

I Am a **Civilian – What Are My Rights under International Humanitarian Law?**

Q: Do I have any rights under international humanitarian law?

A: You have rights under international humanitarian law because you are one of the protected groups: civilians, sick and wounded soldiers and prisoners of war.

Q: What rights do I have?

A: You have a right to life, to be treated humanely, to your personal safety, your dignity and honour, your family, your property and home and your religious and cultural beliefs. The occupying forces must respect these.

Q: If the occupying forces kill me or someone from my family, is it illegal?

A: Your right to life should be respected. They cannot murder you. But you may be lawfully killed if and when you take up arms against the occupying forces.

Q: May they harm me?

A: You have a right to your own safety. But you may be hurt if you get in the way of lawful military operations. If the operations are unlawful, then all harm done to you is illegal.

Q: May they torture me?

A: You have an absolute right not to be subjected to torture, other dangerous treatment or corporal punishment, or any inhumane, humiliating or degrading treatment. If you are subjected to any of these, it is always illegal. They cannot even threaten to do it.

Q: May they discriminate against me?

A: You have a right never to be discriminated against under any circumstances.

Q: May they take me as a hostage, use me as a human shield or punish me for something that someone in my family or in my building did?

A: You have a right never to be subjected to these things under any circumstances.

Q: May they interfere with my right to have a family, support it and be with it? How about my religious convictions and practices?

A: You have a right to your family life and religion. You may only be prevented from practicing these rights when and if doing so causes a serious danger to you or others.

Q: May they destroy my property?

A: You have a right to your property. Destruction is only acceptable if it is absolutely necessary for valid military purposes, and certainly not as an act of revenge or collective punishment.

Q: May they take my property from me?

A: Again, you have a right to your property. They may not confiscate or loot it. However, they may force you to sell something that the occupying army needs, but then they must pay you, at fair value, as soon as possible. In any event, they may not force you to sell something that is indispensable to you, such as the food and medical supplies you need to survive. But if you have things that may be used for military purposes, such as weapons and munitions, they can take them from you.

Q: Do I have to pay taxes to them?

A: You have the right for your tax money to be levied and used in certain defined ways. The occupying forces may levy taxes but should as far as possible use the tax laws that existed before the occupation. Also, the money must go to the administration of the occupied territory itself. Any other taxes may only be used for the needs of the army and their administration of the occupied territory, not the territory of the occupying state.

Q: May they force me away from my home?

A: You have a right not to be forcibly moved. They may only move you when the security of the population or imperative military reasons demand it. Even so, they may not move you out of the occupied territory unless there is no other choice. As soon as the danger passes, they must bring you back.

Q: May they force me to participate in military operations?

A: You have a right not to be forced to serve or join in any military operations. However, they can make you work for public utility services, the feeding, sheltering, clothing, transportation or health of the population of the occupied territory, or for the needs of the army of occupation. You are entitled to fair payment and working conditions. They may not make you work outside the occupied territory.

Q: May they arrest me?

A: You have a right to your freedom. They can only arrest you if you are reasonably suspected of having committed an offence. You then have the right to be promptly informed, in writing and in a language that you understand, of the charges against you. You also have a right to get a fair trial. You may not be kept in detention unless it is truly necessary for security reasons. This does not mean that you have done anything wrong.

Q: What if I am left without food, clothes, medicine, bedding or shelter?

A: You have a right to the basic supplies and services that are essential to your survival. The Occupying Power must take all possible measures to make sure that you are not left without them.

Q: Are these rights absolute or might I lose them?

A: You lose many of these rights if and only if you take up arms against the occupier, but you are still entitled to basic respect for your person and dignity. So you still have a right to get a fair trial, and to not be tortured, ill-treated, humiliated or discriminated against. The moment you lay down your arms, you regain all your rights.

Q: Who can help me?

A: You have a right to seek help from humanitarian and human rights organisations at any time. You may not be punished in any way for having done so.