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Sources and Commentary

KNUT DORMANN

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Art. 8(2)(b)(xxiii) - Utilizing the presence of a civilian or other protected person to render certain points, areas or military forces immune from military operations.

Art. 8(2)(b)(xxiv) - Intentionally directing attacks against buildings, material, medical units and transport, and personnel using the distinctive emblems of the Geneva Conventions in conformity with international law.

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Art. 8(2)(c)(iii) - Taking of hostages.

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Art. 8(2)(e)(ii) - Intentionally directing attacks against buildings, material, medical units and transport, and personnel using the distinctive emblems of the Geneva Conventions in conformity with international law

Art. 8(2)(e)(iii) - Intentionally directing attacks against personnel, installations, material, units or vehicles involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter of the United Nations, as long as they are entitled to the protection given to civilians or civilian objects under the international law of armed conflict

Art. 8(2)(e)(iv) - Intentionally directing attacks against buildings dedicated to religion, education, art, science or charitable purposes, historic monuments, hospitals and places where the sick and wounded are collected, provided they are not military objectives

Art. 8(2)(e)(v) - Pillaging a town or place, even when taken by assault

Art. 8(2)(e)(vi) - Committing rape, sexual slavery, enforced prostitution, forced pregnancy, as defined in article 7, paragraph 2(f), enforced sterilization, and any other form of sexual violence also constituting a serious violation of article 3 common to the four Geneva Conventions

Art. 8(2)(e)(vii) - Conscripting or enlisting children under the age of fifteen years into armed forces or groups or using them to participate actively in hostilities

Art. 8(2)(e)(viii) - Ordering the displacement of the civilian population for reasons related to the conflict, unless the security of the civilians involved or imperative military reasons so demand

Art. 8(2)(e)(ix) - Killing or wounding treacherously a combatant adversary

Art. 8(2)(e)(x) - Declaring that no quarter will be given

Art. 8(2)(e)(xi) - Subjecting persons who are in the power of another party to the conflict to physical mutilation or to medical or scientific experiments of any kind which are neither justified by the medical, dental or hospital treatment of the person concerned nor carried out in his or her interest, and which cause death to or seriously endanger the health of such person or persons

Art. 8(2)(e)(xii) - Destroying or seizing the property of an adversary unless such destruction or seizure be imperatively demanded by the necessities of the conflict

Appendix: Request from the Governments of Belgium, Finland, Hungary, Mexico, the Republic of Korea and South Africa and the Permanent Observer Mission of Switzerland to the United Nations regarding the text-prepared by the International Committee of the Red Cross on the mental element in the common law and civil law systems and on the concepts of mistake of fact and mistake of law in national and international law

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