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The Handbook of humanitarian law in armed conflicts

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Handbook Of Humanitarian Law In Armed Conflicts

Nobuo Hayashi



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The Handbook of Humanitarian Law in Armed Conflicts Dieter Fleck, Michael Bothe, 1999 This book offers the most authoritative commentary and analysis of international humanitarian law applicable in armed conflict available. It is based upon the Joint Service Regulation for the German Ministry of Defence augmented with extensive international references and accompanied by commentary by a team of distinguished and internationally renowned experts. Whilst the past decades have seen consistent development of international law applicable in armed conflict culminating in a series of International Covenants and Protocols, world events in recent years have made reassessment of the law both a timely and topical concern. This Handbook, available for the first time in paperback, will serve as an indispensable reference source for practising lawyers and academics working in the field of international humanitarian law and for military personnel worldwide. The Handbook

of International Humanitarian Law Dieter Fleck, Michael Bothe, 2008 Rev ed of Handbook of humanitarian law in armed conflicts 1999

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Handbook of the Law of Armed Conflict Rain Liivoja, Tim McCormack, 2016-04-28 The law of armed conflict is a key element of the global legal order yet it finds itself in a state of flux created by the changing nature of warfare and the influences of other branches of international law. The Routledge Handbook of the Law of Armed Conflict provides a unique perspective on the field covering all the key aspects of the law as well as identifying developing and often contentious areas of interest. The handbook will feature original pieces by international experts in the field including academics, staff of relevant NGOs and former members of the armed forces. Made up of six parts in order to offer a comprehensive overview of the field, the structure of the handbook is as follows: Part I Fundamentals; Part II Principle of distinction; Part III Means and methods of warfare; Part IV Special protection regimes; Part V Compliance and enforcement; Part VI Some contemporary issues. Throughout the book, attention is paid to non-international conflicts as well as international conflicts with acknowledgement of the differences. The contributors also consider the relationship between the law of armed conflict and human rights law, looking at how the various rules and principles of human rights law interact with specific rules and principles of international humanitarian law in particular circumstances. The Routledge Handbook of the Law of Armed Conflict provides a fresh take on the contemporary laws of war and is written for advanced level students, academics, researchers, NGOs and policy makers with an interest in the field. **The Oxford Handbook of International Law in Armed Conflict** Andrew Clapham, Paola Gaeta, Tom Haeck, Alice Priddy, 2014-03-13 Over the past ten years, the content and application of international law in armed conflict has changed dramatically. This Oxford Handbook provides an authoritative and comprehensive study of the role of international law in armed conflict and engages in a broad analysis of international humanitarian law, human rights law

refugee law international criminal law environmental law and the law on the use of force With an international group of expert contributors the Handbook has a global multi disciplinary perspective on the place of law in war The Handbook consists of 32 chapters in seven parts Part I provides the historical background of international law in armed conflict and sets out its contemporary challenges Part II considers the relevant sources of international law Part III describes the different legal regimes land warfare air warfare maritime warfare the law of occupation the law applicable to peace operations and the law of neutrality Part IV introduces crucial concepts in humanitarian law the use of weapons proportionality the principle of distinction and internal armed conflict Part V looks at rights issues life torture fair trials the environment economic social and cultural rights the protection of cultural property and the human rights of members of the armed forces Part VI covers key issues in times of conflict the use of force terrorism unlawful combatants mercenaries forced migration and issues of gender Part VII deals with accountability for war crimes the responsibility of non state actors compensation before national courts and finally transitional justice

The Oxford Guide to International Humanitarian Law Ben Saul, Dapo Akande, 2020-05-07 International humanitarian law is the law that governs the conduct of participants during armed conflict This branch of law aims to regulate the means and methods of warfare as well as to provide protections to those who do not or who no longer take part in the hostilities It is one of the oldest branches of international law and one of enduring relevance today The Oxford Guide to International Humanitarian Law provides a practical yet sophisticated overview of this important area of law Written by a stellar line up of contributors drawn from those who not only have extensive practical experience but who are also regarded as leading scholars of the subject the text offers a comprehensive and authoritative exposition of the field The Guide provides professionals and advanced students with information and analysis of sufficient depth to enable them to perform their tasks with understanding and confidence Each chapter illuminates how the law applies in practice but does not shy away from the important conceptual issues that underpin how the law has developed It will serve as a first port of call and a regular reference work for those interested in international humanitarian law

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The Law of Armed Conflict and the Use of Force Frauke Lachenmann, Rüdiger Wolfrum, 2017 This volume collects articles on the law of armed conflict and the use of force from the Max Planck Encyclopedia of Public International Law to facilitate easy access to content from the leading reference work in international law

The Practical

Guide to Humanitarian Law Françoise Bouchet-Saulnier, 2013-12-12 Now in a comprehensively updated edition this indispensable handbook analyzes how international humanitarian law has evolved in the face of these many new challenges Central concerns include the war on terror new forms of armed conflict and humanitarian action the emergence of international criminal justice and the reshaping of fundamental rules and consensus in a multipolar world The Practical Guide to Humanitarian Law provides the precise meaning and content for over 200 terms such as terrorism refugee genocide armed conflict protection peacekeeping torture and private military companies words that the media has introduced into everyday conversation yet whose legal and political meanings are often obscure The Guide definitively explains the terms concepts and rules of humanitarian law in accessible and reader friendly alphabetical entries Written from the perspective of victims and those who provide assistance to them the Guide outlines the dangers spells out the law and points the way toward dealing with violations of the law Entries are complemented by analysis of the decisions of relevant courts detailed bibliographic references addresses phone numbers and Internet links to the organizations presented a thematic index and an up to date list of the status of ratification of more than thirty international conventions and treaties concerning humanitarian law human rights refugee law and international criminal law This unprecedented work is an invaluable reference for policy makers and opinion leaders students relief workers and members of humanitarian organizations Published in cooperation with Doctors Without Borders M decins Sans Frontières

The Handbook of the International Law of Military Operations Terry D. Gill, Dieter Fleck, 2015-12-10 The second edition of this well received handbook provides a comprehensive overview and annotated commentary of those areas of international law most relevant to the planning and conduct of military operations It covers a wide scope of military operations ranging from operations conducted under UN Security Council mandate to collective self defence and consensual and humanitarian operations and identifies the relevant legal bases and applicable legal regimes governing the application of force and treatment of persons during such operations It also devotes attention to the law governing the status of forces military use of the sea and airspace and questions of international criminal responsibility for breaches of international law New developments such as cyber warfare and controversial aspects of law in relation to contemporary operations such as targeted killing of specific individuals are discussed and analysed alongside recent developments in more traditional types of operations such as peacekeeping and naval operations The book is aimed at policy officials commanders and their military legal advisors who are involved with the planning and conduct of any type of military operation and is intended to complement national and international policy and legal guidelines and assist in identifying and applying the law to ensure legitimacy and contribute to mission accomplishment It likewise fulfils a need in pertinent international organizations such as the UN NATO Regional Organizations and NGOs It also serves as a comprehensive work of reference to academics and is suitable for courses at military staff colleges academies and universities which devote attention to one or more aspects of international law treated in the book This mix of

intended users is reflected in the contributors who include senior former policy officials and military legal advisors alongside academics engaged in teaching and research in these areas of international law

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Human Rights in Armed Conflict Gerd Oberleitner, 2015-03-05 It is now widely accepted that international human rights law applies in situations of armed conflict alongside international humanitarian law, but the contours and consequences of this development remain unclear. This book revisits, organizes and contextualizes the debate on human rights in armed conflict and explores the legal challenges, operational consequences and policy implications of resorting to human rights in situations of inter and intra state violence. It presents the benefits and the drawbacks of using international human rights law alongside humanitarian law and discusses how the idea, law and policy of human rights influence the development of the law of armed conflict. Based on legal theory, policy analysis, state practice and the work of human rights bodies, it suggests a human rights oriented reading of the law of armed conflict as feasible and necessary in response to the changing character of war.

Detention in Non-International Armed Conflict Lawrence Hill-Cawthorne, 2016-03-24 International law has long differentiated between international and non international armed conflicts, traditionally regulating the former far more comprehensively than the latter. This is particularly stark in the case of detention, where the law of non international armed conflict contains no rules on who may be detained, what processes must be provided to review their detention and when they must be released. Given that non international armed conflicts are now the most common form of conflict, this is especially worrying and the consequences of this have been seen in the detention practices of states such as the US and UK in Iraq and Afghanistan. This book provides a comprehensive examination of the procedural rules that apply to detention in non

international armed conflict with the focus on preventive security detention or internment All relevant areas of international law most notably international humanitarian law and international human rights law are analysed in detail and the interaction between them explored The book gives an original account of the relationship between the relevant rules of IHL and IHRL which is firmly grounded in general international law scholarship treating the issue as a matter of treaty interpretation With that in mind and with reference to State practice in specific non international armed conflicts including those in Sri Lanka Colombia Nepal Afghanistan and Iraq it is demonstrated that the customary and treaty obligations of States under human rights law continue absent derogation to apply to detention in non international armed conflicts The practical operation of those rules is then explored in detail The volume ends with a set of concrete proposals for developing the law in this area in a manner that builds upon rather than replaces the existing obligations of States and non State armed groups *Routledge Handbook of International Criminal Law*, 2015 *International Law* Malcolm N. Shaw, 2021-07-22 International Law is the definitive and authoritative text on the subject It has long been established as a leading authority in the field offering an unbeatable combination of clarity of expression and academic rigour ensuring understanding and analysis in an engaging and authoritative style Explaining the leading rules practice and caselaw this treatise retains and develops the detailed referencing which encourages and assists the reader in further study This new edition has been fully updated to reflect recent developments In particular it has expanded the treatment of space law and of international economic law and introduced new sections on cyber operations and cyber warfare as well as reflecting the Covid 19 crisis Both clarifying fundamental principles and facilitating additional research International Law is invaluable for students and for those occupied in private practice governmental service and international organisations Research Handbook on Post-Conflict State Building Paul R. Williams, Milena Sterio, 2020-08-28 As a conflict ends and the parties begin working towards a durable peace practitioners and peacebuilders are faced with the thrilling possibilities and challenges of building new or reformed political security judicial social and economic structures This Handbook analyzes these elements of post conflict state building through the lens of international law which provides a framework through which the authors contextualize and examine the many facets of state building in relation to the legal norms processes and procedures that guide such efforts across the globe The volume aims to provide not only an introduction to and explanation of prominent topics in state building but also a perceptive analysis that augments ongoing conversations among researchers lawyers and advocates engaged in the field Conflict Law William H. Boothby, 2014-07-08 Topics as diverse as the evolving spectrum of conflict innovations in weaponry automated and autonomous attack the depersonalisation of warfare detention operations the influence of modern media and the application of human rights law to the conduct of hostilities are examined in this book to see to what extent existing legal norms are challenged The book takes each topic in turn explains relevant provisions of contemporary law and analyses exactly where the legal problem lies The analysis then develops the theme examining for

example the implications of current rules as to deception operations for certain applications of cyber warfare The text is written in an accessible style and demonstrates the continuing relevance of established rules and the importance of compliance with them Useful for academics military governments ministries of defence ministries of foreign affairs libraries diplomats think tanks policy units NGOs and all others with an interest in law of armed conflict issues such as journalists and students

Women, Armed Conflict and International Law Judith G. Gardam, Michelle J. Jarvis, 2021-08-04 The role that gender plays in determining the experience of those caught up in armed conflict has long been overlooked Moreover the extent to which gender influences the international legal regime designed to address the humanitarian problems arising from armed conflict has similarly been ignored In the early 1990s prompted by extensive media coverage of the rape of women during the conflict in Bosnia Herzegovina the international community was forced to critically examine the capacity of international law to respond to such crimes The prevalence of sexual violence is however merely one aspect of the distinctive impact of conflict on women Although a range of factors influence the way individual women experience armed conflict the endemic gender discrimination that exists in all societies is a common theme from Cambodia where women land mine victims are less likely to receive treatment for their injuries than are men to South Africa where women widowed during the Apartheid years have become outcasts in their own society To date the extent to which international law addresses the myriad of ways in which women are affected by armed conflict has received little attention This work takes the experience of women of armed conflict matches it with existing provisions of international law and investigates reasons for the silence of the latter in relation to these events for women It is the first broad based critique of international humanitarian law from a gender perspective The contribution of the United Nations through its focus on human rights to improving the protection of women in armed conflict is also considered The authors underscore the need for new approaches to the issue of women and armed conflict and canvass a range of options for moving forward

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