

Dt. Komitee zum Humanitären Völkerrecht [ed.]

National Implementation of International Humanitarian Law

Document on the Implementation of IHL
in the German Legal System



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I. Introduction

International Humanitarian Law (IHL) safeguards humanity in the dire circumstances of armed conflict. Every High Contracting Party to the 1949 Geneva Conventions (GC)¹, the backbone of IHL, undertakes to respect and to ensure respect for the Conventions in all circumstances (Common Art. 1 to the GC). This obligation also forms part of customary international law. The implementation of the Geneva Conventions, their Additional Protocols² and IHL in general in each High Contracting Party's national legal system is an essential measure to ensure this respect.

The present document on the German implementation of IHL intends to give an overview of the steps the Federal Republic of Germany has taken to implement IHL in its national jurisdiction. It addresses the status of IHL in the German legal system, the status and control of the German Armed Forces, implementation measures concerning, *inter alia*, the protection of civilians and civilian objects, dissemination, and education as well as the enforcement of IHL. It aims to compile information about relevant implementation measures, without being exhaustive, in order to facilitate the understanding of IHL's application and operation within the German legal system. The document is broadly addressed to anyone with an interest in IHL, including government officials, parliamentarians, IHL praction-

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- 1 Geneva Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (GC I),
Geneva Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (GC II),
Geneva Convention (III) relative to the Treatment of Prisoners of War (GC III),
Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War (GC IV),
all of 12 August 1949.
 - 2 Protocol Additional (I) to the Geneva Conventions of 12 August 1949 and relating to the Protection of Victims of International Armed Conflicts (AP I),
Protocol Additional (II) to the Geneva Conventions of 12 August 1949 and relating to the Protection of Victims of Non-International Armed Conflicts (AP II),
both of 8 June 1977;
Protocol Additional (III) to the Geneva Conventions of 12 August 1949 and relating to the Adoption of an Additional Distinctive Emblem (AP III) of 8 December 2005.