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Contents

ARMS	3
CHILDREN	3
CIVILIANS	4
CONFLICT-VIOLENCE AND SECURITY	5
DETENTION	6
ENVIRONMENT	8
GEOPOLITICS	9
HEALTH-MEDICINE	10
HISTORY.....	10
HUMAN RIGHTS	10
HUMANITARIAN AID.....	11
ICRC-INTERNATIONAL MOVEMENT OF THE RED CROSS AND RED CRESCENT	12
INTERNATIONAL CRIMINAL LAW.....	12
INTERNATIONAL HUMANITARIAN LAW-GENERALITIES.....	14
INTERNATIONAL HUMANITARIAN LAW-CONDUCT OF HOSTILITIES	16
INTERNATIONAL HUMANITARIAN LAW-IMPLEMENTATION	20
INTERNATIONAL HUMANITARIAN LAW-TYPE OF ACTORS.....	22
INTERNATIONAL HUMANITARIAN LAW-TYPE OF CONFLICT.....	23
INTERNATIONAL ORGANIZATION-NGO	24
MEDIA	24
MISSING PERSONS	25
NATURAL DISASTERS.....	25
PEACE	25
PROTECTION OF CULTURAL PROPERTY	25
PSYCHOLOGY.....	26
PUBLIC INTERNATIONAL LAW.....	26
REFUGEES-DISPLACED PERSONS	27
RELIGION	27
TERRORISM	28
WOMEN-GENDER.....	28

ARMS

Les armes à énergie dirigée : mythe ou réalité ? / Bernard Fontaine ; préf. du général Paul Parraud. - Paris : L'Harmattan, 2011. - 405 p. : ill., tabl. ; 24 cm. - (Défense, stratégie et relations internationales). - Bibliographie : p. 379-399. - ISBN 9782296554450
341.67/692

Cluster munitions and international law : disarmament with a human face ? / Alexander Breitegger. - London ; New York : Routledge, 2012. - XIII, 271 p. : fotogr., ill. ; 24 cm. - (Routledge research in the law of armed conflict). - Bibliographie : p. 248-259. Index. - ISBN 9780415668156
341.67/693

The International Committee of the Red Cross and humanitarian practices of arms control and disarmament / Ritu Mathur. - Toronto : York University, 2011. - XVIII, 613 f., [7] f. de fotogr. ; 28 cm. - Thesis, Faculty of Graduate studies, Graduate program in Political Science, York University, Toronto, 2011. - Bibliographie : p. 574-611
341.67/694

Living weapons : biological warfare and international security / Gregory D. Koblentz. - Ithaca (Etats-Unis) ; London : Cornell University Press, 2011. - XIII, 255 p. : tabl. ; 23 cm. - (Cornell studies in security affairs). - Index. - ISBN 9780801477522
341.67/691

The Mine Ban Convention : progress and challenges in the second decade / ICRC. - Geneva : ICRC, August 2011. - 28 p. : fotogr., tabl., carte ; 21 cm. - (Reference (ICRC))
This publication provides an overview of the achievements and challenges of the Mine Ban Convention (which entered into force on 1 March 1999) in its second decade of operation. Challenges in the fields of stockpile destruction, mine clearance and victim assistance are considered in light of the commitments made by States Parties in the Cartagena Action Plan (2009). Universalization of the Convention and resource mobilization are also highlighted as additional steps required to ensure an end to the scourge of anti-personnel landmines.
341.67/578 (2011 ENG Br.) (also available in French)

Le régime juridique des traités de maîtrise des armements : plaidoyer pour l'unité de l'ordre juridique international / Daniel Rietiker. - Berne : Stämpfli ; Bruxelles : Bruylant, 2010. - XVIII, 719 p. ; 23 cm. - Thèse, Université de Lausanne. - Bibliographie : p. 619-688. - ISBN 9783727287527
341.67/695

CHILDREN

Accountability of child soldiers : blame misplaced ? / Lakmini Seneviratne. - In: Sri Lanka journal of international law, Vol. 20, no. 2, 2008, p. 29-48. - Photocopies
Global statistics indicate that child soldiers range from the age of 10 to 18 years. Reports also reveal the heinous and widespread nature of crimes that are perpetrated by child soldiers when they participate in armed hostilities. The common acceptance is that there is a strong element of coercion involved within the phenomenon of child soldiers - both at the time of conscription and in ensuring their continued participation in hostilities. Considering the different reasons that prompt children within this wide age range to take up arms, is it fair to claim that all child soldiers are coerced into this role? Nevertheless, the rationale for setting the threshold at 18 years is that those below that age do not possess the level of maturity that is requisite of making sound judgements. Accordingly, should children who are "coerced" into taking up arms be accountable for atrocities they commit during armed conflict?
362.7/352 (Br.)

Children as direct participants in hostilities : new challenges for international humanitarian law and international criminal law / Hilly Moodrick-Even Khen. - New York : Columbia University Press, 2011. - p. 133-149. - In: New battlefields, old laws : critical debates on asymmetric warfare

This chapter addresses two major challenges arising from the issue of child terrorists. The first is how contemporary humanitarian law deals with incidents of children participating in terrorist activities. The second issue addressed here is the criminalization of acts of terrorism carried out by children.

345.2/871

Children of the camps : Japan's last forgotten victims / Mark Felton. - Barnsley (United Kingdom) : Pen and sword military, 2011. - VI, 202 p., [8] p. de fotogr. ; 24 cm. - Bibliographie : p. 197-199. Index. - ISBN 9781848842618

362.7/219

Children's rights : progress and perspectives : essays from the International journal of children's rights / ed. by Michael Freeman. - Leiden ; Boston : M. Nijhoff, 2011. - VI, 527 p. : tabl. ; 25 cm. - Bibliographies. Index. - ISBN 9789004190498

362.7/350

La Croix-Rouge suisse au secours des enfants 1942-1945 et le rôle du docteur Hugo Oltramare / Serge Nessi ; préface de Cornelio Sommaruga. - Genève : Slatkine, 2011. - 261 p., [32] p. de fotogr. : fotogr., cartes ; 24 cm. - (Suisse - Evénements ; 12). - Bibliographie : p. 249-254. - ISBN 9782832104583

362.7/353

The militarization of childhood : thinking beyond the global south / ed. by J. Marshall Beier. - Basingstoke ; New York : Palgrave Macmillan, 2011. - XII, 297 p. : fotogr. ; 23 cm. - Bibliographie : p. 255-286. Index. - ISBN 9780230115767

362.7/351

The right to education for children in emergencies / Allison Anderson, Jennifer Hofmann and Peter Hyll-Larsen. - In: Journal of international humanitarian legal studies, Vol. 2 (2011), p. 84-126

This paper presents the key international legal instrument relevant for education, their use and links with policy frameworks and tools being developed by the humanitarian community to address education rights of children in conflict and emergencies. It describes the current thinking around the right to education in emergencies and why education is a central right to uphold from the onset of a crisis. It gives a brief introduction to how education can meet the international legal standards, as well as the international policy frameworks, such the Millennium Development Goals and Education for All. A continuous case study focuses on Cote d'Ivoire and how the right to education fared in the conflict of that country between 2000 and 2010. The paper looks at issues of enforceability and applicability of the right to education in emergencies, highlighting challenges and mechanisms at national, regional and international levels. The role of the InterAgency Network for Education in Emergencies' (INEE) Minimum Standards for Education as well as the Inter-Agency Standing Committee's (IASC) Education Cluster is discussed, again with specific reference to Cote d'Ivoire, and the centrality of existing monitoring and reporting mechanisms for child rights violations are highlighted. Bringing together all of these elements in one place and making a strong case for the use of both humanitarian and human rights law in securing the right to education in emergencies is what this article brings to the discussion, arguing that the Convention of the Rights of the Child must be seen as the most central instrument.

CIVILIANS

Civilian victims in war : a political history / Richard Shelly Hartigan. - New Brunswick (Etats-Unis) ; London : Transaction, 2010. - XI, 173 p. ; 22 cm. - Bibliographie : p. 149-161. Index. - ISBN 9781412813389

355/923

Why they die : civilian devastation in violent conflict / Daniel Rothbart and Karina V. Korostelina. - Ann Arbor : University of Michigan Press, 2011. - 216 p. : diagr., tabl. ; 23 cm. - Bibliographie : p. 193-208. Index. - ISBN 9780472117536
355/929

CONFLICT-VIOLENCE AND SECURITY

The asymmetric war discourse and its moral economies : a critique / Yves Winter. - In: International theory, Vol. 3, issue 3, 2011, p. 488-514. - Bibliographie : p. 512-514. - Photocopies

The description of contemporary conflicts as asymmetric allows states to be portrayed as victims of non-state actors, as vulnerable to strategic constellations they ostensibly cannot win. 'Asymmetry' is today's idiom to distinguish between civilized and uncivilized warfare, an idiom that converts ostensibly technological or strategic differences between state and non-state actors into moral and civilizational hierarchies. Furthermore, the claim that these types of conflicts are new is used to justify attempts to revisit and rewrite the international laws of armed conflicts. While such attempts are unlikely to succeed in the formal arena, informally, a transformation of the international normative order is already underway. At the heart of this transformation is how states interpret a key cornerstone of international humanitarian law: the principle of discrimination between combatants and civilians.
355/9 (Br.)

Barriers to peace in civil war / David E. Cunningham. - Cambridge [etc] : Cambridge university press, 2011. - XIII, 282 p. : tabl., graph. ; 23 cm. - Bibliographie : p. 266-278. Index. - ISBN 9781107007598
355/928

Defining the rule of law for military operations / Angeline Lewis. - In: The Australian year book of international law, Vol. 29, 2010, p. 155-200
The article compares extant military doctrine with current rule of law theory, seeking to identify their definition of the rule of law in intervention and the difficulties it entails. It proceeds in five parts. The first analyses the current standpoint of military doctrine; that is, the idea of the rule of law and the operational role ascribed to it by contemporary military forces. The second compares doctrine with the theory and expression of the rule of law in international practice, as that body of law which informs intervention and demands of its rule of law outcomes. The third section considers the difficulties, practical and otherwise, of intervention based on these precepts. Building on these problems, the fourth part proposes a new definition of the rule of law as a relationship, while the final section proffers an explanation for persistence in international efforts to intervene in the domestic rule of law of states. The article does not undertake a comprehensive survey of current or recent rule of law operations, although examples are drawn to illustrate the case for a new understanding of the rule of law.
355/709 (Br.)

Les défis de la sécurité internationale à l'aube d'un monde pluripolaire / sous la dir. de Alex Macleod. - Bruxelles : Bruylant, 2011. - XII, 242 p. : tabl., graph. ; 24 cm. - (Etudes stratégiques internationales ; 8). - ISBN 9782802731054
355/933

The encyclopedia of war / ed. by Gordon Martel. - Malden [etc.] : Blackwell ; Chichester : J. Wiley, 2012. - 5 vol. (2779 p.) : cartes, fotogr. ; 25 cm. - Bibliographies. - Index. - ISBN 9781405190374
Réf. GUE 13 (I to V) (excluded from loan)

The genocide debate : politicians, academics, and victims / Donald W. Beachler. - Basingstoke ; New York : Palgrave Macmillan, 2011. - X, 202 p. ; 22 cm. - Bibliographie : p. 183-191. Index. - ISBN 9780230114142
355/926

Global burden of armed violence 2011 : lethal encounters / Geneva Declaration. - Cambridge [etc] : Cambridge University Press, 2011. - XVI, 175 p. : ill. ; 21 cm. - Bibliographies. - ISBN 9781107606791
355/927

Guerres inutiles ? : contre-insurrection : une analyse historique et critique / François Cailleateau. - Paris : Economica, 2011. - 129 p. ; 22 cm. - (Stratégies & doctrines). - ISBN 9782717860252
355/931

Hybrid and cyber war as consequences of the asymmetry : a comprehensive approach answering hybrid actors and activities in cyberspace : political, social and military responses / Josef Schröfl, Bahram M. Rajaei, Dieter Muhr (eds.). - Bern [etc.] : P. Lang, 2011. - 315 p. : tabl., diagr. ; 22 cm. - Bibliographie : p. 305-315. - ISBN 9783631602850
355/924

International security : politics, policy, prospects / Michael E. Smith. - Basingstoke ; New York : Palgrave Macmillan, 2010. - XVIII, 364 p. : tabl. ; 24 cm. - Bibliographie : p. 320-348. Index. - ISBN 9780230203150
355/932

Investing in security : a global assessment of armed violence reduction initiatives / OECD. - [Paris] : OECD, 2011. - 77 p. : tabl., graph., diagr. ; 23 cm. - (Conflict and fragility). - Bibliographie : p. 75-77. - ISBN 9789264124530
355/719

Rebel rulers : insurgent governance and civilian life during war / Zachariah Cherian Mampilly. - Ithaca ; London : Cornell University Press, 2011. - XXI, 293 p. : fotogr., cartes ; 25 cm. - Bibliographie : p. 265-280. Index. - ISBN 9780801449130
355/925

DETENTION

Addendum for the war on terror : somewhere in Switzerland, Dilawar remembered, and why the Martens Clause matters / Wm. C. Peters. - In: Social justice, Vol. 37, no. 2-3, 2010-2011, p. 99-122. - Photocopies. - Bibliographie : p. 119-122
This essay focuses on the murder of an Afghan taxi driver at Bagram Air Base by U.S. soldiers in December of 2002. When this brutal mistreatment was reported, a junior enlisted soldier who asked whether his unit was acting in accordance with the Geneva Conventions. The noncommissioned officer glibly responded that "Geneva was somewhere in Switzerland." Regardless of a proper characterization of U.S. intervention in Afghanistan under international law, and whether any of the four Geneva Conventions of 1949 fully applied to the conflict at that time, physical abuse of detainees hors de combat is a war crime in violation of long settled principles of the law of armed conflict (LOAC), as well as domestic U.S. law under the umbrella of the Constitution's Supremacy Clause. First appearing in a resolution at the Hague Convention conference of 1899, and the later 1907 convention to which the United States is a party, the Martens Clause requires that in situations arising in war and occupations not covered by existing conventions, "the inhabitants and belligerents remain under the protection and the rule of the principles of the law of nations, as they result from the usages established among civilized peoples, from the laws of humanity, and from the dictates of the public conscience." Early U.S. Army commanders in Afghanistan placed little emphasis on enforcing international law applicable to detainees held at the Bagram Control Point (BCP). Judge advocate staff officers for the command were likely unaware of all aspects of the handling and interrogation techniques applied by BCP personnel. Still, they profoundly misunderstood basic provisions of international law that should have guided U.S. actions and failed to implement proper LOAC training regimes and legal oversight of operations.
400.2/325 (Br.)

La détention des personnes suspectées d'actes terroristes / Athanasia Petropoulou. - [Paris] : Institut de recherche en droit international et européen de la Sorbonne, [2010]. - p.

103-128. - In: Les menaces contre la paix et la sécurité internationales : aspects actuels. - Bibliographie : p. 127-128

La question de la détention des individus suspectés d'actes terroristes revêt un intérêt particulier au regard des garanties procédurales ainsi que des conditions d'application des mesures privatives de liberté. L'objectif du présent rapport est d'examiner les dispositions relatives à la garde à vue et la détention provisoire sous l'angle spécifique de leur compatibilité avec les droits fondamentaux et de formuler des propositions visant à une amélioration du régime existant. Dans ce cadre, la mesure restrictive de l'assignation à résidence, qui pourrait être équivalente à une privation de liberté, sera également examinée. Eu égard au fait que le statut juridique d'anciens détenus de Guantanamo, qui pourraient être transférées en France, constitue un sujet d'actualité et peut poser de[s] questions relatives à notre sujet, des recommandations y afférentes seront également présentées. L'analyse conclut que le régime de détention des suspects terroristes, ainsi que la pratique des autorités françaises, sont loin de s'aligner sur les standards européens de protection des droits des personnes concernées. Il est nécessaire que de[s] modifications substantielles du dispositif légal soient adoptées et mises en place effectivement.

345.2/869

Humanity in prison : questions of definition and audit / Andrew Coyle. - London : International Centre for Prison Studies, 2003. - 86 p. ; 21 cm. - Bibliographie : p. 78-84. Index. - ISBN 9780953522163

400/113

Preventive detention of individuals engaged in transnational hostilities : do we need a fourth protocol additional to the 1949 Geneva Conventions ? / Gregory Rose. - New York : Columbia University Press, 2011. - p. 45-63 : diagr.. - In: New battlefields, old laws : critical debates on asymmetric warfare

This chapter argues that renewed development of international legal norms is necessary to address transnational armed conflict with nonstate entities, and it tentatively explores the generative role of national laws in developing the basis for new international law. The chapter provides a comparative analysis of laws in Australia, Israel and the United States, focusing on their legal processes for preventive detention relating to national security.

345.2/871

Prisonniers de guerre aux mains de leur puissance d'origine : pour une application des Conventions de Genève jusqu'à leur libération et rapatriement définitifs / Frédéric Gouin. - In: Windsor yearbook of access to justice, Vol. 27, 2009, p. 321-345. - Photocopies

Dans cet article, on présume que le statut de prisonnier de guerre aurait dû être accordé à au moins certaines personnes détenues dans le cadre de la confrontation globale contre le terrorisme. Cela soulève la question à savoir ce qui devrait arriver à ces prisonniers de guerre une fois qu'ils sont transférés à leur pays d'origine. Les personnes privées de leur liberté dans le cadre de la confrontation globale contre le terrorisme sont considérées comme des ennemis et par les autorités qui les détiennent et par les autorités de leur pays d'origine. Cela est le cas soit parce que celles-ci ont changé entre le moment qu'on en a fait des prisonniers et le moment de leur transfert (ex. l'Afghanistan, l'Irak) soit parce qu'ils ont toujours fait partie de l'opposition à leurs autorités. Le transfert à un pays qui aurait dû leur offrir au moins la protection consulaire, et ne l'a pas fait, signifie qu'ils sont encore une fois mis en prison, abusés, torturés, menacés, privés de contact avec leur famille, etc. Dans cet article, on soutient que les prisonniers de guerre devraient continuer à bénéficier de ce statut s'ils sont transférés à un pays qui va continuer à les détenir essentiellement à cause de leur participation à un conflit armé, même si le pays qui les reçoit est le pays d'origine du prisonnier de guerre. Cette position repose sur trois arguments: (1) la Convention de Genève sur les prisonniers de guerre précise qu'elle continue à s'appliquer jusqu'à "la libération et le rapatriement définitifs"; (2) les obligations internationales interdisent de transférer quelqu'un à un pays où il ou elle craint être persécuté; (3) la loyauté plutôt que la nationalité devrait être la base pour déterminer si un individu a droit à la protection de la Convention de Genève sur les prisonniers de guerre.

400.2/309 (Br.)

Release from prison : european policy and practice / ed. by Nicola Padfield, Dirk van Zyl Smit and Frieder Dünkel. - London ; New York : Routledge, 2011. - XX, 460 p. : tabl., graph. ; 24 cm. - Bibliographies. Index. - ISBN 9781843927419
400/110

Les systèmes pénitentiaires dans le monde / sous la dir. de Jean-Paul Céré et Carlos Eduardo A. Japiassú ; avec les contributions de Kazumasa Akaïke... [et al.]. - 2e éd.. - Paris : Dalloz, 2011. - 400 p. : tabl. ; 23 cm. - (Thèmes et commentaires : études). - Bibliographies. - ISBN 9782247101382
400/109

ENVIRONMENT

Climate change and displacement reader / ed. by Scott Leckie, Ezekiel Simperingham and Jordan Bakker. - Abingdon ; New York : Earthscan, 2012. - XIII, 512 p. ; 23 cm. - Index. - ISBN 9780415691345
363.7/109

Climate change and natural resources conflicts in Africa / Donald Anthony Mwiturubani and Jo-Ansie van Wyk. - Pretoria : Institute for security studies, 2010. - XII, 261 p. : tabl., cartes, graph. ; 21 cm. - Bibliographies. - ISBN 9781920422059
363.7/113

L'eau et la guerre : éléments pour un régime juridique / Mara Tignino. - Bruxelles : Bruylant, 2011. - XXIV, 489 p. ; 24 cm. - (Collection de l'Académie de droit international humanitaire et de droits humains à Genève). - Bibliographie : p. 459-489. Index. - ISBN 9782802734314
363.7/112

L'eau et le droit humanitaire / par Philippe Weckel. - Paris : Pedone, 2011. - p. 369-383. - In: L'eau en droit international
L'eau constitue un objet du droit international humanitaire depuis fort longtemps et bénéficie même d'une protection particulière dans les deux Protocoles de 1977 aux Conventions de Genève. Le régime de l'eau varie en fonction de l'usage auquel elle est destinée. Ainsi elle apparaît même comme une arme dans le cadre du droit de la guerre.
363.7/105

Humanitarian law and the environment / Michael N. Schmitt. - In: Denver journal of international law and policy, Vol. 28, no. 3, Summer 2000, p. 265-323. - Photocopies
Contient en annexe: ICRC guidelines for military manuals and instructions on the protection of the environment in times of armed conflict. - This article catalogues those aspects of international humanitarian law that safeguard the environment during armed conflict. As will become apparent, humanitarian law has focused scant attention directly on the environment. Instead, it relies on conventional and customary humanitarian law that has only recently been recognized as having environmental consequence for the bulk of its environmental play. Following a brief review of the historical context from which the law emerged, discussion turns to four types of relevant norms: 1) specific environmental provisions in humanitarian law; 2) limits on the use of particular weapons capable of causing environmental damage; 3) non-environment specific treaty law which may safeguard the environment in certain circumstances; and 4) customary humanitarian law offering environmental protection. Although the article's tenor is primarily descriptive, in order to stimulate further reflection, the final section provides an abridged assessment of the applicable normative environment; it suggests that while the environmental component of international law governing warfare is not vacuous, there is certainly room for improvement.
363.7/111 (Br.)

La protection de l'environnement en temps de conflit armé / Séverine Borderon, Virginie Linder. - [Paris] : Institut de recherche en droit international et européen de la Sorbonne, [2010]. - p. 185-204. - In: Les menaces contre la paix et la sécurité internationales : aspects actuels

La protection de l'environnement repose sur un arsenal juridique hétérogène mis en oeuvre par une pluralité d'acteurs (États, organisations internationales, ONG, secteur privé...). Cette recherche nous a conduit à faire le constat de l'inefficacité de cet ensemble normatif et à envisager de nouvelles pistes de travail. Élaboration et/ou clarification des instruments juridiques, renforcement de la prise en compte de l'environnement dans le cadre opérationnel du conflit (planification - évaluation environnementale), réduction de l'empreinte écologique des équipements militaires, "gestion environnementale" du post-conflit sont autant de propositions envisagées dans le présent rapport.

345.2/869

Revitalizing the antique war crime of pillage : the potential and pitfalls of using international criminal law to address illegal resource exploitation during armed conflict / Larissa van den Herik and Daniëlla Dam-De Jong. - In: Criminal law forum, Vol. 22, no. 3, September 2011, p. 237-273. - Photocopies

This article explores the potential of international criminal law in addressing the problem of illegal exploitation of natural resources in conflict areas, with a specific focus on the war crime of pillage and the prospective role of the International Criminal Court. It discusses whether the war crime of pillage can adequately capture the phenomenon of illegal exploitation of natural resources during armed conflict, or whether alternative tools or crime definitions might be more useful to address this negative phenomenon. The article examines the practice of international courts in relation to pillage charges and explores their role in prosecuting the illegal exploitation of natural resources. It concludes with some thoughts on whether the revival of the crime of pillage should be perceived as the panacea to the problem of "resource conflicts" or whether it is rather an empty shell.

363.7/110 (Br.)

GEOPOLITICS

Afghanistan : to 2015 and beyond / ed. by Toby Dodge and Nicholas Redman. - In: Adelphi 425-426, December 2011, 299 p., XX p. de cartes

Contient notamment : US policy and Afghanistan / D. Allin. - Domestic politics and state-building / T. Dodge. - The international and regional terror threat / N. Inkster. - Strategic geography / IISS.

Côte d'Ivoire : le crépuscule d'une démocratie orpheline / Roger Gballou ; préf. de Ahoua Don Mello. - Paris : L'Harmattan, 2011. - 272 p. : tabl. ; 22 cm. - (IREA). - ISBN

9782296557932

323.11/CIV 5

Les élections en Afrique : un mirage démocratique ? / par Vincent Darracq et Victor Magnani. - In: Politique étrangère, 4, 2011, p. 839-850

Les Harkis / Fatima Besnaci-Lancou, Abderahmen Moumen. - [Paris] : Le Cavalier Bleu, [2008]. - 126 p. : fotogr. ; 18 cm. - (Idées reçues : histoire et civilisations). - ISBN

9782846702089

323.15/DZA 18

"Printemps arabe" : entre autoritarisme et démocratie / par Bichara Khader. - In: Politique étrangère, 4, 2011, p. 825-838

A privilege to die : inside Hezbollah's legions and their endless war against Israel / Thanassis Cambanis. - New York [etc] : Free Press, 2010. - XIII, 317 p. : fotogr. ; 24 cm. - Index. - ISBN 9781439143605

323.15/LBN 12

Syrie : l'islam dans la révolution / par Thomas Pierret. - In: Politique étrangère, 4, 2011, p. 879-891

HEALTH-MEDICINE

Manuel de gestion des déchets médicaux / CICR. - Genève : CICR, mai 2011. - 161 p. : fotogr., tabl., ill ; 21 cm. - (Référence)
356/240 (FRE)

Medical waste management / ICRC. - Geneva : ICRC, November 2011. - 159 p. : fotogr., tabl., ill ; 21 cm. - (Reference (ICRC))
356/240 (ENG)

HISTORY

Missions and institutions : Henri-Philippe Junod, anthropology, human rights and academia between Africa and Switzerland, 1921-1966 / Eric Morier-Genoud. - In:

Schweizerische Zeitschrift für Religions- und Kulturgeschichte = Revue suisse d'histoire religieuse et culturelle = Rivista svizzera per la storia della religione e della cultura, 105 Jg., 2011, p. 193-219. - Photocopies

Drawing on a cultural, transnational and genealogical approach, this article studies the work of a Swiss missionary, Henri-Philippe Junod, between Europe and Africa. It tries not to look at what he brought to Africa, or brought back from Africa, but to see how his back-and-forth movement contributed to the formation of new ideas and institutions globally. The article looks at Junod's contribution in three domains in particular, namely anthropology, human rights worldwide, and African studies in Switzerland.

94/473 (Br.)

HUMAN RIGHTS

The history of the inter-American system's jurisprudence as regards situations of armed conflict / Christina M. Cerna. - In: Journal of international humanitarian legal studies, Vol. 2 (2011), p. 3-52

Faced with insurgencies and situations of internal armed conflict in a number of Organization of American States (OAS) member states, some states called upon the Inter-American Commission on Human Rights (IACHR) to take into account the operations of irregular armed groups when assessing the situation of human rights in their countries. The IACHR responded that only assessment of state actions had been included within its mandate and that the OAS member states should amend the IACHR's Statute if they wished to expand its mandate. The OAS member states failed to do so. In 1996, the International Court of Justice (ICJ), in its Advisory Opinion on Nuclear Weapons, set forth its view on the relationship between international human rights law (IHRL) and international humanitarian law (IHL). In 1997, following the ICJ's Opinion, the IACHR began to apply IHL as the *lex specialis* in its assessments of the situation of IHRL and IHL to cases involving situations of armed conflict and continued to do so until the Inter-American Court of Human Rights (IACtHR) declared the IACHR incompetent to apply IHL. This article submits that the IACtHR erred in its judgment on the Preliminary Objections in *Las Palmeras v. Colombia*.

Human rights, the laws of war, and reciprocity / Eric A. Posner. - Chicago : The University of Chicago, September 2010. - 25 p. ; 30 cm. - (John M. Olin law and economics Working Paper ; no. 537). - Photocopies

Human rights law does not appear to enjoy as high a level of compliance as the laws of war, yet is institutionalized to a greater degree. This paper argues that the reason for this difference is related to the strategic structure of international law. The laws of war are governed by a regime of reciprocity, which can produce self-enforcing patterns of behavior, whereas the human rights regime attempts to produce public goods and is thus subject to collective action problems. The more elaborate human rights institutions are designed to overcome these problems but fall prey to second-order collective action problems. The simple laws of war institutions have been successful because they can exploit the logic of reciprocity. The paper also suggests that limits on military reprisals are in tension with self-enforcement of the laws of war. The U.S. conflict with Al Qaeda is discussed.

345.1/159 (Br.)

HUMANITARIAN AID

Die andere Seite der Welt : was Schweizerinnen und Schweizer im humanitären Einsatz erlebt haben / von Thomas Gull und Dominik Schnetzer. - Baden : Hier + Jetzt, 2011. - 271 p. : fotogr., portraits ; 25 cm. - ISBN 9783039192380
Contient notamment les portraits d'ancien délégués CICR : Antonella Notari, Jacques Moreillon, Carlos Bauverd et Andrea König
361/562

Developing a prototype handbook for monitoring and evaluating department of defense humanitarian assistance projects / Marla C. Haims... [et al.]. - Santa Monica [etc.] : Rand : Center for military health policy research, 2011. - XIII, 85 p. : diagr., tabl. ; 28 cm + 1 CD-ROM. - (Technical report). - Bibliographie : p. 85. - ISBN 9780833051288
361/563

Disaster strikes : regulatory barriers to the effective delivery of international disaster assistance within the EU / Justine N. Stefanelli and Sarah Williams. - In: Journal of international humanitarian legal studies, Vol. 2 (2011), p. 53-83
This article considers the European Union's legal framework and its ability to facilitate - or hinder - international assistance for natural disasters occurring within the European Union. At a time when the frequency and severity of natural disasters in the EU appears to be increasing, and when it is more likely that affected EU Member States are required to seek assistance from outside their borders, or even outside the EU, it is important to ensure that international assistance is able to reach its intended target. Member State domestic legal frameworks may delay, obstruct or prevent international assistance from reaching those in need, often due to a failure to consider the special situation of disasters when drafting, interpreting and applying legislative regimes. For example, immigration, customs, food and transport laws may not contain sufficient exemptions for emergency personnel, materials and goods, and domestic licensing requirements and quality standards may prevent a nation from accepting assistance. At the same time, there is a need to ensure that any assistance accepted by an affected Member State is subject to appropriate quality standards without unduly impeding the delivery of assistance.

Economie internationale de l'assistance humanitaire : tentative de photographie globale / par Pierre Salignon. - In: Humanitaire : enjeux, pratiques, débats, 30, décembre 2011, p. 116-123

Voilà un rapport qui mérite d'être lu et analysé : le "Global humanitarian assistance report 2011", publié par "Development Initiatives", une organisation internationale qui souhaite améliorer la qualité de l'aide dans le but d'éliminer la pauvreté en 2025. Et peu importe si cet objectif ambitieux paraît peu réaliste en ces temps de crise économique et financière... Car l'intérêt de ce travail réside dans la tentative de regrouper les données financières existantes (accessibles) de différents acteurs secouristes (Etats, agences de Nations unies, ONG, mouvement de la Croix-Rouge et du Croissant-Rouge, militaires, philanthropes), et d'analyser les flux d'aides en faveur des populations victimes des crises dites "humanitaires", nécessitant une réponse d'urgence pour sauver des vies en danger.

Preventing corruption in humanitarian assistance : perceptions, gaps and challenges / Daniel Maxwell... [et al.]. - In: Disasters : the journal of disaster studies and management, Vol. 36, no. 1, January 2012, p. 140-160 : diagr.. - Bibliographie : p. 158-160

Safety and security for national humanitarian workers : annex I to : To stay and deliver : good practice for humanitarians in complex security environments / Abby Stoddard, Adele Harmer, Katherine Haver. - [New York] : OCHA, 2011. - III, 21 p. : graph. ; 30 cm. - (Policy and studies series). - Bibliographie : p. 17. - Photocopies. - ISBN 9789211320329
361/301-1 (Br.)

To stay and deliver : good practice for humanitarians in complex security environments / Jan Egeland, Adele Harmer and Abby Stoddard. - [New York] : OCHA, 2011. - XV, 89 p. : graph. ; 30 cm. - (Policy and studies series). - Bibliographie : p. 53-58. Photocopies
361/301

UN integration and humanitarian space : an independent study commissioned by the UN Integration Steering Group / Victoria Metcalfe, Alison Giffen and Samir Elhawary. - London : Humanitarian Policy Group ; Washington DC : Stimson Center, December 2011. - VIII, 62 p. ; 30 cm. - Bibliographie : p. 53-55. - Photocopies

For over two decades, the United Nations has developed policies and practices to create greater coherence within the UN system. Today, UN integration is a formal policy aimed at maximizing the individual and collective impact of the UN to consolidate peace and applies to every country context where a UN peacekeeping or political mission and UN country team of development and humanitarian agencies coincide. Yet, the benefits and risks of UN integration for humanitarian space have been intensely debated for many years. Some humanitarians remain deeply skeptical that UN integration can benefit humanitarian action. Other humanitarians are opposed to UN integration on principle, arguing that integration arrangements blur the distinction between humanitarian, military and political action, subordinate humanitarian priorities to political prerogatives and therefore place humanitarian action at significant risk.

361/277 (Br.)

ICRC-INTERNATIONAL MOVEMENT OF THE RED CROSS AND RED CRESCENT

L'intervention du Comité international de la Croix-Rouge au Yémen sous la direction d'André RoCHAT (1963-1969) / Damien Callegari. - [S.l.] : [S.n.], 2011. - 56 p. : fotogr., carte ; 30 cm. - Baccalauréat universitaire en relations internationales, Université de Genève, 2011. - Bibliographie : p. 52-54
362.191/1482

Martin Bodmer au service du CICR / Daniel Palmieri. - [Genève] : Fondation Martin Bodmer, [2011]. - p. 13-15 : fotogr. ; 30 cm. - In: Amicorum corona : 1971-2011. - Photocopies
362.191/1293 (Br.)

INTERNATIONAL CRIMINAL LAW

International criminal justice in bello ? : the ICC between law and politics in Darfur and northern Uganda / by Philipp Kastner. - Leiden ; Boston : M. Nijhoff, 2012. - VII, 192 p. ; 23 cm. - (International humanitarian law series ; vol. 34). - Bibliographie : p. 159-185. Index. - ISBN 9789004193123
344/558

Islamic law (Shari'a) and the jurisdiction of international criminal court / Mohamed Elewa Badar. - In: Leiden journal of international law, Vol. 24, issue 2, 2011, p. 411-433. - Photocopies

Although the International Criminal Court (ICC) has been mostly hailed as a victory, Islamic states still regard its application of international criminal-law norms with scepticism. The Rome Statute instructs the Court to apply general principles of law derived from national laws of legal systems of the world including the national laws of states that would normally exercise jurisdiction over the crime but, so far, the Court has relied purely upon Western inspiration and may fail to acquire the legitimacy to establish a universal system. Among the legal systems that are unjustifiably neglected by the ICC is the Islamic legal tradition. This paper argues that the principles of Islamic law are, for the most part, consistent with internationally recognized norms and standards, particularly those enshrined in the Rome Statute, and are on an equal footing with the common and Continental legal systems that are currently employed by the Court in the search for general principles of law.

344/77 (Br.)

Medical war crimes / Sigrid Mehring. - In: Max Planck yearbook of United Nations law, Vol. 15, 2011, p. 229-279

This article will re-introduce the concept of medical grave breaches and medical war crimes, examine its implementation on an international level, and analyze its application in practice. For this, two international prosecutions of physicians for their actions during armed conflicts will provide an illustration: the Doctor's Trial before the Nuremberg Military Tribunal and the Ntakirutimana Trial before the International Criminal Tribunal for Rwanda. The objective of the examination is, first, to discover how the concept of medical war crimes was introduced in an international prosecution, and, second, to assess the probability of future prosecutions for such crimes.

344/560 (Br.)

State and individual responsibility in internal conflicts : contours of an evolving relationship / Phoebe Okowa. - In: Finnish yearbook of international law, Vol. 20, 2009, p. 143-188. - Photocopies

The literature on international criminal law as well as the practice of states has been primarily pre-occupied with individual prosecutions as a method of accountability for international atrocities. Yet central to some of the recent debates in the literature has been a realisation that the international system of justice has in many ways overstated the overall effectiveness of individual prosecutions. These debates accept that other processes of accountability must now be explored. The International Court of Justice (ICJ) has in four significant cases now been called upon to deal with questions of state responsibility for atrocities committed in internal conflicts. The resurgence of surrogate warfare in which outside powers involve themselves in internal conflict also raise the question of the obligations of such powers for atrocities committed by their surrogates in conflict zones. The article examines the varied contexts in which questions of state responsibility for atrocities committed in internal conflict arise and the substantive implication for the emerging law

344/61 (Br.)

Torturing the Rome statute : the attempt to bring Guantanamo's detainees within the jurisdiction of the International Criminal Court / Eric Bales. - In: Tulsa Journal of comparative and international law, Vol. 16, Spring 2009, p. 173-191. - Photocopies
Part II of this Article surveys the oft-failed quest for a definition of "terrorism." Measuring past attempts, a synthesized definition is proposed that draws on the common ground of these otherwise divergent views. The formation of the ICC is discussed in Part III while Part IV takes up the non-inclusion of terrorism as a "core crime" of the ICC. Also discussed in Part IV is the attempt by some to shoe-horn terrorism into the ICC's subject matter jurisdiction as a crime against humanity; while creative, the argument is not sustainable. Part V closes out the Article with a brief review of the American Service-members' Protection Act of 2002 ("ASPA") and the "Article 98 agreements" that diminish the capacity of the ICC to fulfill its mandate. The Article concludes that unless and until the Review Conference amends the Rome Statute to include terrorism as an ICC core crime and the U.S. removes the obstacles it laid in the path of the ICC, there is no super-national body with jurisdiction to which the United States can pass off its legal burdens.

344/267 (Br.)

Les TPI et le droit international humanitaire : la responsabilité du commandement / Stéphane Bourgon. - Paris : Choiseul, 2011. - p. 171-184. - In: Les conflits et le droit
S'il est souhaitable qu'un commandant qui a manqué à son devoir de contrôle et à son obligation de supervision puisse être tenu pénalement responsable de violations commises par un subordonné, il doit y avoir un mécanisme objectif - connu et appliqué uniformément - qui permet d'évaluer la responsabilité des commandants militaires. Il faut éviter que ces derniers ne deviennent les boucs émissaires de toutes les violations commises par les membres des forces armées en opérations. C'est pourquoi les tribunaux pénaux internationaux ont consacré beaucoup de temps, d'énergie et de ressources à comprendre, baliser et appliquer la doctrine de la responsabilité du commandement de façon juste et équitable au cours des dernières années. C'est justement de ces efforts et de la jurisprudence relative des tribunaux internationaux dont il est question dans ce chapitre.

345.2/864

The travaux préparatoires of the crime of aggression / ed. by Stefan Barriga and Claus Kress. - Cambridge [etc] : Cambridge university press, 2012. - XXXIX, 835 p. ; 25 cm. - (Crime of aggression library). - Index. - ISBN 9781107639201
344/561

INTERNATIONAL HUMANITARIAN LAW-GENERALITIES

Conflictos armados y derecho internacional humanitario : problemas actuales / Coord. : Consuelo Ramón Chornet ; Romualdo Bermejo García... [et al.]. - Valencia : Tirant lo Blanch : Universitat de València, 2008. - 314 p. ; 22 cm. - (Derechos Humanos ; 14). - ISBN 9788437071794
345.2/873

Les conflits et le droit / sous la dir. de Emmanuel Goffi et Grégory Bouterin. - Paris : Choiseul, 2011. - 196 p. ; 21 cm. - ISBN 9782361590161
Les guerres civiles et les conflits récents en Côte d'Ivoire, Libye et Syrie témoignent que les dirigeants d'un État, parce que jugés par la communauté internationale coupables d'attenter à la vie de leur peuple, ne sont désormais plus à l'abri de poursuites judiciaires contraignantes. Tout n'est plus permis. L'impunité n'existe plus. La protection des individus combattants et non-combattants), et plus généralement de l'être humain, est aujourd'hui devenue une exigence morale des conflits qui s'impose aux armées régulières. Celle-ci a même été codifiée dans le cadre d'un droit des conflits armés qui édicte ce qui peut et ne peut être fait en temps de conflit, et dont la conséquence la plus aboutie aura été la création de la Cour pénale internationale. C'est la place du droit et de la justice, et plus particulièrement de l'humain, dans les conflits modernes que discute cet ouvrage. En réunissant les meilleurs experts internationaux sur le sujet, Les Conflits et le droit jettent un regard inédit sur une facette méconnue de la guerre, celle de la place de l'être humain qui est au cœur des conflits modernes et, au-delà, celle de sa protection, qui tend à prendre une place de plus en plus importante.
345.2/864

Droit et guerre : d'hier à aujourd'hui / Jérôme Cario ; préf. du général de division Thierry Ollivier. - Panazol : Lavauzelle, 2011. - 254 p. : diag., tabl., ill. ; 22 cm. - Bibliographie : p. 253-254. - ISBN 9782702515280
Partant du fait que la guerre n'autorise pas toutes les violences, le droit et plus particulièrement le droit des conflits armés tente d'en atténuer les rigueurs. Ce droit est, dès lors, basé sur un équilibre complexe entre les nécessités militaires et les impératifs d'humanité. Respecter cet équilibre est le dilemme auquel sera continuellement confronté le combattant mais surtout le chef militaire. Il doit non seulement savoir ce qu'il peut et ne peut pas faire mais il doit savoir pourquoi certaines personnes et certains biens sont protégés. S'il n'est pas parvenu à faire adopter par le combattant une attitude positive vis-à-vis des lois et coutumes de la guerre, l'enseignement non seulement n'aura pas atteint son but mais, pire, il aura conforté le combattant dans son opinion que ce droit n'est pas praticable.
345.2/863

Le droit international et la guerre : évolution et problèmes actuels / Daniel Lagot. - Nouvelle éd.. - Paris : L'Harmattan, 2011. - 95 p. ; 22 cm. - (Questions contemporaines). - ISBN 9782296562219
Les bombardements causant de graves pertes civiles sont-ils des crimes de guerre ou de simples "dommages collatéraux" ? Que signifie la compétence universelle des juridictions nationales ? Dans quelles conditions la Cour pénale internationale peut-elle intervenir ? Les aspects essentiels du droit international relatif à la guerre sont ici abordés. Les massacres, viols, enrôlements d'enfants sont poursuivis à juste titre par la Cour pénale internationale dans plusieurs pays d'Afrique. Les crimes des États puissants sont-ils plus acceptables ?
345.2/865

The European Court of Human Rights and international humanitarian law / by Jean-Paul Costa and Michael O'Boyle. - Bruxelles : Bruylant, 2011. - p. 107-129. - In: La Convention européenne des droits de l'homme, un instrument vivant = The European Convention on

Human Rights, a living instrument : mélanges en l'honneur de/essays in honour of Christos L. Rozakis. - Photocopies
345.2/870 (Br.)

Las exigencias de humanidad en el derecho internacional tradicional (1789-1939) : el marco normativo y doctrinal de la intervención de humanidad y de la asistencia humanitaria / Eulalia W. Petit de Gabriel. - Madrid : Tecnos, 2003. - 261 p. ; 24 cm. - Bibliographie : p. 229-261. - ISBN 9788430939237
345.2/868

Extraterritorial law enforcement or transnational counterterrorist military operations : the stakes of two legal models / Geoffrey S. Corn. - New York : Columbia University Press, 2011. - p. 23-44. - In: New battlefields, old laws : critical debates on asymmetric warfare
This chapter challenges the dominant theory that military operations against transnational terrorist groups that do not fall neatly within statecentric conflict categories must be treated as extraterritorial law enforcement activities. It argues that international humanitarian law is the more appropriate and logical regulatory framework for military operations involving the use of combat power based on an inherent invocation of the principle of military objective, including those beset by regulatory uncertainty when they fall outside accepted law-triggering categories derived from Articles 2 and 3 of the Geneva Conventions. The second stage in the argument for extending the law-of-war framework to counterterror military operations invokes an important but little-known U.S. military policy based on an exemplary use of humanitarian-law principles - even when the enemy is a nonstate entity with no link to the state in which it operates.
345.2/871

Humanity's law / Ruti Teitel. - Oxford [etc.] : Oxford University Press, 2011. - XII, 304 p. ; 24 cm. - Index. - ISBN 9780195370911
345.2/872

De la théorie du droit à la réalité du terrain : l'humain au coeur des conflits / Emmanuel Goffi. - Paris : Choiseul, 2011. - p. 127-146. - In: Les conflits et le droit
Aujourd'hui, inscrire l'action militaire dans le droit est un impératif pour tout militaire. Il permet, outre de garantir au militaire le bénéfice de la protection prévue par les textes de droit des conflits armés (DCA), d'offrir un garde-fou contre les risques de dérives. Cependant, pour appliquer ce droit efficacement, il est bien entendu nécessaire d'en connaître le fondement et le contenu. C'est au travers de ce prisme que doivent être comprises les contraintes juridiques imposées par les textes de DCA. Cette importance de l'humain dans les conflits se retrouve tout au long de l'histoire du phénomène guerrier. L'auteur revient sur l'histoire du DCA ainsi que sur les nombreux débats qui se sont fait jour autour de l'universalité des Conventions de Genève. Les armées françaises, comme de nombreuses autres armées de par le monde, ont toujours eu à coeur de préserver l'humain. Cela étant, les formes de conflictualités contemporaines ne sont que très rarement propices à une application aisée des principes du DCA.
345.2/864

Lawfare ! / Michael P. Scharf... [et al.]. - In: Case Western Reserve journal of international law, Vol. 43, no. 1 & 2, 2010, 535 p.
As envisioned by Major General Dunlap, "lawfare" was a neutral term. It was designed as a sort of "bumper sticker" to help military personnel understand why the law needs to be incorporated into their thinking and planning. Today, "lawfare" is most often employed as a label to criticize those who use international law and legal proceedings to make claims against the state, especially in areas related to national security. While "lawfare" does not yet appear in the Oxford Dictionary, the use of the term has proliferated exponentially in journalistic and academic circles, and so too has confusion about its meaning. On September 10-11, 2010, Case Western Reserve University School of Law hosted a symposium and experts meeting to explore the concept of "lawfare". The objective of the conference and experts meeting were to examine the usefulness and appropriate application of the "lawfare" concept and to suggest strategies on how the United States and its allies could best respond to and utilize "lawfare" in the future.
345.2/866

Les menaces contre la paix et la sécurité internationales : aspects actuels / Hélène Hamant... [et al.]. - [Paris] : Institut de recherche en droit international et européen de la Sorbonne, [2010]. - 224 p. ; 30 cm. - (Publication de l'IREDES ; no 1). - Bibliographies
Cet ouvrage collectif est le fruit du travail d'un groupe de chercheurs rassemblés au sein du projet MARS (Nouvelles menaces contre la paix : actions, règles et sécurité internationales), 2007-2010.
345.2/869

New battlefields, old laws : critical debates on asymmetric warfare / edited by William C. Banks. - New York : Columbia University Press, 2011. - VI, 308 p. : tabl., diagr. ; 23 cm. - (Columbia studies in terrorism and irregular warfare). - Index. - ISBN 9780231152358
345.2/871

Private military contractors and changing norms for the laws of armed conflict / Renée de Nevers. - New York : Columbia University Press, 2011. - p. 150-168 : tabl.. - In: New battlefields, old laws : critical debates on asymmetric warfare
First, this chapter lays out humanitarian law's classifications of different actors and discuss how PSCs (Private Security Companies) fit within this framework by examining how their status, who they work for, and the jobs they do affect PSC employees' standing under humanitarian law. It then examines the implications of reliance on PSCs given the increased likelihood of asymmetric conflicts and concludes with a discussion of the similarities and differences in the challenges for law and policy presented by contractors and children on the battlefield.
345.2/871

Toward an adaptive international humanitarian law : new norms for new battlefields / William C. Banks. - New York : Columbia University Press, 2011. - p. 1-20. - In: New battlefields, old laws : critical debates on asymmetric warfare
Introduction qui résume le contenu des différents chapitres du volume.
345.2/871

INTERNATIONAL HUMANITARIAN LAW-CONDUCT OF HOSTILITIES

Applying IHL targeting rules to practical situations : proportionality and military objectives / William J. Fenrick. - In: Windsor yearbook of access to justice, Vol. 27, 2009, p. 271-283. - Photocopies
The IHL targeting rules are framed in relatively abstract terms and there is, unfortunately, no general agreement concerning precisely which objects constitute military objectives and concerning the relative values to be assigned to civilian losses and military advantages when computing the proportionality equation. The author encourages the development of a dialogue between all informed and interested parties, based in large part on case studies, to clarify the concepts.
345.25/105 (Br.)

Aspects critiques des nouveaux concepts sur la sécurité humaine / Raffaella Diana. - Paris : Choiseul, 2011. - p. 81-96. - In: Les conflits et le droit
Il est souvent fait mention que les Etats seraient confrontés à un nouveau type de troubles de la sécurité, pour lesquels le paradigme du maintien de l'ordre ne serait plus approprié. Selon cette position, le droit international des conflits armés, ou droit international humanitaire (DIH), ne serait pas non plus adapté pour faire face à ces situations. En effet, parce qu'elle ne s'oppose pas des Etats, cette violence ne répond pas à la définition de "conflit armé international". Par ailleurs, parce qu'elle se déroule dans une zone géographique qui déborde les frontières nationales, elle ne correspondrait pas non plus à un conflit interne. Or affirmer que, par leur nature, ces situations rendraient le droit existant inapplicable, rend la marge de manoeuvre des Etats très grande, multipliant les possibilités de restrictions arbitraires des libertés. Il suffit de penser aux législations antiterroristes adoptées par plusieurs gouvernements au lendemain du 11 septembre, à certaines adaptations du DIH proposant de nouvelles catégories juridiques ou encore la résurgence du débat sur l'acceptabilité de la torture. Mais pouvons-nous affirmer que les conflits contemporains sont dépourvus de cadre légal? Quels sont les critères qui

permettent de définir un conflit armé et de déterminer quel droit est applicable à une situation de violence?

345.2/864

The changing character of the participants in war : civilianization of warfighting and the concept of "direct participation in hostilities" / Charles Garraway. - In: International law studies, Vol. 87, 2011, p. 177-186

Until comparatively recent times, the distinction between direct and indirect participation in hostilities was comparatively uncontroversial. Now, in the battlespace, there are many different actors. The regular armed forces sometimes seem to be almost in a minority. The complexity of weaponry has led to a growing number of civilian contractors hired to maintain, repair and in some cases even operate equipment. Unmanned aerial combat vehicles can be operated by personnel situated thousands of miles away from the conflict area. The cost of maintaining military personnel has also led to the contracting out of many support functions, particularly logistics. The merging of front lines and rear areas has meant that rear area security, often in the past carried out by civilian personnel, has now developed into a major industry so that private military and security companies bid for contracts all over the world in areas where they will be operating in areas of conflict.

Clarifying the law relating to unmanned drones and the use of force : the relationships between human rights, self-defense, armed conflict, and international humanitarian law / Molly McNab and Megan Matthews. - In: Denver journal of international law and policy, Vol. 39, issue 4, Fall 2011, p. 661-694. - Photocopies

By now it is common knowledge that the United States employs weaponized unmanned drones in its conflict with al Qaeda. However, the law that governs the conflict is murky at best, and there is little consensus among the legal experts on many relevant legal issues. To explain the laws governing the use of force, applied in a modern context, this article first briefly describes in Section II the historical context in which the law surrounding the use of force developed. Then, Section III explains the basic legal paradigms that apply to an analysis concerning the legality of drones as weapons of war, including human rights, self-defense, the law of armed conflict, and international humanitarian law (IHL). A brief examination of terrorism and the background history relating to difficulties in defining terrorism follows in Section IV. Section V examines the different approaches to the jus ad bellum analysis, which is the first step in determining legality of the use of force. Finally, Section VI lays out the jus in bello assessment that governs how a State may use force when carrying out a specific campaign.

345.25/111 (Br.)

Current US Air Force drone operations and their conduct in compliance with international humanitarian law : an overview / Aaron, M. Drake. - In: Denver journal of international law and policy, Vol. 39, issue 4, Fall 2011, p. 629-660. - Photocopies

The first section gives an overview of a typical USAF RPA operation in terms of command and control. The first section also addresses compliance with IHL principles which govern the use of force - particularly distinction and proportionality. The next section addresses the evolution of semi or fully autonomous drones and their implications for command and control on the battlefield. The final section identifies command responsibility as the principle under IHL that holds accountable those commanders and military members who might fail to comply with IHL during RPA operations.

345.25/110 (Br.)

Direct participation in hostilities : a concept broad enough for today's targeting decisions / Eric Talbot Jensen. - New York : Columbia University Press, 2011. - p. 85-105. - In: New battlefields, old laws : critical debates on asymmetric warfare

The first section offers a brief history of the development of the applicable standards for combatants, lawful and unlawful, and civilians, those who take a direct part in hostilities and those who do not. The second section analyzes how these standards apply to targeting during military operations and the potential results for civilians. It further describes how these standards and their effect on targeting operations have come under severe criticism in the current war against transnational terrorist organizations, leading some call for a revision of the law. The third section explains why such a revision is unnecessary and proposes a

contemporary understanding of the definition of direct participation in hostilities that reconciles necessity and humanity.
345.2/871

Direct participation in hostilities and the interoperability of the law of armed conflict and human rights law / Françoise J. Hampson. - In: International law studies, Vol. 87, 2011, p. 187-213

There is an ongoing debate as to how to make the law of armed conflict (LOAC) and human rights law (HRsL) interoperable. The International Committee of the Red Cross's (ICRC's) Interpretive Guidance on the Notion of Direct Participation in Hostilities under International Humanitarian Law has complicated that process. This article seeks to explain why there is a problem and to propose possible solutions. It only deals with the specific issues of targeting and opening fire. It does not address the issue of detention. Before embarking on that examination, it is first necessary to identify a range of assumptions and assertions on which the analysis will be based. Certain distinctions within LOAC will then be explored, because of their impact on the rules on targeting. The article will then examine how the decision to open fire is analyzed under HRsL. Options available to make LOAC and HRsL interoperable will be considered before finally suggesting a solution.

Droit et opération extérieure / Pierre Ferran. - Paris : Choiseul, 2011. - p. 43-55. - In: Les conflits et le droit

L'auteur dessine brièvement le cadre juridique des opérations conduites par les forces armées à l'extérieur du territoire national et des zones de souveraineté nationale : d'une part les fondements juridiques de l'intervention des forces armées à l'étranger (souveraineté, non-ingérence, principe de règlement pacifique des différends entre Etats), et d'autre part l'usage encadré de la force (droit de Genève, droit de La Haye).
345.2/864

Flying into the future : drone warfare and the changing face of humanitarian law : keynote address to the 2010 Sutton Colloquium / Michael A. Newton. - In: Denver journal of international law and policy, Vol. 39, issue 4, Fall 2011, p. 601-614. - Photocopies

The speaker quickly develops what he sees as four discrete areas where it should be looked to the future regarding drone warfare. Firstly, the application of command responsibility and the standards for assessing feasibility during drone operations. Commanders must conduct operations with strict adherence to the laws and customs of warfare. This is especially applicable in the context of drone warfare because of the pejorative caricature that commanders can afford to be cavalier because the lives of their personnel are not endangered through the conduct of drone warfare. Secondly, is the concept of effective warning dependent on the modality of the offensive technology used by the commander? Wouldn't any abstract principles created to regulate the concept of effective warning carry counterintuitive consequences? Thirdly, just because the definition of proportionality is a much more open and permissive definition than is often postulated does not remove any residual geographic dimension from the jus ad bellum analysis. Finally, the classic law of neutrality is closely related to the obligation of states to prevent their territory from being used for combatant purposes. Transnational organizations simply don't care about borders. In fact, borders affirmatively help them.
345.25/108 (Br.)

International law and the changing character of war / Raul A. "Pete" Pedrozo and Daria P. Wollschlaeger, editors. - In: International law studies, Vol. 87, 2011, 522 p.

During the last several years we have witnessed impacts on, and changes in, modern warfare, to include cyber operations in Estonia and Georgia, civilianization of the battlefield in Iraq and Afghanistan, use of unmanned systems in Yemen and Pakistan, a lawless enemy invoking "lawfare"—particularly as it relates to civilian deaths and injuries incurred during lawful attacks on enemy targets—to undermine military operations and an enhanced level of public and judicial scrutiny of military actions. Legal practitioners, both military and civilian, and legal academics have worked to identify how international law governs these changing aspects of warfare and to determine if there are any shortfalls requiring changes to the existing legal framework. The Naval War College hosted a 2010 conference entitled "International Law and the Changing Character of War." The conference brought together international law scholars and

practitioners to examine the challenge to international law posed by the changing character of war.

International law concerning the status and marking of remotely piloted aircraft / Ian Henderson. - In: Denver journal of international law and policy, Vol. 39, issue 4, Fall 2011, p.615-628. - Photocopies

In recent times, significant media and legal attention has been paid to the use of remotely piloted aircraft (RPA) in areas such as Pakistan and Yemen. As well as RPA (the current term being preferred in some military circles), other common terms include "drone", "armed drone", unmanned (or uninhabited) aerial vehicle (UAV), unmanned (or uninhabited) aircraft system (UAS); and when some form of armament is also involved, sometimes the word "combat" is after unmanned (or uninhabited), leading to the acronyms UCAS or UCAV. The legal issues discussed have generally concerned the use of force, the status of the operators of the aircraft (e.g., military or civilian intelligence agent), the status of the intended target, or the injury caused to someone and the damage caused to something other than the intended target. Comparatively little attention has been paid to legal issues concerning the aircraft themselves; however, the rise in the use and variety of RPA highlights some interesting legal issues concerning the aircraft themselves. This article looks at the international law concerning the "status" of RPA and the legal requirement, if any, for applying "markings" to RPA.
345.25/109 (Br.)

Israeli civilians versus Palestinian combatants ? : reading the Goldstone report in light of the Israeli conception of the principle of distinction / Jean-Philippe Kot. - In: Leiden

Journal of International Law, Vol. 24, issue 4, December 2011, p. 961-988

Goldstone's recent retraction can leave the reader of the report that bears his name somewhat perplexed. Indeed, if the deliberate intent to target civilians could be discussed in some specific attacks listed, such a report nevertheless describes a pattern of behaviour that cannot be swept aside without disregarding the order of priorities set by the Israeli legal system itself. Through analysis of the new Israeli military code of ethics as well as the Israeli Supreme Court case law, this paper examines how civilians in Gaza were deliberately put at risk by a specific interpretation breaking down the flat rule of civilian immunity into a more complex construction opposing the Israeli soldiers' right to life to the rights of an "enemy population".
345.26/212 (Br.)

The law of armed conflict in asymmetric urban armed conflict / David E. Graham. - In: International law studies, Vol. 87, 2011, p. 301-313

Tangible changes have occurred in the tactics now being used by States in waging armed conflicts of an asymmetric nature. Stemming from the Goldstone Report, the pivotal questions posed are: has there occurred a fundamental interpretive change in the applicability of the law of armed conflict to asymmetric urban armed conflict scenarios? Is this a valid assumption? And, if so, have such changes in tactics occurred within the context of the historically accepted norms of the Law of Armed Conflict (LOAC), or do these tactical modifications represent a fundamental shift in the manner in which the customary and codified LOAC is now being both interpreted and applied to these conflicts by the international community?" The focus will be on a very specific type of asymmetric conflict—one involving a State on the one hand and a non-State entity on the other—and, even more specifically, asymmetric armed conflict between a State and a non-State entity in essentially, if not exclusively, an urban environment.

The laws of man over vehicles unmanned : the legal response to robotic revolution on sea, land and air / Brendan Gogarty and Meredith Hagger. - In: Journal of law, information and science, Vol. 19, no. 1, 2008, p. 73-145. - Photocopies

This paper examines the recent proliferation in unmanned vehicles (UVs) in both military and civilian use. Over the last decade unmanned vehicles have played an increasingly central role in armed conflict and a growing role in civilian affairs. The use of such vehicles is challenging the boundaries of existing legal frameworks and presenting a range of social and ethical concerns. Despite this, there has been a relatively small amount of legal debate on the consequences of removing human operators from vehicles and even less in the way of legal reforms to deal with what is now a practical reality in many environments across the globe.
345.25/112 (Br.)

New technology and the law of armed conflict / Darren M. Stewart. - In: International law studies, Vol. 87, 2011, p. 271-298 : tabl.

What are the military drivers in the development of technology of new weapon systems? Do developments in artificial intelligence constitute a turning point in technology such as to warrant a bespoke response from the law? What then of the existing legal framework for the assessment of new weapons for their lawfulness as articulated by Article 36 of Additional Protocol I (AP I)? The impact of new technology in armed conflict brings with it, even under the extant legal paradigm, an obligation on belligerents to apply the rules such that applicable standards of behaviour may be at variance between those who possess new technology and those that don't. Does this calls for a change in the law to acknowledge common but differentiated responsibilities or simply a renewed interpretation of what the applicable LOAC standards are? Does the law of unintended consequences mean that the changing nature of weapons systems will result in an increased level of attention and scrutiny applied to senior levels of the chain of command as the only "humans in the loop"?

Permissible self-defense targeting and the death of Bin Laden / Jordan J. Paust. - In: Denver journal of international law and policy, Vol. 39, issue 4, Fall 2011, p. 569-583. - Photocopies

This essay addresses several points made during a presentation at the Sutton Colloquium at the University of Denver College of Law on November 6, 2010 concerning the permissibility of use of responsive force in self-defense either in the context of war or outside of a relevant armed conflict when non-state actors such as members of al Qaeda engage in continual armed attacks on the United States, its embassies abroad, and its nationals abroad (especially continual attacks for several years on U.S. military personnel in Afghanistan). The essay notes that lawful measures of self-defense can occur outside the context of war and without foreign state consent against non-state actors who are directly participating in the armed attacks (DPAA) and, in the context of war, against persons who are directly participating in hostilities (DPH). In either context, general principles of distinction among persons, reasonable necessity, and proportionality will condition lawful uses of force. Indiscriminate uses of force either in self-defense or during war are impermissible.

345.25/106 (Br.)

The resort to drones under international law / Mary Ellen O'Connell. - In: Denver journal of international law and policy, Vol. 39, issue 4, Fall 2011, p. 585-600. - Photocopies

When may a state lawfully resort to drone attack? It must be first analyzed whether resort to weaponized drones is lawful under jus ad bellum before turning to the jus in bello to determine whether the way drones are used is lawful.

345.25/107 (Br.)

The principle of proportionality under international humanitarian law and Operation Cast Lead / Robert P. Barnidge. - New York : Columbia University Press, 2011. - p. 171-189. - In: New battlefields, old laws : critical debates on asymmetric warfare

This chapter critically examines the principle of proportionality under international humanitarian law and contextualizes its vulnerabilities by looking at Israel's actions during Operation Cast Lead in the Gaza strip between December 27, 2008 and January 18, 2009. It begins by providing a black-letter law overview of the principle. The second half of this chapter looks at the largely negative international reaction to Israel's actions during Operation Cast Lead.

345.2/871

INTERNATIONAL HUMANITARIAN LAW-IMPLEMENTATION

Legal operational advice in the Israeli Defense Forces : the international law department and the changing nature of international humanitarian law / Amichai Cohen. - In:

Connecticut journal of international law, Vol. 26, no. 2, Spring 2011, p. 367-413. - Photocopies

The International Law Department (ILD) of the Israel Defense Forces (IDF) is a small unit of lawyers, entrusted with implementing the Laws of Armed Conflict within the IDF, through "legal operational advice." This article analyzes the history and character of this unit, in view of recent operations of the IDF, and accusations of war crimes waged against IDF officers. The article suggests that the work of the ILD should be seen as part of the internalization of the Laws of Armed Conflict within Israeli society. The Laws of Armed Conflict have significantly developed in

recent years. However, these developments are sometimes vague, and lack domestic legitimacy. ILD lawyers both interpret the relatively vague notions of the international law, and contribute to the creation of new legal norms. This process of internalization is essential in the attainment of legitimacy to the Laws of Armed Conflict, and to the transformation of domestic Israeli perceptions about this part of international law. The article also suggests how to improve the performance of the ILD, thereby enabling it to improve its performance and the process of internalization.

345.22/192 (Br.)

National military manuals on the law of armed conflict / Nobuo Hayashi (ed.) ; [François Sénéchaud... [et al.] ;]. - Oslo : International Peace Research Institute, 2008. - 192 p. ; 30 cm. - (FICHL Publication Series ; no. 2). - ISBN 9788272883026

Additional Protocol I of 1977 obligates contracting states to provide competent legal advisers, acquaint military and relevant civilian personnel with the law and require commanders to take preventive and/or punitive action vis-à-vis non-compliance by their subordinates. Military manuals are meant to help the armed forces clarify those rules of warfare by which their states consider themselves bound. Good manuals offer sound operational guidance to the military in the field and reduce indeterminacies of the rules for their addressees. Where within the broad legal, institutional and normative framework of the armed forces (e.g., domestic law including criminal law, military justice, operational doctrine, rules of engagement and battlefield ethics) does a military manual fall? What are the functions and status of military manuals under the law of armed conflict? How are the intended beneficiaries of military manuals trained on them? Have military manuals been effective in doing what they are intended to do? What role have they played in peace operations? How should military manuals deal with the fluid realities of warfare? In what way would related fields of international law, such as international human rights law and international criminal law, be incorporated into military manuals? Is a military manual really necessary for a state which does not have one yet? Might there be a 'Nordic military manual'? Contains among others: Military manuals, legal advisers and the first Additional Protocol of 1977 / Hans-Peter Gasser. - Military manuals and the customary law of armed conflict / David Turns. - Military manuals, an ICRC perspective / François Sénéchaud.

345.22/193

La réparation individuelle en application des mécanismes prévus par le droit international humanitaire / Sophie Rondeau. - In: Windsor yearbook of access to justice, Vol. 27, 2009, p. 431-463. - Photocopies

Le présent article fait état d'un questionnement sur l'état actuel du rôle des normes juridiques émanant du système de droit international humanitaire (DIH) en ce qui a trait au droit à la réparation, en prenant soin de mettre la personne en tant que victime de la guerre au centre de notre réflexion. En considérant la notion de réparation sous l'angle de la victime comme un tout à décrire et à analyser, nous cherchons à savoir s'il existe un droit à la réparation que possède la victime d'un conflit armé régi par le droit international humanitaire. Le fondement même de cette recherche s'appuie donc sur le cadre normatif conventionnel du DIH régissant la notion de réparation, que cette dernière accorde ou non un droit à une victime.

345.22/190 (Br.)

The role of international financial institutions in international humanitarian law : report from the International Humanitarian Law Working Group / Laurie R. Blank. - Washington : United States Institute of Peace, 2002. - 43 p. ; 25 cm. - (Peaceworks ; No. 42)

345.22/195

The scope of the obligation to respect and to ensure respect for international humanitarian law / Tomasz Zych. - In: Windsor yearbook of access to justice, Vol. 27, 2009, p. 251-270. - Photocopies

This article disputes what seems to have become the dominant interpretation of the obligation to respect and to ensure respect for International Humanitarian Law, as codified in common Article 1 of the Geneva Conventions and in Article 1(1) of Additional Protocol I. According to this dominant interpretation, States are required to take all appropriate measures to ensure that IHL is observed universally, including by other States and by non-State actors operating in other

States. It is argued that the intention of the High Contracting Parties, coupled with their subsequent practice, calls for a much more narrow interpretation of that obligation.
345.22/188 (Br.)

Silent enim leges inter arma, but beware of background noises : domestic courts as agents of development of the laws of armed conflict / Yaël Ronen. - Jerusalem : International Law Forum of the Hebrew University of Jerusalem Law Faculty, October 2011. - 30 p. ; 21 cm. - (Hebrew University international law research paper ; no. 07-11). - Photocopies

Attempts to bring issues related to the laws of armed conflict before domestic courts encounter numerous procedural and substantive obstacles. As a result, there is almost no domestic jurisprudence dealing directly with the law on the conduct of hostilities as a matter of state responsibility. Domestic courts have nonetheless contributed to the development of this law through decisions concerning international criminal law and the law of occupation (and through it, international human rights law). Since each of these spheres of the laws of armed conflict is characterized by different fundamental principles, the limits of reliance on this jurisprudence in developing the law on the conduct of hostilities must be acknowledged, lest the latter be reshaped in a manner which is inconsistent with its basic tenets.
345.22/194 (Br.)

Unfinished business : Canada's contribution to promoting compliance with international humanitarian law through the protection of civilians in armed conflict agenda of the United Nations Security Council / Joelle A. Martin and Robert M. Young. - In: Windsor yearbook of access to justice, Vol. 27, 2009, p. 347-383. - Photocopies

During its 1999-2000 term on the United Nations Security Council, Canada helped launch the Council's "Protection of Civilians in Armed Conflict" agenda. This aimed to reduce civilian war casualties through better respect for international humanitarian law [IHL]. This article reviews the agenda's origins and evolution ten years on. The authors focus on Canada's contributions in increasing the Council's efforts to protect civilians, with three main assertions. First, Canada had a key role in creating and promoting the agenda, an important IHL initiative. Second, the agenda is well established in the Council's work, but needs further effort to ensure greater impact in specific situations. Third, Canada could develop the agenda and improve respect for IHL if it joins the Security Council for the 2011-2012 term, picking up its "unfinished business" from its last Council term.
345.22/189 (Br.)

INTERNATIONAL HUMANITARIAN LAW-TYPE OF ACTORS

"Jousting at windmills" : the laws of armed conflict in an age of terror-state actors and nonstate elements / David M. Crane and Daniel Reisner. - New York : Columbia University Press, 2011. - p. 67-84 : tabl., diagr.. - In: New battlefields, old laws : critical debates on asymmetric warfare

This chapter focuses on the status, rights, and obligations of nonstate entities within the framework of international humanitarian law. More specifically, it describes the existing rules and paradigms of international law, including some recent examples of state practices in this regard, to present a new framework for the treatment of nonstate members within an armed conflict.
345.2/871

Mapping a responsibility of corporations for violations of international humanitarian law sailing between international and domestic legal orders / Régis Bismuth. - In: Denver journal of international law and policy, Vol. 38, issue 2, Spring 2010, p. 203-226. - Photocopies
Given the growing involvement of corporations in armed conflict zones, the potential responsibility of these legal entities for violations of international humanitarian law (IHL) is an issue of increasing importance. While most of the attention has been drawn so far to concepts of individual criminal responsibility, we are at the same time witnessing the development of several mechanisms rendering possible the responsibility of legal persons for IHL violations. This article intends to illustrate that, despite a lack of enforcement processes against corporations at the international level, an emerging corporate accountability rests with the implementation of international obligations within national legal orders, mainly the transposition

of IHL norms into domestic law, and the economic sanctions adopted by the UN Security Council for violations of the law of armed conflicts.
345.22/191 (Br.)

Nonstate actors in armed conflicts : issues of distinction and reciprocity / Daphné Richemond-Barak. - New York : Columbia University Press, 2011. - p. 106-129 : tabl.. - In: New battlefields, old laws : critical debates on asymmetric warfare
This chapter follows an unconventional approach to reading the Geneva Conventions and their Protocols, by drawing on an expanded body of sources to inform our understanding of the principle of distinction. The chapter reviews the historical evolution of the principle, how it became so fundamental to the laws of war, and how the concept of "combatant" evolved over time from an activity-based to a membership-based designation. The substance of the law, as stated in the Geneva Conventions, is then examined. On the issue of reciprocity, this chapter argues that the involvement of nonstate actors in warfare does not, in and of itself, affect the applicability of the laws of war.
345.2/871

La responsabilité des entreprises multinationales pour violation du droit international humanitaire / Régis Bismuth. - [Paris] : Institut de recherche en droit international et européen de la Sorbonne, [2010]. - p. 129-143. - In: Les menaces contre la paix et la sécurité internationales : aspects actuels. - Bibliographie : p. 142-143
Compte tenu de la conduite croissante d'activités économiques dans des zones de conflits armés, la responsabilité des entreprises multinationales pour violation du droit international humanitaire est une question d'importance majeure. Alors que l'attention s'est davantage focalisée sur la responsabilité pénale individuelle, il se développe plusieurs mécanismes rendant possible ou envisageable la responsabilité des personnes morales pour de telles violations. Ce rapport vise à montrer qu'en dépit de l'absence de mécanismes de mise en oeuvre à l'encontre de ces entités au niveau international, il se développe, d'une façon certes encore timide, une responsabilité sociale des entreprises aux échelons nationaux. Ces mécanismes souffrent toutefois de plusieurs lacunes qu'il conviendra de mettre en perspective.
345.2/869

Les sociétés militaires et de sécurité privées / Florence Parodi. - [Paris] : Institut de recherche en droit international et européen de la Sorbonne, [2010]. - p. 145-161. - In: Les menaces contre la paix et la sécurité internationales : aspects actuels
Depuis les années 1990, les sociétés militaires et de sécurité privées se sont imposées à beaucoup de professionnels qui ont vocation à évoluer sur le théâtre d'hostilités. Outre les Etats et leurs armées, les organisations internationales, les organisations non gouvernementales, mais aussi les entreprises, ont eu l'occasion de côtoyer ces nouveaux acteurs, voire de travailler avec eux. Il importe donc dans ce rapport de préciser le statut de ces sociétés au regard de certaines règles de droit international. Il s'agit de souligner à partir des réponses réunies sur la base d'un questionnaire adressé à différents professionnels les difficultés à faire rentrer ces nouveaux acteurs dans un cadre juridique suffisamment effectif au regard de la particularité de leur activité, et voir dans quelle mesure certaines de ces difficultés peuvent être dépassées. L'objectif de ce rapport est en effet de fournir à travers des recommandations certains outils pour appréhender au mieux les sociétés militaires et de sécurité privées d'un point de vue juridique.
345.2/869

INTERNATIONAL HUMANITARIAN LAW-TYPE OF CONFLICT

Les enjeux et difficultés liés à la qualification de conflit armé en droit international humanitaire / Isabelle Fouchard. - [Paris] : Institut de recherche en droit international et européen de la Sorbonne, [2010]. - p. 55-71. - In: Les menaces contre la paix et la sécurité internationales : aspects actuels. - Bibliographie : p. 70-71
La doctrine juridique et les discours politiques font apparaître diverses expressions destinées à décrire les nouvelles formes de conflits armés contemporains. Elles traduisent les difficultés croissantes d'appréhender les conflits armés contemporains et diverses situations de violence actuelles au travers des qualifications traditionnelles admises par le droit international humanitaire, qui se limitent aux conflits armés internationaux et conflits armés non

internationaux. L'objet de cette étude tend à montrer qu'avant d'envisager de nouvelles qualifications de conflits armés, ou de remettre en question l'adéquation des normes de droit international humanitaire aux situations actuelles, il serait avant tout souhaitable, pour une plus grande sécurité juridique, de préciser les critères de qualification les plus objectifs possibles, des conflits armés traditionnels, afin de clarifier les conditions de déclenchement de l'application du droit international humanitaire.

345.2/869

Humanizing irregular warfare : framing compliance for nonstate armed groups at the intersection of security and legal analyses / Corri Zoli. - New York : Columbia University Press, 2011. - p. 190-211. - In: New battlefields, old laws : critical debates on asymmetric warfare

This chapter begins by showing how new challenges of regulating nonstate armed groups in armed conflict has eroded the original balance at the core of humanitarian law between state's national security interests and humanitarian priorities to reduce unnecessary suffering for all victims of conflict. It then explores how nonstate armed groups, by adopting an asymmetric strategy calculus that treats compliance with the law as a tactical vulnerability, have succeeded in leveraging compliance in their favor and, in turn, co-opted conventional incentives for increasing compliance, such as relaxed combatant status in Additional Protocol I.

345.2/871

INTERNATIONAL ORGANIZATION-NGO

Can you get sued ? : legal liability of international humanitarian aid organisations towards their staff / Edward Kemp, Maarten Merkelbach. - Geneva : Security Management Initiative, Geneva Centre for Security Policy, November 2011. - V, 73 p. ; 30 cm. - (Policy paper). - Bibliographie : p. 66-73

This report is the result of an SMI research project that looked at current practice in the aid sector and, in cooperation with A4ID, legal reviews undertaken by law firms in five countries for the project. Security concerns : In the ten years between 2000 and 2010, more than 1,900 aid workers were killed, injured or kidnapped undertaking their work. While security for aid workers is not declining worldwide, it is becoming significantly more dangerous to work in many volatile areas such as Afghanistan, Pakistan, Somalia and Sudan. However, it is these areas which most require help, and security concerns can seriously impede aid agencies' ability to deliver vital humanitarian support to civilians in need. Legal responsibilities : Aid agencies have taken many practical steps to respond to the changing landscape of humanitarian operations but they have often not considered their legal responsibilities towards their staff. Differing legal systems across the world have also made it difficult for organisations to know which one to apply in the international contexts in which they operate. However, the aid and development sector's risk and security management is subject to the same basic legal ground rules and responsibilities as any other enterprise: it is mandatory not optional. Up until now most aid agencies have viewed protecting the safety and security of their staff as a moral requirement, the 'right thing to do.' But the systems are mainly self regulatory and often inconsistent. Duty of care : This report considers the duty of care of humanitarian organisations as a legal term with corresponding legal responsibilities. Since safety and security include legal obligations, this report argues that, while due safety and security may be viewed as matters of choice or conscience, they must also answer to objective laws, regulations, standards and norms that can be objectively evaluated, are open to scrutiny, and can be enforced. The study is the result of work with lawyers, non-profit organisations and donors around the world to develop a common standard and process for analysis to be applied by international organisations seeking to meet their legal obligations in looking after their staff.

341.215/237

MEDIA

Conflict reporting and implementation of humanitarian law : Ethio-Eritrea war (1998-2000) and Ethiopia's intervention into Somalia (2006-7) / Zewdu Ayalew. - Saarbrücken (Allemagne) : VDM Verlag Dr. Müller, 2011. - 79 p. : tabl. ; 21 cm. - Bibliographie : p. 73-76. - ISBN 9783639353686

Reporting armed conflicts from the battlefield entails a great danger to those given the task. But to what extent are these reporters protected from possible dangers? Two cases are focused on

in this paper: Ethio-Eritrea war (1998-2000) and Ethiopia's military intervention in Somalia (2006/7). First-hand information was gathered from journalists who were actively involved in the two situations as reporters of the armed conflicts. The book establishes a solid background to the whole scenario, incorporated a rigorous review of the existing literature related to IHL (history and application), armed conflict reporting, IHL and the protection of journalists in general. It also specifically addresses the Ethiopian case. Extensive interviews were conducted with the media personnel mentioned above with reference to five guiding concepts: access to information, censorship, vulnerability to risks, knowledge and application of IHL, and role of journalists.

070/83

Photojournalism in war and armed conflicts : professional photography and the framing of victimhood in World Press Photos of the year / Jelka Ninja Below. - Saarbrücken : Lap Lambert Academic, 2011. - 111 p. : photogr., graph. ; 22 cm. - Bibliographie : p. 112-119. - ISBN 9783844390742

070/84

War on words : who should protect journalists ? / Joanne M. Lisosky and Jennifer R. Henrichsen ; foreword by Chris Cramer. - Oxford [etc.] : Praeger, 2011. - XXII, 267 p. ; 25 cm. - Bibliographie : p. 255-256. Index. - ISBN 9780313385575

070/48

MISSING PERSONS

Un silence d'état : les disparus civils européens de la guerre d'Algérie / Jean-Jacques Jordi. - [Paris] : Sotéca, 2011. - 199 p. : photogr., tabl. ; 23 cm. - ISBN 9782916385563

332/75

NATURAL DISASTERS

Dual disasters : humanitarian aid after the 2004 tsunami / Jennifer Hyndman. - Sterling (Etats-Unis) : Kumarian Press, 2011. - XVII, 170 p. : photogr., carte, tabl. ; 22 cm. - Bibliographie : p. 139-160. Index. - ISBN 9781565493353

361.9/62 DEP

IASC operational guidelines on the protection of persons in situations of natural disasters / Inter-Agency Standing Committee. - Washington : The Brookings-Bern project on internal displacement, 2011. - V, 68 p. : photogr. ; 26 cm

361.9/46 DEP

PEACE

A liberal peace ? : the problems and practices of peacebuilding / ed. by Susanna Campbell, David Chandler and Meera Sabaratnam. - London ; New York : Zed Books, 2011. - VIII, 272 p. : tabl. ; 24 cm. - Bibliographies. Index. - ISBN 9781780320021

172.4/147

PROTECTION OF CULTURAL PROPERTY

La protection des biens culturels en cas de conflit armé / Lilian Richieri Hanania. - [Paris] : Institut de recherche en droit international et européen de la Sorbonne, [2010]. - p. 163-183. - In: Les menaces contre la paix et la sécurité internationales : aspects actuels. - Bibliographie : p. 182-183

La destruction des biens culturels lors des conflits armés est une grande menace pour la préservation du patrimoine culturel mondial. Ce rapport vise à présenter l'état du droit international en matière de protection des biens culturels en cas de conflit armé, ainsi qu'à identifier les principaux problèmes d'ordre pratique rencontrés lors de son application, afin de proposer des solutions et recommandations capables de promouvoir sa mise en oeuvre de façon plus efficace.

345.2/869

The protection of cultural heritage in case of armed conflict : ethical and legal developments in Western conception of the question / Claudio Guardì. - Saarbrücken : Lap Lambert Academic, 2011. - III, 149 p. : graph. ; 22 cm. - Bibliographie : p. 142-149. - ISBN 9783844383461

The main interest of the manuscript is about the thorny issue of the protection of cultural property in case of armed conflict which is, the greatest risk factor for the integrity and preservation of cultural property, either immovable (which may be exposed to destruction or, at best, to damage) or mobile (which can also be the subject of looting, or at least, to steal abroad). The issue is extremely important, especially after the events occurred during the wars in the Balkans, Afghanistan and Iraq which have enlightened on the many flaws within the diplomatic instruments aimed at protecting the cultural property from threats of armed conflicts. So, after having traced the evolution of relevant International Law, the book analyses the Iraqi exemplum as paradigmatic of the infringements committed against it but also of post-conflict strategies developed by major western military powers on behalf of protection of Iraqi cultural heritage. Therefore the study of these issues can become the starting point for a critical review of relevant legislation and for further development of post-conflict efforts aimed at protecting cultural property.

363.8/69

Protection of cultural property under international criminal law / Roger O'Keefe. - In: Melbourne journal of international law, Vol. 11, no 2, November 2010, p. 339-392. - Photocopies
363.8/70 (Br.)

PSYCHOLOGY

Ethical challenges for psychologists conducting humanitarian work / Nicole Aubé. - In: Canadian psychology, Vol. 52, no. 3, 2011, p. 225-229. - Bibliographie : p. 229. - Photocopies
150/82 (Br.)

PUBLIC INTERNATIONAL LAW

Cyber attacks as "force" under UN Charter article 2 (4) / Matthew C. Waxman. - In: International law studies, Vol. 87, 2011, p. 43-57

To what extent is existing international law, including the UN Charter, adequate to regulate cyber attacks and related offensive and defensive activities today and in the future? By "cyber attacks", the authors means efforts to alter, disrupt, degrade or destroy computer systems or networks or the information or programs on them. This article examines one slice of that legal puzzle: the UN Charter's prohibitions of the threat or use of "force" contained in Article 2(4). As a general matter, military attacks are prohibited by Article 2(4) except in self-defense or when authorized by the UN Security Council. Also as a general matter, most economic and diplomatic assaults or pressure, even if they exact tremendous costs on a target State, are not barred in the same way. Where along the spectrum in between might cyber attacks — which have some attributes of military attacks and some attributes of non-military pressure — lie?

Immunités et violations graves des droits humains : vers une évolution structurelle de l'ordre juridique international ? / Annyssa Bellal ; préf. d'Andrew Clapham. - Bruxelles : Bruylant, 2011. - XIX, 265 p. ; 22 cm. - (Académie de droit international humanitaire et de droits humains à Genève). - Bibliographie : p. 239-265. - ISBN 9782802729945
345/595

Low-intensity computer network attack and self-defense / Sean Watts. - In: International law studies, Vol. 87, 2011, p. 59-87

Gaps in the law's response structure will prove highly susceptible to low-intensity cyber attacks, leaving victim States to chose between enduring damaging intrusions and disruptions or undertaking arguably unlawful unilateral responses. CNA will produce a significantly expanded cast of players, creating a complex and uncontrollable multipolar environment comprising farmore States and non-State actors pursuing farmore disparate interests than in previous security settings. CNA are unprecedented conflict levelers. CNA technology is inexpensive, easy to acquire and use, and capable of masking identity. CNA permit otherwise weak States and actors to challenge security hegemony at low economic and security cost. Ultimately, these

developments will test States' commitment to the collective security arrangement of the Charter and its accompanying restraints on unilateral uses of force to a far greater extent than previously experienced.

REFUGEES-DISPLACED PERSONS

Conflict-induced displacement and violence in Colombia / Jennifer S. Holmes, Sheila Amin Gutiérrez de Piñeres. - In: Studies in conflict and terrorism, Vol. 34, issue 7, 2011, p. 572-586. - Photocopies
325.3/302 (Br.)

Dynamics of humanitarian aid, local and regional politics : the Palestine refugees as a case-study / Jalal Al Hussein and Riccardo Bocco. - London ; New York : Routledge, 2010. - p. 128-146 : tabl. - In: Palestinian refugees : identity, space and place in the Levant. - Photocopies

This chapter explores the Palestinian refugees' legal status in the Near East : Jordan, Lebanon, Syria, the West Bank and the Gaza Strip. The Palestine refugee experience offers a textbook example of how the relationships between humanitarian agencies, donor and host authorities and refugees evolve in such a way as to maintain, over decades, a status quo predicated on the hypothetical advent of a regional peace. This chapter also sheds light on the potential lines of fragmentation and cohesion that have appeared among Palestinians during the "Oslo process" over such crucial issues as the very meaning of the "right of return" and the role of UNRWA.
325.3/471 (Br.)

Humanitarian alliances : local and international NGO partnerships and the Iraqi refugee crisis / Kathryn Libal and Scott Harding. - In: Journal of immigrant and refugee studies, Vol. 9, no. 2, 2011, p. 162-178. - Photocopies
325.3/470 (Br.)

Migrations de populations et droits de l'homme / Institut international des droits de l'homme. - Bruxelles : Bruylant : Nemesis, 2011. - 271 p. : tabl. ; 22 cm. - (Droit et justice ; 90). - Cours thématiques de la session d'enseignement de juillet 2007 de l'Institut international des droits de l'homme. - Bibliographie : p. 261-271. - ISBN 9782802729839
325.3/469

Permanent crises ? : unlocking the protracted displacement of refugees and internally displaced persons / Katy Long. - Oxford : Refugee Studies Centre, October 2011. - 44 p. ; 30 cm. - Bibliographie : p. 40-44. - Photocopies
325.3/147 (Br.)

Protracted displacement : the challenges of protection / Roger Zetter... [et al.]. - In: Refugee survey quarterly, Vol. 30, no. 4, 2011, p. 1-121

Recording and identifying European frontier deaths / Stefanie Grant. - In: European journal of migration and law, Vol. 13, no. 2, 2011, p. 135-156. - Photocopies
325.3/303 (Br.)

UNHCR : the politics and practice of refugee protection / Alexander Betts, Gil Loescher and James Milner. - 2nd ed.. - London ; New York : Routledge, 2012. - XXV, 191 p. : diagr., carte ; 22 cm. - (Global institutions ; 62). - Bibliographie : p. 178-179. Index. - ISBN 9780415782838
325.3/436

RELIGION

Islam and war : the disparity between the technological-normative evolution of modern war and the doctrine of Jihad / A. G. Dizboni ; with a foreword by Bertrand Ramcharan. - Lewiston, New York [etc.] : Edwin Mellen, 2011. - V, 349 p. : tabl. ; 24 cm. - Bibliographie : p. 290-343. Index. - ISBN 9780773415133
297/150

TERRORISM

Balancing necessity and individual rights in the fight against transnational terrorism : "targeted killings" and international law / Karinne Coombes. - In: Windsor yearbook of access to justice, Vol. 27, 2009, p. 285-319. - Photocopies

This article explores the restraints international human rights law and international humanitarian law place on a State's use of lethal force against suspected terrorists. Although the law restricts the ability to target suspected terrorists, it is argued that these limits should be respected in order to protect innocent civilians from undue harm. Under IHRL, it is argued that the right to life as a peremptory norm restricts extra-territorial targeted attacks of suspected terrorists. Accordingly, such action should only be considered lawful when it is necessary to protect the State's population from a known threat and lesser force would not suffice. Under IHL, it is argued that there is no third category of "unprivileged" or "unlawful" combatants who are subject to lawful targeting for the duration of the hostilities; rather, non-State actors who participate in an armed conflict may be lawfully targeted for the duration of their participation, including an ongoing chain of hostile acts.
345.26/211 (Br.)

De-conflicting Canada's anti-terrorism legislation : Khawaja and the ongoing challenges of the "armed conflict" exclusion / Christopher K. Penny. - In: Windsor yearbook of access to justice, Vol. 27, 2009, p. 403-430. - Photocopies

The definition of 'terrorist activity' is fundamental to Canada's anti-terrorism legislation. Following the recent trial of Momin Khawaja before the Ontario Superior Court of Justice, it is clear that the 'armed conflict' exclusion - exempting wartime activities undertaken in accordance with international law - poses serious challenges to the coherence of this legislative regime, threatening the effectiveness of future domestic terrorism prosecutions. This article examines the 'armed conflict' exclusion and its judicial treatment in Khawaja, identifying key challenges and making specific recommendations to address them. Coupled with other issues arising from the 'armed conflict' exclusion, Khawaja serves to highlight a clear and pressing need for amendment of the statutory definition of 'terrorist activity'.
303.6/9 (Br.)

Use of unmanned systems to combat terrorism / Raul A. "Pete" Pedrozo. - In: International law studies, Vol. 87, 2011, p. 217-269

This paper examines the criticisms towards the use of unmanned aerial systems (UAS) to attack terrorist targets outside traditional "combat zones," like Afghanistan and Iraq. The United States is not engaged in an armed conflict with al-Qaeda or any other militant group. Terrorist attacks are criminal acts that must be addressed with law enforcement measures, not armed attacks that give rise to the use of military force in self-defense. The use of force in this context is governed by international human rights law (IHRL), not international humanitarian law (IHL). Because armed drones are warfighting, not law enforcement, tools, they may not be used to strike terrorist targets outside the combat zone. Targeting individual terrorist leaders constitutes an unlawful extrajudicial killing in violation of IHRL. Conducting UAS strikes against terrorist targets within the territory of another nation without the consent of that nation violates Article 2(4) of the UN Charter. Even if the right of self-defense applies, the use of UAS to attack terrorist targets outside Afghanistan and Iraq violates the IHL principles of military necessity, proportionality and distinction. If the United States is engaged in an armed conflict, civilian UAS operators are unlawful combatants and may not participate in hostilities. UAS strikes may only be conducted against civilians who have taken a direct part in hostilities. Although acts of terrorism may cause harm, most do not meet the criteria for direct participation in hostilities. State responses to these acts must conform to the lethal force standards applicable to self-defense and law enforcement. The use of advanced weapons systems in lethal operations against terrorists is illegal under international law.

WOMEN-GENDER

A critique on the international legal standards pertaining to displaced women in the context of armed conflict / Wasantha Seneviratne. - In: Sri Lanka journal of international law, Vol. 19, no. 2, 2007, p. 511-535. - Photocopies
362.8/162 (Br.)

Feminist debates on civilian women and international humanitarian law / Valerie Oosterveld. - In: Windsor yearbook of access to justice, Vol. 27, 2009, p. 385-402. - Photocopies

One school of thought argues that the main impediment to the protection of female civilians during hostilities is lack of observance of existing International Humanitarian Law (IHL). A second school of thought believes that something more fundamental is needed to meet the goal of protecting civilian women during war: revision and reconceptualization of IHL to take into account systematic gender inequality. This article considers the status of this debate within three areas of IHL considered by many to be central legal aspects of the experience of female civilians caught in armed conflict: the general non-discrimination provisions, the specific protection for civilian women against sexual violence and the specific protection of pregnant women and mothers. It concludes that, while there has been a vibrant debate within feminist circles on the adequacy of existing IHL provisions, mainstream action has tended to focus on enforcement. This is unfortunate, as it means that certain insights into the impact of deep gender inequalities on conflict have largely been left unexplored.

362.8/160 (Br.)

Gender and security sector reform toolkit / eds. Megan Bastick and Kristin Valasek. -

Geneva : DCAF : UN-INSTRAW, 2008-2010. - 15 brochures ; 30 cm. - ISBN 9789292220747
Content : User guide. - Tool 1 : security sector reform and gender. - Tool 2 : police reform and gender. - Tool 3 : defence reform and gender - Tool 4 : justice reform and gender. - Tool 5 : penal reform and gender. - Tool 6 : border management and gender. - Tool 7 : parliamentary oversight of the security sector and gender. - Tool 8 : national security policy-making and gender. - Tool 9 : civil society oversight of the security sector and gender. - Tool 10 : private military and security companies and gender. - Tool 11 : security sector reform assessment, monitoring, and evaluation and gender. - Tool 12 : gender training for security sector personnel - good practices and lessons learned. - Tool 13 : implementing the women, peace and security resolutions in security sector reform. - Annex : international and regional laws and instruments related to security sector reform and gender

362.8/164 (ENG) (also available in French)

Gender, shame and sexual violence : the voices of witnesses and court members at war crimes tribunals / Sara Sharratt. - Farnham ; Burlington : Ashgate, 2011. - X, 184 p. : tabl. ; 23 cm. - Bibliographie : p. 171-177. Index. - ISBN 9781409419990

362.8/161

International legal standards pertaining to sexual violence against displaced women in times of armed conflict with special reference to the emerged jurisprudence at the ICTY and the ICTR / Wasantha Seneviratne. - In: Sri Lanka journal of international law, Vol. 20, no. 2, 2008, p. 1-27. - Photocopies

Displaced women are vulnerable to all forms of violence at every stage of their flight, not only when fleeing a battlefield but also on arrival at a refugee camp. In situations of armed conflict, acts of sexual violence against displaced women are more common and widespread. This article focuses on the problem of sexual violence against displaced women and examines the strengths and weaknesses of the international legal standards that have been formulated on the issue. It further evaluates the jurisprudence emerged at the ICTY and ICTR on this problem and the future work of the ICC.

362.8/163 (Br.)

Sex and gender crimes in the new international law : past, present, future / by Alona Hagay-Frey. - Leiden ; Boston : M. Nijhoff, 2011. - XIV, 182 p. ; 24 cm. - (Nijhoff law specials ; vol. 75). - Bibliographie : p. 161-176. Index. - ISBN 9789004189126

362.8/105