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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.

Principles of International Humanitarian Law: Jonathan Crowe 2013-01-01 ÔThis is a concise and nuanced overview of International Humanitarian Law (IHL). The structure is unusual. While the book reflects the state of the law with accuracy and sobriety, it nevertheless shows the idealist and philosophical ambitions of the authors. Legal issues are often discussed within a wider moral and ethical context. The authors add many basics on human rights in armed conflicts and in post-conflict situations are extensively addressed. Controversial opinions and national and international judgments are documented and discussed. Problems of application of the law in recent military campaigns are assessed andinterpreted in a practice-oriented manner. Based on best-practice rules of international ad hoc tribunals and the International Criminal Court, which have made a reassessment of this vitally important part of international law both timely and topical. New material is extensively incorporated, including important recent decisions by international courts and tribunals, tracks the historical development of humanitarian principles in warfare and considers the legal position of states, individuals and non-state groups. Principles of International Humanitarian Law is an important resource for students of international humanitarian law and international law academics, as well as international humanitarian law practitioners.

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Classification of Conflicts in International Humanitarian Law: Noam Zamir 2017-02-24 Noam Zamir provides a thorough examination of the theoretical basis of classification of conflicts in international humanitarian law (IHL), with special focus on the legal impact of armed foreign intervention in civil wars. Classification of Conflicts in International Humanitarian Law enriches the discourse on IHL by providing an in-depth analysis of classification of conflicts and examining recent civil wars with foreign interventions, such as the Libyan civil war (2011), Mali civil war (2012-2015) and the ongoing civil war in Yemen.

The Handbook of International Humanitarian Law: Michael Bothe 2013-08-29 This is the third edition of this influential and comprehensive handbook. Substantive changes in international humanitarian law have taken place recently, including a progressive development of customary law; and the jurisprudence of national courts, international ad hoc tribunals and the International Criminal Court, which have made a reassessment of this vitally important part of international law both timely and topical. New material is extensively incorporated, including important recent decisions by international courts and tribunals, tracks the historical development of humanitarian principles in warfare and considers the legal position of states, individuals and non-state groups. Principles of International Humanitarian Law is an important resource for students of international humanitarian law and international law academics, as well as international humanitarian law practitioners.

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International Humanitarian Law - Nicholas Tsagourias 2018-06-14 Drawing together key documents, case law, reports and other essential materials, International Humanitarian Law offers students, lecturers and practitioners an accessible and critically informed account of the theory, law and practice of international humanitarian law. Providing comprehensive, thematic and targeted coverage of national and international cases and materials, this book successfully balances doctrine with practical application to help students understand how the theories are applied in practice and navigate through jurisprudence with ease. Employing a critical and targeted commentary throughout, this book also helps students to better understand the implications of the law and the challenges facing international humanitarian law today including: cyber war, detention, direct participation in hostilities, human rights in armed conflict and terrorism. Suitable for advanced undergraduate and postgraduate students and practitioners, International Humanitarian Law offers a thematic and comprehensive treatment of the subject.

A Companion to International Humanitarian Law - Dzukan Djukić 2018-09-17 The Companion to International Humanitarian Law offers a much-needed tool for both scholars and practitioners, supplying information accessible enough to enable a variety of users to quickly familiarise themselves with it and sufficiently comprehensive to be a source for reflection and further research for more demanding users. Its aim is to facilitate the practical application of IHL, and be of use to a wide audience interested in or confronted with IHL, ranging from professionals in humanitarian assistance and protection in the field, legal officers and advisers at the national and international level, trainers, academics, scholars, and students.

International Humanitarian Law - Emily Crawford 2020-03-12 The law that regulates armed conflicts is one of the oldest branches of international law, and yet continues to be one of the most dynamic areas of law today. This book provides an accessible, scholarly, and up-to-date examination of international humanitarian law, offering a comprehensive and logical discussion and analysis of the law. The book contains detailed examples, extracts from relevant sources and a recommended reading list for each chapter. Emerging trends in theory and practice of international humanitarian law are also explored, allowing for readers to build on their knowledge, and grapple with some of the biggest challenges facing the law of armed conflict in the twenty-first century. This second edition offers new sections on issues like detention in non-international armed conflict, characterisation of non-international armed conflicts, expanded chapters on occupation and the protection of civilians, means and methods of warfare, and implementation, enforcement and accountability.

Applying International Humanitarian Law in Judicial and Quasi-Judicial Bodies - Derek Jinks 2014-07-01 The work analyzes the impact and implementation of international humanitarian law in judicial and quasi-judicial bodies. Moreover, acknowledging the high impact domestic jurisdictions have in the configuration of international law, the book does not rest only in an analysis of the international jurisprudence, but delves also into the question of how domestic courts relate to international humanitarian law issues.

The Law of Armed Conflict - Gary D. Solis 2021-10-21 This book introduces students to the essential questions of the law of armed conflict and international humanitarian law.

Ensuring Respect for International Humanitarian Law - Eve Massingham 2020-07-20 This book explores the nature and scope of the provision requiring States to ‘ensure respect’ for international humanitarian law (IHL) contained within Common Article 1 of the 1949 Geneva Conventions. It examines the interpretation and application of this provision in a range of contexts, both thematic and country-specific. Accepting the clearly articulated notion of ‘respect’ for IHL, it builds on the existing literature studying the meaning of ‘ensure respect’ and outlines an understanding of the concept in situations such as enacting implementing legislation, diplomatic interactions, regulating private actors, targeting, detaining persons under IHL in non-international armed conflict, protecting civilians (including internally displaced populations) and prosecuting war crimes. It also considers topical issues such as counter-terrorism and foreign fighting. The book will be a valuable resource for practitioners, academics and researchers. It provides much needed practical reflection for States as to what ensuring respect entails, so that governments are able to address these obligations.

International Humanitarian Law - Emily Crawford 2020-03-12 Provides an accessible, scholarly, and up-to-date examination of international humanitarian law.

Protection of Civilians - Haidi Willmot 2016-04-14 The protection of civilians is a highly topical issue at the forefront of international discourse, and has taken a prominent role in many international deployments. It has been at the centre of debates on the NATO intervention in Libya, UN deployments in Darfur, South Sudan, and the Democratic Republic of the Congo, and on the failures of the international community in Sri Lanka and Syria. Variously described as a moral responsibility, a legal obligation, a mandated peacekeeping task, and the culmination of humanitarian activity, it has become a high-profile concern of governments, international organisations, and civil society, and a central issue in international peace and security. This book offers a multidisciplinary treatment of this important topic, harnessing perspectives from international law and international relations, traversing academia and practice. Moving from the historical and philosophical development of the civilian protection concept, through relevant bodies of international law and normative underpinnings, and on to politics and practice, the volume presents coherent cross-cutting analysis of the realities of conflict and diplomacy. In doing so, it engages a series of current debates, including on the role of politics in what has often been characterized as a humanitarian endeavour, and the challenges and impacts of the use of force. The work brings together a wide array of eminent academics and respected practitioners, incorporating contributions from legal scholars and ethicists, political commentators, diplomats, UN officials, military commanders, development experts and humanitarian aid workers. As the most comprehensive publication on the subject, this will be a first port of call for anyone studying or working towards a better protection of civilians in conflict.

Accountability for Violations of International Humanitarian Law - Jadarika Petrovic 2015-06-26 International criminal adjudication, together with the prosecution and appropriate punishment of offenders at a national level, remains the most effective means of enforcing International Humanitarian Law. This book considers the various issues emanating from present-day breaches of norms of International Humanitarian Law (IHL) and the question of how impunity for such breaches can be tackled. Honouring the work of Timothy McCormack, Professor of International Law at the University of Melbourne and a world renowned expert on IHL and International Criminal Law, contributors of the book explore the interplay between the rules governing accountability for violations of IHL and other areas of law that impact the prosecution of war crimes, including international criminal law, human rights law, arms control law, constitutional law and national criminal law. In providing a contemporary consideration of the various issues emerging from present-day breaches of norms of IHL, especially in light of growing interest in ‘fragmentation’ and ‘normative pluralism’, this book will be of great use and interest to students and researchers in public international law, international law, and conflict studies.

Advanced Introduction to International Humanitarian Law - Robert Kolb 2014-12-31 This innovative book provides a thought-provoking introduction to international humanitarian law. Robert Kolb explores the field through questions _ which are at times challenging and controversial _ in order to get to the very essence of the subject.

International Humanitarian Law and International Human Rights Law - Orna Ben-Naftali 2011-01-13 The idea that international humanitarian law (IHL) and international human rights law (IHRL) are complementary, rather than mutually exclusive regimes generated a paradigmatic shift in the international legal discourse. The reconciliation was driven by a humanistic ethos and its purpose was to offer greater protection of the rights to life, liberty and dignity of all individuals under all circumstances. The complementarity of both regimes currently enjoys the status of the new orthodoxy and simultaneously invites critical reflection. This collection of essays
accepts the invitation, offering diverse assessments of the merits of taking human rights to the battlefields of the twenty-first century. The book comprises three parts: part I focuses on the paradigmatic (security based “armed conflict” vs. human rights centered “law enforcement” paradigms) and the normative complexities of the interaction between both regimes in the “fight against terror” and in other, allegedly new, types of wars. Part II discusses the interplay between IHRL and HIL in the context of three specific regimes: belligerent occupation; the European Court of Human Rights and the protection of cultural heritage. Part III explores the potential fusion of HIL and IHRL into a new paradigm in two areas: post-bellum accountability and compensation to victims of war crimes. The range of issues, multitude of competing norms and narratives, and shifting paradigms explored in this collection, converge with each other. This conversation mirrors the process through which international law - paying deference to political realities while simultaneously seeking to transcend them - charts new pathways to advance its humanitarian project.

International Humanitarian Law and Human Rights Law

Robertando Arnold 2008 Drawing upon previous theories on the relationship between human rights law and international humanitarian law, this book examines on the basis of a series of individual case-studies the new theoretical trend arguing for a merge of these two sets of norms.

International Humanitarian Law

Hilaire McCoubrey 2019-07-16 First Published in 1998, this book presents an analysis of international humanitarian law, the law governing and seeking to mitigate the conduct of armed conflict. Since the first edition of this work came out in 1990 there have been important developments in the law and, sadly, a continuing experience of armed conflict and the humanitarian crises which it represents. As a result, this is not so much an ‘updating’ as the offering of a new book. International humanitarian law is here taken as ‘the law of war and its various institutions as embedded in the humanitarian protection and assistance of victims of armed conflict and the controls and restrictions placed upon methods and means of warfare. The rules and principles of international humanitarian law are presented and analysed in the context of their practical application in warfare, with emphasis upon recent experience. The Work is Primarily dedicated to the law relating to international armed conflict but also includes discussion of the relevant law applicable to non-international and ‘low level’ conflict.

Handbook of International Humanitarian Law in South Asia

V. S. Mani 2007 International humanitarian Law is primarily concerned with the protection of the victims of violence resulting from the outbreak of hostilities, and comes into operation at the time of such outbreaks. Its normative development in the last 150 years has been very significant. South Asia, as a region, has witnessed many incidents since the late 1940s of inter-state as well as internal violence giving rise to situations which have invited the concerns of humanitarian law. This volume represents the first sustained academic attempt to study these situations. The scheme of the book covers the evolution of the principles of IHL in south Asia in the context of the religious traditions of the nation, national attitudes towards HIL, the application of IHL in specific conflict situations, states of emergency, humanitarian law and human rights, humanitarian organizations, the promotion of IHL in South Asia, and military organizations and the implementation of IHL. It includes a fact sheet on the status of IHL in South Asia, showing national legislation, ratification of, and accession to various international protocols and conventions.

International Humanitarian Law

Marco Sassòli 2019 Professor Sassòli has combined his first hand experience of the challenges facing the application of international humanitarian law with his scholarly understanding of international law. He sets out the details necessary for a complete understanding of humanitarian law but also highlights the contemporary controversies. One of the many qualities of this book is that the author always offers us his considered view on what are the best solutions to the dilemmas he highlights. This book is destined to become an authoritative point of reference for generations to come.

The Handbook of International Humanitarian Law

Geoffrey S. Corn 2018-09-14 The Law of Armed Conflict provides a complete examination and analysis of the law of armed conflict and the law relating to international armed conflict. The book examines the legal principles that govern the conduct of armed conflict and the protection of persons affected by armed conflict. It includes extensive case law and judicial decisions, and provides a comprehensive guide to the law applicable to armed conflicts.

Searching for a ‘Principle of Humanity’ in International Humanitarian Law

Kjetil Mujezinovic Larsen 2013 An examination of whether there is a legally independent ‘principle of humanity’ in international humanitarian law.

Status of NGOs in International Humanitarian Law

Claudie Barrat 2014-07-25 In Status of NGOs in International Humanitarian Law, Claudie Barrat examines the legal framework applicable to NGOs in situations of armed conflict.

The Handbook of International Humanitarian Law

Dieter Fleck 2013-08-29 This fully updated third edition of The Handbook of International Humanitarian Law sets out an international manual of humanitarian law accompanied by case analysis and extensive explanatory commentary by a team of distinguished and internationally renowned experts. The new edition takes account of recent developments in the law, including the 2010 amendments to the ICC Statute, the progressive evolution of customary law, and new jurisprudence from national and international courts and tribunals. It sheds light on controversial topics like direct participation in hostilities, air and missile warfare, and humanitarian intervention.

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Occupation and Control in International Humanitarian Law-Natia Kalandarishvili-Mueller 2020-07-28 This book presents a systematic analysis of the notion of control in the law of military occupation. The work demonstrates that in present-day occupations, control as such occurs in different forms and variations. The polymorphic features of occupation can be seen in the way states establish control over territory either directly or indirectly, and in the manner in which they retain, relinquish or regain it. The question as to what level and type of control is needed to determine the existence and ending of military occupation is explored in great detail in light of various international humanitarian law instruments. The book provides an anatomy of the required tests of control in determining the existence of military occupation based on the law. It also discusses control in relation to occupation by proxy and when and how the end of control over territory occurs so that military occupation is considered terminated. The study is informed by relevant international jurisprudence. It draws on numerous pertinent case studies from all over the world, various reports by different UN entities and other international organisations, as well as legal doctrine. The book will be a valuable resource for academics, researchers and practitioners working in the fields of international humanitarian law, international public law, and security studies.

The Nature of International Humanitarian Law-Anne Quintin 2020-09-25 This illuminating book explores the nature of international humanitarian law (IHL), so doing by asking whether it should be seen as a permissive or a restrictive regime. An experienced lawyer in the field, Anne Quintin offers an in-depth expert analysis of this highly debated topic, revealing the true nature of IHL and concluding that whilst IHL initially developed as a restrictive regime composed of prohibitions and prescriptions, it nevertheless contains within it rare permissions that allow states to act.

The Oxford Guide to International Humanitarian Law-Ben Saul 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 laws of occupation, the book examines how to provide a coherent explanation for an emerging framework on occupation as a special branch of international humanitarian law (IHL), focusing on the extent to which this body of law has been transformed by its interaction with the development of international human rights law. It argues that a large part of the laws of occupation has proved to be malleable while being able to accommodate changing demands of civilians and any other persons affected by occupation in modern context. Its examinations have drawn much on archival research into the drafting documents of the instruments of IHL, including the aborted Brussels Declaration 1874, the 1899/1907 Hague Regulations, the 1949 Geneva Conventions and the 1977 Additional Protocol I. After assessing the complementary relationship between international human rights law and the laws of occupation, the book examines how to provide a coherent explanation for an emerging framework on the rights of individual persons affected by occupation. It engages in a theoretical appraisal of the role of customary IHL and the Martens clause in building up such a normative framework.

Inducing Compliance with International Humanitarian Law-Heike Krieger 2015-07-22 Evaluates various means of inducing compliance with international humanitarian law by state and non-state actors.

International Humanitarian Law-H. McCoubrey 1990

The Law of Occupation-Yutaka Arii 2009 This monograph analyses the historical evolution of the laws of occupation as a special branch of international humanitarian law (IHL), focusing on the extent to which this body of law has been transformed by its interaction with the development of international human rights law. It argues that a large part of the laws of occupation has proved to be malleable while being able to accommodate changing demands of civilians and any other persons affected by occupation in modern context. Its examinations have drawn much on archival research into the drafting documents of the instruments of IHL, including the aborted Brussels Declaration 1874, the 1899/1907 Hague Regulations, the 1949 Geneva Conventions and the 1977 Additional Protocol I. After assessing the complementary relationship between international human rights law and the laws of occupation, the book examines how to provide a coherent explanation for an emerging framework on the rights of individual persons affected by occupation. It engages in a theoretical appraisal of the role of customary IHL and the Martens clause in building up such a normative framework.

Law-Making and Legitimacy in International Humanitarian Law-Püschmann, Jonas 2021-10-19 International Humanitarian Law (IHL) is in a state of some turbulence, as a result of, among other things, non-international armed conflicts, terrorist threats and the rise of new technologies. This incisive book observes that while states appear to be reluctant to act as agents of change, informal methods of law-making are flourishing. Illustrating that not only courts, but various non-state actors, push for legal developments, this timely work offers an insight into the causes of this somewhat ambivalent state of IHL by focusing attention on both the legitimacy of law-making processes and the actors involved.