the vicinity of military objectives and avoid locating military objectives in or near densely populated areas in the first place.<sup>6</sup>

*This document provides a short guide to the key rules regulating the use of force in the conduct of hostilities. For more information regarding key concepts in the international legal framework applicable to situations of armed conflicts and occupation, please refer to our Easy Guide to International Humanitarian Law (available [in English](#) and [in Arabic](#)).*

<sup>1</sup> Art. 48, Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (AP I). This is also a rule of customary international law. See Rules 1 and 7, ICRC, IHL Database – Customary IHL (CIHL).

<sup>2</sup> Art. 51(5)(b), AP I. This is also a rule of customary international law. See Rule 14, CIHL.

<sup>3</sup> This is also a rule of customary international law. See Rule 15, CIHL.

<sup>4</sup> Art. 57(2)(c), AP I.

<sup>5</sup> This is also a rule of customary international law. See Rule 22, CIHL.

<sup>6</sup> Art. 58(b), AP I. See also, Rule 24, CIHL.

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