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Complex Battlespaces  
The Laws of Armed Conflicts  
The Handbook of International

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Humanitarian LawOslo Manual on Select Topics of the Law of Armed ConflictApplicability of International Humanitarian LawNew Technologies and the Law of Armed ConflictAutonomous Weapon Systems and the Law of Armed ConflictWAR CRIMES IN INTERNAL ARMED CONFLICTSThe Law of Armed ConflictLaw on the BattlefieldNon-International Armed Conflicts in International Law

## **International Law and Civil Wars**

In armed conflicts around the world, children are being killed, raped, abducted and recruited to fight at a shocking scale. In light of this continuing general failure to protect children in conflict, it is questionable whether existing international law norms and institutions provide sufficient protection and accountability. Consideration needs to be given to whether international law can do more – practically and effectively – when moral lines are crossed. That is the purpose of this book. It reviews the position of children in armed conflict by reference to the 'six grave violations' as identified by the UN Security Council. It analyses the protection offered by international humanitarian law, international criminal law and international human rights law, and also assesses the related adjudicative accountability mechanisms. The analysis concludes with a number of recommendations and proposals for reform, with a view to enhancing accountability and deterring future violations. The book has been written by a team of lawyers, headed by Shaheed Fatima QC, and has drawn on the input of an expert advisory panel

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comprising leading academics, policy-makers and activists. It has been written as part of the Inquiry on Protecting Children in Conflict. The Inquiry has been sponsored by Save the Children and Theirworld and chaired by former UK Prime Minister, Gordon Brown.

### **Water During and After Armed Conflicts**

Non-international armed conflicts now far outnumber international ones, but the protection afforded by international law to combatants and civilian is not always clear. This book will set out the legal rules and state practice applicable to internal armed conflicts, drawing on armed conflicts from the US civil war to present day.

### **Weapons and the Law of Armed Conflict**

For policymakers, this book explains the ramifications under international humanitarian law of a major new field of weapon development with a focus on questions currently being debated by governments, the United Nations and other bodies. Based on a clear explanation of the principles of autonomous systems and a survey of technologies under active development as well as some that are in use today, it provides a thorough legal analysis grounded on a clear understanding of the technological realities of autonomous weapon systems. For legal practitioners and scholars, it describes the legal constraints that will apply to use of autonomous systems in armed conflict and the measures that will be needed to ensure that the efficacy of the law is maintained.

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More generally, it serves as a case study in identifying the legal consequences of use of autonomous systems in partnership with, or in place of, human beings.

### **Violations of the Rules Applicable in Non-International Armed Conflicts and Their Possible Causes**

This book provides a modern and basic introduction to a branch of international law constantly gaining in importance in international life, namely international humanitarian law (the law of armed conflict). It is constructed in a way suitable for self-study. The subject-matters are discussed in self-contained chapters, allowing each to be studied independently of the others. Among the subject-matters discussed are, inter alia: the Relationship between jus ad bellum / jus in bello; Historical Evolution of IHL; Basic Principles and Sources of IHL; Martens Clause; International and Non-International Armed Conflicts; Material, Spatial, Personal and Temporal Scope of Application of IHL; Special Agreements under IHL; Role of the ICRC; Targeting; Objects Specifically Protected against Attack; Prohibited Weapons; Perfidy; Reprisals; Assistance of the Wounded and Sick; Definition of Combatants; Protection of Prisoners of War; Protection of Civilians; Occupied Territories; Protective Emblems; Sea Warfare; Neutrality; Implementation of IHL.

### **Sexualised Crimes, Armed Conflict and the Law**

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In The Protection of Water During and After Armed Conflicts: What Protection in International Law?, Mara Tignino offers an analysis of the principles and rules protecting water in situations of armed conflicts.

### **The Conduct of Hostilities under the Law of International Armed Conflict**

Newly revised and expanded, *The Law of Armed Conflict*, 2nd edition introduces law students and undergraduates to the law of war in an age of terrorism. What law of armed conflict (LOAC), or its civilian counterpart, international humanitarian law (IHL), applies in a particular armed conflict? Are terrorists legally bound by that law? What constitutes a war crime? What (or who) is a lawful target and how are targeting decisions made? What are 'rules of engagement' and who formulates them? How can an autonomous weapon system be bound by the law of armed conflict? Why were the Guantánamo military commissions a failure? This book takes students through these LOAC/IHL questions and more, employing real-world examples and legal opinions from the US and abroad. From Nuremberg to 9/11, from courts-martial to the US Supreme Court, from the nineteenth century to the twenty-first, the law of war is explained, interpreted, and applied.

### **International Law And Armed Conflict, Exploring the Faultlines**

Sexual violence is a particular brand of evil that women have endured—more than men—during

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armed conflicts, through the ages. It is a menace that has continued to challenge the conscience of humanity—especially in our times. At the international level, basic laws aimed at preventing it are not in short supply. What is needed is a more conscious determination to enforce existing laws. This book explores ways of doing just that; thereby shoring up international legal protection of women from sexual violence in armed conflicts.

### **War Law**

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

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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.

### **Routledge Handbook of the Law of Armed Conflict**

Anthony Cullen advances an argument for a particular approach to the interpretation of non-international armed conflict in international humanitarian law. The first part examines the origins of the 'armed conflict' concept and its development as the lower threshold for the application of international humanitarian law. Here the meaning of the term is traced from its use in the Hague Regulations of 1899 until the present day. The second part focuses on a number of contemporary developments which have affected the scope of non-international armed conflict. The case law of the International Criminal Tribunals for the former Yugoslavia has been especially influential and the definition of non-international armed conflict provided by this institution is examined in detail. It is argued that this concept represents the most authoritative definition of the threshold and that, despite differences in interpretation, there exist reasons to interpret an identical threshold of

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application in the Rome Statute.

## **Internationalized Armed Conflicts in International Law**

The international law governing armed conflict is at a crossroads, as the formal framework of laws designed to control the exercise of self-defense and conduct of inter-state conflict finds itself confronted with violent 21st Century disputes of a very different character. Military practitioners who seek to stay within the bounds of international law often find themselves applying bodies of law-IHRL, IHL, ICL-in an exclusionary fashion, and adherence to those boundaries can lead to a formal and often rigid application of the law that does not adequately address contemporary security challenges. *Fighting at the Legal Boundaries* offers a holistic approach towards the application of the various constitutive parts of international law. The author focuses on the interaction between the applicable bodies of law by exploring whether their boundaries are improperly drawn, or are being interpreted in too rigid a fashion. Emphasis is placed on the disconnect that can occur between theory and practice regarding how these legal regimes are applied and interact with one another. Through a number of case studies, *Fighting at the Legal Boundaries* explores how the threat posed by insurgents, terrorists, and transnational criminal gangs often occurs not only at the point where these bodies of law interact, but also in situations where there is significant overlap. In this regard, the exercise of the longstanding right of

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States to defend nationals, including the conduct of operations such as hostage rescue, can involve the application of human rights based law enforcement norms to counter threats transcending the conflict spectrum. This book has five parts: Part I sets out the security, legal, and operational challenges of contemporary conflict. Part II focuses on the interaction between the jus ad bellum, humanitarian law and human rights, including an analysis of the historical influences that shaped their application as separate bodies of law. Emphasis is placed on the influence the proper authority principle has had in the human rights based approach being favored when dealing with "criminal" non-State actors during both international and non-international armed conflict. Part III analyzes the threats of insurgency and terrorism, and the state response. This includes exploring their link to criminal activity and the phenomenon of transnational criminal organizations. Part IV addresses the conduct of operations against non-State actors that span the conflict spectrum from inter-state warfare to international law enforcement. Lastly, Part V looks at the way ahead and discusses the approaches that can be applied to address the evolving, diverse and unique security threats facing the international community.

### **Islamic Law and the Law of Armed Conflict**

"This book assesses the unintended consequences of the proliferation of the laws of war for both interstate and civil wars over the past two centuries"--

## **Fighting at the Legal Boundaries**

Modern technological development has been both rapid and fundamentally transformative of the means and methods of warfare, and of the broader environment in which warfare is conducted. In many cases, technological development has been stimulated by, and dedicated to, addressing military requirements. On other occasions, technological developments outside the military sphere affect or inform the conduct of warfare and military expectations. The introduction of new technologies such as information technology, space technologies, nanotechnology and robotic technologies into our civil life, and into warfare, is expected to influence the application and interpretation of the existing rules of the law of armed conflict. In this book, scholars and practitioners working in the fields critically examine the potential legal challenges arising from the use of new technologies and future directions of legal development in light of the specific characteristics and challenges each technology presents with regard to foreseeable humanitarian impacts upon the battlespace.

## **An Introduction to the International Law of Armed Conflicts**

This is the seminal textbook on the law of international armed conflict, written by a leading commentator on the subject. The second edition has been thoroughly revised and updated, taking into account new developments in combat, numerous

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recent judicial cases (especially decisions rendered by the International Criminal Tribunal for the Former Yugoslavia), as well as topical studies and instruments. The text clarifies complex issues, offering solutions to practical combat dilemmas that have emerged in present-day battlefield situations. Several current (and controversial) subjects are examined in depth, including direct participation in hostilities, human shields, and air and missile warfare. Useful definitions and explanations have been added, making intricate problems easier to comprehend. The book is designed not only for students of international law, but also as a tool for the instruction of military officers.

### **International Law and Armed Conflict**

“Professor Byers’s book goes to the heart of some of the most bitterly contested recent controversies about the International Rule of Law.” —Chris Patten, Chancellor of Oxford University International law governing the use of military force has been the subject of intense public debate. Under what conditions is it appropriate, or necessary, for a country to use force when diplomacy has failed? Michael Byers, a widely known world expert on international law, weighs these issues in *War Law*. Byers examines the history of armed conflict and international law through a series of case studies of past conflicts, ranging from the 1837 Caroline Incident to the abuse of detainees by US forces at Abu Ghraib prison in Iraq. Byers explores the legal controversies that surrounded the 1999 and 2001

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interventions in Kosovo and Afghanistan and the 2003 war in Iraq; the development of international humanitarian law from the 1859 Battle of Solferino to the present; and the role of war crimes tribunals and the International Criminal Court. He also considers the unique influence of the United States in the evolution of this extremely controversial area of international law. War Law is neither a textbook nor a treatise, but a fascinating account of a highly controversial topic that is necessary reading for fans of military history and general readers alike. "Should be read, and pondered, by those who are seriously concerned with the legacy we will leave to future generations."  
—Noam Chomsky

### **The Law of Non-International Armed Conflict**

This open access book provides a valuable restatement of the current law of armed conflict regarding hostilities in a diverse range of contexts: outer space, cyber operations, remote and autonomous weapons, undersea systems and devices, submarine cables, civilians participating in unmanned operations, military objectives by nature, civilian airliners, destruction of property, surrender, search and rescue, humanitarian assistance, cultural property, the natural environment, and more. The book was prepared by a group of experts after consultation with a number of key governments. It is intended to offer guidance for practitioners (mainly commanding officers); facilitate training at military colleges; and inform both instructors and graduate

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students of international law on the current state of the law.

### **The Law of Armed Conflict**

This book includes a study of the history of mine warfare at sea from the earliest days to the present time. It will be of interest to military lawyers & to all those concerned with the conduct & control of warfare. At the technical level, it is intended for laymen. While there is a chapter dealing with many technical matters relating to both mine warfare at sea & mine countermeasures, the sole purpose of that chapter is to give the non-technician, whether naval officer or civilian, a basic understanding of various categories of sea mines & their accessories & of mine countermeasure gear. It assumes that, like the author, the reader will have a minimum of electrical & mechanical knowledge. However, it is believed that after finishing this volume the reader will have a much better understanding of the part that mines have played in warfare at sea in past conflicts as well as the part they may be expected to play in any future conflict. Howard S. Levie is Professor Emeritus of Law at Saint Louis University School of Law, & Adjunct Professor of International Law at the U.S. Naval War College.

### **The Oxford Handbook of International Law in Armed Conflict**

In the last two decades, human rights law has played an expanding role in the legal regulation of wartime

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conduct. In the process, human rights law and international humanitarian law have developed a complicated sibling relationship. For some, this relationship is viewed as a mutually reinforcing effort between like-minded regimes designed to civilize human behavior. For others, the relationship is a more complicated sibling rivalry. In this book, an unparalleled collection of legal theorists examine the relationship between these two bodies of law. Each chapter skilfully maps the possibilities of harmonization while, at the same time, raising cautionary flags about the limits of that project. The authors not only chart the existing state of the law, but also debate the normative implications of the continuing influence of human rights norms on current practices including torture, targeted killings, the conduct of non-international armed conflicts, and post-war state building.

### **The Concept of Non-International Armed Conflict in International Humanitarian Law**

The Law of Armed Conflict provides a complete operational scenario and introduction to the operational organization of United States forces. The focus remains on United States law perspective, balanced with exposure to areas where the interpretation of its allied forces diverge. Jus ad bellum and jus in bello issues are addressed at length. The casebook comes to students with stunning authority. All of the authors are active or retired United States Army officers with more than 140 years

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of collective military operational experience among them. Several have experience in both legal and operational assignments as well. They deliver a comprehensive coverage of all aspects of the law of armed conflict, explaining the difference between law and policy in regulation of military operations.

### **Wars of Law**

This EYIEL special issue examines the interaction between international investment law and competition law. Although issues related to both international investment law and competition law arise regularly in international legal practice and are examined together, scholarly analysis largely treats them as parallel universes. As a result their actual and potential overlap has yet to be sufficiently explored. In this light, *International Investment Law and Competition Law* discusses a variety of topics at the intersection of investment and competition, including the interaction between competition-related provisions and investment protection standards in free trade agreements; investors' anti-competitive behaviour and illegal investments; state aid schemes and foreign investors' legitimate expectations; EU member States' compliance with investment awards as (illegal) state aid under EU law; State-owned enterprises and competitive neutrality; and interactions between public procurement, investment and competition law.

### **Protecting Children in Armed Conflict**

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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; belligerent occupation; operational detention; and the protection of the environment in armed conflict. The book also addresses the growing need to consider the interface between international humanitarian law and human rights, as well as other branches of international law, both during armed conflicts and in post-conflict situations. The commentary both deepens reflection on such innovations, and critically reconsiders views expressed in earlier editions to provide a contemporary analysis of this changing field. Renowned international lawyers offer a broad spectrum of legal opinions, restating the law in this area, which is applicable worldwide. Particular attention is paid to problems of application of the law in recent military campaigns, which are assessed and interpreted in a practice-oriented manner. Based on best-practice rules of global importance, this book gives invaluable guidance to practitioners and scholars of this important body of law.

## **The Handbook of Humanitarian Law in Armed Conflicts**

Employing a legal historical approach, this book describes the thematic and schematic fundamentals of the doctrine on recognition of belligerency, and analyzes some of the more significant challenges to its application. In doing so, this book seeks to inform debate as to the doctrine's continuity and utility within the modern scheme of the Law of Armed Conflict heralded by the 1949 Geneva Conventions.

### **Armed Conflicts and the Law**

This book provides the first comprehensive analysis of factors that transform a prima facie non-international armed conflict (NIAC) into an international armed conflict (IAC) and the consequences that follow from this process of internationalization. It examines in detail the historical development as well as the current state of the relevant rules of international humanitarian law. The discussion is grounded in general international law, complemented with abundant references to case law, and illustrated by examples from twentieth and twenty-first century armed conflicts. In Part I, the book puts forward a thorough catalogue of modalities of conflict internationalization that includes outside intervention, State dissolution, and recognition of belligerency. It then specifically considers the legal qualification of complex situations that feature more than two conflict parties and contrasts the mechanism of internationalization of armed conflicts with the

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reverse process of de-internationalization. Part II of the book challenges the conventional wisdom that members of non-State armed groups do not normally benefit from combatant status. It argues that the majority of fighters belonging to non-State armed groups in most types of internationalized armed conflicts are in fact eligible for combatant status. Finally, Part III turns to belligerent occupation, traditionally understood as a leading example of a notion that cannot be transposed to armed conflicts occurring in the territory of a single State. By contrast, the book argues in favour of the applicability of the law of belligerent occupation to internationalized armed conflicts.

### **Theoretical Boundaries of Armed Conflict and Human Rights**

This volume brings together articles on the law of armed conflict and the use of force from the Max Planck Encyclopedia of Public International Law, the definitive reference work on international law. It provides an invaluable resources for scholars, students, and practitioners of international humanitarian law, giving an accessible, thorough overview of all aspects of the field. Each article contains cross-references to related articles, and includes a carefully selected bibliography of the most important writings and primary materials as a guide to further reading. The Encyclopedia can be used by a wide range of readers. Experienced scholars and practitioners will find a wealth of information on areas that they do not already know well as well as in-depth

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treatments on every aspect of their specialist topics. Articles can also be set as readings for students on taught courses.

### **Gender, Conflict and International Humanitarian Law**

A comprehensive analysis of the legal challenges and practical consequences of applying international human rights law in armed conflict situations.

### **The Law of Armed Conflict and the Use of Force**

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.

## **Human Rights in Armed Conflict**

This book examines the international law of forcible intervention in civil wars, in particular the role of party-consent in affecting the legality of such intervention. In modern international law, it is a near consensus that no state can use force against another - the main exceptions being self-defence and actions mandated by a UN Security Council resolution. However, one more potential exception exists: forcible intervention undertaken upon the invitation or consent of a government, seeking assistance in confronting armed opposition groups within its territory. Although the latter exception is of increasing importance, the numerous questions it raises have received scant attention in the current body of literature. This volume fills this gap by analyzing the consent-exception in a wide context, and attempting to delineate its limits, including cases in which government consent power is not only negated, but might be transferred to opposition groups. The book also discusses the concept of consensual intervention in contemporary international law, in juxtaposition to traditional legal doctrines. It traces the development of law in this context by drawing from historical examples such as the Spanish Civil War, as well as recent cases such those of the Democratic Republic of the Congo, Somalia, Libya, and Syria. This book will be of much interest to students of international law, civil wars, the Responsibility to Protect, war and conflict studies, and IR in general.

## **International Law and Sexual Violence in**

## **Armed Conflicts**

Brings together three diverse perspectives on the law relating to armed conflict.

## **International Investment Law and Competition Law**

Experienced authors with over 45 years combined teaching and working in the field use fundamental principles and sources to instruct and guide discussion about the application of the law of armed conflict to contemporary and future questions. Students can gain a solid foundation in the law and develop the tools they need to analyze complex legal problems. International Law and Armed Conflict shows how the law informs operational and policy decision-making. Placing the law of armed conflict in context with related fields, such as human rights law and national security law, the text provides a complete framework for understanding legal paradigms during and after conflict. Innovative materials allow flexibility across a range of class scenarios, from a stand-alone course to part of a broader survey class. New to the Second Edition: New technologies and the law of armed conflict, including cyber, unmanned aerial vehicles and autonomous weapons systems The conflict in Syria, including ISIS, genocide and chemical weapons attacks Humanitarian assistance and the challenges of protecting the civilian population in urban conflicts Contemporary debates regarding detention in non-international armed conflict, human rights law, and targeted killing Professors and

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students will benefit from: Experienced authors with over 45 years combined teaching and working in the law of armed conflict field in the military, at think tanks, and in academia Use of the fundamental principles and sources of the law to inform discussions and questions about contemporary and future questions An approach that gives students a solid foundation in the law and the analytical tools they need to analyze complex legal situations and problems and to understand how the law informs and impacts operational and policy decision-making Context that ties together the law of armed conflict with other related fields, such as human rights law and national security law, to provide a complete framework for understanding the legal paradigm applicable during and after conflict Teaching materials include: Substantive and innovative tools and materials to teach this topic as a stand-alone class or as part of a broader class on a range of related topics A Teacher's manual with additional sources, discussion points, and key background information, all designed for maximum use and flexibility in a range of class scenarios

### **Recognition of Belligerency and the Law of Armed Conflict**

From ancient to modern times, sexualised war violence against women was tolerated if not encouraged as a means of reward, propaganda, humiliation, and terror. This was and is in defiance of international laws that have criminalised acts of sexualised war violence since the 18th century. Ad

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hoc international tribunals have addressed especially war rape since the 15th century. The International Criminal Court (ICC), however, is the first independent, permanent, international criminal court that recognises not only war rape but also sexual slavery and other sexualised crimes as crimes against humanity, war crimes, and acts of genocide in its statute and supporting documents. This book explores how the ICC definitions of rape and forced marriage came about, and addresses the ongoing challenge of how to define war rape and forced marriage in times of armed conflict in a way that adequately reflects women's experiences, as well as the nature of the crimes. In addition to deepening the understanding of the ICC negotiations of war rape and forced marriage, and of the crimes themselves, this volume highlights relevant factors that need to be considered when criminalising acts of sexualised war violence under international law. *Sexualised Crimes, Armed Conflict and the Law* draws on feminist and constructivist theories and offers a comprehensive theoretical and empirical examination of the definition of rape and forced marriage. It presents the latest state of knowledge on the topic and will be of interest to researchers, academics, policymakers, officials and intergovernmental organisations, and students in the fields of post-conflict law and justice, international law, human rights law, international relations, gender studies, politics, and criminology.

### **Complex Battlespaces**

Written by a team of distinguished and internationally

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renowned experts, this Oxford Handbook gives an analytical overview of international law as it applies in armed conflicts. The Handbook draws on international humanitarian law, human rights law, and the law of neutrality to provide a comprehensive picture of the status of law in war.

### **The Laws of Armed Conflicts**

Islamic Law and the Law of Armed Conflict: The Conflict in Pakistan demonstrates how international law can be applied in Muslim states in a way that is compatible with Islamic law. Within this broader framework of compatible application, Niaz A. Shah argues that the Islamic law of qital (i.e. armed conflict) and the law of armed conflict are compatible with each other and that the former can complement the latter at national and regional levels. Shah identifies grey areas in the Islamic law of qital and argues for their expansion and clarification. Shah also calls for new rules to be developed to cover what he calls the blind spots in the Islamic law of qital. He shows how Islamic law and the law of armed conflict could contribute to each other in certain areas, such as, the law of occupation; air and naval warfare; and the use of modern weaponry. Such a contribution is neither prohibited by Islamic law nor by international law. Shah applies the Islamic law of qital and the law of armed conflict to a live armed conflict in Pakistan and argues that all parties, the Taliban, the security forces of Pakistan and the American CIA, have violated one or more of the applicable laws. He maintains that whilst militancy is a genuine problem,

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fighting militants does not allow or condone violation of the law. Islamic Law and the Law of Armed Conflict will be of interest to students and scholars of international law, Islamic law, international relations, security studies and south-east Asian studies.

### **The Handbook of International Humanitarian Law**

This book offers a comprehensive yet concise take on the legal regulation of the various phases in the complex cycle of armed conflicts, from prevention to reconstruction, and covering everything in between, in particular, the vast body of rules laid down in current international humanitarian law. It combines a general theoretical approach with modern practice in order to offer a complete picture of the law before, during, and after warfare. Through a series of thematic chapters that logically follow from one to another, the book tackles core issues relating to the international regulation of armed conflicts, while situating them in a broader societal context. Particular attention is given to the emergence of the European Union as an increasingly important regional and global player in international peace and security. In combination with the broad scope and accessible nature of volume, the experience and ambition on display makes it a unique reference tool for students, scholars, practitioners, civil servants, diplomats, and humanitarian/human rights workers around the globe. It is complemented by, and a helpful companion to, Jan Wouters's and Philip De Man's *Humanitarian and Security Law: A Compendium of International and*

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European Instruments [ISBN 978 1 78068 051 4 (2012)]. (Series: International Law - Vol. 16) [Subject: International Law, EU Law, Humanitarian Law]

### **Oslo Manual on Select Topics of the Law of Armed Conflict**

International law and armed conflict exist in a symbiotic relationship. In some cases, law shapes conflict proactively by imposing normative limits in advance of the appearance of proscribed conduct. Much more commonly, armed conflict either reveals lacunae in the law or demonstrates how law designed for yesterday's wars falls short when applied to contemporary conflict. When that happens, international law reacts by allowing provisions to fall into desuetude, embracing new interpretations of existing prescriptions, or generating new norms through practice or codification. In the 21st Century, both international security and armed conflict are the subject of arguably unprecedented sea changes. As a result, claims that both the "jus ad bellum" and "jus in bello" are unwieldy and ill-fitting in the context of modern hostilities have surfaced prominently. Whether one agrees with such dire assessments, what has become clear is that armed conflict is increasingly exposing faultlines in the law governing the resort to force. The intent of this collection of essays in honour of Professor Yoram Dinstein on the occasion of his 70th birthday is to explore such faultlines, first by identifying them and then by assessing their consequences. In a sense, then, the essays, contributed by the top minds in the field, will

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serve to assist academics and practitioners to anticipate pressure on the law governing armed conflict and, to the extent possible, react accordingly. Paralleling Professor Dinstein's classic works - "War, Aggression, and Self-Defence and The Conduct of Hostilities Under the Law of International Armed Conflict" the book addresses both "ius ad bellum" and "ius in bello" topics.

### **Applicability of International Humanitarian Law**

This dispassionate analysis of the legal implications of non-international armed conflicts explores the rules regulating the conduct of internal hostilities, as well as the consequences of intervention by foreign States, the role of the Security Council, the effects of recognition, State responsibility for wrongdoing by both Governments and insurgents, the interface with the law of human rights and the notion of war crimes. The author addresses both conceptual and specific issues, such as the complexities of 'failing' States or the recruitment and use of child soldiers. He makes use of the extensive case law of international courts and tribunals, in order to identify and set out customary international law. Much attention is also given to the contents of available treaty texts (primarily, the Geneva Conventions, Additional Protocol II and the Rome Statute of the International Criminal Court): what they contain and what they omit.

### **New Technologies and the Law of Armed**

## **Conflict**

"This workshop, Complex Battlespaces: The Law of Armed Conflict and the Dynamics of Modern Warfare, was held at West Point on October 24-26, 2016. It marked the official opening of the Lieber Institute." -- ECIP forward.

## **Autonomous Weapon Systems and the Law of Armed Conflict**

While all armed conflicts are marked by violations of international humanitarian law, non-international armed conflicts appear to be characterised by even more serious violations of international humanitarian law on a colossal scale. This study is aimed at understanding the possible factors that may cause parties to non-international armed conflicts to engage in violations despite the fact that not only international humanitarian law but also other bodies of rules (e.g. legal and moral) impose restrictions and obligations similar to international humanitarian law. Somalia, which for over two decades has been experiencing internal armed conflicts marked by widespread violations, is a typical case.

## **WAR CRIMES IN INTERNAL ARMED CONFLICTS**

Bringing together the law of armed conflict governing the use of weapons into a single volume, the fully updated Second Edition of Weapons and the Law of Armed Conflict interprets these rules and discusses

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the factors influencing future developments in weapons law. After relating the historical evolution of weapons law, the book discusses the important customary principles that are the foundation of the subject, and provides a condensed account of the law that exists on the use of weapons. The treaties and customary rules applying to particular categories of weapon are thereafter listed and explained article by article and rule by rule in a series of chapters. Having stated the law as it is, the book then explores the way in which this dynamic field of international law develops in the light of various influences. The legal review of weapons is discussed, both from the perspective of how such reviews should be undertaken and how such a system should be established. Having stated the law as it is, the book then investigates the way in which this dynamic field of international law develops in the light of various influences. In the final chapter, the prospects for future rule change are considered. This Second Edition includes a discussion of new treaty law on expanding bullets, the arms trade, and norms in relation to biological and chemical weapons. It also analyses the International Manuals on air and missile warfare law and on cyber warfare law, the challenges posed by 'lethal autonomous weapon systems', and developments in the field of information and telecommunications otherwise known as cyber activities.

### **The Law of Armed Conflict**

## **Law on the Battlefield**

### **Non-International Armed Conflicts in International Law**

This book conducts a gendered critique of the 'principle of distinction' in international humanitarian law (IHL), with a focus on recent conflicts in Africa. The 'principle of distinction' is core to IHL, and regulates who can and cannot be targeted in armed conflict. It states that civilians may not be targeted in attack, while combatants and those civilians directly participating in hostilities can be. The law defines what it means to be a combatant and a civilian, and sets out what behaviour constitutes direct participation. Close examination of the origins of the principle reveals that IHL was based on a gendered view of conflict, which envisages men as fighters and women as victims of war. Problematically, this view often does not accord with the reality in 'new wars' today in which women are playing increasingly active roles, often forming the backbone of fighting groups, and performing functions on which armed groups are highly reliant. Using women's participation in 'new wars' in Africa as a study, this volume critically examines the principle through a gendered lens, questioning the extent to which the principle serves to protect women in modern conflicts and how it fails them. By doing so, it questions whether the principle of distinction is suitable to effectively regulate the conduct of hostilities in new wars. This book will be of much interest to students of international law, gender

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studies, African politics, war and conflict studies, and international relations.

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