

Abstract

Bloody wars among the conflicting sectors, since the ancient till the current time, result in great violation of the human international law in general and the principle of distinguishing the civilians from the fighters in particular, which was representing a conventional that organized those wars. Gradually these rules occupy a great deal of the attention of societies. Later they are organized within obligatory rules according to international treaties and conventions that became known as the human international law. Of the most important rules is distinguishing the civilians from the fighters that becomes an obligatory rule during the armed conflicts to be imposed on the conflicting parties to distinguish between the civilians from the fighters, that is to say distinguish those who participate in the armed conflicts from those who do not participate to direct the military operation against them, and to aim at the military targets in a way that maintain the civilians protection. The two parties are distinguished according to the discriminating and qualitative standards as the first considers the personal attribute, that who carries a weapon is a fighter and that who does not carry a weapon, while the second standard considers the participation in the military operation including the injuries and patients who are not participating due to their healthy condition so they became civilians. So these two standards are the base of distinguishing the civilians and the fighters, so as to provide the protection for the civilians. On the other hand the fighters who are captured by the enemy should be treated as prisoners of war. The fighters must distinguish themselves by using certain ways such as the military uniform or carrying the weapon in addition to the civilians commitment to avoid participating in the armed operation. The principle of distinguishing the civilians from the fighters should be applied during the international and non international conflicts by the national

precautionary and observing procedures, committing punishing the violators of the international human law, and attempting to coordinate the work of countries and the work of the international and non international organizations to apply these rules to distinguish the civilians from the fighters to protect the civilians and restrict the military operation to the fighters.