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The humanity principle in regard to coup de grâce in armed conflicts reviewed from the perspective of international humanitarian law

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ABSTRACT

Coup de grace is a practice that has been deeply ingrained throughout military history. Although this practice has been prohibited by various conventions, violations still occur because of differences in views between soldiers and legal scholars. The purpose of this study is to analyze and examine the practice of euthanasia or coup de grace that occurs on the battlefield during armed conflict, based on the principle of humanity from the perspective of International Humanitarian Law. This study employs the normative legal research method with statute and conceptual approaches. The result of this study shows that coup de grace cannot be justified in the eyes of International Humanitarian Law even with the knowledge that it is done based on mercy towards an excessively injured combatant, remembering the principle of humanity and differentiation as the basis of International Humanitarian Law. Therefore, coup de grace can be classified without a doubt as a war crime.

Keywords: armed conflict; coup de grace; humanity principle; international humanitarian law

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1. INTRODUCTION

In armed conflict, the deaths of combatants have become the norm. The loss of a soldier's life is no longer surprising; rather, it is expected and anticipated. Moreover, such losses are often viewed as the necessary price of victory. The general assumption is that war, as an act between states, inevitably brings death and destruction to all parties involved. Even in the case in which victory favors one side, all parties involved in the conflict inevitably suffer losses. International Humanitarian Law, in this regard, sets limits on destruction and loss, regulating the conduct in warfare through a framework that prioritizes humanity above all else.

International Humanitarian Law was originally formulated to strike a balance between military necessity during armed conflict and the protection of fundamental human values, namely, the dignity of combatants as well as the civilians affected by war (Sulistia, 2007). In essence, the Geneva Conventions (1949), one of the conventions that shaped International Humanitarian Law, were created with the same objective: to humanize war (Asnawi, 2017). This was done to minimize civilian casualties in warfare and to demand accountability from those who participate in it. The existence of these legal instruments reflects the international community's collective will and commitment to preserving humanity, even in the most violent situations, in this case, in the midst of an armed conflict. Through their continuous development and interpretation, International Humanitarian Law seeks not only to regulate warfare but also to reaffirm the moral boundaries that distinguish legitimate combat from acts of inhumanity.

Euthanasia is the deliberate termination of another person's life, carried out for various underlying reasons, whether medical or juridical. When this journal refers to euthanasia, it means to refer to those that are carried out in the battlefield, in which a soldier is dying and there is no immediate knowledge among the other soldiers regarding the arrival of medical assistance in the near future; where if the soldier is left to die naturally, it would cause excessive and unnecessary suffering. This act has also been expressed in literary terms as *coup de grace*, which means "the final touch" to end suffering (Cambridge Dictionary, 2025).

In this regard, the *coup de grace* has been an unspoken norm, not openly discussed but known among soldiers. Although not written in official regulations or military doctrines, the understanding of this act has developed over generations among soldiers as part of the reality of war. Soldiers, especially those who have repeatedly experienced battle, often witness or become involved in situations where difficult decisions, such as this, must be considered or even made to minimize the suffering that would otherwise be endured by their fellow soldiers, enemy combatants, or not. This unspoken understanding reflects the evolution of battlefield ethics that arise independently from formal legal frameworks, demonstrating how the lived experiences of soldiers often give birth to moral dilemmas that exist in the gray area of duty, compassion, survival, and existing doctrine (Kilner, 2023).

As stipulated in Article 47 of the Customary International Humanitarian Law, which was collected and formulated by the International Committee of the Red Cross (2020) to balance and unify several previous international legal conventions, regarding soldiers who are unable to fight, also known as "hors de combat", it is stated that:

"Attacking persons who are recognized as hors de combat is prohibited. A person hors de combat is (a) anyone who is in the power of an adverse party; (b) anyone who is defenseless because of unconsciousness, shipwreck, wounds, or sickness; or (c) anyone who clearly expresses an intention to surrender, provided that he or she abstains from any hostile act and does not attempt to escape."

However, as the author has found in the application of the established doctrine, there exists a paradox that may cause confusion among soldiers regarding the certainty of this prohibition, since actions that are legally recognized as war crimes are, in certain cases, carried out with intentions that align with the fundamental principles of International Humanitarian Law, namely, to reduce suffering on the battlefield. Therefore, it can be observed that this law gives rise to inconsistency and legal uncertainty in interpreting and enforcing the established rules because of the existence of long-standing traditions. This paradox

creates a moral and legal issue in which soldiers are torn between adherence to legal norms and the instinctive sense of compassion that drives them to alleviate suffering. Consequently, the line between lawful conduct and humanitarian intention becomes increasingly blurred, exposing the vulnerability of legal doctrine when confronted with real-world applications.

The purpose of the writing of this journal, as intended by the author, is to understand and examine the principle of humanity in relation to the act of coup de grace that occurs on the battlefield, particularly in situations involving soldiers who suffer from wounds sustained during conflicts that cause excessive suffering or soldiers who request to be killed in order to avoid undergoing suffering.

2. LITERATURE REVIEW

A previous study similar to this was conducted by Caron (2014), who wrote on the topic of coup de grace” (mercy killing) on the battlefield. A previous study similar to this was conducted by Caron (2014), who wrote on the topic of “coup de grace” (mercy killing) on the battlefield. This journal inspired the writing of this paper. However, this research develops the concept and provides an in-depth analysis regarding the principle of humanity in International Humanitarian Law in relation to the prohibition of coup de grace, including situations in which the soldier explicitly requested such an act or was experiencing severe suffering. In expanding upon Caron’s (2014) framework, this research also seeks to examine how the application of the humanity principle interacts with the moral dilemmas faced by combatants in real battlefield conditions. Furthermore, it aims to assess whether existing legal provisions need to be changed to address or accommodate the ethical complexities surrounding acts of mercy killing in armed conflict.

Beyond Caron’s (2014) ethical and judicial framework, several scholars have emphasized that the prohibition of killing wounded combatants is rooted in the broader humanitarian objectives of international law. International Humanitarian Law seeks to ensure that, even during armed conflict, individuals who are no longer capable of participating in hostilities must be protected from violence and treated with dignity. The principles of distinction and the protection of persons hors de combat serve as fundamental safeguards to prevent unnecessary suffering and to preserve the minimum standards of humanity in warfare (Sulistia, 2007; Adwani, 2012). These principles establish that once a combatant is incapacitated due to injury or surrender, the individual must no longer be considered a legitimate target and must instead receive medical care and protection.

Furthermore, contemporary scholarship has highlighted that ethical debates surrounding mercy killing in armed conflict often emerge from the tension between humanitarian compassion and legal obligation. While some battlefield narratives frame the coup de grâce as an act motivated by empathy, legal scholars argue that such actions undermine the integrity of international legal protections and may open pathways for abuse. The prohibition of extrajudicial killing is therefore critical to maintaining the rule-based order governing armed conflicts (Aceves, 2018). In this context, the application of humanitarian principles must remain consistent and must not be influenced by subjective interpretations of compassion that could potentially legitimize unlawful acts against wounded combatants.

3. RESEARCH METHOD

The type of research method used in this journal is normative legal research. According to Soekanto and Mamudji (2003, p. 14), the normative legal research method includes research on legal principles, the systemics of law, comparative law, and legal history. Furthermore, the types of approaches used by the author in the writing of this journal are statutory and conceptual. Statutory approach is defined as the research method which examines legislation related to the legal issue being studied (Marzuki, 2007, p. 35). On the other hand, the conceptual approach emphasizes views or doctrine that have developed within the legal scholarship sphere and can serve as the foundation for legal arguments.

Normative legal research focuses on analyzing legal norms contained in legislation, international conventions, judicial decisions, and legal doctrines. This approach is particularly relevant in studies related to International Humanitarian Law because it allows researchers to evaluate how legal principles regulate

conduct during armed conflict and how those principles should be interpreted when confronted with complex ethical situations. Through normative analysis, researchers can assess whether specific practices are compatible with existing legal standards and identify gaps or inconsistencies within the legal framework (Soekanto & Mamudji, 2003).

In addition to statutory and conceptual approaches, this study also relies on secondary legal materials, including scholarly articles, international legal instruments, and authoritative interpretations from international organizations, such as the [International Committee of the Red Cross \(2020\)](#). These materials serve as supporting sources for interpreting the meaning and application of humanitarian principles in armed conflict. By examining both primary and secondary legal materials, this research seeks to construct a comprehensive understanding of how the principle of humanity is interpreted and enforced within International Humanitarian Law (Marzuki, 2007).

4. RESULTS AND DISCUSSION

4.1. The Implementation of the Humanity Principle on Coup de Grâce in International Humanitarian Law

Coup de grace as a gesture of honor is an act that has evolved to a hereditary tradition. Although from the perspective of international humanitarian and customary international laws, this act is declared illegal, it cannot be forgotten that the "coup de grace has consistently been a consequential element throughout the history of armed conflict (Caron, 2014). This practice has been deeply rooted in military tradition, wherein a severely wounded combatant is granted "mercy" through swift death; viewed in a historical context, this act can be interpreted as an expression of the principle of humanity, in which a soldier ends the suffering of a dying enemy or comrade (Neuhaus, 2011).

Coup de grâce has also been documented in modern conflicts, particularly in the 20th and 21st centuries, where this practice is often referred to as "double-tapping" or "dead-checking," motivated by compassion and driven by the dictates of human conscience (Mosidze, 2025). The decision to end the life of a wounded combatant involves a subjective assessment of the degree of suffering endured by the combatant, among other considerations. In a documented case, namely, in a video from November 2024, an unnamed Russian soldier engaged in hand-to-hand combat with an unnamed Ukrainian soldier, resulting in the latter being fatally wounded. However, despite being gravely injured and on the brink of death, he refused the "last grenade option," in other words, he rejected coup de grâce and chose to die on his own accord. Upon hearing this, the Russian soldier nevertheless pulled the pin from a grenade and said, "Since childhood, we have been taught that in every situation, one must remain human" (Mosidze, 2025). It can be seen that even in this act, the principle of humanity in the eyes of the Russian soldier continued to be recognized and upheld.

The principle of humanity is one of the main foundations of International Humanitarian Law, which aims to "protect life and health and ensure respect for the human being" ([International Committee of the Red Cross, 2023](#)). Alongside the principle of military necessity, both form the balance that characterizes International Humanitarian Law in regulating conflict and minimizing human suffering. Furthermore, the principle of humanity protects civilians as well as wounded combatants (*bors de combat*) ([Jazirah et al., 2022](#)). Understanding this context reveals the complexity surrounding the regulation of the coup de grâce within International Humanitarian Law. On the one hand, the regulation concerning the coup de grâce emphasizes the principle of humanity by allowing even the slightest chance for a combatant, whether it is an ally or an enemy of the other combatant, to live. However, it cannot be denied that, on the other hand, the regulation of the coup de grâce can also be perceived as a violation of the principle of humanity, wherein a dying soldier if left to suffer to an excess and unnecessarily while awaiting death, is subjected to a form of inhumane treatment.

From an ethical standpoint, several considerations can be observed regarding the existence of a coup de grace through the lens of International Humanitarian Law. First, the decision to administer a coup de grace is often made under chaotic and high-pressure battlefield conditions, where a soldier's subjective judgement may be influenced by emotional factors, stress, and a lack of full medical knowledge regarding

the victim's condition (Dimitrovska, 2024). These circumstances potentially open the door to the abuse of power and unethical conduct that may or may not occur, which could even result in morally and legally unjustifiable killings that can be classified as extrajudicial killings on a *hors de combat* (Aceves, 2018).

Additionally, even if the intention behind the coup de grâce performed by combatants is to end suffering, this practice disregards the human rights of combatants as individuals entitled to protection and medical care (Barnett-Vanes, 2016). Under International Humanitarian Law, every wounded combatant must be treated with respect and provided with appropriate medical care without discrimination, as guaranteed by the First Geneva Convention (Omar, 2020). Therefore, delivering a deliberate death, even when intended as an act of compassion, may be deemed contrary to this principle and interpreted as an act that diminishes the inherent value of human life, which should be upheld at all times.

Furthermore, in the modern era, considering the advancement of medical technology and the development of rapid evacuation procedures on the battlefield, alternatives to directly ending suffering have become increasingly widespread and available (Skoroplit et.al., 2025). Techniques that have been developed and refined, such as the “grab and run” method, also referred to as the “dragging” technique, are specifically designed for active fire zones (also known as red zones) of combat areas and have been proven to be an effective evacuation procedure that is frequently conducted by medical personnel (Starchuk et.al. 2023). The existence of effective emergency medical treatment and rapid medical evacuation can significantly reduce the perceived necessity for a coup de grace and, in turn, can be taught by combatants as a requirement for them to enter the battlefield. It can even be said that this development of medical procedures and techniques highlights the importance of investing in military medical facilities and personnel training to ensure that every wounded combatant, the number of whom inevitably increases in active areas of combat, is given the best possible chance to survive and recover.

However, it should be noted that the existence of a coup de grace can be reinforced by the practice of certain states that prohibit the provision of support, including medical assistance, to territories controlled by rival armed groups (Siem, 2017). This situation often results in circumstances in which, although the law regarding a coup de grace is clear and unequivocal, may be perceived by combatants in dire circumstances as a sign of hopelessness. Such a perception can lead them to rationalize the decision to end the life of their fellow combatant, who can be seen enduring excessive suffering.

4.2. The Impacts of Coup de Grâce on the Protection of the Human Rights of Injured Combatants and Persons Hors de Combat in International Humanitarian Law

According to International Humanitarian Law, the protection of individuals who no longer take part in warfare and armed conflict is a fundamental principle aimed at limiting unnecessary suffering (Adwani, 2012). One of the groups explicitly emphasized for protection is individuals categorized as *hors de combat*, as stipulated in Article 3 Paragraph (1) of the 1949 Third Geneva Convention (1949) relative to the Treatment of Prisoners of War, which reads as follows:

“In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions: (1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed 'hors de combat' by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.”

Furthermore, Article 41 Paragraph (1) Subparagraph (a) of The Protocol Additional to the Geneva Conventions (1977), and relating to the Protection of Victims of International Armed Conflicts (Protocol I) of 1977 declares:

“A person who is recognized or, in the circumstances, should be recognized as hors de combat, shall not be the object of attack. To this end, the following acts are and shall remain prohibited at any time and in any

place whatsoever with respect to the above-mentioned persons: (a) violence to life and person, in particular murder of all kinds (...)."

Additionally, Paragraph (2) of the same article states:

"The wounded and sick shall be collected and cared for."

Coup de grâce, as an act of intentional killing committed against an individual who is wounded and incapable of defending themselves, even if carried out with the intention of ending suffering, is in direct contradiction with the principle of humanity of International Humanitarian Law. Although classic military narratives regard this act as one of compassion in the face of suffering, from a contemporary legal perspective, it is categorized as a war crime. This is further stated in the [Rome Statute of the International Criminal Court \(1998\)](#), particularly in Article 8 Paragraph (2) Subparagraph (b) Item (vi), which states:

"For the purpose of this Statute, "war crimes" means: (b) Other serious violations of the laws and customs applicable in international armed conflict, within the established framework of international law, namely, any of the following acts: (vi) Killing or wounding a combatant who, having laid down his arms or having no longer means of defence, has surrendered at discretion."

If one looks beyond the legal perspective, the practice of coup de grâce raises an ethical dilemma in which a moral question arises: whether "compassion" can serve as a justification for killing, particularly when the subject of such killing experiences excessive suffering or asks for the killing to be done. Outside of the principle of humanity, this act may be seen as a form of empathy and an effort to end suffering. However, within the principle of humanity, by definition, emphasizes the provision of aid without discrimination towards the wounded victims of war ([Tani, 2019](#)); thus, if there is an exception, the potential for fundamental values, such as the right to life and human integrity, to be violated through the practice of coup de grâce arises.

Although a coup de grace is intended to end suffering, such an act exists in a moral gray area and is not legally justified ([Samuel, 2025](#)). The justification of a coup de grace as an act of mercy carries the risk of opening the door to abuse, particularly because such acts are often carried out far from the eyes of witnesses who could confirm the true intent behind. Furthermore, if this justification were to be considered, strict oversight and clear standards need to be defined when and how such an act could ever be permitted, of which the application would be virtually impossible given the situation of violence in battlefields and in armed conflicts as a whole.

Therefore, International Humanitarian Law strictly prohibits any moral justification for this practice by upholding standards of protection in accordance with the principle of distinction ([Abnin et.al., 2021](#)). As a preventive measure, states bear both legal and moral responsibility to provide mechanisms through which all military personnel are required to possess knowledge of International Humanitarian Law, particularly concerning the practice of coup de grace. This education must not only encompass the normative aspects of International Humanitarian Law but also include the strengthening of ethical capacity to face extreme battlefield situations. Through this, the state ensures that the chain of command is monitored and that full compliance with international law can be guaranteed.

Furthermore, the development of operational instruments for battlefield soldiers, such as rules of engagement and field medical guidelines, is essential to explicitly declare the prohibition of coup de grace by providing concrete guidance on the proper treatment of wounded combatants, including wound treatment and certain medical techniques that might be useful. In this war, the position of International Humanitarian Law in modern armed conflicts is not only reinforced, but it also serves as a reflection of the respect for human dignity that aligns with the principle of humanity.

To solidify this law and ensure accountability for those who violate it, such offenders must receive particular attention in judicial proceedings and in the process of enforcing justice, both at the national and international levels. Through this, it can also be ensured that the prohibition of coup de grace may be

recognized, respected, and accepted not only by the international community but also by military personnel, especially combatants on the battlefield.

The prohibition of the coup de grâce under International Humanitarian Law demonstrates the legal commitment to safeguarding human dignity during armed conflict. Even when a wounded combatant appears to be suffering severely, international law requires that the individual be treated humanely and provided with medical care whenever possible. This legal framework reflects the fundamental humanitarian objective of limiting the cruelty inherent in warfare and preventing acts that could further intensify human suffering (Barnett-Vanes, 2016). In this sense, the prohibition of mercy killing is not merely a legal rule but also a moral safeguard that reinforces the principle that human life must remain protected, even in extreme situations.

Moreover, the classification of the coup de grace as a war crime highlights the importance of accountability within the international legal system. Acts that deliberately target individuals who are hors de combat violate the fundamental rules of armed conflict and may trigger criminal responsibility under international law. The [Rome Statute of the International Criminal Court \(1998\)](#) explicitly identifies the killing or wounding of combatants who have surrendered or are incapable of defending themselves as a serious violation of the laws of war. Such provisions are intended to ensure that humanitarian protections are not merely theoretical but are supported by enforceable legal mechanisms.

Another significant dimension of this issue relates to the psychological pressures experienced by soldiers in combat situations. Decision-making on the battlefield often occurs under intense stress, limited information, and emotional distress, which can influence how combatants interpret humanitarian rules (Dimitrovska, 2024). These conditions may lead soldiers to rationalize certain actions as acts of compassion, even when such actions contradict international legal standards. Consequently, effective military training in International Humanitarian Law becomes essential to ensure that soldiers understand their legal obligations and are equipped to handle complex ethical dilemmas.

Finally, advancements in battlefield medicine and evacuation systems have significantly reduced the circumstances in which wounded combatants must remain untreated. Modern military operations increasingly prioritize rapid medical evacuation and emergency treatment procedures to ensure the survival of injured soldiers. Techniques such as battlefield triage and rapid extraction have demonstrated considerable effectiveness in saving lives, thereby weakening the argument that a coup de grâce is necessary to alleviate suffering (Skoroplit et al., 2025; Starchuk et al., 2023). These developments reinforce the position that humanitarian principles can be upheld through medical intervention rather than through the deliberate termination of life.

5. CONCLUSION

From what the author has elaborated, it can be concluded that the application of the principle of humanity in cases of euthanasia or coup de grace on the battlefield demonstrates a tension between the intention to alleviate suffering and the legal obligation to protect the right to life. In practice, the act of coup de grace is often understood as a form of compassion that arises from the conscience of combatants as well as from the military tradition of ending the suffering of a dying comrade or enemy. Nevertheless, this act creates a contradiction with the principle of humanity as applied in International Humanitarian Law, which emphasizes the importance of protecting all individuals, including wounded combatants who are no longer capable of continuing to fight, also referred to as hors de combat. Therefore, it can be seen that the principle of humanity in International Humanitarian Law does not merely concern the good intentions of the actor but also demands treatment that is consistent with human dignity and the fundamental right to life, without exception, even in extreme circumstances on the battlefield.

Furthermore, the practice of coup de grâce has a direct impact on the violation of International Humanitarian Law, particularly concerning individuals who are declared hors de combat. Although it is often interpreted as an empathetic act intended to end suffering, from the perspective of International Humanitarian Law (IHL), this act can be definitively categorized as a war crime. Coup de grace disregards the legal obligation to provide proper medical treatment and to protect individuals who are no longer

capable of defending themselves, as stipulated in the [Geneva Conventions \(1949\)](#), [Additional Protocol I \(1977\)](#), and the Rome Statute. Moreover, if this act were to be justified on grounds of compassion and mercy or even perceived moral duty by the perpetrator, it would create legal loopholes for the abuse of power, potentially undermining the principle of distinction in armed conflict and generating uncertainty in the application of law on the battlefield.

Therefore, the enforcement and assertion of international law is deeply required, not only in the form of a normative prohibition against the practice of a coup de grâce, but also through the enforcement of accountability, the education of international humanitarian law, and the establishment of strict operational guidelines for military personnel; in this way, the protection of individuals dignity and the right to life can be consistently upheld, even amidst the chaos of armed conflicts.

Ethical Approval

This study does not require any ethical approval as it did not involve the analysis and written consent of humans or animal subjects. The research was based on publicly available data and past works analysis, of which has been cited ethically by the author.

Informed Consent Statement

This study does not involve the participations of human or any direct interaction with individuals that requires consent which includes but not limited to interviews, data collecting required for the empirical research method, ad

Authors' Contributions

Conceptualization, EF.; methodology, EF., and AASU.; validation, EF., and AASU.; formal analysis, EF., and AASU.; resources, EF.; writing – original draft preparation, EF.; writing – review and editing, EF., and AASU.

Disclosure statement

No potential conflict of interest was reported by the authors.

Data Availability Statement

The data presented in this study are freely available and can be accessed through the links provided in the references.

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Anak Agung Sri Utari is a lecturer, affiliated with the Faculty of Law at Udayana University with works that focus in various fields of law, mainly International Humanitarian Law, Private International Law, Child Protection Law, Law of Treaties, and Consumer Protection Law. Her research covers both theoretical and applied aspects of these areas, contributing significantly to legal scholarship and knowledge at the university.

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