

**PROTOCOL
ON PROHIBITIONS OR RESTRICTIONS
ON THE USE OF INCENDIARY WEAPONS
(PROTOCOL ni)**

Article 1
Definitions

For the purpose of this Protocol:

1. "Incendiary weapon" means any weapon or munition which is primarily designed to set fire to objects or to cause burn injury to persons through the action of flame, heat, or a combination thereof, produced by a chemical reaction of a substance delivered on the target.

(a) Incendiary weapons can take the form of, for example, flame throwers, fougasses, shells, rockets, grenades, mines, bombs and other containers of incendiary substances.

(b) Incendiary weapons do not include:

- (i) Munitions which may have incidental incendiary effects such as illuminants, tracers, smoke or signaling systems;
- (ii) Munitions designed to combine penetration, blast or fragmentation effects with an additional incendiary effect, such as armour-piercing projectiles, fragmentation shells, explosive bombs and similar combined-effects munitions in which the incendiary effect is not specifically designed to cause burn injury to persons, but to be used against military objectives, such as armoured vehicles, aircraft and installations or facilities.

2. "Concentration of civilians" means any concentration of civilians, be it permanent or temporary, such as in inhabited parts of cities, or inhabited towns or villages, or as in camps or columns of refugees or evacuees, or groups of nomads.

3. "Military objective" means, so far as objects are concerned, any object which by its nature, location, purpose or use makes an effective contribution to military action and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage.

4. "Civilian objects" are all objects which are not military objectives as defined in paragraph 3.

5. "Feasible precautions" are those precautions which are practicable or practically possible taking into account all circumstances ruling at the time, including humanitarian and military considerations.

Article 2

Protection of civilians and civilian objects

1. It is prohibited in all circumstances to make the civilian population as such, individual civilians or civilian objects the object of attack by incendiary weapons.

2. It is prohibited in all circumstances to make any military objective located within a concentration of civilians the object of attack by air-delivered incendiary weapons.

3. It is further prohibited to make any military objective located within a concentration of civilians the object of attack by means of incendiary weapons other than air-delivered incendiary weapons, except when such military objective is clearly separated from the concentration of civilians and all feasible precautions are taken with a view to limiting the incendiary effects to the military objective and to avoiding, and in any event to minimizing, incidental loss of civilian life, injury to civilians and damage to civilian objects.

4. It is prohibited to make forests or other kinds of plant cover the object of attack by incendiary weapons except when such natural elements are used to cover, conceal or camouflage combatants or other military objectives, or are themselves military objectives.

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KOHKPETHMX BMfIOB OEEIHHOrO OPyJKMH,
KOTOPBIE MOryj CHMTATECH HAHOCHinjHMM
HPE3MEPHBIE IOBPEHCHEHMFfi
MJIH MMEIOmMMM HEM3EMPATEJIBHOE PEMCTBME

BucoKue HorOBapHBaionjHeca CropoHU,

HanoMHEca, hto xaxcgoe rocygapreo o&oaHO b cootbctbhm c ycraBOM OpraHM3ai;uM OGBegijHeHHux HagMM BCögejxMBA Tbca b cbomx MejxgyiiapogHHx orHomennax or yrposu ghxm* mjim ee npuMeHeHMs xax npoTHB cyBepeHureTa, TeppHTopMaxbHOM Henpn-KOCHOBeHHOCTK MJIH nOXMTMHeCKOH He3a<BHCHMOCTH JIKJSOrO TOC gapCTBa, rax h xaxnM-jmdo gpyraM o6pa3OM, He cobmctbmbim c gexaMM OpraHMaagHW OöbegKHeHHHx Hag fmm,

HanoMHHaa gaxee ob odigeM npMHgMne 3aigMTi>i rpajxgHcxoro nacejienHa or anacHOcra Boeimbix ge&crBMn,

Hcxoga M3 npMHgMna mexcgyHapogHoro npaBa, coraacHO koto-pomy nraao cropoH b BOopyxcenHOM KOHCJijMKTe **BudnaTb** Me-Togu **mjim** cpegcraa Begeima **bonfu He** aBjiaeTca **HeorpaHMaehHbim**, a Taxace M3 npMHgMna, 3anpeigaK)igero npMMeHeHMe b BOopyjxeh-Hbix KOHCJWLMKTax OpjOKHa, CHapagOB **M BCJgeCTB** M Merogo® BCge-HMH BOMHU, XOTOpUe MOTyT HaHeCTM Mpe3MepHbIe noBpexceHMa **mjim** npMHecrM M3JiMiiiiMe **crpagaHMa**,

HanoMHHaa rakae, mto 3anpeigaeta npMMeHan. Merogu **mjim** opegCTBa **BegeHMa bonhu**, xopoue mmoct CBoei gexbK) npMHM-HMTb MJIM, xcx MOJXHO OJHMgaTb, npMHMHHT OÖHIMpHbim gOXpOBpe-MeHHbim m cepbe3HUM yigep6 irpupogHow cpege;

nogTBepsgaa cboio ySexcgeHHocTb, hto b cjiyuaax, He npe-gycMorpeHHbix HacpoaigeM KoHBeHMeu m npnjaraeMbiMM x Heu npoTOxojiaMM **mjim** gpyTMM MeJKgynapogHbiMH coraameHMM, rpajxgacKOe Hacexenne m xoMdaTaHTu nocroaHHO ocTatoTca nog 3aigMTOM m geucTBMeM npMHgMno® MexcgyHapogHoro npaBa, npMcpexaioiMX M3 ycraHOBMBMxca oduaae, M3 npMHgMOOB ry-mhhhoct m TpeCosaHiMM odigeCTBeHHoro coHaHMa,

sejiaa cogeMcpaoBarb MexcgyHapogHOM pa3pagxe, npexpaige-mao roHKM Boopyaceinra m yxpenieHMio gosepna Meagy rocy-gapCTBajviM h, cJiegoalTejn>HO, ocyrgecraxeHMio crpeivueHMa **Bcx** **HapOgOB JKMTb b MMpe**,

npH3Hasaa 3HaneHMe Bcx ycMiiiiM, xopoue Moryr cogeMCTBO-saTb nporpocy b gejie Bceodigero m noxHoro pa3opyacenna nog crporMM m 3ej)ej)ieicTMBHUM MeagyHapogHHM xompoaeM,

BHOBB nogTBepjxgaa HeodxogMMoerb npogojDKan> xogncjnxag-Mjo m nporpocMBHoe paobMroe HopM Me jxgynapogHoro nraaa, **npimMeHaeMux** b nepnog aopyjxehHbix xOHcJJIMKTOB,

scexaa 3anpeTMTb **mbim** gajiee orpammTb npMMeneHMe xon-xperHux BMgoo odunHoro opyxoa m cunraa, mo noxojiiTexb-Hue pe3yxbTarru, gocrMTHyue b 3tom oGaacTM, MOryT cnococp-soaTb OCHOBHUM nepoBopaM no pa3opyjxehnio c gejibio noxoj-RMTb xone npoM3BogcTBy, HaxonxehMio n pacncocTpaHeHHW Tax-or opyxMH,

nogepxMbaa jxejiaTejibHOcra Toro, HTO6U Bee rocygapcrBa craxM yqacrHMKaMM HacpoaigeM KOHBCHUMM m npMxaraeMux x Heu npoTCHcoxob, b ocoGeITHOCrM Baxorie b BOCHHOM orHomeHMM rocygapcrBa,

yuHTUBaa, HTO TeHepajibHaa AccaMSxae Opramoaggn OöbegM-HQHUX HagMM M KOMMCCMa OpraHM3agMM OöbegMHeHHUX Hag MM no pa3opyjKefiuo Moryr npMHarb pemehMe MayuHTb Bonpoc o BOGMOJKHOM padTMpeHMM CCfepU 3aHpeigeHMM M OpraHMMeHMM, npegycMorpeHHux HacromgeM KoHBeHMeu m npMxaraeMHHM x Heii nporoxaMM,

yuHTUBaa gaxee, hto Kommtet no pasopyacenno Moacer pe-HiMTb pacMorpen. Bonpoc o npMHamM gajibHeüniMX Mep no 3a-npergeHMio **mjim** orpanMueitmo npMMeHeHMa xOHxpeTHux BMgos oduHHoro op5cacMa,

corxachjiHcb o HMJxexegyKMgeM:

Cran.a 1

Cejiepa npHMeneHMa

Hacroaniaa KoHBeHMa h npMxaraeMue x ask flporoxonu
* npMMeiiOTca b CMryagMax, yxa3aHHux b craTbe2, oSigeM gjis