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ARMS

Categorization and legality of autonomous and remote weapons systems / Hin-Yan Liu. -

In: International review of the Red Cross, Vol. 94, no. 886, Summer 2012, p. 627-652

This article reconsiders the status and legality of both autonomous and remote weapons systems under international humanitarian law. Technologically advanced unmanned military systems are being introduced into the modern battlespace with insufficient recognition of their potential challenge to international humanitarian law. The article questions the understanding of both autonomous and remote weapons systems as 'weapons' and seeks to consider how their use may impact existing legal categories. Their use is then specifically situated to consider the legality of their deployment in certain contexts. Finally, the article raises the question of impunity for the use of both autonomous and remote weapons systems that arise from the inability to attribute responsibility for the harm they cause. It is imperative that law and policy are developed to govern the development and deployment of these advanced weapons systems to forestall these likely situations of impunity.

Conflict without casualties ... a note of caution : non-lethal weapons and international humanitarian law / Eve Massingham. -

In: International review of the Red Cross, Vol. 94, no. 886, Summer 2012, p. 673-685

In the last decade considerable expense has been invested in non-lethal weapons development programmes, including by the United States military and other members of the North Atlantic Treaty Organization and members of the European Working Group Non-Lethal Weapons. This paper acknowledges the potential suitability of non-lethal weapons for specific situations arising on the battlefield, but cautions against those who advocate for any weakening of existing international humanitarian law frameworks to provide for greater employment of non-lethal technologies.

Disarmament and non-proliferation / Mirko Sossai. -

Cheltenham ; Northampton : E. Elgar, 2013. - p. 41-66. - In: Research handbook on international conflict and security law : jus ad bellum, jus in bello and jus post bellum 355/1002

Le drone, l'éthique et le droit / Philippe Lagrange. -

Bruxelles : Bruylant, 2013. - p. 1333-1353. - In: L'homme dans la société internationale : mélanges en hommage au professeur Paul Tavernier

D'un point de vue technique et éthique, le drone est certainement une "révolution dans les affaires militaires" et plus largement dans la conduite des guerres du futur. Ce sont ces deux aspects qui sont analysés dans la première partie de cette contribution. D'un point de vue juridique en revanche, la réponse est plus nuancée dans la deuxième partie. Tant que le drone restera soumis à une volonté humaine et qu'il ne sera pas devenu un robot à part entière, doué d'une intelligence artificielle le rendant indépendant dans ses choix et pleinement autonome dans son fonctionnement, il faudra le considérer comme un système d'arme ordinaire dont le développement et l'utilisation pourront trouver sans difficulté limites et encadrement dans le droit international humanitaire positif.

The "incendiary" effect of white phosphorous in counterinsurgency operations / Shane R. Reeves. -

In: The army lawyer, Issue 6, June 2010, p. 84-90. - Photocopies 341.67/20 (Br)

An international call for moratorium on the use of depleted uranium in military weapons / Michael Kabai. -

In: Humanitäres Völkerrecht : Informationsschriften = Journal of international law of peace and armed conflict, Vol. 26, 3/2013, p. 137-141

The use of depleted uranium in military weapons is a commonplace in countries like the US and the UK. It seems, though, the international community is not in favour of the use of depleted uranium in military weapons. The rationale being that the use of depleted uranium in weapons results in environmental damage and severe impact on human health. The paper will examine the international measures results in environmental damage and sever impact on human health. The paper will examine the international measures impacting on the use of depleted uranium in military weapons. It will also examine the case laws on the use of depleted uranium in military

weapons. Finally, the paper will argue that the use of depleted uranium in military weapons should be prohibited and that there should be an immediate international moratorium on the use of depleted uranium in military weapons.

International humanitarian law and new weapon technologies, 34th round table on current issues of international humanitarian law, San Remo, 8-10 September 2011 / keynote address by Jakob Kellenberger and conclusions by Philip Spoerri. - In: International review of the Red Cross, Vol. 94, no. 886, Summer 2012, p. 809-817

Legal aspects of arms control measures concerning the missile carrying submarines and anti-submarine warfare / Richard Baxter. - Oxford : Oxford University Press, 2013. - p. 219-231. - In: Humanizing the laws of war : selected writings of Richard Baxter. - Article également publié dans : The future of the sea-based deterrent, ed. by Kosta Tsipis, Anne H. Cahn and Bernard T. Field, Cambridge, MA: The MIT Press, 1974
345.2/939

La nature et le régime juridique des traités de maîtrise des armements : analyse à la lumière des droits des Etats parties en cas de violation des traités / par Daniel Rietiker. - In: Revue belge de droit international = Belgian review of international law = Belgisch tijdschrift voor internationaal recht, Vol. 45, 2012-2, p. 565-608

New capabilities in warfare : an overview of contemporary technological developments and the associated legal and engineering issues in Article 36 weapons reviews / Alan Backstrom and Ian Henderson. - In: International review of the Red Cross, Vol. 94, no. 886, Summer 2012, p. 483-514

The increasing complexity of weapon systems requires an interdisciplinary approach to the conduct of weapon reviews. Developers need to be aware of international humanitarian law principles that apply to the employment of weapons. Lawyers need to be aware of how a weapon will be operationally employed and use this knowledge to help formulate meaningful operational guidelines in light of any technological issues identified in relation to international humanitarian law. As the details of a weapon's capability are often highly classified and compartmentalized, lawyers, engineers, and operators need to work cooperatively and imaginatively to overcome security classification and compartmental access limitations.

Nichtletale Waffen im Kriegsvölkerrecht / von Hans Wolfram Kessler. - Berlin : Duncker and Humblot, 2013. - 210 p. ; 24 cm. - (Schriften zum Völkerrecht ; Bd. 202). - Bibliographie : p. 191-206. Index. - ISBN 9783428141173
341.67/733

Non-lethal weapons and force-casualty aversion in 21st century warfare / Chukwuma Osakwe, Ubong Essien Umoh. - In: Journal of military and strategic studies, Vol. 15, issue 1, 2013, p. 1-20. - Photocopies
341.67/22 (Br.)

Non-proliferation law as a special regime : a contribution to fragmentation theory in international law / ed. by Daniel H. Joyner and Marco Roscini. - Cambridge [etc.] : Cambridge University Press, 2012. - X, 291 p. ; 24 cm. - Index. - ISBN 9781107009714
Contient notamment : Amendement and modification of non-proliferation treaties / M. Fitzmaurice and P. Merkouris. - Violation of non-proliferation treaties and related verification treaties / E. Myjer and J. Herbach. - State responsibility consequences of termination of or withdrawal from non-proliferation treaties / D. Fleck
341.67/732

On banning autonomous weapon systems : human rights, automation, and the dehumanization of lethal decision-making / Peter Asaro. - In: International review of the Red Cross, Vol. 94, no. 886, Summer 2012, p. 687-709

This article considers the recent literature concerned with establishing an international prohibition on autonomous weapon systems. It seeks to address concerns expressed by some scholars that such a ban might be problematic for various reasons. It argues in favour of a theoretical foundation for such a ban based on human rights and humanitarian principles that

are not only moral, but also legal ones. In particular, an implicit requirement for human judgement can be found in international humanitarian law governing armed conflict. Indeed, this requirement is implicit in the principles of distinction, proportionality, and military necessity that are found in international treaties, such as the 1949 Geneva Conventions, and firmly established in international customary law. Similar principles are also implicit in international human rights law, which ensures certain human rights for all people, regardless of national origins or local laws, at all times. I argue that the human rights to life and due process, and the limited conditions under which they can be overridden, imply a specific duty with respect to a broad range of automated and autonomous technologies. In particular, there is a duty upon individuals and states in peacetime, as well as combatants, military organizations, and states in armed conflict situations, not to delegate to a machine or automated process the authority or capability to initiate the use of lethal force independently of human determinations of its moral and legal legitimacy in each and every case. I argue that it would be beneficial to establish this duty as an international norm, and express this with a treaty, before the emergence of a broad range of automated and autonomous weapons systems begin to appear that are likely to pose grave threats to the basic rights of individuals.

Preventing a biochemical arms race / Alexander Kelle, Kathryn Nixdorff and Malcolm Dando. - Stanford : Stanford Security Studies, 2012. - VIII, 247 p. : tabl., diagr. ; 24 cm. - Bibliographie : p. 199-227. Index. - ISBN 9780804782753
341.67/734

The roles of civil society in the development of standards around new weapons and other technologies of warfare / Brian Rappert... [et al.]. - In: International review of the Red Cross, Vol. 94, no. 886, Summer 2012, p. 765-785
This article considers the role of civil society in the development of new standards around weapons. The broad but informal roles that civil society has undertaken are contrasted with the relatively narrow review mechanisms adopted by states in fulfilment of their legal obligations. Such review mechanisms are also considered in the context of wider thinking about processes by which society considers new technologies that may be adopted into the public sphere. The article concludes that formalized review mechanisms, such as those undertaken in terms of Article 36 of Additional Protocol I (1977) of the Geneva Conventions of 1949, should be a focus of civil society attention in their own right as part of efforts to strengthen standard setting in relation to emerging military technologies.

Taking humans out of the loop : implications for international humanitarian law / Comment by Markus Wagner. - In: Journal of law, information and science, Vol. 21, issue 2, 2011/2012, p. 155-165. - Photocopies
341.67/5 (Br.)

Unmanned warfare devices and the laws of war : the challenge of regulation / Andrea Bianchi and Delphine Hayim. - In: S+F : Sicherheit und Frieden, Issue 2, 2013, p. 93-98. - Photocopies
341.67/12 (Br.)

Viewing nuclear weapons through a humanitarian lens / John Borrie and Tim Caughley, ed.. - New York ; Geneva : United Nations, 2013. - XII, 157 p. : 21 cm. - ISBN 9789290452027
Contient notamment : Viewing nuclear weapons through a humanitarian lens : context and implications / J. Borrie. - Legitimizing and delegitimizing nuclear weapons / N. Ritchie. - The meaning of the Oslo Conference on the humanitarian impacts of nuclear weapons / P. Lewis and H. Williams. - The catastrophic humanitarian consequences of nuclear weapons : the key issues and perspective of the International Committee of the Red Cross / L. Maresca
341.67/ 735

Weapons / Karen Hulme. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 315-341. - In: Research handbook on international conflict and security law : jus ad bellum, jus in bello and jus post bellum
355/1002

CHILDREN

Child security in Asia : the impact of armed conflict in Cambodia and Myanmar / Cecilia Jacob. - London ; New York : Routledge, 2014. - XIV, 216 p. : cartes, tabl. ; 24 cm. - (Routledge contemporary Asia series ; 41). - Bibliographie : 189-208. Index. - ISBN 9780415820899
362.7/382

Children's coping in the context of disasters and terrorism / Betty Pfefferbaum [et al.]. - In: Journal of loss and trauma, Vol. 19, issue 1, 2014, p. 78-97. - Bibliographie : p. 93-97. Photocopies

Disasters and terrorism present significant and often overwhelming challenges for children and families worldwide. Individual, family, and social factors influence disaster reactions and the diverse ways in which children cope. This article links conceptualizations of stress and coping to empirical knowledge of children's disaster reactions, identifies limitations in our current understanding, and suggests areas for future study of disaster coping. Coping strategies, developmental trajectories influencing coping, and the interplay between parent and child coping represent critical areas for advancing the field and for informing programs and services that benefit children's preparedness and foster resilience in the face of mass trauma.
362.7/383 (Br.)

The international criminal court's perspective on child soldiers / Shamila Batohi. - Newcastle upon Tyne : Cambridge scholars publishing, 2012. - p. 473-482. - In: The sovereignty of children in law. - Photocopies
362.7/381 (Br.)

The liberal discourse and the "new wars" of/on children / Noëlle Quéniwet. - In: Brooklyn journal of international law, Vol. 38, issue 3, 2013, p. 1053-1107. - Photocopies
362.7/385 (Br.)

Mandated to fail ? : humanitarian agencies and the protection of Palestinian children / Jason Hart and Claudia Lo Forte. - In: Disasters : the journal of disaster studies and management, Vol. 37, no. 4, October 2013, p. 627-645 : diagr.. - Bibliographie : p. 643-645

Refugee law and the protection of children fleeing conflict and violence in Afghanistan / Satvinder Singh Juss. - In: Journal of conflict and security law, Vol. 18, no. 2, Summer 2013, p. 289-329

Refugee law today is increasingly a tool of counter-insurgency, used by States to exclude the most vulnerable from the major trouble-spots of the world. The new counter-insurgency strategy is based on real and imagined new terrors to the West. This article looks at how children and so-called 'military-aged males', fleeing conditions of 'indiscriminate violence' from Afghanistan, are denied the protection of Article 15(c) of the EU Qualification Directive (Council Directive 2004/83/EC). This was passed to cover a risk of 'serious harm', defined inter alia, as 'serious and individual threat to a civilian's life or person by reason of indiscriminate violence in situations of international or internal armed conflict.' The result is a marked subversion and impoverishment of the investiture of refugee-hood itself, which does not bode well for the future.

The combatant status of "under-aged" child soldiers recruited by irregular armed groups in international armed conflicts / Shannon Bosch. - In: African yearbook on international humanitarian law, 2012, p. 1-39

After setting out the existing international legal framework (found in international humanitarian law, international and regional human rights law, international criminal law, and evolving customary international law) which dictates when children may lawfully be recruited by irregular armed groups, the author turns to explore the International humanitarian law framework for assigning combatant status more generally, before focusing on the question of how one assigns combatant and prisoner-of-war status when these under-aged child soldiers are recruited into irregular armed groups (considering their age and the possibility that their recruitment may be involuntary).

CONFLICT-VIOLENCE AND SECURITY

A Chinese perspective on cyber war / Li Zhang. - In: International review of the Red Cross, Vol. 94, no. 886, Summer 2012, p. 801-807

The attacks on Estonian networks in April of 2007 are generally seen by Western nations as the first case of national-level cyber attacks (the impact of the attacks was mostly national, although the channel of attack may have been international). Additionally, the network attacks experienced by Georgia in August 2008 are considered the first instance of a coordinated traditional and cyber war. The United States and other Western nations regard these two cyber battles as causes for great attention and much reflection. They believe that although a 'cyber Pearl Harbor' has yet to occur, cyber warfare has now become a reality.

Conflict prevention / Kenneth Manusama. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 4-40. - In: Research handbook on international conflict and security law : jus ad bellum, jus in bello and jus post bellum
355/1002

Les drones dans la guerre / dossier dirigé par Jean-Baptiste Jeangène Vilmer. - In:

Politique étrangère, Vol. 78, 3, automne 2013, p. 79-132

Contient : Introduction : robotisation et transformations de la guerre / J.-B. Jeangène Vilmer. -

La guerre connectée : les implications de la révolution robotique / P. W. Singer. - Occuper sans envahir : drones aériens et stratégie / J.-C. Noël. - Légalité et légitimité des drones armés / J.-B. Jeangène Vilmer

Drones de guerre / Patrice Sartre. - In: Etudes : revue de culture contemporaine, T. 419, no 5, novembre 2013, p. 439-448

Ethically insoluble dilemmas in war / Marcus Schulzke. - In: Journal of military ethics, Vol. 12, issue 2, July 2013, p. 95-110. - Bibliographie : p. 108-110

La guerre a-t-elle un avenir ? / dossier dirigé par Charles-Philippe David et Dominique David. - In: Politique étrangère, Vol. 78, 3, automne 2013, p. 23-78

Contient : Repenser la guerre et la paix au XXI^e siècle / C.-P. David. - Le silence des armes ou la paix importune / J.-J. Roche. - La guerre, toujours recommencée / D. David. - Quel avenir pour les casques bleus et le maintien de la paix ? / M. Liégeois

Interview with Peter W. Singer / by Vincent Bernard, Mariya Nikolova and Mark Silverman.

- In: International review of the Red Cross, Vol. 94, no. 886, Summer 2012, p. 467-481

In this interview, Peter Singer explains to what extent and how new technologies change the way we think about going to war and the way we conduct war, as well as how they will impact the work of humanitarian actors. He shares his vision for the future, analyzing both the ethical and legal challenges that access to new advanced technologies poses and the opportunities it offers.

Mercy killing in battle / Stephen Deakin. - In: Journal of military ethics, Vol. 12, issue 2, July 2013, p. 162-180. - Bibliographie : p. 178-180

Studies in gangs and cartels / Robert J. Bunker and John P. Sullivan. - London ; New York : Routledge, 2014. - XVII, 212 p. : tabl., diagr., cartes ; 25 cm. - Bibliographie : p 203-206. Index. - ISBN 9780415638050

355/1004

The morality of autonomous robots / Aaron M. Johnson and Sidney Axinn. - In: Journal of military ethics, Vol. 12, issue 2, July 2013, p. 129-141. - Bibliographie : p. 139-140

War time : an idea, its history, its consequences / Mary L. Dudziak. - Oxford [etc.] : Oxford University Press, 2012. - 221 p. : fotogr., tabl., diagr. ; 21 cm. - Index. - ISBN 9780199311587

355/1003

DETENTION

Captivity, forced labour and forced migration in Europe during the First World War / ed. by Matthew Stibbe. - London ; New York : Routledge, 2013. - VIII, 224 p. ; 23 cm. -

Bibliographie. p. 185-216. Index. - ISBN 9780415846356

Contient notamment : Civilian internment and civilian internees in Europe, 1914-20 / M. Stibbe. -

Refugees and forced migrants during the First World War / P. Gatrell. - The punishment of war crimes committed against prisoners of war, deportees and refugees during and after the First World War / D. M. Segesser

400.2/345

Executive branch policy meets international law in the evolution of the domestic law of detention / Thomas B. Nachbar. - In: Virginia journal of international law, Vol. 53, no. 2, 2013, p. 201-246. - Photocopies

This paper considers the role that the executive branch can play in modifying international law through a specific case: the March, 2011 issuance of Executive Order 13567: Periodic Review of Individuals Detained at Guantánamo Bay Naval Station Pursuant to the Authorization for Use of Military Force. As its title suggests, the Order establishes a system of periodic review for detainees held at Guantanamo Bay, but the release of the Order suggests much more than merely the adoption of new procedures for reviewing detention determinations. In a "Fact Sheet" issued with the Order, the Obama administration suggested some concrete changes to how the United States views the international law of detention, specifically with regard to Additional Protocols I and II of the Geneva Conventions. Those changes, when combined with the content of the Order itself, may signal an even more profound shift in the role of international law in the shaping of the domestic law of detention and in the role of the executive branch in shaping both international and domestic law. The paper proceeds by describing the Order in detail and comparing the procedures adopted in the Order with those that preceded it, namely Combatant Status Review Tribunals and detainee Administrative Review Boards. The paper next analyzes the Order's procedures under Article 75 of Additional Protocol I and Articles 4-6 of Additional Protocol II, as suggested by the Fact Sheet. Finally, the paper considers the broader questions raised by the Order and Fact Sheet's stated approach to the international law of detention. By recognizing an increased role for Additional Protocols I and II, the Order and Fact Sheet go some distance toward providing an avenue for incorporating international human rights norms into the U.S. domestic law of detention, an approach that sharply diverges with previous U.S. positions on the law of armed conflict, and does so through the executive branch operating alone.

400.2/344 (Br.)

Retour sur le "traitement humain" des personnes tombées au pouvoir de l'ennemi /

Abdelwahab Biad. - Bruxelles : Bruylant, 2013. - p. 1186-1202. - In: L'homme dans la société internationale : mélanges en hommage au professeur Paul Tavernier

Le droit des droits de l'homme comme le droit international humanitaire convergent sur l'exigence du "traitement humain". Ce chapitre développe un double constat relatif à l'exigence du "traitement humain". D'une part, en dépit de son caractère générique, l'exigence de "traiter avec humanité" toutes les personnes tombées en leur pouvoir - sans exception - constitue pour les parties au conflit armé une prescription indérogeable, un "noyau dur" qui inspire des règles plus précises, indiquant ce qui est ou n'est pas un "traitement humain". Cette prescription est si fondamentale qu'elle conditionne l'ensemble des systèmes de "protection fonctionnelle" du combattant hors de combat comme du non-combattant, dont la mise en œuvre s'avère souvent problématique, comme l'illustrent les cas du statut du prisonnier de guerre et du régime d'occupation.

345/635

ECONOMY

Les groupes armés non étatiques comme destinataires des sanctions n'impliquant pas l'emploi de la force / Rafael A. Prieto Sanjuán. - Bruxelles : Bruylant, 2013. - p. 315-329. -

In: L'homme dans la société internationale : mélanges en hommage au professeur Paul Tavernier

Des attaques indiscriminées, des agressions contre la population civile, ou contre l'environnement, des pillages, des viols, des tortures, enfin des comportements contraires au droit international humanitaire ou en violation d'accords passés entre des belligérants, ce sont

certainement des conduites interdites qui peuvent être juridiquement attribuables aux parties dans un conflit armé. Cependant, ces actes ne sont que très difficilement constitutifs de responsabilité internationale dans le cas où les auteurs appartiennent à des groupes armés dissidents ou non étatiques y compris des forces irrégulières, des milices armées ou de caractère paramilitaire affines aux intérêts de l'Etat, mais qui gardent un caractère privés. Cette contribution examine certaines mesures de caractère international - institutionnel - adoptées contre des entités non étatiques n'impliquant pas l'emploi de la force armées: les mesures d'embargo et les mesures de caractère plus ciblé ou individuel telles que les restrictions à la mobilité et le gel des avoirs.

345/635

ENVIRONMENT

Droit international de l'environnement / Mara Tignino. - Bruxelles : Bruylant, 2013. - p. 267-299. - In: Droit international humanitaire : un régime spécial de droit international ?

Ce chapitre vise à analyser un double mouvement tendant d'une part vers la protection de l'environnement par le droit humanitaire et d'autre part, vers la prise en compte des conflits armés par le droit international de l'environnement. Il s'interroge ensuite sur les liens systémiques existant entre ces deux branches du droit international. Une attention particulière est accordée au régime juridique relatif à la protection de l'eau dans la mesure où ce régime fournit des enseignements importants sur les points de contact et les interactions entre le droit humanitaire et le droit international de l'environnement.

345.2/941

The right to water : from an inchoate right to an emerging international norm / by Sara De Vido. - In: Revue belge de droit international = Belgian review of international law = Belgisch tijdschrift voor internationaal recht, Vol. 45, 2012-2, p. 517-564

Water and habitat : public health engineering during armed conflict : 1983-2013 / ICRC. - Geneva : ICRC, September 2013. - 82 p. : fotogr., cartes ; 30 cm. - (Focus)

Everyone knows that the ICRC has been in existence for 150 years, but 2013 brings another milestone: the 30th anniversary of the ICRC Water and Habitat Unit. This richly illustrated booklet marks both events, taking a look at recent ICRC history from a "WatHab" perspective and recalling some of the Unit's achievements during the conflicts of the past 30 years.

363.7/149

GEOPOLITICS

Changing lenses : conflict and Mexico's "drug war" / Ami C. Carpenter. - In: Latin American politics and society, Vol. 55, no. 3, Fall 2013, p. 139-160. - Photocopies
323.12/MEX 7 (Br.)

Djihad : du Coran à la guerre en Syrie / Dominique Thomas... [et al.]. - In: Moyen-Orient : géopolitique, géoéconomie, géostratégie et sociétés du monde arabo-musulman, No 20, octobre-décembre 2013, p. 15-61 : cartes, fotogr.

Contient notamment : D'Al-Qaïda au néodjihadisme : la mouvance radicale après les révoltes arabes / D. Thomas. - La "guerre" en islam : de l'effort moral à l'action armée / entretien avec M. Abbès. - Djihadisme et salafisme en Syrie : une réalité aux déterminants multiples / B. Mikail. - Le déracinement social en Afghanistan : terrain d'éclosion des djihads armés / M. Kamal

El narco : inside Mexico's criminal insurgency / Ioan Grillo. - New York [etc.] : Bloomsbury press, 2012. - VI, 327 p., [16] p. de photograph. : cartes ; 21 cm. - Index. - ISBN 9781608194018
323.12/MEX 6

Israel : die Geschichte des jüdischen Staates / [Frank Otto ; Christiane Fröhlich]. - In: Geo Epoche, Nr. 61, 2013, p. 3-188 : ill.. - Chronologie
323.15/ISR 45

Le Sud-Soudan est-il bien armé pour sa survie ? / François Gaulme... [et al.]. - In: Afrique contemporaine, 246, 2013, p. 11-124 : cartes, fotogr.
Contient notamment : Le Soudan, un pays indivisible, dual ou pluriel ? / H. J. Sharkey. - Les défis de la construction de l'Etat au Sud-Soudan / R. Bereketab. - Sud-Soudan : les acteurs de la construction et de la formation de l'Etat / R. Chevrillon-Guibert

HEALTH-MEDICINE

Medical care as the carrot : the Red Cross in Indonesia during the war of decolonization, 1945-1950 / L. van Bergen. - In: Medicine, conflict and survival, Vol. 29, no. 3, July-September 2013, p. 216-243. - Bibliographie : p. 239-243

HISTORY

The bombing war : Europe 1939-1945 / Richard Overy. - London [etc.] : Allen Lane, 2013. - XXVII, 852 p., [16] p. de fotogr. : cartes, tabl. ; 24 cm. - Bibliographie : 643-674. Index. - ISBN 9780713995619
94/507

Crimini di guerra e contro l'umanità : le violenze ai civili sul fronte orientale (1914-1919) / Bruna Bianchi. - Milano : Unicopli, 2012. - 360 p. : fotogr. ; 20 cm. - (Biblioteca di storia contemporanea). - ISBN 9788840015798
94/506

Dictionnaire historique de la Suisse / publ. par la Fondation Dictionnaire historique de la Suisse (DHS) ; réd. en chef: Marco Jorio. - Hauterive : G. Attinger, 2002-. - 12 vol. : cartes, ill. ; 28 cm. - ISBN 9782882561336
94/279 (I à XII)

Mémoires croisées autour des deux guerres mondiales / sous la dir. de Renée Dickason. - Paris : Mare & Martin, 2012. - 283 p. : fotogr., ill., tabl., graph. ; 23 cm. - (Politeia). - Bibliographies. - ISBN 9782849341032

Mémoires croisées autour des deux guerres mondiales propose de parcourir les chemins de la mémoire collective officielle et officieuse à travers des exemples issus de divers protagonistes allemands, américains, britanniques, français, grecs ou russes ayant vécu les affres de la guerre. Le croisement des sources médiatiques et artistiques et des expériences de guerre est la force du présent ouvrage. Cette richesse résulte de la diversité des supports analysés (visuels, filmiques, musicaux), des objets ou matériaux consultés (gravures, dessins, peintures, affiches, albums de photos, partitions musicales, journaux ou manuels scolaires), des thèmes abordés (liés aux expériences individuelles ou institutionnelles) mais aussi de la confrontation des témoignages de personnalités (réalisateurs de films, compositeurs), d'organismes humanitaires (Comité International de la Croix-Rouge) ou étatiques (ministère de l'Information) ou d'illustres inconnus (simples soldats), tous ces acteurs et composantes d'un spectacle de guerre qui se décline à l'infini. La pluralité des angles de vue des belligérants, la variété des contextes, le vécu immédiat des effets de guerre, en plein combat ou par procuration, l'éloignement spatial ou temporel face aux événements dépeints, provoquent autant de récits visuels, sonores ou musicaux suscitant de vives émotions et constituent les fondements du/des souvenir(s).

94/503

Des morts et des nus : le regard du CICR sur la malnutrition extrême en temps de guerre (1940-1950) / Daniel Palmieri et Fania Khan Mohammad. - Paris : Mare & Martin, 2012. - p. 85-104 : fotogr.
94/503

Nazi policy on the Eastern Front, 1941 : total war, genocide, and radicalization / ed. by Alex J. Kay, Jeff Rutherford, and David Stahel. - Rochester : University of Rochester Press, 2012. - X, 359 p. : fotogr., graph., cartes ; 24 cm. - (Rochester studies in East and Central Europe). - ISBN 9781580464079

Contient notamment : Urban warfare doctrine on the Eastern Front / A. E. Wettstein. - The Wehrmacht in the war of ideologies : the army and Hitler's criminal orders on the Eastern Front /

F. Römer. - The exploitation of foreign territories and the discussion of Ostland's currency in 1941 / P. Fonzi
94/502

Stalingrad / hrsg. von Gorch Pieken, Matthias Rogg und Jens Wehner ; Militärlhistorisches Museum der Bundeswehr. - Dresden : Sandstein, 2012. - 403 p. : fotogr., cartes, fac-sim., ill. ; 29 cm. - ISBN 9783954980093
94/505

Un Suisse au service de la SS : Franz Riedweg (1907-2005) / Marco Wyss. - Neuchâtel : Alphil - Presses universitaires suisses, 2010. - 275 p. : fotogr., fac-sim. ; 21 cm. - (HistoireNE.ch). - Bibliographie : p. 185-194. - ISBN 9782940235599
94/501

HUMAN RIGHTS

Droits de l'homme / Yasmin Naqvi. - Bruxelles : Bruylant, 2013. - p. 225-266. - In: Droit international humanitaire : un régime spécial de droit humanitaire ?
Ce chapitre analyse les approches "traditionnelles" relatives à l'applicabilité concomitante du droit humanitaire et des droits de l'homme, à savoir les approches de la "lex specialis", de la "lex posterior", de la complémentarité et la méthode de convergence. Il démontre au travers de la jurisprudence internationale, des décisions des organes de contrôles et des rapports des experts nommés par les Nations unies que ces méthodes ne sont en réalité utilisées que dans un seul et même sens, celui de l'interprétation systémique et "harmonisée" des deux corps de règles. Des cas de jurisprudence spécifiques éclairent d'avantage le sens de ce principe d'harmonisation. L'auteur soutient que l'application du principe d'harmonisation a pour résultat non seulement d'"humaniser" le droit humanitaire, mais également d'"humaniser" les droits de l'homme, y compris en temps de paix et que cette méthode a la capacité d'établir une certaine cohésion et profondeur au sein d'un système juridique "fragmentable".
345.2/941

The erga omnes obligation to prevent and prosecute gross human rights violations with special emphasis upon genocide and persecution as a crime against humanity / Mispa Roux. - In: African yearbook on international humanitarian law, 2012, p.98-133

Human rights protection during extra-territorial military operations : perspectives at international and English law / Alexander Orakhelashvili. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 598-637. - In: Research handbook on international conflict and security law : jus ad bellum, jus in bello and jus post bellum
355/1002

Opérations de paix et droits de l'homme / Philippe Ch.-A. Guillot. - Bruxelles : Bruylant, 2013. - p. 233-255. - In: L'homme dans la société internationale : mélanges en hommage au professeur Paul Tavernier
345/635

Siracusa guidelines for international, regional and national fact-finding bodies / ed. by M. Cherif Bassiouni and Christina Abraham ; International Institute of Higher Studies in Criminal Sciences. - Cambridge [etc.] : Intersentia, 2013. - XXVI, 116 p., [36] p. : tabl., fotogr. ; 23 cm. - ISBN 9781780681931
345.1/612

HUMANITARIAN AID

Disaster, conflict and society in crises : everyday politics of crisis response / ed. by Dorothea Hilhorst. - London ; New York : Routledge, 2013. - XIV, 284 p. : graph., diagr., cartes, tabl. ; 24 cm. - (Routledge humanitarian studies ; 1). - Bibliographies. Index. - ISBN 9780415640824
361/602

Humanitarian negotiations / Gerard Mc Hugh... [et al.]. - In: Humanitarian exchange : the magazine of the Humanitarian Practice Network, No. 58, July 2013, p. 3-25
 Contient notamment: Preserving the integrity of humanitarian negotiations / G. Mc Hugh and S. Singh. - Rebels with a cause ? : the role of armed non-state actors in the protection of civilians / S. Casey-Maslen. - Engaging armed non-state actors on humanitarian norms : reflections on Geneva Call's experience / P. Bongard

State sovereignty and humanitarian action / Clea Kahn... [et al.]. - In: Disasters : the journal of disaster studies and management, Vol. 37, supplement 2, October 2013, p. 139-220. - Bibliographies

ICRC-INTERNATIONAL MOVEMENT OF THE RED CROSS AND RED CRESCENT

L'action des auxiliaires de la Croix-Rouge suisse en France pendant la seconde guerre mondiale / Michel Puéchavy. - Bruxelles : Bruylant, 2013. - p. 1397-1416. - In: L'homme dans la société internationale : mélanges en hommage au professeur Paul Tavernier 345/635

Dunant's dream, 150 years on : a sober celebration ? / Yves Daccord. - In: Humanitarian exchange : the magazine of the Humanitarian Practice Network, No. 58, July 2013, p. 26-28

ICRC's confidentiality rule and the fight against impunity : testimony before international criminal tribunals : the case of ICRC / Zelalem Mogessie Teferra. - Saarbrücken : Lambert Academic Publishing, 2011. - XII, p. 92 ; 22 cm. - Dissertation, Academy of international humanitarian law and human rights, Geneva University, 2011. - Bibliographie : p. 86-90. - ISBN 9783846547076

The establishment of the ad hoc international criminal tribunals (ICTY and ICTR) in early 1990s by the Security Council was one of the major breakthrough in the development of the international criminal justice system which was in a state of "hibernation" since the Nuremberg and Tokyo trials. It once more bore out the commitment of the international community to fight impunity through a coordinated global effort. However, the possibility where justice could be impeded by lack of evidence to try the culprits of the most egregious breaches of international law became apparent days after the tribunals began to function. Resolutely, as a solution tribunals have had to turn on their eyes to those who are usually on the spot when those crimes are committed. Humanitarian organizations and their personnel who usually work in conflict areas have become the first to whom the tribunals have made recourse. This has created a "clash" of interests with most humanitarian organizations including ICRC whose work is essentially underpinned by confidentiality. In this book, the author delved into the legal, pragmatic and moral issues involved in this "clash" and attempted to come up with a solution. 362.191/1495

The International Committee of Red Cross (ICRC) in Africa : ICRC's intervention in conflict situations : a case study of the Rwandan genocide of 1994 / Aisha Aize Isa. - Saarbrücken : Lambert Academic Publishing, 2013. - II, 95 p. ; 22 cm. - Bibliographie : p. 88-95. - ISBN 9783659354007 362.191/1494

Limits of impartiality : the delegates of the International Committee of the Red Cross in Australia during the Second World War / Christine Winter. - In: History Australia, Vol. 10, no. 2, August 2013, p. 56-74. - Photocopies 362.191/1229 (Br.)

I pionieri della Croce Rossa nella campagna garibaldina del 1866 : in occasione della mostra Garibaldi, Bezzeca e la Croce Rossa, luglio 2007 / a cura di Gianni Poletti. - Bezzeca : Associazione Il Chiese, [2007]. - 143 p. : fotogr., ill., portr., tabl., fac-similés ; 21 cm. - Contient notamment : Louis Appia, uno dei fondatori della Croce Rossa / Antonio Fappani. - Bibliographie : p. 142-143 362.191/1471

INTERNATIONAL CRIMINAL LAW

The anatomy of an international crime : aggression at the International Criminal Court / Matthew Gillett. - In: International criminal law review, Vol. 13, issue 4, 2013, p. 829-864

Annual Benjamin Ferencz session : integrating the crime of aggression into international criminal law and public international law / by Beth Van Schaack... [et al.] ; introd. remarks by Michael A. Newton. - In: Proceedings of the 105th annual meeting [of the] American Society of International Law, 2011, p. 153-165

Contient : The aggression amendments : points of consensus and dissension / B. Van Schaak. - Complementary issues / T. McHenry. - Remarks by Claus Kress and Michael Scharf

Combined operations, an international war crimes perspective / Arne Willy Dahl. - In: Recueils de la Société internationale de droit militaire et de droit de la guerre, 19, 2013, p. 364-372

La Cour européenne des droits de l'homme face à la répression pénale nationale des crimes de droit international / Isabelle Moulrier. - Bruxelles : Bruylant, 2013. - p.1365-1396. - In: L'homme dans la société internationale : mélanges en hommage au professeur Paul Tavernier

Compte tenu de l'accroissement récent des procédures nationales visant à réprimer les auteurs de crimes de droit international, il était prévisible que la Cour européenne des droits de l'homme aurait ainsi à connaître de violations de la Convention européenne des droits de l'homme, alléguées tant par les victimes de crimes de droit international que par les individus ayant fait l'objet de poursuites judiciaires au titre de ces crimes devant les tribunaux d'un Etat partie à la Convention. C'est dans ce cadre que s'inscrit la confrontation entre le droit pénal international - qui exige que les auteurs de crimes internationaux ne restent pas impunis - et les droits de l'homme, envisagés tant sous l'angle du droit à la justice des victimes que sous celui du droit des accusés à bénéficier de procédures équitables. La question se pose de savoir de quelle manière la Cour parvient à concilier ces deux impératifs de valeur égale et quel équilibre il est possible d'établir entre le droit des victimes à la justice et le respect des droits de l'accusé, criminel de droit international, en matière pénale. Ce chapitre analyse ainsi la jurisprudence de la Cour relative à la répression pénale nationale des crimes de droit international en vue de mesurer, in fine, le degré général d'ouverture de la Cour à l'égard du mouvement de lutte contre l'impunité.

345/635

Crimes against humanity : historical evolution and contemporary application / M. Cherif Bassiouni. - Cambridge [etc.] : Cambridge University Press, 2011. - XXXVII, 845 p. ; 26 cm. - Index. - ISBN 9781107001152

344/ 608

Crimes de guerre des sociétés : poursuivre en justice le pillage des ressources naturelles / James G. Stewart. - New York : Open Society Institute, 2011. - 172 p. : tabl. ; 30 cm. - Photocopies. - ISBN 9781936133???

344/606

Droit international pénal / Damien Scalia. - Bruxelles : Bruylant, 2013. - p. 195-224. - In: Droit international humanitaire : un régime spécial de droit international ? L'étude du droit international pénal présente un intérêt évident pour répondre à la question de l'autonomisation du droit humanitaire et, en particulier, des rapports existant entre ce droit et d'autres sous-systèmes du droit international. L'auteur constate d'abord que le droit humanitaire est largement dépendant du droit international pénal d'une part parce que le droit international pénal est l'un des principaux mécanismes de mise en oeuvre du droit humanitaire et d'autre part, parce que les juridictions pénales internationales constituent l'un des principaux lieux où l'interprétation du droit humanitaire est donnée. Il constate ensuite que le droit international pénal est également dépendant du droit humanitaire en ce qu'il puise dans ce dernier les éléments nécessaires à son application. Enfin, il rajoute à cette relation de dépendance

réci-proque une relation par laquelle le droit international pénal participe à la fragmentation du droit international général en contribuant à l'autonomisation du droit humanitaire par rapport au droit international général.

345.2/941

The elements of the crime of genocide and the imperative to protect certain groups : normative shapers in criminal law and humanitarian perspective / Gerhard Kemp and Sina Ackermann. - In: African yearbook on international humanitarian law, 2012, p. 64-78

Finding custom : the ICJ and the international criminal courts and tribunals compared / Yeghishe Kirakosyan. - Leiden ; Boston : M. Nijhoff, 2012. - p. 149-161. - In: The diversification and fragmentation of international criminal law. - Photocopies
344/108 (Br.)

L'instrumentalisation de la justice pénale internationale : le cas du tribunal spécial pour le Liban / Mohammed Lamouri. - Bruxelles : Bruylant, 2013. - p.1355-1364. - In: L'homme dans la société internationale : mélanges en hommage au professeur Paul Tavernier
345/635

International criminal justice in Africa = Justice pénale internationale en Afrique / Roland Adjovi... [et al.]. - In: African yearbook of international law = Annuaire africain de droit international, Vol. 17, 2009, p. 3-283

Contient notamment : L'Afrique et les juridictions internationales pénales / J. Mouangue Kobila. - Quelques utilisations des principes généraux du droit international et des principes généraux de droit en droit international pénal / M. Boumghar. - General principles in international criminal law and their relevance to Africa / O. Quirico. - International criminal tribunals and life imprisonment : which theory of punishment is emphasised ? / J. Ddamulira Mujuzi

The municipal and international law basis of jurisdiction over war crimes / Richard Baxter. - Oxford : Oxford University Press, 2013. - p. 59-72. - In: Humanizing the laws of war : selected writings of Richard Baxter. - Article également publié dans : The British year book of international law, Vol. 28, 1951
345.2/939

The obligation to prevent genocide : a large shell yet to be filled / Hélène de Pooter. - In: African yearbook of international law = Annuaire africain de droit international, Vol. 17, 2009, p. 287-320

Recht statt Rache oder Rache durch Recht ? : die Ahndung von Kriegsverbrechen in der internationalen wissenschaftlichen Debatte 1872-1945 / Daniel Marc Segesser. - Paderborn [etc.] : F. Schöningh, 2010. - 472 p. ; 24 cm. - (Krieg in der Geschichte ; Bd. 38). - Bibliographie : p. 421-456. Index. - ISBN 9783506763990
344/607

Les vicissitudes de la justice pénale internationale à propos de la position de l'Union africaine sur le mandat d'arrêt contre Omar Al Bashir / Dandi Gnamou. - Bruxelles : Bruylant, 2013. - p.1255-1295. - In: L'homme dans la société internationale : mélanges en hommage au professeur Paul Tavernier

Ce chapitre aborde une question qui divise les intellectuels africains: à la suite du mandat d'arrêt lancé contre Omar Hassan Ahmad Al Bashir, président en exercice du Soudan, l'Union africaine a affirmé son refus de coopérer avec la Cour pénale internationale. Le mandat d'arrêt trouve son fondement dans la résolution 1593 (2005) du Conseil de sécurité qui, exerçant son rôle de garant de la paix et de la sécurité internationales, a décidé de déférer la situation du Darfour à la Cour pénale internationale. Cette contribution analyse la position de l'UA sous l'angle de sa conformité au droit international. En effet, au regard de la résolution 1593 (2005) du Conseil de Sécurité, les décisions de l'Union africain sont-elles licites? L'obligation de coopérer peut-elle être opposable à l'organisation régionale? Un tel examen a pour intérêt de prendre une position juridique sur le débat relatif à l'obligation ou non de coopérer avec la Cour en fonction des obligations consenties par l'Union africaine en tant que personne internationale

pour en tirer les conséquences vis-à-vis des Etats africains membres de l'Union menacés de sanctions en cas d'inexécution.

345/635

War crimes / Robert Cryer. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 467-498. - In: Research handbook on international conflict and security law : jus ad bellum, jus in bello and jus post bellum

355/1002

INTERNATIONAL HUMANITARIAN LAW-GENERAL

Application simultanée du droit international des droits de l'homme : les victimes de violations en quête d'un forum / Jean-Marie Henckaerts. - Bruxelles : Bruylant, 2013. - p. 1297-1332. - In: L'homme dans la société internationale : mélanges en hommage au professeur Paul Tavernier

Le regain d'intérêt actuellement porté à la relation entre ces deux branches du droit international tient sans doute au fait que des actions militaires ont fait l'objet d'un examen judiciaire sous l'angle des droits de l'homme dans le cadre de plusieurs affaires, nationales et internationales. Le présent article vise à établir que cette tendance est largement due à l'action des victimes, en quête d'un forum qui leur permettrait d'obtenir réparation en cas d'atteintes à leurs droits lors d'un conflit armé. La structure de l'article reflète les principaux éléments de différenciation entre ces deux branches distinctes du droit international. Ainsi, leur origine historique et leur mise en oeuvre judiciaire sont tout d'abord étudiées. L'examen porte ensuite sur l'application du droit des droits de l'homme, d'une part, et du droit humanitaire, d'autre part. Enfin est analysée l'application simultanée, dans la pratique, du droit international humanitaire et du droit des droits de l'homme.

345/635

Code de droit international humanitaire : textes réunis au 1er juin 2013 / par Eric David, Françoise Tulkens, Damien Vandermeersch ; avec la collab. de Sylvie Ruffenach. - 6e éd.. - Bruxelles : Bruylant, 2013. - XXIII, 1042 p. : ill. ; 19 cm. - (Codes en poche). - Index. - ISBN 9782802741978

345.2/702 (FRE)

La Cour européenne des droits de l'homme et le droit international humanitaire / Eric David. - Bruxelles : Bruylant, 2013. - p. 1227-1248. - In: L'homme dans la société internationale : mélanges en hommage au professeur Paul Tavernier

Dès le début de ses activités, la Cour européenne des droits de l'homme a été confrontée à des problèmes de droits humains liés à des situations de conflit armé où le DIH aurait pu s'appliquer. Or, ce n'est que beaucoup plus tard et très progressivement, que la Cour a intégré le DIH dans ses arrêts. Ce chapitre examine la jurisprudence contemporaine de la Cour non pas tant à l'égard du DIH qu'à l'égard des situations qui en relevaient, afin de tenter une synthèse des attitudes de la Cour dans ce domaine. Si la Cour européenne des droits de l'homme n'est pas la gardienne du DIH, tantôt elle l'utilise comme instrument de mesure ou d'évaluation du respect des droits humains, tantôt elle le complète et le renforce, soit en appliquant la Convention européenne des droits de l'homme à des situations de conflit armé, soit en l'utilisant de telle manière qu'elle contribue au respect des valeurs portées par le DIH. Dans la jurisprudence de la Cour, le DIH remplit donc une fonction de catalyseur des arrêts de la Cour et, réciproquement, la Convention devient un complément ou un adjuvant précieux au DIH et à son respect.

345/635

La Cour européenne des droits de l'homme et le droit international humanitaire : de la réticence à l'utilisation assumée / Marina Eudes. - Bruxelles : Bruylant, 2013. - p. 1249-1254. - In: L'homme dans la société internationale : mélanges en hommage au professeur Paul Tavernier

Ce chapitre résume brièvement l'évolution de la jurisprudence de la Cour européenne des droits de l'homme. Au départ d'une réticence initiale indéniable à l'égard du DIH, elle laisse

récemment place à une certaine reconnaissance de la pertinence de ce corpus juridique.
345/635

Droit international des droits de l'homme, droit international humanitaire et droit international pénal, vers la confusion des branches ? / Hélène Tigroudja. - Bruxelles : Bruylant, 2013. - p. 1465-1487. - In: L'homme dans la société internationale : mélanges en hommage au professeur Paul Tavernier

Les liens entre le droit international des droits de l'homme et le droit international humanitaire est manifeste et se constate au travers de l'humanitarisation du premier et de l'humanisation du second, phénomènes expliqués par cette contribution. Cependant, le droit international pénal et le droit international des droits de l'homme sont également devenu perméables l'un à l'autre. Ainsi le droit international pénal intègre le respect des droits de l'homme, particulièrement dans la procédure pénale internationale au travers du droit de l'accusé à un procès équitable et les juridictions pénales internationales utilisent le droit international des droits de l'homme dans la définition du droit international pénal matériel. De leur côté, les organes des droits de l'homme utilisent aujourd'hui le droit international pénal pour juger certaines affaires.

345/635

Droit international humanitaire : un régime spécial de droit international ? / sous la dir. de Raphaël van Steenberghe ; préf. de Bruno Simma. - Bruxelles : Bruylant, 2013. - XIV, 352 p. ; 24 cm. - (Organisation internationale et relations internationales ; 71). - Bibliographie : p. 333-346. - ISBN 9782802740629

Dans le cadre de ses travaux relatifs à la fragmentation du droit international et, en particulier, à l'existence de régimes juridiques « autonomes » ou « spéciaux », la Commission du droit international a identifié le droit international humanitaire comme l'un des exemples de régime qui se distinguerait en droit international par sa spécificité fonctionnelle. L'objectif du présent ouvrage est notamment de fournir des éclaircissements sur la signification de cette qualification. Après avoir circonscrit les contours de la notion de régime spécial en droit international, l'ouvrage s'interroge sur les éventuelles spécificités du droit international humanitaire tant par rapport au « système général », c'est-à-dire aux règles secondaires du droit international général, que par rapport à d'autres « sous-systèmes », tels que le droit international pénal, les droits de l'homme ou le droit international de l'environnement. Cette analyse entend cerner au mieux les rapports existant entre le droit international humanitaire et les autres systèmes – général ou spéciaux – de droit international et se prononcer ainsi sur la question sous-jacente de l'« autonomisation » de ce droit. Elle montre que, loin de produire une « cacophonie » au sein de l'ordre juridique international, cet enchevêtrement de différents systèmes relevant de cet ordre s'apparente le plus souvent à une « polyphonie » harmonieuse.

345.2/941

L'étude sur le droit international coutumier : les voies d'une normativité en action / Sandra Szurek. - Bruxelles : Bruylant, 2013. - p.1447-1464. - In: L'homme dans la société internationale : mélanges en hommage au professeur Paul Tavernier

Ce chapitre commente le double apport de l'Etude de droit international humanitaire coutumier de 2005: L'enrichissement et la mise à jour nécessaire des sources matérielles du droit international humanitaire d'une part et la portée au grand jour du processus coutumier. L'Etude montre que le droit international humanitaire actuel est largement le produit non seulement de l'action des Etats, mais encore de celle des Nations unies et des juridictions internationales. De plus, le système de recensement de la pratique opéré par l'Etude est un exercice doctrinal inédit qui pourrait servir de modèle dans d'autres domaines de l'ordre juridique international marqué par une apparente fragmentation ou du moins, un éparpillement des normes de droit international.

345/635

The Geneva Convention of 1949 : a lecture delivered at the Naval War college on 16 September 1955 / Richard Baxter. - Oxford : Oxford University Press, 2013. - p.107-120. - In: Humanizing the laws of war : selected writings of Richard Baxter. - Article également publié dans : Naval War college review, vol. VIII, no 5, January 1956

345.2/939

The geography of the battlefield : a framework for detention and targeting outside the "hot" conflict zone / Jennifer C. Daskal. - In: University of Pennsylvania law review, Vol. 161, issue 5, April 2013, p. 1165-1234. - Photocopies
345.26/235 (Br.)

The handbook of international humanitarian law / ed. by Dieter Fleck ; in collab. with Knut Dörmann... [et al.]. - 3rd ed.. - Oxford : Oxford University Press, 2013. - LII, 714 p. ; 25 cm. - Index. - ISBN 9780199658800

Ouvrage en 14 parties : 1. Historical development and legal basis. 2. Scope of application of humanitarian law. 3. Combatants and non-combatants. 4. Methods and means of combat. 5. Protection of the civilian population. 6. Protection of the wounded, sick and shipwrecked. 7. Protection of prisoners in armed conflict. 8. Protection of religious personnel. 9. Protection of cultural property. 10. The law of armed conflict at sea. 11. The law of neutrality. 12. The law of non-international armed conflicts. 13. The law of international peace operations. 14. Implementation and enforcement of international humanitarian law.
345.2/638 (2013 ENG)

International humanitarian law and human rights law / Matthew Happold. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 444-466. - In: Research handbook on international conflict and security law : jus ad bellum, jus in bello and jus post bellum
355/1002

International humanitarian law code : texts up to 1 June 2013 / by Eric David, Françoise Tulkens, Damien Vandermeersch ; in collab. with Sylvie Ruffenach. - Bruxelles : Bruylant, 2013. - XXIII, 1022 p. : ill. ; 19 cm. - (Codes en poche). - Index. - ISBN 9782802739920
345.2/702 (ENG)

Jus ad bellum, jus in bello et droits de l'homme / William A. Schabas. - Bruxelles : Bruylant, 2013. - p. 1417-1427. - In: L'homme dans la société internationale : mélanges en hommage au professeur Paul Tavernier

Ce chapitre revient sur les difficultés importantes liées à la compréhension du rapport entre le droit international humanitaire et le droit international des droits de l'homme qui persistent, et particulièrement l'application de la théorie de la Lex specialis. Tout d'abord, l'auteur constate que si le raisonnement la Cour internationale de justice est fondé sur la théorie de la Lex Specialis, elle n'a en réalité pas trouvé nécessaire d'écarter le droit international des droits de l'homme avec un norme de droit international humanitaire mais a plutôt effectué une réconciliation entre les deux systèmes. Il analyse ensuite l'interprétation de la notion d'"atteinte arbitraire" à la vie du Pacte international relatif aux droits civils et politiques. Si la théorie de la lex specialis est adoptée, le sens du mot "arbitraire" est évalué à la lumière de la norme de droit humanitaire, or la protection offerte par le droit humanitaire est plus nuancée étant donné que le but de la guerre est de porter atteinte à la vie des combattants. Enfin, il note qu'il n'est ni nécessaire ni souhaitable que les droits de l'homme ignorent la question de la légalité du recours à la force meurtrière en temps de conflit armé. Or la théorie de la lex specialis nous amène à écarter le débat sur le jus ad bellum car on ne s'interroge pas sur le but légitime du combattant sous le régime du droit humanitaire car cela risque de menacer l'efficacité du jus in bello.

345/635

Jus ad/contra bellum / Vaio Koutroulis. - Bruxelles : Bruylant, 2013. - p. 157-194. - In: Droit international humanitaire : un régime spécial de droit international ?

Ce chapitre traite de la question des relations entre le jus contra bellum et le jus in bello afin de déterminer si ces deux branches du droit international sont complètement indépendantes l'une de l'autre ou si, au contraire, elles s'influencent réciproquement et, le cas échéant, si cette influence aboutit à leur (con)fusion comme l'affirment de manière récurrente certaines théories. La première section est consacrée à l'étude de la relation d'indépendance existant entre le jus contra bellum et le jus in bello, qui constitue la caractéristique principale des rapports entre les deux corps de règles. La deuxième section confronte les champs d'application ratione materiae respectifs du jus contra bellum et du jus in bello afin d'identifier leur liens éventuels. La section trois étudie en profondeur les notions de nécessité et de proportionnalité qui sont souvent présentées comme formant des "ponts" permettant une certaine interaction entre ces deux

corps de règles. Cette double étude des points de contact permettra de déterminer s'il convient de remettre en question la séparation entre le jus contra bellum et le jus in bello.
345.2/941

The law of war in the Arab-Israeli conflict : on water and on land / Richard Baxter. - Oxford : Oxford University Press, 2013. - p. 195-209. - In: Humanizing the laws of war : selected writings of Richard Baxter. - Article également publié dans : Towson state journal of international affairs, vol. VI, no 1, fall 1971
345.2/939

Protected persons in international armed conflicts / Tom Ruys and Christian De Cock. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 375-420. - In: Research handbook on international conflict and security law : jus ad bellum, jus in bello and jus post bellum
355/1002

Rapports entre le droit international humanitaire et le droit international des droits de l'homme / Pavel Sturma. - Bruxelles : Bruylant, 2013. - p. 1430-1446. - In: L'homme dans la société internationale en hommage au professeur Paul Tavernier
Les règles du droit international humanitaire (DIH) et du droit international des droits de l'homme (DIDH) présentent des traits différents qui concernent leurs sources, leurs sujets, leur portée d'application, ainsi que leurs objets et leurs buts. Cette contribution s'attarde sur l'applicabilité ratione temporis de qui appartient aux critères de différenciation des règles du DIH et du DIDH. Si des dérogations permettent à l'Etat de suspendre quelques dispositions des traités internationaux des droits de l'homme, certains droits de l'homme sont indérogeables et s'appliquent donc en toute circonstances, se chevauchant ainsi avec des règles du DIH. Il y a cependant des situations où certains droits de l'homme sont suspendus alors que les règles de DIH ne sont pas encore applicables, il s'agit des troubles intérieurs et des tensions internes pour lesquels l'auteur explique en quoi consiste la lacune en droit. Il analyse ensuite l'apport de la justice internationale dans des cas concernant les droits de l'homme dans les conflits armés.
345/635

Responsabilité internationale / Pierre d'Argent. - Bruxelles : Bruylant, 2013. - p.103-149. - In: Droit international humanitaire : un régime spécial de droit international ?
La question posée dans ce chapitre est celle de savoir si, ou dans quelle mesure, les violations du droit humanitaire emportent l'application de règles de responsabilité particulières par rapport aux règles habituelles du droit de la responsabilité internationale, entendu comme régime secondaire dont l'application est déclenchée par la violation, par un Etat, de normes primaires. L'objectif de cette question est de mettre en lumière, sous l'angle du droit général de la responsabilité - et à l'exclusion donc également de la responsabilité pénale individuelle -, une éventuelle spécificité du droit humanitaire qui permettrait d'en affirmer le caractère spécial en tant que sous-système au sein de l'ordre juridique international ou, au contraire, de conclure à une absence de particularité à cet égard. Cette contribution s'articule autour de quatre développements: l'origine de l'affirmation de la responsabilité internationale de l'Etat pour violation du droit humanitaire, la particularité de ce droit en matière d'attribution du fait de l'Etat, l'émergence du droit des victimes des violations du droit humanitaire à obtenir réparation et l'affirmation de formes particulières de réparation.
345.2/941

Théorie des sources / Jean d'Aspermont. - Bruxelles : Bruylant, 2013. - p. 73-101. - In: Droit international humanitaire : un régime spécial de droit international ?
La méthode d'établissement du droit international coutumier a été l'objet d'importantes controverses et ce sont les difficultés méthodologiques liées à la l'établissement des règles coutumières qui sont analysées ici, en ce qu'elles illustrent les raisons, les manifestations et les enjeux de l'autonomisation du droit humanitaire. Après quelques observations générales sur la théorie des sources du droit international, ce chapitre formule certaines remarques sur les enjeux théoriques et pratiques de la détermination des règles du droit humanitaire qui revêtent un caractère coutumier. Il s'attarde ensuite sur les difficultés qui ont entouré la détermination du droit humanitaire coutumier, notamment dans la jurisprudence des tribunaux ad hoc ou à l'occasion de l'étude du CICR avant de formuler quelques considérations critiques sur la

question de l'autonomie du régime des sources du droit humanitaire - et la fragmentation corrélative de la théorie générale.
345.2/941

Das Verhältnis von humanitärem Völkerrecht und Menschenrechten aus historischer Perspektive (1863-1977) / Gregor Schotten. - In: Humanitäres Völkerrecht : Informationsschriften = Journal of international law of peace and armed conflict, Vol. 26, 3/2013, p. 112-115

INTERNATIONAL HUMANITARIAN LAW-CONDUCT OF HOSTILITIES

Analogy at war : proportionality, equality and the law of targeting / Gregor Noll. - In: Netherlands yearbook of international law, Vol. 43, 2012, p. 205-230. - Photocopies
345.25/286 (Br.)

Beyond the Call of Duty : why shouldn't video game players face the same dilemmas as real soldiers ? / Ben Clarke, Christian Rouffaer and François Sénéchaud. - In: International review of the Red Cross, Vol. 94, no. 886, Summer 2012, p. 711-737 : fotogr.
Video games are influencing users' perceptions about what soldiers are permitted to do during war. They may also be influencing the way combatants actually behave during today's armed conflicts. While highly entertaining escapism for millions of players, some video games create the impression that prohibited acts, such as torture and extrajudicial killing are standard behaviour. The authors argue that further integration of international humanitarian law (IHL) can improve knowledge of the rules of war among millions of players, including aspiring recruits and deployed soldiers. This, in turn, offers the promise of greater respect for IHL on tomorrow's battlefields.

Contemporary legal doctrine on proportionality in armed conflicts : a select review / Ben Clarke. - In: Journal of international humanitarian legal studies, Vol. 3, issue 2, 2012, p. 391-414

In an attempt to impose limits on the level of acceptable incidental civilian suffering during armed conflict, international humanitarian law (IHL) articulates a proportionality formula as the test to determine whether or not an attack is lawful. Efforts to comply with that formula during the conduct of hostilities can involve a host of legal and operational challenges. A recent international conference in Jerusalem, co-sponsored by the delegation of the ICRC in Israel and the Occupied Territories and the Minerva center for human rights at the Hebrew university of Jerusalem, brought together human rights lawyers, military experts and scholars from a variety of disciplines to assess recent developments relating to the proportionality principle in international humanitarian law. This report examines ten conference presentations which offer important insights into: the nature, scope of application and operational requirements of the proportionality principle under IHL; the modalities of investigation and review of proportionality decisions or the challenges involved in proportionality decision-making.

Contextualizing military necessity / Nobuo Hayashi. - In: Emory international law review, vol. 27, issue 1, 2013, p. 189-283. - Photocopies

Modern theories correctly reject the *Kriegsriison* doctrine, according to which the laws of war do not override the necessities of war and it is rather the latter that override the former. One such theory holds that unqualified rules of international humanitarian law ("IHL") exclude military necessity being invoked *de novo* as a ground for deviation therefrom, yet not as a ground for additional restraint thereon. This theory-let us call it "*counter Kriegsriison*"-is unacceptable for two reasons. First, in none of the three pertinent contexts does military necessity restrict or prohibit militarily unnecessary conduct *per se*. Seen in a strictly material context of war-fighting, military necessity merely embodies a truism that it is in one's strategic self-interest to pursue what is materially conducive to success and that it is similarly in one's strategic self-interest to avoid what is not so conducive. Nor, in the context of IHL norm-creation, does military necessity give the law reason to forbid or limit given conduct. Unnecessary evil does, but unnecessary simpliciter does not, mean illegitimate. In positive international humanitarian law, military necessity functions exclusively as an exceptional clause. If not, or no longer, militarily necessary, deviant conduct simply reverts to being governed by the principal rule. It is the principal rule, rather than the military non-necessity of the conduct or the now inoperative exceptional clause, that renders such conduct unlawful. The second reason for which counter-

Kriegsriison is untenable is the same reason for which Kriegsriison is untenable. Positive international humanitarian law has already "accounted for" military necessity. This means that no relevant element of military necessity has survived the process of IHL norm-creation and may consequently be invoked de novo vis-a-vis unqualified rules once this process has validly posited them. Where given conduct is unlawful according to a validly posited IHL rule of an unqualified character, then, even if the conduct constitutes material military necessity, invoking it does not "repair" or "right" the conduct's unlawfulness. Conversely, where given conduct is unqualifiedly lawful according to the applicable rule of positive international humanitarian law, the conduct's lack of material military necessity does not "wrong" or "vitate" its otherwise conclusive lawfulness.

345.25/283 (Br.)

The evitability of autonomous robot warfare / Noel E. Sharkey. - In: International review of the Red Cross, Vol. 94, no. 886, Summer 2012, p. 787-799

This is a call for the prohibition of autonomous lethal targeting by free-ranging robots. This article will first point out the three main international humanitarian law (IHL)/ethical issues with armed autonomous robots and then move on to discuss a major stumbling block to their evitability: misunderstandings about the limitations of robotic systems and artificial intelligence. This is partly due to a mythical narrative from science fiction and the media, but the real danger is in the language being used by military researchers and others to describe robots and what they can do. The article will look at some anthropomorphic ways that robots have been discussed by the military and then go on to provide a robotics case study in which the language used obfuscates the IHL issues. Finally, the article will look at problems with some of the current legal instruments and suggest a way forward to prohibition.

"Excessive" ambiguity : analysing and refining the proportionality standard / Jason Wright. - In: International review of the Red Cross, Vol. 94, no. 886, Summer 2012, p. 819-854 : tabl.

This article analyses the jus in bello proportionality standard under international humanitarian law to assist judge advocates and practitioners in achieving a measure of clarity as to what constitutes 'excessive' collateral damage when planning or executing an attack on a legitimate military objective when incidental harm to civilians is expected. Applying international humanitarian law, the author analyses existing US practice to evidence the need for states to adopt further institutional mechanisms and methodologies to clarify targeting principles and proportionality assessments. A subjective-objective standard for determining 'excessive' collateral damage is proposed, along with a seven-step targeting methodology that is readily applicable to the US, and all other state and non-state actors engaged in the conduct of hostilities.

Get off my coud : cyber warfare, international humanitarian law, and the protection of civilians / Cordula Droege. - In: International review of the Red Cross, Vol. 94, no. 886, Summer 2012, p. 533-578

Cyber warfare figures prominently on the agenda of policymakers and military leaders around the world. New units to ensure cyber security are created at various levels of government, including in the armed forces. But cyber operations in armed conflict situations could have potentially very serious consequences, in particular when their effect is not limited to the data of the targeted computer system or computer. Indeed, cyber operations are usually intended to have an effect in the 'real world'. For instance, by tampering with the supporting computer systems, one can manipulate an enemy's air traffic control systems, oil pipeline flow systems, or nuclear plants. The potential humanitarian impact of some cyber operations on the civilian population is enormous. It is therefore important to discuss the rules of international humanitarian law (IHL) that govern such operations because one of the main objectives of this body of law is to protect the civilian population from the effects of warfare. This article seeks to address some of the questions that arise when applying IHL – a body of law that was drafted with traditional kinetic warfare in mind – to cyber technology. The first question is: when is cyber war really war in the sense of 'armed conflict'? After discussing this question, the article goes on to look at some of the most important rules of IHL governing the conduct of hostilities and the interpretation in the cyber realm of those rules, namely the principles of distinction, proportionality, and precaution. With respect to all of these rules, the cyber realm poses a number of questions that are still open. In particular, the interconnectedness of cyber space

poses a challenge to the most fundamental premise of the rules on the conduct of hostilities, namely that civilian and military objects can and must be distinguished at all times. Thus, whether the traditional rules of IHL will provide sufficient protection to civilians from the effects of cyber warfare remains to be seen. Their interpretation will certainly need to take the specificities of cyber space into account. In the absence of better knowledge of the potential effects of cyber warfare, it cannot be excluded that more stringent rules might be necessary.

A legal assessment of the US drone strikes in Pakistan / Shakeel Ahmad. - In: International criminal law review, Vol. 13, issue 4, 2013, p. 917-930

While assessing the legality of the US drone strikes in Pakistan, this article takes into account the nature of armed conflict which has potential to be converted into an international armed conflict (IAC) from a non-international armed conflict (NIAC). The growing trust-deficit between Pakistan and the US is catalyst for determination of nature of armed conflict. The arguments based on tacit consent of Pakistan no longer stands valid after a clear protest by Pakistani officials at national, bilateral and international level. It also examines the observance of the rules of International Humanitarian Law (IHL) in comparison with official US statements. Continued drone strikes are now being considered as counter-productive and resulting in increased suicide bombing in various cities of Pakistan. The author suggests a collaborative effort by considering other social, political and economic factors to minimize the violation of IHL for desired results.

Legal regulation of belligerent reprisals in international humanitarian law : historical developement and present status / Brian Sang YK. - In: African yearbook on international humanitarian law, 2012, p. 134-184

Légalité et légitimité des drones armés / par Jean-Baptiste Jeangène Vilmer. - In: Politique étrangère, Vol. 78, 3, automne 2013, p. 119-132

Les drones armés passent pour illégaux au regard du droit international humanitaire. Ils ne sont, en réalité, que les instruments nouveaux de guerres qui s'opèrent de plus en plus à distance de l'adversaire ; et ils permettent même sans doute des frappes plus discriminées que des armes plus classiques. Leur automatisation croissante pose, par contre, nombre de questions que de nouvelles réglementations internationales se doivent de prendre en compte.

Limiting the killing in war : military necessity and the St. Petersburg Assumption / Janina Dill and Henry Shue. - In: Ethics and international affairs, Vol. 26, no. 3, 2012, p. 311-333. - Photocopies
345.25/288 (Br.)

Military necessity as normative indifference / Nobuo Hayashi. - In: Georgetown journal of international law, Vol. 44, issue 2, 2013, p. 675-782. - Photocopies

What does it mean to say that international humanitarian law (IHL) "accounts for" military necessity? According to one theory, unqualified IHL rules exclude not only military necessity pleas but also humanity pleas in support of deviant behavior. Three propositions underpin this view. They are, first, that military necessity generates imperatives; second, that the imperatives emanating from military necessity inevitably conflict with those emanating from humanity; and third, that all positive IHL rules embody the military necessity-humanity interplay in the process of their norm-creation. In lieu of what may be termed an "inevitable conflict" thesis, this Article proposes and develops a "joint satisfaction" thesis. In the process of IHL norm-creation, military necessity does not furnish the law with reason to obligate or forbid given conduct. Rather, it only generates permissions. It not only robustly permits pursuing military necessities and avoiding non-necessities; it also permits, albeit moderately, forgoing success and inviting failure. In other words, military necessity is normatively indifferent. By acting as non-indifferently exhorted or demanded by humanity, the belligerent never acts in a manner affirmatively contrary to what military necessity indifferently permits. Where both humanitarian exhortations or demands and military necessity's indifferent permissions are at stake, one always jointly satisfies them by acting in accordance with the former. When the framers of IHL validly posit an unqualified rule regarding given conduct, the rule does two things. First, it unqualifiedly obligates the pursuit of joint military necessity-humanity satisfaction with respect to the conduct in question. Second, this rule extinguishes any indifferent permission, including that emanating from military necessity, not to pursue the said satisfaction. It is for this reason, rather than the empirically troublesome claim that every positive IHL rule embodies the military necessity-humanity

interplay, that unqualified IHL rules admit no military necessity and other de novo indifference pleas. The same does not necessarily hold for non-indifference considerations. It is possible that these latter considerations may survive the process of IHL norm-creation. The mere fact of an IHL rule being validly posited may not resolve the relatively rare, yet genuine, norm conflict that arises where the said rule unqualifiedly obligates certain action while humanity exhorts or demands contrary action.

345.25/284 (Br.)

Nanotechnology and challenges to international humanitarian law : a preliminary legal assessment / Hitoshi Nasu. - In: International review of the Red Cross, Vol. 94, no. 886, Summer 2012, p. 653-672

The introduction of nanotechnology into our civil life and warfare is expected to influence the application and interpretation of the existing rules of international humanitarian law. This article examines the challenges posed to international humanitarian law by the widespread use of nanotechnology in light of four basic rules of international humanitarian law: (1) the obligation to ensure the legality of weapons; (2) distinction; (3) proportionality; and (4) precaution. It concludes by identifying three areas of concern, which arise from widespread use of nanotechnology, for the application of international humanitarian law.

Pandora's box ? : drone strikes under jus ad bellum, jus in bello, and international human rights law / Stuart Casey-Maslen. - In: International review of the Red Cross, Vol. 94, no. 886, Summer 2012, p. 597-625

Armed drones pose a major threat to the general prohibition on the inter-state use of force and to respect for human rights. On the battlefield, in a situation of armed conflict, the use of armed drones may be able to satisfy the fundamental international humanitarian law rules of distinction and proportionality (although attributing international criminal responsibility for their unlawful use may prove a significant challenge). Away from the battlefield, the use of drone strikes will often amount to a violation of fundamental human rights. Greater clarity on the applicable legal regime along with restraints to prevent the further proliferation of drone technology are urgently needed.

Partiality and weighing harm to non-combatants / David Lefkowitz. - Leiden ; Boston : Brill, 2012. - p. 251-270. - In: Global justice and international affairs. - Photocopies
345.25/285 (Br.)

The power to kill or capture enemy combatants / Ryan Goodman. - In: European journal of international law = Journal européen de droit international, Vol. 24, no. 3, August 2013, p. 819-853

During wartime a critical legal question involves the scope of authority to choose whether to kill or capture enemy combatants. One view maintains that a combatant is lawfully subject to lethal force wherever the person is found – unless and until the individual offers to surrender. In contrast, this article concludes that important restraints on the use of deadly force were a part of the agreement reached by states and codified in the 1977 First Additional Protocol to the Geneva Conventions. When nations of the world focused their attention on balancing principles of humanity and military necessity, and making higher law, they agreed on two important sets of rules. Under Article 35, states agreed to prohibit the manifestly unnecessary killing of enemy combatants. And, under Article 41, they agreed that combatants who are completely defenceless, at the mercy of enemy forces, shall be considered hors de combat. – including alternative specifications of standards and burdens of proof. Nevertheless, the general constraint – and its key components – should be understood to have a solid foundation in the structure, rules, and practices of modern warfare.

Reflections on proportionality, military necessity and the Clausewitzian war / Rotem M. Giladi. - In: Israel law review, Vol. 45, issue 2, July 2012, p. 323-340. - Photocopies
345.25/287 (Br.)

Reicht das geltende Völkerrecht für Drohneneinsätze aus ? / Robert Frau. - In: Humanitäres Völkerrecht : Informationsschriften = Journal of international law of peace and armed conflict, Vol. 26, 3/2013, p. 130-136

Drohneinsätze sind am Völkerrecht zu messen. Das Friedensvölkerrecht sieht sich durch neue Kriegstechnologie nicht vor rechtliche Schwierigkeiten gestellt. Auch das humanitäre Völkerrecht bietet einen Rahmen, der Drohneinsätze befriedigend regelt. Dabei ist insbesondere der Unterscheidungsgrundsatz von Bedeutung. Ob das Verbot exzessiver Kollateralschäden verletzt wurde, ist dabei eine Einzelfallfrage. Die Frage der Anwendbarkeit von Menschenrechten ist umstritten - aber möglich.

Silent enim leges inter arma - but beware the background noise : domestic courts as agents of development of the law on the conduct of hostilities / Yaël Ronen. - In: *Leiden journal of international law*, Vol. 26, no. 3, 2013, p. 599-614

This article highlights the challenges to the operation of domestic courts as agents of development of the laws of armed conflict and particularly of the law on the conduct of hostilities. The first part of the article concerns the spillover from various branches of the laws of armed conflict to the law regarding the conduct of hostilities. The second part of the article addresses the structural constraints on domestic courts in deciding issues relating to the laws of armed conflict, focusing on the conflict between their role as guardians of national interests and their judicial commitment to protecting the individual. The cumulative effect of these characteristics of domestic litigation suggests that the laws of armed conflict, and particularly the law on the conduct of hostilities, are not necessarily well served by development through domestic jurisprudence.

Some legal challenges posed by remote attack / William Boothby. - In: *International review of the Red Cross*, Vol. 94, no. 886, Summer 2012, p. 579-595

Attacking from a distance is nothing new, but with the advent of certain new technologies, attacks can be undertaken in which the attacker remains very remote from the scene where force will be employed. This article analyses the legal issues raised by attacks employing, respectively, remotely piloted vehicles, autonomous attack technologies, and cyber capabilities. It considers targeting law principles and rules, including distinction, discrimination, proportionality, and the precautions rules, observes that they all apply to remote attack and proceeds to explore the challenges that arise from implementing the legal requirements. Due note is taken of states' legal obligation to review new weapons, methods and means of warfare, an obligation that reinforces the view that existing law will provide the prism through which these new attack technologies must be evaluated by states. The article then discusses how notions of liability apply in relation to remote attack, and considers whether it is depersonalization rather than remoteness in attack that is the critical legal issue.

Targeted killings : contemporary challenges, risks and opportunities / Sascha-Dominik Bachmann. - In: *Journal of conflict and security law*, Vol. 18, no. 2, Summer 2013, p. 259-288

The use of drones and other forms of targeted killings are being increasingly criticized at the international and domestic level. Before the backdrop of the most recent news that the United Nations has launched an inquiry into the overall legality of such a method of warfare and counterterrorism and its associated loss of civilian life, this article aims to give an overview on targeted killings as a means of warfare. The article asks what constitutes targeted killing and what distinguishes it from assassinations. It reflects on the safeguards, which are necessary to ensure the legality of the targeting process. This article further introduces the reader to an updated account of the use of Unmanned Combat Aircraft Systems, or 'drones', in targeted killings, employed as a means of warfare by the USA in its 'War on Terror'. The US drone campaign in Pakistan also raises questions in respect to State Sovereignty and potential violations of this central tenet of International Law. The article will also touch upon another field of global security, so called 'Hybrid Threats', where the use of targeted killing may have an operational military benefit as part of a holistic counterstrategy. It concludes with a sobering warning that while targeted killing operations may be an effective means of achieving short-term tactical goals within the scope of a wider operational objective, the unregulated and increased use of targeting killings by the USA in the 'War on Terror' would be both immoral as well as illegal in the long run.

Targeting with drone technology : humanitarian law implications / by Nils Melzer... [et al.] ; introd. remarks by Naureen Shah. - In: *Proceedings of the 105th annual meeting [of the] American Society of International Law*, 2011, p. 233-252

Targets / David Turns. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 342-374. - In: Research handbook on international conflict and security law : jus ad bellum, jus in bello and jus post bellum
355/1002

Who is a member ? : targeted killings against members of organized armed groups / David McBride. - In: Australian yearbook of international law, Vol. 30, 2013, p. 47-91. - Photocopies
345.29/195 (Br.)

Wound, capture, or kill : a reply to Ryan Goodman's "The power to kill or capture enemy combatants" / Michael N. Schmitt. - In: European journal of international law = Journal européen de droit international, Vol. 24, no. 3, August 2013, p. 855-861. - Contient également la réponse de Ryan Goodman à l'article de Michael N. Schmitt publié sous le titre : The power to kill or capture enemy combatants : a rejoinder to Michael N. Schmitt
This article examines two issues raised by Professor Goodman's article published in this volume of EJIL: (1) a purported obligation under international humanitarian law (IHL) to minimize harm to enemy fighters; and (2) a purported IHL duty to capture rather than kill when doing so is feasible in the circumstances. It notes that situations in which it is possible to wound rather than kill enemy fighters are rare on the battlefield. However, even when such circumstances do present themselves, there is no obligation under the extant IHL to do so. Similarly, there is no duty to capture rather than kill under the existing law. Nevertheless, the article offers an analysis that would extend hors de combat status to enemy fighters who have been effectively captured, thereby shielding them from attack. Accordingly, the approach would often arrive at the same conclusion as that proposed by Professor Goodman, albeit through a different legal lens. The article concludes by noting that although there is no 'capture-kill' rule in IHL, for operational and policy reasons, capture is usually preferred.

INTERNATIONAL HUMANITARIAN LAW-IMPLEMENTATION

L'application du droit international humanitaire dans la guerre urbaine : de Guernica à Gaza / par Michel Veuthey. - Nancy : Le Polémarque, 2013. - p. 109-144. - In: Conflits en zone urbaine

La guerre urbaine, sans être entièrement nouvelle, apporte des problématiques humanitaires, notamment concernant la continuité de l'adaptation du droit international humanitaire aux conflits urbains actuels. Après une brève analyse historique de la guerre urbaine contemporaine, ce chapitre étudie les principes de droit international humanitaire mis au défi aujourd'hui dans ces types de conflits: le principe général de limite des méthodes et moyens de guerre, les principes de distinction, de proportionnalité et de confiance (interdiction de la perfidie). L'auteur termine par quelques propositions relatives à la mise en oeuvre.
355/1000

Commissions of inquiry into armed conflict, breaches of the laws of war, and human rights abuses : process, standards, and lessons learned / by Philip Alston, Agnieszka Jachec Neale, Heidi Tagliavini. - In: Proceedings of the 105th annual meeting [of the] American Society of International Law, 2011, p. 81-94
Contient : Introduction : commissions of inquiry as human rights fact-finding tools / P. Alston. - Human rights fact-finding into armed conflict and breaches of the laws of war / A. Jachec Neale. - The August 2008 conflict in Georgia / H. Tagliavini

The crime and punishment of states / Gabriella Blum. - In: The Yale journal of international law, Vol. 38, issue 1, 2013, p. 57-122. - Photocopies
345.22/217 (Br.)

Documenting violations of international humanitarian law from space : a critical review of geospatial analysis of satellite imagery during armed conflicts in Gaza (2009), Georgia (2008), and Sri Lanka (2009) / Joshua Lyons. - In: International review of the Red Cross, Vol. 94, no. 886, Summer 2012, p. 739-763 : fotogr., carte
Since the launch of the first commercial very high resolution satellite sensor in 1999 there has been a growing awareness and application of space technology for the remote identification of

potential violations of human rights and international humanitarian law. As examined in the three cases of armed conflict in Gaza, Georgia, and Sri Lanka, analysis of satellite imagery was able to provide investigators with independent, verifiable, and compelling evidence of serious violations of international humanitarian law. Also examined are the important limitations to such imagery-based analysis, including the larger technical, analytical, and political challenges facing the humanitarian and human rights community for conducting satellite-based analysis in the future.

Forces for compliance with the law of war / Richard Baxter. - Oxford : Oxford University Press, 2013. - p. 149-166. - In: Humanizing the laws of war : selected writings of Richard Baxter. - Article également publié dans : Proceedings of the American Society of international law at its annual meeting (1921-1969), vol. 58, "Causing compliance with international law", April 23-25, 1964
345.2/939

Implementation of international humanitarian law in Tanzania : a legal enquiry / Khoti Kamanga. - In: African yearbook on international humanitarian law, 2012, p. 40-63 : tabl. At the core of this paper are three fundamental questions that arise in respect of Tanzania. First is whether the Geneva Conventions (and other relevant treaties) have been signed, ratified and "domesticated". Secondly, is the identification of the core, fundamental obligations arising from "expressing consent to be bound" by the Geneva Conventions and their Additional Protocols. Thirdly, to examine the extent to which, if any, in Tanzania, as a State Party, has honoured its treaty obligations. In pursuing the aforementioned three question, and to give a regional dimension, the corresponding situation in two of Tanzania's neighbours; that is, Kenya and Uganda, is given, even if in respect to only select national implementation measures.

Imprescriptibilité des crimes de guerre : réflexions à partir d'un cas concernant la Turquie / Melike Batur Yamaner ; Emre Öktem. - Bruxelles : Bruylant, 2013. - p. 1171-1184. - In: L'homme dans la société internationale : mélanges en hommage au professeur Paul Tavernier

L'imprescriptibilité des crimes de guerre a toujours été un thème de débat fort controversé en droit international, notamment depuis la Seconde Guerre Mondiale. Toutefois, la doctrine turque s'y était peu intéressée, probablement en raison du fait que, depuis 1945, ce pays n'avait eu qu'une expérience limitée de conflits armés, à savoir la guerre de Corée (1950) et l'intervention à Chypre (1974). C'est justement en relation avec ce dernier conflit que la justice turque a dû s'interroger, de manière bien tardive et inattendue, sur l'imprescriptibilité des crimes de guerre. La complexité, aussi bien factuelle que juridique de l'affaire, invite à l'analyse. Le génocide, les crimes contre l'humanité et les crimes de guerre constituent des catégories distinctes en tant qu'infractions graves aux Conventions de Genève. Or le nouveau Code Pénal prévoit l'imprescriptibilité pour le génocide et les crimes contre l'humanité, alors qu'il l'omet en ce qui concerne les crimes de guerre. Le choix du législateur est-il délibéré? En tout cas, ce choix est clair: les crimes de guerre ne sont pas imprescriptibles. Il serait superflu d'affirmer que le droit pénal est hermétiquement clos à tout raisonnement par analogie à plus forte raison quand l'analogie opère directement au détriment de l'accusé.

345/635

Reparation and compensation / Natalino Ronzitti. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 638-659. - In: Research handbook on international conflict and security law : jus ad bellum, jus in bello and jus post bellum
355/1002

Sailing close to the wind : human rights council fact-finding in situations of armed conflict : the case of Syria / Thilo Marauhn. - In: California western international law journal, Vol. 43, issue 2, Spring 2013, p. 401-459. - Photocopies
345.22/218 (Br.)

Sixty years in the making, better late than never ? : the implementation of the geneva conventions act / Christopher Gevers, Alan Wallis and Max du Plessis. - In: African yearbook on international humanitarian law, 2012, p. 185-200

The use of force for humanitarian purposes / Christine Gray. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 229-255. - In: Research handbook on international conflict and security law : jus ad bellum, jus in bello and jus post bellum
355/1002

Vers un droit des victimes des conflits armés à la réparation pour les violations du droit international humanitaire ? / Veronika Bílková. - Bruxelles : Bruylant, 2013. - p. 1203-1225. - In: L'homme dans la société internationale : mélanges en hommage au professeur Paul Tavernier

Cet article s'efforce de démontrer qu'un droit justiciable des victimes des conflits armés à la réparation pour violation du droit international humanitaire est en train de se former graduellement sur le plan international. Le processus de cette formation, reflétant les tendances plus générales de l'individualisation et l'humanisation du droit international, est pourtant assez compliqué. L'existence d'un droit individuel à la réparation peut difficilement être induite des sources traditionnelles, conventionnelles ou coutumières du DIH qui sont, dans le meilleur cas, ambivalentes à cet égard. Les partisans de ce droit, qui se recrutent surtout dans les milieux académiques et les ONG humanitaires, sont ainsi obligés d'avoir recours à un raisonnement largement déductif, fondant l'existence du droit individuel à la réparation sur les principes généraux du droit international. La pratique internationale n'accepte et ne suit cette approche que progressivement et avec une certaine hésitation, causée non seulement par un volontarisme juridique excessif ou la crainte de conséquences politiques et économiques, mais plutôt aussi par des incertitudes liées aux paramètres de la nouvelle règle.
345/635

INTERNATIONAL HUMANITARIAN LAW-LAW OF OCCUPATION

Expert opinion on the participation of residents of area C of the occupied Palestinian territory of the West Bank in the planning process re housing / Max du Plessis and Christopher Carl Gevers. - In: African yearbook on international humanitarian law, 2012, p. 201-221

Foreign territorial administration and international trusteeship over people : colonialism, occupation, the mandates and trusteeship arrangements, and international territorial administration / Ralph Wilde. - Cheltenham ; Northampton : E. Elgar, 2013. - p.547-571. - In: Research handbook on international conflict and security law : jus ad bellum, jus in bello and jus post bellum
355/1002

Occupation law during and after Iraq : the expedience of conservatism evidenced in the minutes and resolutions of the Iraqi Governing Council / Jordan E. Toone. - In: Florida journal of international law, Vol. 24, December 2012, p. 469-511. - Photocopies
345.28/104 (Br.)

INTERNATIONAL HUMANITARIAN LAW-TYPE OF ACTORS

Constitutional forms and some legal problems of international military command / Richard Baxter. - Oxford : Oxford University Press, 2013. - p. 73-105. - In: Humanizing the laws of war : selected writings of Richard Baxter. - Article également publié dans : The British year book of international law, vol. 29, 1952
345.2/939

General orders no. 100 : why the Lieber code's requirement for combatants to wear uniforms is still applicable for the protection of civilian populations in modern warfare / Robert Cummings. - In: Northern Kentucky law review, Vol. 39, no. 4, 2012, p. 785-805. - Photocopies
345.29/196 (Br.)

The issue of international humanitarian law applicability to recent UN, NATO and African Union peace operations (Libya, Somalia, Democratic Republic of Congo, Ivory Coast...) / Tristan Ferraro. - In: Recueils de la Société internationale de droit militaire et de droit de la guerre, 19, 2013, p. 315-323

Military outsourcing as a case study in the accountability and responsibility of power / Daniel Thürer and Malcolm MacLaren. - Utrecht : Eleven international, 2007. - p. 391-413. - In: The law of international relations : liber amicorum Hanspeter Neuhold. - Photocopies 345.29/197 (Br.)

Observance of international humanitarian law by forces under the command of international organisations / Arne Willy Dahl. - In: Recueils de la Société internationale de droit militaire et de droit de la guerre, 19, 2013, p. 345-363

Observance of international humanitarian law by forces under the command of the European Union / Frederik Naert. - In: Recueils de la Société internationale de droit militaire et de droit de la guerre, 19, 2013, p. 373-404

Private military companies / Chia Lehnardt. - Cheltenham ; Northampton : E. Elgar, 2013. - p.421-443. - In: Research handbook on international conflict and security law : jus ad bellum, jus in bello and jus post bellum 355/1002

Théorie des sujets / Raphaël van Steenberghe. - Bruxelles : Bruylant, 2013. - p. 15-71. - In: Droit international humanitaire : un régime spécial de droit international ? D'aucuns sont enclins à considérer certains acteurs intervenant dans les situations de conflit armés (le CICR, les mouvements de libération nationale, les individus et les groupes armés) comme revêtant une personnalité juridique internationale et jouissant de certaines capacités liées à cette personnalité. Il convient de se demander si une telle position est conciliable avec la théorie générale des sujets, c'est-à-dire les règles générales du droit international fixant les conditions d'octroi de la personnalité juridique et de capacités internationales et si, dans la négative, on doit admettre l'existence d'une théorie spéciale des sujets, c'est-à-dire de règles spécifiques en cette matière, prévues par et pour le droit humanitaire. L'auteur distingue trois catégories d'acteurs. La première regroupe le CICR et les mouvements de libération nationale pour lesquels la qualité de sujet de droit international, largement reconnue dans le chef de ces deux acteurs, peut s'expliquer à l'aune de la théorie générale des sujets. La deuxième catégorie comprend les individus. L'auteur montre que les individus ne peuvent se voir reconnaître un tel statut que sur la base de théories souples, voire "élémentaires", des sujets. Enfin la troisième catégorie composée des groupes armés semble rendre une théorie spéciale des sujets difficilement contournable pour justifier dans le chef de ces acteurs la reconnaissance d'une personnalité juridique internationale. 345.2/941

INTERNATIONAL HUMANITARIAN LAW-TYPE OF CONFLICT

Between law and reality : "new wars" and internationalised armed conflict / Jed Odermatt. - In: Amsterdam law forum, Vol. 5, issue 3, Summer 2013, p. 19-32. - Photocopies 345.27/132 (Br.)

Civil war in Syria and the "new wars" debate / Artur Malantowicz. - In: Amsterdam law forum, Vol. 5, issue 3, Summer 2013, p. 52-60. - Photocopies 345.26/233 (Br.)

Cyber conflict and international humanitarian law / Herbert Lin. - In: International review of the Red Cross, Vol. 94, no. 886, Summer 2012, p. 515-531
Conflict in cyberspace refers to actions taken by parties to a conflict to gain advantage over their adversaries in cyberspace by using various technological tools and peoplebased techniques. In principle, advantages can be obtained by damaging, destroying, disabling, or usurping an adversary's computer systems ('cyber attack') or by obtaining information that the adversary would prefer to keep secret ('cyber espionage' or 'cyber exploitation'). A variety of actors have access to these tools and techniques, including nation-states, individuals, organized crime groups, and terrorist groups, and there is a wide variety of motivations for conducting cyber attacks and/ or cyber espionage, including financial, military, political, and personal. Conflict in cyberspace is different from conflict in physical space in many dimensions, and attributing hostile cyber operations to a responsible party can be difficult. The problems of defending against and deterring hostile cyber operations remain intellectually unresolved. The

UN Charter and the Geneva Conventions are relevant to cyber operations, but the specifics of such relevance are today unclear because cyberspace is new compared to these instruments.

The era of cyber warfare : applying international humanitarian law to the 2008 Russian-Georgian cyber conflict / Lesley Swanson. - In: Loyola of Los Angeles international and comparative law review, Vol. 32, no. 2, Spring 2010, p. 303-333. - Photocopies
345.26/237 (Br.)

Fundamental standards of humanity : how international law regulates internal strife / Tilman Rodenhäuser. - In: Humanitäres Völkerrecht : Informationsschriften = Journal of international law of peace and armed conflict, Vol. 26, 3/2013, p. 121-129
In recent years an unprecedented uprising of people against despotic regimes or masses standing up to claim fundamental rights can be witnessed. The "Arab Spring" is the most prominent example of such events. States regularly respond to internal disturbances or tensions by arresting large numbers of people or by using of excessive force. This article examines how international law addresses situations of internal disturbances, which do not amount to non-international armed conflicts. It essentially raises the question if fundamental standards of humanity exist that apply at all times and to all actors involved in internal violence - irrespective of the classification of the situation as an armed conflict or the invocation of a state of emergency. Due to the importance of the protection of detained people in such situations, this article focuses particularly on the prohibition or arbitrary detention, the right to fair trial and the right to humane treatment.

The Geneva Conventions of 1949 and wars of national liberation / Richard Baxter. - Oxford : Oxford University Press, 2013. - p. 277-285. - In: Humanizing the laws of war : selected writings of Richard Baxter. - Article également publié dans : International terrorism and political crimes / ed. by M. Cherif Bassiouni. - Thomas publishing, 1975
345.2/939

Human rights in war / Richard Baxter. - Oxford : Oxford University Press, 2013. - p. 341-346. - In: Humanizing the laws of war : selected writings of Richard Baxter. - Article également publié dans : Bulletin of the American academy of arts and sciences, vol. 31, no 2, November 1977
345.2/939

Ius in bello interno : the present and future law / Richard Baxter. - Oxford : Oxford University Press, 2013. - p. 259-276. - In: Humanizing the laws of war : selected writings of Richard Baxter. - Article également publié dans : Law and civil war in the modern world / ed. by John Norton Moore. - The John Hopkins University Press, 1974. (Cote : 345.27/65)
345.2/939

The law of war / Richard Baxter. - Oxford : Oxford University Press, 2013. - p. 233-247. - In: Humanizing the laws of war : selected writings of Richard Baxter. - Article également publié dans: The present state of international law and other essays : written in honour of the centenary celebration of the International Law Association : 1873 - 1973 / M. Bos. - Kluwer, 1973. (Cote : 345/472)
345.2/939

Localised armed conflict : a factual reality, a legal misnomer / Mutua Mangezi. - In: African yearbook on international humanitarian law, 2012, p. 79-97
The rise of the conflict in Syria was characterised by patterns of hostilities taking place in specific geographical locations in the country. Between May and July 2012, a number of statements from individuals within the ICRC suggested that the conflict in Syria could be classified as a non-international armed conflict in certain parts of Syria but not throughout the territory. These statements prompt a debate among academics on the geographical scope of international humanitarian law (IHL). The debate has sparked, among others, the following questions: What is the legal geography of armed conflict? Is the application of IHL only restricted to the battlefield? In times of armed conflict, should IHL be the only *lex specialis*? Is there such a thing as a global battlefield? Of particular interest is the birth of the notion of a localised armed conflict. Some academics have suggested that the ICRC's statements tend to

show a move towards a localised approach to the classification of armed conflicts. The central idea being that IHL only applies to the hot zone or battlefield and not throughout the territory of the State engaged in the conflict. It is this notion of a localised armed conflict that is the subject of this article

North Korea and cyberwarfare : how North Korea's cyber attacks violate the laws of war / Tom Papain. - In: Journal of Korean law, Vol. 11, no. 1, December 2011, p. 29-54. - Photocopies
345.26/238 (Br.)

Plucky little Russia : misreading the Georgian war through the distorting lens of aggression / Timothy William Waters. - In: Stanford journal of international law, Vol. 49, Winter 2013, p. 176-238. - Photocopies
345.26/236 (Br.)

Protecting Australian cyberspace: are our international lawyers ready ? / Stephen Tully. - In: Australian international law journal, Vol. 19, 2012, p. 49-77. - Photocopies
345.22/220 (Br.)

The relationship between a state and an organised armed group and its impact on the classification of armed conflict / Keiichiro Okimoto. - In: Amsterdam law forum, Vol. 5, issue 3, Summer 2013, p. 33-51. - Photocopies
345.27/131 (Br.)

'Restating the law "as it is" : on the Tallinn manual and the use of force in cyberspace / Lianne J. M. Boer. - In: Amsterdam law forum, Vol. 5, issue 3, Summer 2013, p. 4-18. - Photocopies
345.26/234 (Br.)

Searching for international rules applicable to cyber warfare : a critical first assessment of the new Tallinn Manual / Dieter Fleck. - In: Journal of conflict and security law, Vol. 18, no. 2, Summer 2013, p. 331-351

The new Tallinn Manual on International Law Applicable to Cyber Warfare represents an important professional achievement which is, however, less than comprehensive. The Manual deliberately focuses on (international and non-international) armed conflict, whereas the prohibition of intervention below the threshold of armed attack is not discussed in detail. Dealing with a phenomenon that may arise in future but has hardly occurred so far in the practice of states and non-state actors, the Manual refrains from addressing legal problems of cyber security outside armed conflicts in a systematic manner. It does so even at the risk of misunderstandings for users who may tend to military action in situations where such action would be unlawful, whereas law enforcement and political cooperation would be required. Relevant issues including state sovereignty and sovereign immunity, accountability for cyber operations, effects of armed conflicts on rules applicable in peacetime and criminal jurisdiction are of practical significance in the context of cyber operations and need to be further elaborated. As far as the *jus in bello* is concerned, the Manual explains important principles and rules as applicable to cyber warfare, but it also takes some controversial positions and thus challenges further efforts to develop best practice standards for the conduct of military operations, solve interoperability problems and address policy issues in a convincing manner. Efforts to improve cyber security in international cooperation deserve to be continued.

A taxonomy of armed conflict / Marko Milanovic and Vidan Hadzi-Vidanovic. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 256-314 : diagr.. - In: Research handbook on international conflict and security law : *jus ad bellum*, *jus in bello* and *jus post bellum*
355/1002

INTERNATIONAL ORGANIZATION-NGO

An introduction to the articles on the responsibility of international organisations / Arnold N. Pronto. - In: South African yearbook of international law, Vol. 36, 2011, p. 94-117. -

Photocopies
341.215/248 (Br.)

MEDIA

Résolution 1738 : la consécration par le Conseil de sécurité de la protection des journalistes et des médias en période de conflit armé / Alexandre Balguy-Gallois. - Bruxelles : Bruylant, 2013. - p. 1149-1169. - In: L'homme dans la société internationale : mélanges en hommage au professeur Paul Tavernier
En partie rédacteur de la Résolution 1738 sur la protection des journalistes en période de conflit armé adoptée à l'unanimité par le Conseil de sécurité le 23 décembre 2006, l'auteur commente cet instrument - le premier sur cette question - en présentant tout d'abord les circonstances dans lesquelles la résolution vit le jour, son contenu et les perspectives de développement du droit international humanitaire applicable aux journalistes.
345/635

NATIONAL RED CROSS AND RED CRESCENT SOCIETIES

The American Red Cross : from Clara Barton to the new deal / Marian Moser Jones. - Baltimore : The Johns Hopkins University Press, 2013. - XXVIII, 375 p., [20] p. de ill. ; 24 cm. - Index. - ISBN 9781421407388
SN/US/89

Im Zeichen der Menschlichkeit : Geschichte und Gegenwart des Deutschen Roten Kreuzes / Stefan Schomann. - München : Deutsche Verlags-Anstalt, 2013. - 383 p., [32] p. de fotogr. : portr., ill. ; 23 cm. - ISBN 9783421046093
SN/DE/76

PEACE

Land and post-conflict peacebuilding / ed. by Jon Unruh and Rhodri C. Williams. - Abingdon ; New York : Earthscan, 2013. - XVIII, 627 p. : cartes, graph., tabl., ill. ; 23 cm. - Bibliographies. Index. - ISBN 9781849712316
Contient notamment : Land : a foundation for peacebuilding / J. Unruh and R. C. Williams. - The Abyei territorial dispute between North and South Sudan : why has its resolution proven difficult ? / S. M. A. Salman. - Land issues in post-conflict return and recovery / S. Elhawary and S. Pantuliano. - Institutional aspects of resolving land disputes in post-conflict societies / P. van der Auweraert. - Lessons learned in land tenure and natural resource management in post-conflict societies / J. Unruh and R. C. Williams
172.4/256

Peace settlements and international law : from lex pacificatoria to jus post bellum / Christine Bell. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 499-546. - In: Research handbook on international conflict and security law : jus ad bellum, jus in bello and jus post bellum
355/1002

Peacekeeping or war-fighting ? / Nigel D. White. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 572-597. - In: Research handbook on international conflict and security law : jus ad bellum, jus in bello and jus post bellum
355/1002

PROTECTION OF CULTURAL PROPERTY

La tutela internazionale dei beni culturali nei conflitti armati / a cura di Paolo Benvenuti, Rosario Sapienza. - Milano : Giuffrè, 2007. - XII, 382 p. ; 24 cm. - (Università di Catania, pubblicazioni della Facoltà di giurisprudenza, Nuova serie ; 217). - ISBN 9788814140457
Il trascorrere di oltre cinque decenni dalla adozione della Convenzione dell'Aja del 14 maggio 1954 per la tutela dei beni culturali in tempo di conflitto armato e del suo Primo protocollo, nonché l'entrata in vigore, il 9 marzo 2004, del suo Secondo Protocollo (del 26 marzo 1999) che alle disposizioni generali riguardanti la protezione e alla "protezione speciale" ha affiancato una

"protezione rafforzata", sono stati l'occasione per riflettere su un settore di regolamentazione internazionale che ha assunto rilievo sempre più marcato nel periodo storico recente. Ne emerge un quadro ampio e variegato delle strategie di protezione dei beni culturali in caso di conflitti armati dove sinergicamente si integrano competenze statali e internazionali, schemi di protezione, livelli differenti di responsabilità.
363.8/79

PUBLIC INTERNATIONAL LAW

Apartheid, international law, and the occupied Palestinian territory / John Dugard and John Reynolds. - In: European journal of international law = Journal européen de droit international, Vol. 24, no. 3, August 2013, p. 867-913

Apartheid, international law, and the occupied Palestinian territory : a reply to John Dugard and John Reynolds / Yaffa Zilbershats. - In: European journal of international law = Journal européen de droit international, Vol. 24, no. 3, August 2013, p. 915-928

L'homme dans la société internationale : mélanges en hommage au professeur Paul Tavernier / sous la coordination générale de Jean-François Akandji-Kombé. - Bruxelles : Bruylant, 2013. - XXXIII, 1624 p. : tabl., portr. ; 24 cm. - ISBN 9782802738053
345/635

Internationally wrongful acts in the domestic courts : the contribution of domestic courts to the development of customary international law relating to the engagement of international responsibility / Simon Olleson. - In: Leiden journal of international law, Vol. 26, no. 3, September 2013, p. 615-642

The rules of customary international law governing when a state or international organization will be held to have committed an internationally wrongful act, thereby engaging its international responsibility, are relatively well settled in international practice and jurisprudence. A key point of reference in this regard is the work of the International Law Commission on State Responsibility and Responsibility of International Organizations. The present paper examines relevant practice of domestic courts from a variety of jurisdictions which have relied upon the ILC's work, and discusses the extent to which domestic courts may make a contribution to the further development of the rules relating to engagement of responsibility. It concludes that, due to the operation of rules of, inter alia, immunity and non-justiciability, the principal instance in which domestic courts may actually apply the rules of international law is where it is the responsibility of the forum state which is in issue.

Recognition of opposition groups as the legitimate representative of a people / Stefan Talmon. - In: Chinese journal of international law, vol. 12, issue 1, March 2013, p. 219-253 : tabl. - Photocopies
345/634 (Br.)

Self-defense against nonstate actors / Dapo Akande... [et al.]. - In: American journal of international law, Vol. 107, no. 3, July 2013, p. 563-585
Contient : Clarifying necessity, imminence, and proportionality in the law of self-defense / D. Akande and T. Liefänder. - The nonconsenting innocent state : the problem with Bethlehem's principle 12 / D. Tladi. - Are new principles really needed ? : the potential of the established distinction between responsibility for attacks by nonstate actors and the law of self-defense / M. Hmoud. - Principles of self-defense : a brief response / D. Bethlehem

State prosecution of terrorism and rebellion : a functional examination of the protection of civilians and the erosion of sovereignty / Graham Cronogue. - In: The comparative and international law journal of Southern Africa, Vol. 46, no. 1, March 2013. - Photocopies
This paper outlines a possibly emerging policy governing the transnational use of force. It contends that the Security Council has begun allowing, even calling for, the use of force in response to large-scale targeting of civilians. This new policy, by focusing on the threat to "civilians" instead of the Charter's express prohibition on the use of force and its fundamental respect for sovereignty, violates the cornerstones of the Charter system. While these considerations are facially incompatible with the Charter's principles governing force, they help provide a new framework for analysing how the Security Council will act regarding intervention

in today's security environment. The Security Council, due to its unique nature, small voting structure and the broad deference afforded it by states and under the Charter, has been able to respond to threats against civilians from transnational terrorism and state violence on a step-by-step basis. This paper pieces together some of these steps to show the Security Council is indeed using a new framework for the use of force that incorporates considerations outside those contemplated in the Charter.

345/636 (Br.)

Symposium on domestic courts as agents of development of international law / Antonio Tzanakopoulos... [et al.]. - In: Leiden journal of international law, Vol. 26, no. 3, September 2013, p. 531-665

Contient notamment : Domestic courts as agents of development of international immunity rules / R. van Alebeek. - Domestic courts and the content and implementation of state responsibility / S. Wittich. - Silent enim leges inter arma - but beware the background noise : domestic courts as agents of development of the law on the conduct of hostilities / Y. Ronen. - Internationally wrongful acts in the domestic courts : the contribution of domestic courts to the development of customary international law relating to the engagement of international responsibility / S. Olleson

The transformation of quantity into quality : critical mass in the formation of customary international law / William Thomas Worster. - In: Boston university international law journal, Vol. 31, issue 1, Spring 2013, p. 1-73. - Photocopies
345/637 (Br.)

REFUGEES-DISPLACED PERSONS

The return of displaced Nuer in Southern Sudan : women becoming men ? / Katarzyna Grabska. - In: Development and change, Vol. 44, no. 5, September 2013, p. 1135-1157. - Bibliographie : p. 1156-1157

Supervising the Refugee Convention / James C. Hathaway... [et al.]. - In: Journal of refugee studies, Vol. 26, no. 3, September 2013, p. 323-415 : tabl.. - Bibliographies
Contient : Roundtable on the future of Refugee Convention supervision. - Is there a need for better supervision of the Refugee Convention ? / K. O'Byrne. - Lessons from supervisory mechanisms in international and regional law / J. Whiteman and Claire Nielsen. - A proposal for enhanced supervision of the Refugee Convention / A. Blackham

SEA WARFARE

Agora : legal issues pertaining to vessel protection detachments and embarked private armed security teams / Matteo Tondini... [et al.]. - In: Revue de droit militaire et de droit de la guerre = The military law and law of war review = Tijdschrift voor militair recht en oorlogsrecht = Zeitschrift für Wehrrecht und Kriegsvölkerrecht = Rivista di diritto militare e di diritto della guerra = Revista de derecho militar y de derecho de la guerra, Vol. 51/1, 2012, p. 7-148
Contient : Some legal and non-legal reflections on the use of armed protection teams on board merchant vessels : an introduction to the topic / M. Tondini. - Embarking vessel protection detachments and private armed guards on board commercial vessels : international legal consequences and problems under the law of the sea / C. Symmons. - The use of force by military vessel protection detachments / K. Neri. - Military vessel protection detachments : the experience of the Netherlands / M. Zwanenburg. - Coastal state jurisdiction over vessel protection detachments and immunity issues : the Enrica Lexie case / V. Eboli and J. P. Pierini

Droit de la mer / Philippe Gautier. - Bruxelles : Bruylant, 2013. - p. 301-319. - In: Droit international humanitaire : un régime spécial de droit international ?
L'objectif de ce chapitre est d'examiner les rapports entre le droit humanitaire - en tant que sous-système composé de règles spéciales - et le sous-système que constitue le droit de la mer, en particulier les règles du droit de la mer applicables en cas de conflits armés. La première partie s'attarde sur les dispositions du droit de la mer qui s'appliquent en temps de conflit armé. La deuxième partie passe en revue quelques cas choisis d'incidents survenus au cours de conflits navals pour donner un aperçu des questions qui se posent lorsque des

tensions se manifestent entre les règles du droit de la mer et les règles de droit humanitaire.
345.2/941

The Gaza flotilla incident and the modern law of blockade / James Farrant. - In: Naval war college review, Vol. 66, no. 3, Summer 2013, p. 81-98. - Photocopies
347.799/147 (Br.)

International legal implications of Israel's attack on the Gaza aid flotilla / Sari Bashi... [et al.]. - In: Proceedings of the 105th annual meeting [of the] American Society of International Law, 2011, p. 463-475
Contient : Law and the Israeli attack on the humanitarian aid flotilla to Gaza / D. L. Khairallah. - Remarks by Sari Bashi, Sarah Weiss Ma'udi and Naz Modirzadeh

TERRORISM

El ciberespacio como arma de guerra : la preocupación española y europea ante la yihad / Victoriano Perruca Albadalejo. - In: Recueils de la Société internationale de droit militaire et de droit de la guerre, 19, 2012, p. 405-427. - Bibliographie : p. 424-427

A skeptical look at the concept of terrorism / Richard Baxter. - Oxford : Oxford University Press, 2013. - p. 211-217. - In: Humanizing the laws of war : selected writings of Richard Baxter. - Article également publié dans : Akrom law review, vol. 7:3, Spring 1974
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TORTURE

The ethics of interrogation : professional responsibility in an age of terror / Paul Lauritzen. - Washington : Georgetown University Press, 2013. - X, 227 p. ; 22 cm. - Bibliographie : p. 209-213. Index. - ISBN 9781589019720
323.2/196

WOMEN-GENDER

How far has the International Criminal Tribunal for Rwanda really come since Akayesu in the prosecution and investigation of sexual offences committed against women ? : an analysis of Ndindiliyimana et al. / Helen Trouille. - In: International criminal law review, Vol. 13, issue 4, 2013, p. 747-788
During the first trial before the International Criminal Tribunal for Rwanda (ICTR), that of Jean-Paul Akayesu, it became evident that many Tutsi and moderate Hutu women had been raped, that "rape was the rule and its absence was the exception". Although, initially, not a single charge of sexual violence was proffered against Akayesu, presiding Judge Navanethem Pillay interrupted the proceedings, allowing ICTR prosecutors to amend the indictment and include counts of rape and sexual violence. Akayesu subsequently became the first case to recognise the concept of genocidal rape. However, post-Akayesu, comparatively few defendants appearing before the ICTR have been convicted of sexual violence. An analysis of the recent case of Ndindiliyimana et al. reveals that major shortcomings beset the investigation and prosecution procedures, so that crimes of sexual violence go unpunished, although research suggests that adequate legislation is in place at the ICTR to prosecute rape and sexual violence successfully.