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The expansive definition of "protected persons" in war crime jurisprudence / Shane Reeves

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Abstract:	<p>It is questionable whether religious, ethnic, and tribal wars are internal or international armed conflicts and the specific facts of each conflict are dispositive in making this determination. Assuming these conflicts are defined as international armed conflicts and thus the full protections of the Geneva Conventions apply, the traditional definition of "protected persons" found within Geneva Convention IV (GC IV), Article 4 is clearly antiquated and outdated when discussing these complex forms of violence. As a result, international jurisprudence is moving towards giving protected person status under Geneva Convention IV, Article 4 to ethnic, religious, or tribal groups that are victims at the hands of their own nation. This expansion of the definition of protected persons results in a greater pool of possible victims of grave breaches of international law and therefore an increasing number of state actions being defined as war crimes.</p>
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