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The protection of creed and opinion in the laws of armed conflict / Hilaire McCoubrey

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Abstract:	<p>This article reviews and analyzes the IHL rules protecting creed, opinion, belief, and religion in an armed conflict. The author highlights and discusses the instruments that : (1) prohibit discrimination based on belief or creed ; (2) protect the beliefs, opinions, and religious practices of prisoners of war ; (3) provide special protection for persons vested with ministry to operate in prisons ; (4) protect buildings and objects with important religious and historical significance; and (5) provide for the freedom of creed and opinion in occupied territory. The author notes that IHL explicitly protects the rights of prisoners to adhere to a religious practice and suggests that IHL implicitly protects the rights of those who reject all religion. The author also argues that, while major religions do not call for cruel treatment or forced conversions of enemies who are of a different faith, some religious combatants nonetheless maintain such practices. A particular challenge in this area of IHL is to protect beliefs, opinions, and religions that are intolerant of others. [Summary by students at the University of Toronto, Faculty of Law (IHRP)]</p>
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Keyword in English:	IHL (INTERNATIONAL HUMANITARIAN LAW) HUMAN RIGHTS RELIGION INDIVIDUAL LIBERTIES PRINCIPLES OF IHL
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