

The Rights of the Sick and Wounded in Humanitarian International Law

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Abstract

The ultimate goal of this research is analysis of patient and injured rights in international humanitarian law. Humanitarian law, especially about the sick and wounded, one of the most important issues of international law and is emphasized the heavenly religions. The Humanitarian Law, ill, injured, benefit from war immunity and have no significant war because and it will not be legal or illegal the only thing that is desired, the protection of victims of war and violence is reduced. This is the same thing as the law of war, humanitarian law is known. The results indicate that humanitarian law in legal systems in the developing world regarding the rights of the sick and wounded and medical staff as well as mission-critical plays, they have a very strong guarantee. This research is designed in three seasons in the second quarter related to the topic will be discussed at the fundamentals and basics and While respecting the principles of human rights and international humanitarian law, to obscure the role of Islam in this regard is paid. In the third chapter enter into the subject, the various dimensions of the concept of war wounded patients' rights and a description of relevant parameters such as eligible, workers and non-paid role

Keywords: War Crimes, Violations of International Humanitarian law, Doctrine of Responsibility to Protect.

Introduction

International humanitarian law or humanitarian international law that is also known as the law of war or international law of armed conflict, was founded in International Conference on Human Rights in Tehran in 1968, and deals with the responsibilities and rights of involved parties and neutral countries particularly in relation to civilians . Compliance with these rules and paying attention to them seems essential since the emergence of war situation violates many rules and regulations.

Human rights and humanitarian law as two branches of international law are two complementary concepts and because of human, philosophical and historical principles and their common purpose that supports human rights have moved closer in the act. Engagement and interaction between humanitarian law and human rights has increased the protection of human and people's rights. Codification of the rules of international humanitarian law seeks to prevent wars of aggression immensely. To achieve this,

humanitarian law restricts governments' right to use weapons and methods and supports the victims of armed conflicts. International humanitarian law attaches great importance to the sick and wounded. Great efforts have been done to the banning of war and developing rules relating to patients in conflicts that some of these efforts led to the signing of conventions and international treaties. These treaties are considered part of customary international law and in later years were a source of comprehensive regulation in the field of humanitarian law. Of the Conventions on the rights of the sick and wounded who had to pass the rest of the world, are: 1- The Convention on improving the situation of the wounded of armed forces on the battlefield, approved by the 1864 Geneva, 2- the Additional Protocol relating to the conditions of war wounded approved on October 20, 1868, 3- Declaration of St. Petersburg approved in 1868 relating to the banning of the use of small-caliber shrapnel, 4- the 1906 Convention on the Improving the condition of injured and sick armed forces on the battlefield, and 5- the 1929 Convention on the improvement of injured and sick armed forces on the battlefield. All the conventions and protocols are based on two principles of the protection of injured and wounded of wars and protection of the rights of prisoners of war without any racial, religious, ethnic, and nationality bias.

Literature Review

Mohtasham (2013) in an article titled the role of doctrine of responsibility to protect the development of international humanitarian law believes that war crimes and massive violations of international humanitarian law in places such as Rwanda and the former Yugoslavia in the years leading up to the twenty-first century AD convinced the world to the idea that the widespread violations of international humanitarian law lays the groundwork for implementing the doctrine of responsibility to protection. Early in the doctrine, the primary responsibility of government is the protection of civilians, but where the government is unable or does not wish to play their responsibility towards the citizens under its jurisdiction the international community will take the initiative. Anticipating the sum of these dimensions, responsibility to protect doctrine that insists on prevention, response and reconstruction phase, is seeking support to civilians and protect to humanitarian international law. Achievements such as the criminalization of violations of international humanitarian law, creating a no-fly zone, protect civilians, arming the rebels and the intervention of regional bodies are among tools to achieve the lofty goal of maintaining international humanitarian law with the doctrine of responsibility to protect. Yazdani (2014) in his book of international humanitarian law and humanitarian challenges in armed conflict believes that violence committed against humanitarian actors and obstacles to humanitarian access has become an international challenge; therefore, the need to identify and analyze the barriers to the preservation of mankind that is one of the objectives of international humanitarian law is something crucial. Respect for humanitarian rules and its training, effective interpretation of the rules and in some cases establishing new rules will lead to the preservation of humanity and humanitarian access in armed conflict. Soltani (2014) in an article titled international humanitarian law and the law of armed conflict, explains that although after the First World War general approach of human society has always been to limit recourse to war in international relations, but the truth is that the use of force in international relations and interactions continues and this led the researchers and theorists of international law to continuous thinking about the development of the law of war so that minimize harm in times of war. International humanitarian law or international law of armed conflict deals with the responsibilities and rights of involved parties and neutral countries particularly in relation to civilians. Compliance with these rules and paying attention to them seems essential since the emergence of war situation violates many rules and regulations. Codification of the rules of international humanitarian law seeks to prevent wars of aggression immensely. To achieve this, humanitarian law restricts governments' right to use weapons and methods and supports the victims of armed conflicts. This study sought to express that what regulations and rules regulate the actions of the parties involved in time of war and supervises them, and what the rights of victims of war and the people, places and civilian installations are.

In this study, we review, verify and analyze different aspects of sick and wounded people of war that is associated with the principles of human rights and international humanitarian law.

Concepts:

International armed conflict: Fighting between the armed forces of at least two countries (Canaani, 2006, 2).

Non-international armed conflict: War on the territory of a State between the organized armed forces and identifiable armed groups or between armed groups themselves (ibid. 2)

Internal chaos: serious violations of internal order, resulting from violent acts of civilian groups (Ziaee Bigdeli, 2001, 8).

International humanitarian law

International humanitarian law refers to a set of rules that restrict the use of weapons and methods of warfare. This set of rules supports those not involved in hostilities or those who are not involved any more. The purpose of international humanitarian law is the protection of human dignity and alleviation of the suffering during the war. It is called the law of war or the law of armed conflict, too. (Musazadeh, 2010, 3).

Some have said that is a branch of human rights used in international armed conflicts and in some specific and limited circumstances in the internal armed conflicts (Mehrpour, 1998, 246).

Some have said that those are principles and rules that limit the use of violence during armed conflicts and its aim is to support people who are not directly involved in the war or are no longer involved, i.e. the wounded, sick and shipwrecked, prisoners and civilians, to limit the effects of violence in war, and to achieve the goals of the war (i.e. abstain from reprisals and harassment that has no effect on the war aims (ibid., 247). In other words, humanitarian laws are international set of rules or practices that govern the behavior of hostile forces clearly in international or non-international armed conflict. These humanitarian rules restrict the belligerent parties in selecting and using the right tools and ways to combat it because of humanitarian reasons and gives support to individuals, property and objects that were damaged or will be damaged in the clashes. Humanitarian law is also called "law of armed conflict". (Canaani, 2006, 3)

Humanitarian law aims classically to reduce human suffering and limiting the adverse effects caused by the war. But today, the aim of the humanitarian law is ensuring respect for the dignity of man, and guaranteeing the right to life and fundamental human rights as well as the prosecution and punishment of war criminals. (Canaani and Rostami, 2002, p. 3).

The meaning and definition of rape

"Aggression" means the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State. Each of the following acts, regardless of whether or not to issue a declaration of war, is considered as rape:

- A) The invasion or attack by the government of a State or any military occupation or annexation of all or part of the territory of any government to another by use of force,
- B) Bombardment by a government against the territory of another State with the use of any weapons,
- C) The blockade of ports and coasts of a State by the armed forces of another State,
- D) The armed forces' attack of a government on land, sea, air force or naval or air bases of other state,
- E) Use of government armed forces in the territory of another state established with previous agreements, Contrary to the terms of this Agreement or any if they remain in the territory after the termination of the Agreement,
- F) The government allowing another state to use its territory to commit an act of aggression against a third State,

G) Sending bouquets or armed groups, irregular forces or mercenaries to carry out military action against another state So that these practices lead to one of the acts listed above, or governments' active participation in such actions (Productivity, 2005, 19).

Health centres

Facilities, whether military or civilian, who have been prepared for the purposes of relief, namely have been arranged for the searching for, collecting, transporting and treating the wounded and sick persons and preventing outbreaks. These units could include hospitals and transfusion centers, preventive medicine center, depots (stocks), health centers, and drug unit or can be either fixed or movable or have permanent or temporary nature. When these units have been allocated for health purposes for a period without death, they will be permanent and if that is their mission for a specific period, then they have temporary nature (Vari, 2005, 120).

Fighter definition

Article 43 of Additional Protocol I on the definition of combatant provides:

1 Armed forces of one side of the conflict consisting of organized armed forces, groups and units who are under the control of a command that are responsible for acts of their subordinates, even if the government or official representatives of those parties are not recognized by the other side of the conflict. These armed forces should be subject to an internal disciplinary system which should observe the rules of international law applicable in armed conflict to implement. 2- Members of the Armed Forces of the conflict (with the exception of health workers and religious workers who are covered by Article 33 of the Third Convention) are combatants. 3. If one of the parties to the conflict attached paramilitary forces or armed forces to the law enforcement to its forces, it shall notify this to the other side of the conflict. (Shafi'i Nia, 2010, 96). It seems that the most important criterion for the identification of combatants from non-combatants is that the combatant is a person who is directly involved in the war.

The concept of the wounded, patients, shipwrecked

The first and second Convention of 1949 describes the status of the sick, wounded and shipwrecked as follow: The term "wounded" and "sick" means the military and civilians who need medical care and do not have any involvement in the conflict. The term "shipwreck" means the military and civilians who have been in a horrible situation because of a horrible incident that happened to them in the sea or other waters and have no involvement in the conflict (Budral, 2002, 13).

Principles of international humanitarian law and its relation to the rights of victims of war

Analysis of the principles of human rights and international humanitarian law

In international law concerning the law of war, referring to the law of war or using of rights in war or humanitarian law is the basis and referring to the aspects of international law of armed conflict is the backbone of research. Despite the war ban, it sometimes happens that governments have used this tactic to advance their aims, therefore, it is necessary that the provisions of international law governing this phenomenon to be studied. (Beygzadeh, 2003, 325).

Referring to this matter in article 1977 of a protocol annexed to the 1949 Conventions on the Protection of Victims of International Armed Conflicts can be seen clearly. The mentioned Convention and the Protocols include binding rules that defines the rights of war and armed conflict.

International humanitarian law is a necessity arising from the sore realities of the international community during the history. In fact, although war, use of force and the use of violence to achieve the goals and ideals of national or international societies has been reprehensible and despicable in human nature and common sense, however, traumatic and adverse events caused by this inhuman act shows that in the

course of history and in every age of the ages, the ugly face of war cast a shadow on the face of human societies and prevented it from offering nice and clear manifestations of this face. (Kharrazi, 2002, 12). The practical expression of humanitarian law is that the effects of war are destructive and it leaves devastative suffering, so, it is prohibited and illegal. The worldwide basis of international humanitarian law is to provide international obligations to respect human in time of war (Karamzadeh, 2004, 27). By accepting the reality of war, International humanitarian law thinks of reducing human suffering, limiting the effects of war, and fulfilling their goals on humanitarian grounds. Indeed, humanitarian law is human rights in wartime. In this regard, there is a discussion of the primacy of international humanitarian law so that this important matter was a different idea in international opinion, but its genuine basis is human and humanity. So that, the main source of human rights are religious, philosophical, and political insights and insights that will be in the school of natural rights. And, that humanity is mentioned in the plural form and its backgrounds refer to the third generation of human rights. (Ziaee Bigdeli, 2002, 82). So, referring to the human subject is a kind of flip for the authenticity of human existence and human creation and noble human dignity. So that, one of the seven Fundamental Principles of the International Red Cross Movement is "humanity" with this expression that the purpose is to protect life and health and ensure respect for human beings.

Sources of humanitarian law include humanitarian law instruments, namely the Geneva Conventions and Additional Protocols of 1977, the Convention for the Protection of Cultural Property in 1954 and its two Protocols, 1980 Convention on Conventional Weapons and its five Protocols, 1925 Geneva Protocol on toxic gases, 1972 Biological Weapons Convention, the Chemical Weapons Convention in 1993, and the Treaty -----, Statute of the International Criminal Court, the protocol on the involvement of children in armed conflict (Dvatly, 2004, 30).

War crimes in international law and humanitarian law

Universal jurisdiction over war crimes stems from both conventional international law, and customary international law. In conventional international law, the origin of the competence of internal national courts of a country to handle war crimes is the four 1949 Geneva conventions. Iran's National Assembly, on 30.09.1334, ratified the Iranian government allowance regarding the accession to the four 1949 Geneva conventions and the government of Iran signed its additional protocols in 1977.

From the point of view of international law, "gross violations of human rights and humanitarian norms during armed conflict are recognized as war crimes. Based on the Fourth Geneva Convention, War crimes which are subject to universal jurisdiction of Member States include: Intentional murder, or behavior against humanity including biological experiments, delivering a deliberately severe pain or severe damage to bodily integrity or health, and ... ".Also, in accordance with Article 3 common to the four 1949 Geneva conventions, each of the following acts committed against persons who do not participate actively in hostilities including members of armed forces who have laid down their arms, and those who, due to sickness, wounds, detention, or any other reason are unable to participate in the war, is a war crime:

1. Violence against body and soul in particular murder of all kinds, mutilation, cruel treatment and torture,
2. violating the dignity of a person, in particular humiliating behavior;
3. hostage-taking;
4. Export orders and the implementation of death sentences, without a previous verdict issued by the court that is legally formed and provides all the judicial guarantees which its necessity are recognized and accepted in general (Shakoori 2008, 51).

So the Iraqi government based on the four 1949 Geneva conventions (as a member like Iran) and also on the basis of Article 3 common to the four 1949 Geneva conventions, due to severe damage to Iran's military forces and civilians by his forces and with the help of mercenaries from other countries who were deployed to the country, should be placed on trial.

Basic principles of international humanitarian law

Jean-Jacques Rousseau established a rule on the War Between the States in the eighteenth century with the setting of the following principle: War is by no means the relationship between man and man, but the relationship between states where people become enemies randomly; not as human beings, not as citizens, but as soldiers (...). Since the goal of war is to destroy enemy territory, as long as the defenders of the enemy carry weapons, killing them is legitimate. But as soon as they are submitted, they are not the enemy or representatives of the enemy but only human beings. So, taking the lives of them is not legitimate (Rousseau, 1942, 11).

In 1899, Fyodor Martens stated the below principle for items that are not covered by humanitarian law: "Civilians and fighters under the influence of customary international law and human rights norms." (Ibid, 12).

Before including in paragraph 2 of Article 1 of the 1977 Additional Protocol, the above principle have constituted a part of customary law.

While Rousseau and Martens founded humanitarian principles, Declaration of St. Petersburg established explicitly and implicitly preferences principles, military necessity and prevention of unnecessary damage as the following:

Considering that the only legitimate objective that countries must adhere to during the war is weakening the military forces of the enemy; considering that this is sufficient to make the largest possible number of people out of work, Considering that this is sufficient to make the largest possible number of people out of work,

1977 Additional Protocols to these principles confirm especially the principle of preference:

"... The parties to the conflict must distinguish between the civilian population and combatants and between their goals at all times and thus acts only against military targets. (Article 48 of Protocol 1 and Article 13 of Protocol 2).

Finally, the principle of proportionality seeks balance between two conflicting interests; the former is determined by military considerations and the other with humanitarian requirements.

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Human rights and humanitarian law as two branches of international law are two complementary concepts and because of human, philosophical and historical principles and their common purpose that supports human rights have moved closer in the act. Engagement and interaction between humanitarian law and human rights has increased the protection of human and people's rights. Codification of the rules of international humanitarian law seeks to prevent wars of aggression immensely. To achieve this, humanitarian law restricts governments' right to use weapons and methods and supports the victims of armed conflicts.

The important rules governing international humanitarian law include the four Geneva Conventions of 1949 to improve the fate of the injured and sick in armed forces; improving the fate of the wounded and the sick and the Lifeguard armed forces at sea and the treatment of prisoners of war and civilians in time of war that almost all countries that have joined so far.

International humanitarian law provides two conditions

A) International armed conflicts, at least two countries are involved in.

B) armed conflicts that occur in a country (such as the conflict between government and rebel forces).

International humanitarian law applies to all parties regardless of who is the initiator of the decision. International humanitarian law protects those who don't participate in the conflicts or not involved in the conflict anymore, such as: Civilian, military medical or religious personnel, veterans wounded, shipwrecked and sick, and prisoners of war. Taking into account the special needs of women and children, international humanitarian law provides more support to them. (Asgarkhany, 2010, 7).

Rights of the sick and wounded on international humanitarian law

International responsibility of states with respect to human rights

Recent technological developments and the production of more destructive weapons, has also dramatically increased the death toll every day. These armed conflict inevitably leads to the abnormal behaviors and the armed forces who are directly involved in the war are not the only ones who suffer from the consequences. At the heart of the battle the civilian population increasingly has been victims of war and has paid the highest cost. Undoubtedly, if the human rights violations of the Geneva Conventions and Additional Protocol is timely and properly dealt with and its perpetrators are prosecuted with the International Criminal, acts against humanity and violations of international treaties will not develop.

1. Geneva rules have emerged to protect military personnel who do not participate in hostilities and those who do not participate actively in hostilities.
2. The Hague rules that determines the rights and obligations of hostiles in military operations.

Review of "countries' responsibility", according to international law

Looking at the world today, we see clearly that many countries repeatedly violate its international obligations. According to which legal principles, countries are responsible for violations of international law and what are consequences of non-fulfillment of their responsibility?

The basic principle of "national responsibility" in international law requires that any country should be responsible for their actions in violation of its international obligations. In other words, the concept of state responsibility means that countries that do not respect its international obligations, must immediately stop their illegal actions and compensate damages to victims. This is a fundamental principle that forms part of customary international law and is binding for all countries. (Ziai Bigdelli, 2005, 19). The rules of international responsibility do not specify the country's obligations under international law. For example, torture is prohibited or it must provide medical assistance to the civilian population. These commitments have been determined in the various international treaties and customary international law International liability rules are only applied when a country is responsible for the breach of its obligations or fails to fulfill the responsibility that comes. If a country violates international law must immediately stop its illegal action and ensures that it will not do it again in the future and also be responsible for the compensation for material and moral damages.

Responsibility for violators of anti-Humanitarian government entities

All the actions of a person do not make the country's international responsibility. To be responsible, that rape must be related to the country. In other words, the country is responsible for the act that the abuser has committed. Actions of governmental organizations, agencies or government-affiliated institutions, regardless of whether the legal, executive or judicial proceedings are they, are related to the country. Armed forces actions and those who cooperate with them are directly related to the country and therefore such country is responsible for their actions (Hankart, 2005, 180). Therefore, it is concluded that the actions of Persons with government officials, as well as the actions of individuals or institutions that do some governmental duties, are linked to the country. Generally, a rape is only linked to the country when that body or person exceeds their authority. According to international humanitarian law, party to a conflict is responsible for all actions carried out by individuals who are part of its armed forces. This indicates that the country is responsible for personal actions of their armed forces. In other words, in

times of war, if armed forces officials' committed a crime outside the mandate, the state is responsible. Countries should apply tight control over soldiers and entities involved in an armed conflict to fulfill their commitment. They should teach Convention to their armed forces, otherwise, they will not be able to run it. Article 1 of the Geneva Conventions expresses a fundamental principle which requires countries to observe and ensure respect for the Convention in all circumstances.

The purpose of the obedience is that all individuals and institutions under the authority of the state must obey the rules of the Geneva Conventions. For example; a country is responsible for the actions of its soldiers in international conflicts to keep the peace. In fact, countries are responsible for the provisions of the Convention in all areas under their control (Falsafi, 1995, 84).

According to various sources of international law, Countries are responsible for the country and also for persons. Countries, other international organizations and individuals benefit of rights and duties which are based on international law. When countries violate their international obligations, it may damage both to individuals and to other countries. So, it is responsible for the following:

1-According to international human rights, against the human rights of their citizens and persons of competence;

2-in accordance with international humanitarian law against civilians and combatants during hostilities;

3-Based on the general principles of international law and bilateral and multilateral conventions that have been signed and ratified against other countries and international organizations (like the UN);

In connection with international rules such as the prohibition of genocide or torture, against the international community (Beygzadeh, 2003, 116).

1864 Geneva Convention was limited to improving the conditions of the wounded on the battlefield but since then, dozens of humanitarian law treaties and international instruments with humanitarian themes were ratified that the four Geneva Conventions are among them.

These Conventions are as follows:

1-Contract (first) in Geneva for improving the conditions of the injured and sick armed forces on the battlefield (August 12, 1949),

2-Second Geneva Convention to improve the condition of the wounded, sick and shipwreck Armed Forces at Sea (August 12, 1949),

3-Third Geneva contracts relating to the treatment of prisoners of war (August 12, 1949).

4-Geneva fourth contract, relative to the Protection of Civilian Persons in Time of War, (12 August 1949).

5-Protocol (II) Additional to the Geneva conventions on the protection of victims of non-international armed conflicts (June 8, 1977). (Motaghi, 1995, 67)

The Geneva Conventions and its protocols were announced about war or any other dispute between two or more of the parties to the Convention and Protocol I, since the beginning, this situation applies, even if one side is not recognized by the other one. These agreements include the armed conflict against colonial domination, alien occupation and racist regimes in the exercise of the right to self-determination. (Farhadinia, 1995, 93). Revenge and violations against any violation and to stop it, against the wounded, patients, shipwreck, non-military, and cultural property is prohibited. This action is allowed only to the hostiles (ibid, 100).

To ensure the Geneva Conventions, parties in the conflict must work together and accept the monitoring of supporting countries, for example impartial Countries which have been appointed in the other party's country to guarantee the interests of the parties involved. If such positions are not specified, the International Committee of the Red Cross helps the countries involved in the conflict to introduce supporting authorities. (Convention 1, 2, 3, Article 8, the Convention 4 Article 9, Protocol 1, Article 5). (Ibid. 319)

Second Geneva Convention relates to the Status of wounded, sick and shipwreck armed forces at sea. This convention is almost like the first convention.

The difference is that the second Convention relates to the status of the wounded, the sick and shipwreck of the armed forces at sea, but the first Convention relates to their Status on the land. Apart from this case, the principles used in the Convention are similar and have the same rules with regard to persons or property protected under different conditions. Section 2 protocol 1 supports all of the wounded, sick and shipwreck regardless of whether they are civilians or members of the armed forces (Protocol 1 Article 8,34).

Each person wounded, sick or shipwrecked regardless of which country it belongs to, should be respected and supported. They should be treated as human beings and with minimum delay to receive medical care and support related to their situation. Women must be protected with regard to their physical condition. Militants wounded, sick or shipwrecked, who are prisoners, are considered as prisoners until the extradition with provisions of the Convention of 1, 2 and 3 Geneva (Mehrpour, 1998, 31).

Search responsibility for injured, dead and the lost

At any time, especially after the conflict, the parties to the conflict should use immediately all possible methods to search and find the wounded, dead and shipwreck. The belligerent parties must indicate the wounded, the sick and the dead to the extent that it is available such as their nationality, national ID number, name, date of birth, place of capture and report how the action was committed by that person. This information should be published in a court contained in the Third Convention intended to send data to the opposite side as soon as possible in particular, through the Central Tracing organization(CTA) of International Committee of the Red Cross (Convention 16 1, 19 2 of the Convention).

Conclusion

1. The International Committee of the Red Cross, derived from international humanitarian law applicable in time of war, insists of customary or arbitrary international rules, that in particular, intend to resolve humanitarian problems directly resulting from armed conflict (whether domestic or international); because these rules limit the rights of the parties involved in the use of methods or means of warfare on humanitarian grounds And support the properties and lives of those who have been affected by war, or likely to be affected by it.
2. In humanitarian law, no matter the reason of war will be legal or illegal, the only thing that is desired is the protection of victims of war and reducing the violence. So, the humanitarian law regardless of the reason of the war and its legality or illegality, support the victims regardless of their belonging to the two parties. 2. This is known as the same thing as the law of war or humanitarian law.
3. International humanitarian law protects "hard core" of human rights in the event of armed conflict. These protections include the right to life, prohibition of slavery and servitude, the prohibition of torture and inhuman treatment and the prohibition of ex post facto law. These supports are not suspended in any case. If these sets of inviolable rights are gathered together, it becomes clear that human rights and humanitarian law have supported some fundamental rights.
4. The benefits of the separation of armed conflict are in the diagnosis of the type of rules that will be binding on each of these conflicts. 4 -In international armed conflict, the provisions of the four Geneva Conventions of 1949 as well as Additional Protocol I to the Geneva Conventions in 1977, is applicable. But in non-international armed conflicts, Article 3 common to the Geneva Conventions, as well as Additional Protocol II to the 1977 Geneva Conventions are into force. So, in order to determine which humanitarian rules must be implemented to support the victims of a conflict, we must first identify the type of conflict.
5. Article 10 of Protocol I and Article 7 of Protocol II, which complete Article 3 common to the four 1977 Conventions expand the general principle to respect and protect civilians whether or not they are involved into the conflict These people need humanitarian behavior and any damage to their life and personality,

including torture, biological experiments, release without medical care, exposure to contagious or infectious diseases as well as "retaliation" is prohibited. Meanwhile, 109 to 111 principles of the second protocol, discussed the wounded, the sick and shipwreck in customary international rules.

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