

Introduction to the Law of Armed Conflict

Introduction to the Law of Armed Conflict (LOAC)

(also known as International Humanitarian Law – IHL)

1. What the Law of Armed Conflict Is

Aspect	Description
Purpose	Limits the means and methods of warfare, protects persons who are not or are no longer participating in hostilities, and seeks to reduce unnecessary suffering.
Scope	Applies to armed conflicts (international and non-international) and to all parties involved – states, organized armed groups, and individuals.
Legal Basis	• 1949 Geneva Conventions & their Additional Protocols • Hague Conventions (1899, 1907) • Customary international law • Treaties of specific weapons (e.g., Chemical Weapons Convention)
Key Principles	1. Distinction – differentiate combatants/military objectives from civilians/civilian objects. 2. Proportionality – avoid attacks where expected civilian harm would be excessive relative to the anticipated military advantage. 3. Necessity – use force only to achieve a legitimate military objective. 4. Humanity – prohibit means of warfare that cause unnecessary suffering. 5. Precaution – take all feasible steps to minimize civilian harm.

2. Classification of Armed Conflicts

Type	Definition	Legal Regime
International Armed Conflict (IAC)	Hostilities between two or more states.	Full application of the four Geneva Conventions + Additional Protocol I (if ratified).

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Type	Definition	Legal Regime
Non-International Armed Conflict (NIAC)	Protracted armed violence between a state and organized non-state armed groups, or between such groups themselves.	Common Article 3 of the Geneva Conventions + Additional Protocol II (if ratified).
Other Situations	Internal disturbances, riots, isolated acts of violence – not covered by LOAC.	Domestic law and human rights law apply instead.

3. Core Rules for Conduct of Hostilities

3.1 Distinction

- **Combatants** (regular forces, members of organized armed groups) are lawful targets.
- **Civilians** are protected unless they take a direct part in hostilities.
- **Military objectives** = objects which by virtue of their nature, location, purpose or use make an effective contribution to military action and whose total or partial destruction offers a definite military advantage.

3.2 Proportionality

- Assess **expected civilian harm** vs. **concrete and direct military advantage**.
- If the anticipated civilian damage is “excessive” compared with the advantage, the attack must be aborted or modified.

3.3 Precautions in Attack

1. **Verification** – confirm the target’s status.
2. **Choice of Means** – select weapons and tactics that limit collateral damage.
3. **Timing** – attack when civilian presence is minimal, if possible.
4. **Re-assessment** – continuously evaluate new information during the operation.

3.4 Prohibited Means & Methods

- **Indiscriminate weapons** (e.g., cluster munitions, landmines in civilian areas).
- **Weapons causing superfluous injury** (e.g., chemical, biological agents).

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- **Attacks on protected objects** – cultural property, hospitals, schools, places of worship, etc.
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4. Protection of Persons

Category Main Protections