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ARMS

Les armes à sous-munitions en droit international humanitaire : enjeux et défis de leur interdiction / Annyssa Bellal et Stuart Casey-Maslen. - Bruxelles : Bruylant, 2013. - p. 491-525. - In: Permanence et mutation du droit des conflits armés

Cet article aborde d'abord les caractéristiques des armes à sous-munitions (section I) ainsi que les principes généraux de droit humanitaire qui les régissent (section II). Les Etats ont estimé nécessaire de lancer un processus de négociation, aboutissant à de nouvelles règles stipulées dans la Convention sur les armes à sous-munitions, qui est examinée en détail (section III). Finalement, l'article s'attarde brièvement sur les autres règles spécifiques de droit international humanitaire qui abordent également la question (section IV).

345.2/945

Les armes nouvelles non létales en jus in bello : le cas des agents psychotropes / David Cumin. - Bruxelles : Bruylant, 2013. - p. 453-489. - In: Permanence et mutation du droit des conflits armés

345.2/945

Arms transfers to the Syrian Arab Republic : practice and legality / Mélanie De Groof. - Bruxelles : GRIP, 2013. - 55 p. ; 30 cm. - (Les rapports du GRIP ; 2013/9)

After more than two years of internal conflict in Syria, a pressing question relates to the practice and legality of arms transfers to both the groups opposing the regime of Assad and the Assad regime itself. Since the beginning of the conflict, regional and international players are arming one side or the other, which brought the UN Secretary-General to qualify the conflict as a 'proxy war'. In light of the lift of the EU arms embargo earlier this year, and the growing tensions at the regional and international level on the Syria question, there is no likelihood of decreasing arms transfers in the near future, which triggers the discussion on the permissibility of such arms transfers. Therefore, this research paper outlines the normative and practical framework which governs arms transfers to the myriad of actors involved in the Syrian armed conflict. The practical analysis concentrates on past and present arms transfers to Syria and the risks of proliferation of these arms in Syria and beyond. The legal analysis focuses on the most important international and European legal standards governing the transfer of military material and technology, as well as the international treaty and customary law rules regulating the threat or use of force in international relations. The main purpose of this report is to offer an in-depth legal and factual analysis on arms transfers to Syria.

341.67/30(Br.)

At war with the robots : autonomous weapon systems and the Martens Clause / Tyler D. Evans. - In: Hofstra law review, Vol. 41, issue 3, Spring 2013, p. 697-733. - Photocopies

This Note examines arguments for preemptively prohibiting the development and use of autonomous weapon systems under the Martens Clause. This Note identifies the Martens Clause as a tenuous but discernible threat to such systems under the Law of Armed Conflict because the Clause's "dictates of the public conscience," interpreted broadly, could provide the grounds upon which to prohibit autonomous weapon systems before such systems even exist -- unlike the more traditional pillars of the Law of Armed Conflict, such as distinction

and proportionality, which would require, at the very least, an analysis of the weapon systems' use and effects to invalidate any particular weapon. Having analyzed the various interpretations of the Martens Clause, this Note suggests how states seeking to develop autonomous weapon systems might proceed in order to protect their interests.

341.67/740(Br.)

Cadre juridique de l'emploi des drones au combat / Sébastien Gallais. - Paris : L'Harmattan, 2013. - 192 p. : ill., tabl., graph. ; 22 cm. - (Sorbonne-Défense). - Bibliographie : p. 177-187. - ISBN 9782343016672

Initialement dévolus aux missions de renseignement et d'observation, les drones, aéronefs inhabités, deviennent, au fur et à mesure des conflits, des éléments essentiels des actions létales. Les drones accentuent l'efficacité des actions militaires tout en participant à une application de plus en plus rigoureuse du droit humanitaire. Les efforts technologiques en cours doivent rapidement permettre à ces robots aériens de répondre aux exigences légales d'insertion dans la circulation aérienne générale. Avec l'augmentation des performances des capteurs embarqués, les drones se transforment de systèmes automatisés en systèmes de plus en plus autonomes. D'une versatilité opérationnelle presque sans limite, les risques de dérives, tels que la banalisation voire la déshumanisation du combat, ne semblent pas utopiques. Les systèmes drones, et la robotique militaire en général, ouvrent de nouvelles perspectives pour lesquelles il convient d'analyser les impacts juridiques, humains et procéduraux.

341.67/739

Controlling small arms : consolidation, innovation and relevance in research and policy / ed. by Peter Batchelor and Kai Michael Kenkel. - London ; New York : Routledge, 2014. - XXI, 313 p. : graph., tabl. ; 24 cm. - (Studies in conflict, development and peacebuilding). - Bibliographies. Index. - ISBN 9780415856492

341.67/742

Drones at trial : State and individual (criminal) liabilities for drones attacks / Geert-Jan Alexander Knoops. - In: International criminal law review, Vol. 14, issue 1, 2014, p. 42-81

This article delves into issues of individual and State (criminal) liability for (lethal) drone operations; a yet unexplored area given the proliferation of drone attacks in recent years. The criteria under which military and political leaders can (possibly) be held criminally accountable for conducting drone attacks within and outside an armed conflict are outlined, based upon ICTY, ICC and ECHR-case law. Against this background, the discrepancies and pitfalls of the U.S. policy vis-à-vis drone attacks are discerned, as well as the subject-matter of responsibilities of third states which facilitate principal States such as the U.S. in these attacks.

Easier said than done : legal reviews of cyber weapons / Gary D. Brown and Andrew O. Metcalf. - In: Journal of national security law and policy, Vol. 7, no. 1, 2014, p. 115-138. - Photocopies

341.67/741(Br.)

The preoperational legal review of cyber capabilities : ensuring the legality of cyber weapons / P. J. Blount. - In: Northern Kentucky law review, Vol. 39, no. 2, 2012, p. 211-220. - Photocopies

This paper investigates the legal evaluation that must be given to a Military cyber capability before they can be made operational. This evaluation process is examined in the context of United States practice as well as international law.

341.67/34(Br.)

Remote control war : unmanned combat air vehicles in China, India, Iran, Israel, Russia and Turkey / Rob O'Gorman and Chris Abbott. - London : Open Briefing, September 2013. - 21, [50] p. : tabl. ; 30 cm.. - Photocopies

This paper investigates the use and proliferation of Unmanned Combat Air Vehicles (UCAVs) in China, India, Israel, Iran, Russia and Turkey. The authors examine existing drone inventories, future armed drone developments and considerations for armed drone deployment. They find that the vast majority of military UCAVs in each country's inventory are unarmed, despite the fact that many can take various payload options, including missiles. China has the most diverse UCAV inventory, though Israel leads the way in terms of technology and export. All the countries studied are expanding their UCAV industries.

341.67/29(Br.)

Sow what you reap ? : using predator and reaper drones to carry out assassinations or targeted killings of suspected Islamic terrorists / Thomas Michael McDonnell. - In: George Washington international law review, Vol. 44, no. 2, 2012, p. 243-316. - Photocopies

This article explores whether targeted killing of suspected Islamist terrorists comports with international law generally, whether any special rules apply in so-called "failed states," and whether deploying attack drones poses special risks for the civilian population, for humanitarian and human rights law, and for the struggle against terrorism. Part I of this article discusses the Predator Drone and its upgraded version Predator B, the Reaper, and analyzes their technological capabilities and innovations. Part II discusses international humanitarian law and international human rights law as applied to a state's targeting and killing an individual inside or outside armed conflict or in the territory of a failed state. Part III analyzes the wisdom of carrying out targeted killing drone attacks, even if otherwise legal, against the Taliban, al Qaeda and other Islamic terrorist organizations that have embraced suicide bombing.

341.67/28(Br.)

BIOGRAPHY

La plume, le pinceau, la prière : l'égyptologue Marguerite Naville (1852-1930) : récit biographique à trois voix / Danielle Maurice-Naville, Laurence Naville, Corinne Eggly-Naville. - Genève : La Baconnière, 2014. - 297 p. : fotogr., fac-sim., ill. ; 24 cm. - ISBN 9782940431236

Biographie de Marguerite Naville, femme d'Edouard Naville qui fût membre du CICR de 1898 à 1926, vice-président puis président ad intérim du CICR. Marguerite a travaillé comme bénévole à l'Agence internationale des prisonniers de guerre. A la fin du livre, quelques passages relatent le travail de son mari au CICR.

92/326

CHILDREN

Children and war : past and present / ed. by Helga Embacher... [et al.]. - Solihull : Helion, 2013. - X, 297 p. : ill., tabl. ; 24 cm. - Bibliographies. Index. - ISBN 9781909384477

362.7/387

Children associated with armed forces or armed groups / ICRC. - Geneva : ICRC, September 2013. - 12 p. : fotogr., ill. ; 21 cm. - (In brief)

Revised and updated version! Children associated with armed forces or groups often see, suffer and perpetrate atrocities. Both the brochure and the ICRC's work with children affected by conflict and violence emphasize children's vulnerability and resilience. The brochure discusses how to stop children getting involved with armed forces or groups, how to protect and help them and how to help them rebuild their lives when they return to their families and communities. It also highlights some of the relevant provisions of international law and principles.

362.7/217(2013-ENG-Br.)

Enfants associés aux forces armées ou aux groupes armés / CICR. - Genève : CICR, décembre 2013. - 12 p. : fotogr., ill. ; 21 cm. - (En bref)

La version révisée et actualisée de la brochure fournit une information détaillée sur le problème des enfants-soldats et présente les mesures qui pourraient être prises pour empêcher leur recrutement, les protéger et les aider à reconstruire leur vie après la démobilisation. Elle constitue une excellente introduction aux dispositions du droit international humanitaire s'appliquant spécifiquement à la participation d'enfants aux hostilités.

362.7/217(2013-FRE-Br.)

Escaping victimhood : children, youth and post-conflict peacebuilding / ed. by Albrecht Schnabel and Anara Tabyshalieva. - Paris [etc.] : United Nations University Press, 2013. - XIX, 258 p. : ill. ; 24 cm. - Index. - ISBN 9789280812114

Contient notamment : The active role of children and young people in post-conflict peacebuilding / C. O'Kane, C. Feinstein and A. Giertsen. - Protection et participation of children in post-conflict peacebuilding : international law and evolving practice / V. Popovski. - The resilience of children and youth during conflict and its contribution to post-conflict stability : the case of northern Uganda and "night commuting" / A. Eskandarpour. - "Conflict is a preventable disease" : recovering child soldiers teach the practice of peace / D. Davis

362.7/389

Informal and formal supports for former child soldiers in Northern Uganda / Sofie Vindevogel... [et al.]. - In: The scientific world journal, Vol. 2012, 2012, p. 1-10 : tabl., graph.. - Photocopies

362.7/390(Br.)

Stolen futures : the hidden toll of child casualties in Syria / Hamit Dardagan and Hana Salama. - London : Oxford Research Group, November 2013. - 22 p. : photogr., graph., tabl., carte ; 30 cm. - Photocopies

362.7/5(Br.)

The war crime of child soldier recruitment / Julie McBride. - The Hague : T.M.C. Asser Press : Springer, 2014. - XXV, 216 p. ; 24 cm. - Bibliographies. Index. - ISBN 9789067049207

362.7/388

CIVILIANS

A conversation with the Center for Civilians in Conflict on preventing civilian suffering / Sarah Holewinski and Marla Keenan. - In: The Fletcher Forum of world affairs, Vol. 18:1, Winter 2014, p. 13-22

Legal implications of the membership of a Palestinian State in the UN on civilians in the light of international humanitarian law / Floriana Fabbri and Jacopo Terrosi. - Newcastle upon Tyne : Cambridge scholars publishing, 2013. - p. 234-251. - In: Palestine membership in the United Nations : legal and practical implications. - Photocopies

At present, the qualification of the conflict between Israel and the occupied territories is highly controversial, but some doctrinal interpretation tends to classify it as a non-international armed conflict. The present chapter demonstrates that the consolidation of a Palestinian State will result in a change in the legal assessment of the conflict, rendering it an international armed conflict. In particular, the new situation will confer on Palestine the status of an "occupied State" with the subjective right to have direct recourse to the Security Council. The Security Council will eventually have to take a decision to demand Israel to leave the territory of Palestine immediately in order to restore peace in the area. Basing itself on the changes in the status of Palestine and in the definition of the conflict, this chapter will discuss the change in the legal status of the population of the territory in the light of the Geneva Conventions.

345.28/106(Br.)

Making civilian casualties count : approaches to documenting the human cost of war / Izabela Steflja, Jessica Trisko Darden. - In: Human rights review, Vol. 14, issue 4, December 2013, p. 347-366. - Bibliographie : p. 362-366. - Photocopies

361/15(Br.)

CONFLICT-VIOLENCE AND SECURITY

Conflits et médiation internationale : "étincelles et barils de poudre" / Jean-Pierre Vettovaglia. - In: Etudes : revue de culture contemporaine, No 4203, mars 2014, p. 17-27

Cyberspace is not a warfighting domain / Martin C. Libicki. - In: I/S : a journal of law and policy for the information society, Vol. 8, issue 2, 2012. - Photocopies

355/17(Br.)

Grievances, economic wealth, and civil conflict / Vally Koubi, Tobias Böhmelt. - In: Journal of peace research, Vol. 51, issue 1, 2014, p. 19-33 : tabl., graph.. - Bibliographie : p. 30-33. - Photocopies

355/15(Br.)

International trade and the onset and escalation of interstate conflict : more to fight about, or more reasons not to fight ? / Benjamin E. Goldsmith. - In: Defence and peace economics, Vol. 24, no. 6, 2013, p. 555-578 : tabl., graph.. - Bibliographie : p. 576-578. - Photocopies

355/16(Br.)

L'emploi de la force sur le territoire national par les militaires en dehors des situations régies par le droit des conflits armés / Nicolas Lagasse. - In: Revue belge de droit constitutionnel, Vol. 2013/ 1, p. 3-51. - Photocopies

La première partie dresse l'inventaire des hypothèses dans lesquelles la Défense peut être associée au maintien de l'ordre public et précise les conditions de recours à la force par les militaires sur le territoire national en dehors des situations régies par le droit des conflits armés. La seconde partie se consacre à une analyse exploratoire: quelles modifications suggérer au cadre juridique dans l'optique de dépasser les lacunes, les limites et les imprécisions rencontrées ?

355/12(Br.)

Material determinism and beyond : spatial categories in the study of violent conflict / Sven Chojnacki and Bettina Engels. - Berlin : DFG Collaborative Research Center (SFB) 700, June 2013. - 18 p. ; 30 cm. - (SFB-governance working paper series ; no. 55). - Bibliographie : p. 15-17. - Photocopies

355/13(Br.)

Un nouvel art de la guerre / Jean-François Phelizon. - Paris : Nuvis, 2014. - 303 p. ; 22 cm. - (La pensée stratégique). - Index. - ISBN 9782363670625

355/1021

The structure of success : how the internal distribution of power drives armed group behavior and national movement effectiveness / Peter Krause. - In: International security, Vol. 38, issue 3, Winter 2013/14, p. 72-116 : tabl., diagr.. - Photocopies

355/1020(Br.)

DETENTION

Better off as a prisoners of war : the differential standard of protection for military internees in Switzerland during World War II / Dwight S. Mears. - In: Journal of the history of international law, Vol. 15, issue 2, 2013, p. 173-199. - Photocopies

400.2/348(Br.)

A Guantanamo detainee's perspective / Sami El-haj. - In: International review of the Red Cross, Vol. 94, no. 888, Winter 2012, p. 1229-1231 : portr.

Guidelines for investigating deaths in custody / ICRC. - Geneva : ICRC, October 2013. - 36 p. ; 30 cm. - (Reference (ICRC))

These Guidelines, the first of their kind, provide guidance to detaining authorities, investigating authorities, humanitarian agencies and others on preventing deaths in custody. They reflect international law, policy and best practice and offer a practical tool for both practitioners and decision-makers.

400/147

Humanitarian care and small things in dehumanised places / Paul Bouvier. - In: International review of the Red Cross, Vol. 94, no. 888, Winter 2012, p. 1537-1550 : fotogr.

Small things, just like a cup of coffee, pictures of flowers, animals, and landscapes, or a few drops of perfume. Very small things indeed, so derisory that they rarely dare to appear in reports, accounts, and media articles on humanitarian action in the field. Yet, such small things sometimes represent a substantial part, and perhaps a most meaningful one, of the activity of the ICRC' personnel in the field in the midst of armed conflicts and violence.

Interned or imprisoned ? : the successes and failures of international law in the treatment of American internees in Switzerland, 1943-45 / Dwight S. Mears. - [S.l.] : [s.n.], 2010. - IV, 83 p. ; 30 cm. - Thesis, Master of Arts, Department of History, University of North Carolina, 2010. - Bibliographie : p. 77-83. - Photocopies

During World War II, over 100,000 soldiers of various nationalities sought refuge in neutral Switzerland, including over 1,500 American airmen from damaged U.S. bombers. As a result of the U.S. violations of Swiss neutrality and other external factors, the Swiss government was unwilling to apply the 1929 Geneva Convention prisoner of war protections to the U.S. airmen when they were punished for attempting escape. The politicization of internment procedures resulted in a diplomatic stalemate in which the ambivalence of Swiss officials prolonged

mistreatment of U.S. airmen in violation of emerging customary international law. Answering the question of how international law functioned in the scenario of Swiss internment will demonstrate both the cultural importance of Swiss adherence to international law, as well as the process by which states frequently interpret ambiguous international law to their advantage.

400.2/142(Br.)

Das Konzentrationslager Mauthausen 1938-1945 : Katalog zur Ausstellung in der KZ-Gedenkstätte Mauthausen / [Hrsg. : Verein für Gedenken und Geschichtsforschung in österreichischen KZ-Gedenkstätten]. - Wien : New Academic Press, 2013. - 320 p. : photogr., cartes, ill., fac-sim. ; 28 cm. - ISBN 9783700318682

400.3/166

Palestinian prisoners in Israeli jails in light of the Third Geneva Convention : from jails to prisoner of war camps / Magdalena A. Pulido. - Newcastle upon Tyne : Cambridge scholars publishing, 2013. - p. 268-289. - In: Palestine membership in the United Nations : legal and practical implications. - Photocopies

The purpose of the present chapter is to discuss how the situation of Palestinian prisoners in Israeli jails could benefit from the establishment of a Palestinian State. The first part discusses Israel's position regarding the non-existence of POW status in relation to the conflict with Palestine. The second part elaborates on the importance of the existence of the State of Palestine for POW status, while addressing possible scenarios in which its existence would provide either for the status and treatment of Palestinian prisoners as POWs, or for the other mechanisms whereby Palestine could protect its nationals imprisoned in Israel.

400.2/140(Br.)

The prisoner of war camp trials / Yuma Totani. - Oxford : Oxford University Press, 2013. - p. 71-94. - In: Hong Kong's war crimes trials. - Photocopies

400.2/141(Br.)

ENVIRONMENT

Fresh water in international law / Laurence Boisson de Chazournes. - Oxford : Oxford University Press, 2013. - XVII, 265 p. ; 24 cm. - Bibliographie : p. 255-257. Index. - ISBN 9780199565085

363.7/153

Quantifying the influence of climate on human conflict / Solomon M. Hsiang, Marshall Burke, Edward Miguel. - In: Science, Vol. 341, issue 6151, September 2013, p. 1212 : tabl., graph.. - Photocopies

363.7/154(Br.)

L'utopie de la "guerre verte" : insuffisances et lacunes du régime de protection de l'environnement en temps de guerre / Karine Bannelier-Christakis. - Bruxelles : Bruylant, 2013. - p. 383-412. - In: Permanence et mutation du droit des conflits armés

Cet article s'attache à présenter certains points saillants de l'encadrement juridique de la protection de l'environnement autour de quatre séries de remarques. Le droit de la guerre a, progressivement, développé des règles qui permettent de protéger directement (section I) ou indirectement l'environnement (section II) auxquelles il faut ajouter toute une série de règles du droit international de l'environnement qui, si elles n'ont pas été adoptées dans la perspective de réglementer les conflits armés peuvent, dans certaines situations, compléter le droit de la guerre (section III). Nous verrons enfin qu'il existe aujourd'hui différents mécanismes internationaux qui permettent, d'une part, de poursuivre pénalement des individus auteurs de crimes écologiques et, d'autre part, d'engager la responsabilité internationale des Etats (section IV)

345.2/945

GEOPOLITICS

Mexique 2000-2012, limites et impasses de la transition démocratique / coordonné par Marco Antonio Estrada Saavedra. - In: Problèmes d'Amérique latine, No 89, été 2013, 125 p. : tabl., graph.

Contient notamment: Classes sociales, pauvreté et inégalités dans les années de l'alternance présidentielle / Patricio Solís et Gabriela Benza. - Les politiques publiques en faveur des citoyens à l'étranger : la gestion de la souffrance des migrants mexicains / Françoise Lestage. - L'État et les mouvements sociaux durant la transition démocratique (2000-2012) / Marco Estrada Saavedra. - Violence d'État et ordre criminel, les coûts de la guerre perdue du Michoacán / Salvador Maldonado Aranda.

La grammaire iconographique de la révolte en Syrie : usages, techniques et supports / Cécile Boex. - In: Cultures et conflits : sociologie politique de l'international, No 91/92, automne/hiver 2013, p. 65-80 : photogr.

Pas de printemps pour la Syrie : les clés pour comprendre les acteurs et les défis de la crise (2011-2013) / sous la dir. de François Burgat et Bruno Paoli. - Paris : La Découverte, 2013. - 356 p. : cartes ; 24 cm. - Bibliographie : p. 337-349. - ISBN 9782707177759

Contient notamment : La stratégie al-Assad : diviser pour survivre / F. Burgat. - Une guérilla "islamiste" ? : les composantes idéologiques de la révolte armée / F. Burgat et R. Caillet. - Les divisions stratégiques des oppositions syriennes : un leadership impossible ? / N. Dot-Pouillard. - Vers un nouvel État syrien ? : les institutions du gouvernorat d'Alep / G. Dorronsoro, A. Baczko et A. Quesnay. - La dimension humanitaire du conflit / L. Ruiz de Elvira Carrascal

323.15/SYR/11

Pakistan's insider threat / Daniel Markey. - In: The Fletcher Forum of world affairs, Vol. 18:1, Winter 2014, p. 41-46

Rwanda 1994 : le génocide des Tutsi / Jean-Pierre Chrétien... [et al.]. - In: L'histoire, No 396, février 2014, p. 40-67 : fotogr., cartes, ill.. - Bibliographie : p. 67

Contient notamment: Un demi-siècle de racisme officiel / J.-P. Chrétien. - Le génocide des voisins / H. Dumas. - Enquête sur les responsabilités de la France / P. Brana. - Un laboratoire de justice / A. Garapon. - Une politique de la mémoire / F. Encel

323.11/RWA21

Sectarianism afflicts the new Middle East / Daniel Byman. - In: Survival, Vol. 56, no. 1, February-March 2014, p. 79-99

HEALTH-MEDICINE

[A beneficiary's perspective on the ICRC] / Farzana Sadat. - In: International review of the Red Cross, Vol. 94, no. 888, Winter 2012, p. 1261-1262 : portr.

Ambulance and pre-hospital services in risk situations / ICRC. - Geneva : ICRC, November 2013. - 51 p. : fotogr., diagr., ill. ; 30 cm

This report sets out ways to make pre-hospital care and ambulance services operating in areas of armed violence safer. Written by the Norwegian Red Cross with support from the ICRC and the Mexican Red Cross, the report summarizes field experience in over 20 countries.

356/260

Forensic science and humanitarian action / ICRC. - Geneva : ICRC, December 2013. - 3 volets : fotogr. ; 21 cm. - (In brief)

The ICRC provides advice, support and training for local authorities and forensic practitioners in searching for, recovering, analysing, identifying, and managing the remains of large numbers of victims of armed conflict, disasters, migration and other situations.

356/261(Br.)

Health care during armed conflict : a legal social perspective / Mohammad Rubaiyat Rahman. - [S.l.] : [s.n.], June 2011. - 11 p. ; 30 cm. - Photocopies

The essay at the outset makes an endeavour to address the nature of health care system and its significance to human lives. It delves into analyzing of the impact of armed conflict on health care. The essay tries to highlight the impacts of armed conflict on health care facilities, children, women and the risk of trauma. It addresses the nature of the law of war and its pivotal role of securing human lives from the scourge of armed conflict and the direct health assistance of ICRC to get rid of human lives from the horrid impacts of conflict. The essay addresses the role of non-state actors, governments and its local mechanism on health care system during armed conflict and argues to place them as indefeasible components to tackle the breakdown of health care during armed conflict. The essay makes an attempt to bring forward the facts that need attention to tackle the collapse of health care during any conflict situation. The essay comes to its conclusion arguing that ensuring social equality, cultural and economic right would cease to resort to conflict and pave the solution of the health care crisis during armed conflict 356/262(Br.).

Mental health and psychosocial support / ICRC. - Geneva : ICRC, November 2013. - 3 volets : fotogr. ; 21 cm. - (In brief)

One of the most significant consequences of armed conflict and other situations of violence is their impact on the mental health and psychosocial well-being of the people affected. The term 'mental health and psychosocial support' describes a wide range of activities undertaken by the ICRC to address the psychosocial, psychological and psychiatric problems caused or exacerbated by conflict.

356/259(Br.)

HISTORY

La Première guerre mondiale : 1^{ère} partie 1870-août 1914 : la marche vers l'apocalypse / Emilie Formoso... [et al.]. - In: Geo histoire, No 12, décembre 2013-janvier 2014, 112 p. : fotogr., cartes, ill.

94/510-1

HUMAN RIGHTS

The American Convention on Human Rights : [crucial rights and their theory and practice] / Cecilia Medina ; transl. by Peter Krupa. - Cambridge [etc.] : Intersentia, 2014. - XXIII, 252 p. ; 24 cm. - (Human rights). - ISBN 9781780681016

345.1/614

"Condotta e utilità" e "mantenimento dell'ordine" : due concetti chiave nella definizione dei rapporti tra diritto internazionale umanitario e diritti umani / Robert Kolb. - Napoli : Editoriale Scientifica, 2012. - p. 67-77. - In: La tutela dei diritti umani e il diritto internazionale. - Photocopies

345.1/42(Br.)

Human dignity / Paolo G Carozza. - Oxford : Oxford University Press, 2013. - p.345-359. - In: The Oxford handbook of international human rights law. - Bibliographie : p. 359. - Photocopies

345.1/80(Br.)

Humanitarian law as a source of human rights law / Gerd Oberleitner. - Oxford : Oxford University Press, 2013. - p.275-294. - In: The Oxford handbook of international human rights law. - Bibliographie : p. 294. - Photocopies

345.1/90(Br.)

The interaction between international human rights law and international humanitarian law : seeking the most effective protection for civilians in non-international armed conflicts / Hannah Matthews. - In: The international journal of human rights, Vol. 17, issue 5-6, p. 633-645. - Photocopies

International human rights law and international humanitarian law, of which Common Article 3 and Additional Protocol II are applicable in non-international armed conflicts, at first glance seem two separate bodies of law with contradicting foundations and provisions. However, this article explores the similarities between the two, demonstrating their shared philosophical underpinnings and purpose of protecting people's rights despite the varying contexts within which they apply. Through studying the application of the two bodies of law in varying jurisdictions, this article concludes that far from an either/or choice, the best way to ensure the protection of those who find themselves the victims of non-international armed conflicts is to use the two bodies of law together so that they complement and strengthen each other.

345.1/83(Br.)

The "interoperability" of international humanitarian law and human rights law : evaluating the legal tools available to negotiate their relationship / Sarah McCosker. - Leiden ; Boston : M. Nijhoff, 2013. - p. 145-177. - In: International law in the new age of globalization. - Photocopies

This chapter examines some of the key legal concepts, principles and methodologies currently available as tools to navigate the relationship between international humanitarian law and human rights law, identifying their advantages and shortcomings. First, part II discusses some of the dominant metaphors in international law scholarship in characterising the relationship between the two bodies of law, and elaborates on the idea of "interoperability". Part III then discusses some of the key legal principles and concepts, including the *lex specialis* principle ; the "complementary theory" ; rules regarding derogations from human rights treaties ; and general rules of treaty interpretation, focusing in particular on the principle of systemic interpretation in article 31(3)(c) of the Vienna Convention on the Law of Treaties. It also discusses briefly the extraterritorial application of human rights obligations.

345.1/93(Br.)

Persons protected by IHL in international armed conflicts : the law and current challenges / Kirby Abbott. - In: Collegium, No 43, automne 2013, p. 47-58

Within the overarching issue of the interrelationship between IHRL and IHL are a number of operationally pressing sub-issues and challenges to IHL. This contribution briefly outlines seven of the most significant: 1) The absence of a methodology which allows for the practical application of the *lex specialis* doctrine ; 2) The interaction between ECtHR jurisprudence and the *lex specialis* doctrine when advising on the conduct of military operations during IAC ; 3) The extraterritorial scope of human rights treaties ; 4) Security Council Resolutions as a source of legal authority to engage IHL ; 5) Detention paragraph 100 in Al-Jedda ; 6) Right to life ; 7) Investigations of cases where force was lawful under IHL and the International Criminal Court

345.2/948

La protezione del diritto alla vita tra diritto internazionale umanitario e tutela internazionale dei diritti umani / Marco Pedrazzi. - Napoli : Editoriale Scientifica, 2012. - p. 79-92. - In: La tutela dei diritti umani e il diritto internazionale. - Photocopies 345.1/77(Br.)

Targeted killings (drone strikes) and the European Convention on Human Rights / Adam Bodnar, Irmina Pachó. - In: Polish yearbook of international law, 32, 2012, p. 189-208. - Photocopies

More and more Member States of the Council of Europe are becoming interested in drone technology. Currently, a number of them either possess or wish to obtain unmanned aerial vehicles equipped with missiles. Due to the increased number of targeted killing operations committed with the use of drones by countries such as the United States or Israel there is a probability that Member States might also use them for such operations, especially if their forces will be subject to joint command. Although the issue of targeted killings with the use of drones has not yet been subject to the scrutiny of the European Court of Human Rights, there are two main reasons why this may change in the near future. First, the Court has already ruled on the extraterritorial applicability of the European Convention on Human Rights, and second, the Convention places strict limits on any attempts to carry out targeted killings and leaves only a limited space for their use, even in the context of warfare. In this article we assess whether the Member States of the Council of Europe might be ever justified under the European Convention on Human Rights to carry out targeted killing operations using drones.

345.1/85(Br.)

HUMANITARIAN AID

Hétérodoxie de la compassion : influence de la franc-maçonnerie dans l'émergence de l'action humanitaire sécularisée au XIXème siècle / présenté par Anne Piraux. - [S.l.] : [S.n.], Septembre 2013. - 57 p. : fac-sim. ; 30 cm. - Mémoire de master, Centre d'enseignement et de recherche en action humanitaire, Université de Genève, 2012-2013. - Bibliographie : p. 48-52. - Photocopies

361/22(Br.)

The history and practice of humanitarian intervention and aid in Africa / ed. by Bronwen Everill and Josiah Kaplan. - Basingstoke ; New York : Palgrave Macmillan, 2013. - XV, 250 p. ; 22 cm. - Bibliographie p. 239-243. Index. - ISBN 9781137270016

361/604

Humanitäre Hilfe / Marc-Henry Soulet... [et al.]. - In: Universitas : le magazine de l'université de Fribourg, No 1, octobre 2011, p. 6-59

Contient notamment : "Effet pervers" der humanitären Hilfe / Eva Maria Belser. - La Suisse humanitaire durant la Première Guerre Mondiale / Patrick Bondallaz. - Grauzone der humanitären Intervention / David Furger. - Ethique Chrétienne et aide humanitaire / Thierry Collaud. - Droit à l'aide humanitaire : la flotille de la liberté / Sarra Magri. - Humanitäre Hilfe : eine neo-koloniale Gabe ? / Sebastian Zug, Olivier Graefe. - Risiken und Nebenwirkungen der humanitären Hilfe / Daniel Künzler. - Travailleur humanitaire et docteur en informatique / Jean-Christophe Emmenegger. - Donner du sens à ses actes : Paul Grossrieder, ancien directeur du CICR / Farida Khali

361/605

Humanitarian interventions in situations of urban violence / Elena Lucchi. - London : ALNAP, 2013. - 27 p. : tabl. ; 30 cm. - (ALNAP lessons paper). - Photocopies

361/20(Br.)

The need for a structured approach to humanitarian negotiations : a case study of Operation Lifeline Sudan / Francesca Stocker. - [S.l.] : [s.n.], 2011. - XI, 87 p. : diagr., carte ; 30 cm. - Master Dissertation, Department of Peace Studies, University of Bradford, 2011. - Bibliographie : p. 78-84. - Photocopies

361/23(Br.)

Responding to urban disasters : learning from previous relief and recovery operations / written by David Sanderson and Paul Knox-Clarke with Leah Campbell. - London : ALNAP, November 2012. - 28 p. : diagr. ; 30 cm. - (ALNAP lessons paper). - Bibliographie : p. 22-28. - Photocopies

361/21(Br.)

The role of non-state actors in implementing the responsibility to protect / Gentian Zyberi. - Cambridge [etc.] : Intersentia, 2014. - p. 53-74. - In: Human security and international law : the challenge of non-state actors

345/644

ICRC-INTERNATIONAL MOVEMENT OF THE RED CROSS AND RED CRESCENT

1863 : the creation of the first national society at the beginning of the Movement's history / Stefanie Haumer. - In: International review of the Red Cross, Vol. 94, no. 888, Winter 2012, p. 1339-1347 : portr., fotogr.

Would it not be possible, in time of peace and quiet, to form relief societies for the purpose of having care given to the wounded in wartime by zealous, devoted and thoroughly qualified volunteers?

Behind the flag of Dunant : secrecy and the compliance mission of the International Committee of the Red Cross / Steven R. Ratner. - Cambridge : Cambridge University Press, 2013. - p. 297-320. - In: Transparency in international law. - Photocopies

Much of the ICRC's work consists of hundreds of confidential visits and authorship of numerous secret reports to monitor compliance by armies, security forces and non-State armed groups with IHL. In doing so, it is deliberately opaque: it rarely identifies violators publicly; it leaves its legal position on many key issues ambiguous, sometimes even from the target of its discussions; and at times it avoids legal discourse entirely when persuading parties to follow legal rules. This aversion to transparency is not only at odds with the assumptions of the naming and shaming strategy regarding the most effective means to induce compliance. It also makes it almost impossible for outsiders to know the ICRC's legal characterization of specific cases. As a result, its approach to protection of victims, even if successful in individual cases, seems to undermine its self-professed role as the guardian of - the authoritative interpreter of and voice for - international humanitarian law. This tension

between the role of the ICRC, and the ICRC's approach to it, should interest scholars and those concerned with the proper role for transparency in encouraging compliance with law generally. It also calls into question the assumption that transparency is necessarily beneficial for the promotion of international law.

362.191/1019(Br.)

Between "constructive engagement", "collusion" and "critical distance" : the ICRC and the development of international criminal law / Carsten Stahn. - [S.l.] : [s.n.], 2013. - 21 p. ; 30 cm. - Photocopies

This article examines the approach and relationship of the ICRC to International Criminal Law. It argues that the ICRC's position navigates between normative support, collusion and institutional restraint. The ICRC has shaped some of the foundations of contemporary criminal justice, through its early focus on the implementation of International Humanitarian Law (e.g., through implementation and prosecution of 'grave breaches') and its role as 'gentle modernizer' of the law. But it has at the same time kept a critical distance towards International Criminal Law. Its approach is marked by three cardinal principles: 'structural independence', 'strategic engagement' and 'systemic support'. It is grounded in the distinct roles of the ICRC ('guardianship', 'protection', advocacy and dissemination') and deeper structural challenges in the relationship between International Humanitarian Law and International Criminal Law. This contribution argues for a re-conceptualization of some of the existing approaches. It claims that it is unhelpful to theorize the relationship between the ICRC and International Criminal Courts and Tribunals (ICCTs) on the basis of the premise that International Humanitarian Law provides a set of 'primary rules' that are enforced through criminal institutions, or complemented by 'secondary rules' under International Criminal Law (e.g., war crimes law). It may be more appropriate to view the ICRC and ICCTs as part of a polycentric legal system that is built on a plurality of interactive normative structures and governed by certain checks and balances.

362.191/1035(Br.)

Birth of an idea : the founding of the International Committee of the Red Cross and of the International Red Cross and Red Crescent Movement : from Solferino to the original Geneva Convention (1859-1864) / François Bugnion. - In: International review of the Red Cross, Vol. 94, no. 888, Winter 2012, p. 1299-1338 : portr., fotogr., fac-sim.

The trauma of coming face to face with the horrors of battlefield and witnessing first-hand the abandonment of the war-wounded led Henry Dunant to two ingenious concepts: the creation of permanent volunteer relief societies and the adoption of a treaty to protect wounded soldiers and all who endeavour to come to their aid. On the initiative of Gustave Moynier, a committee was established in Geneva to implement Dunant's proposals. That committee - which soon took the name "International Committee of the Red Cross" (ICRC) - convened two international conferences, the first of which laid the foundation for the future relief societies while the second adopted the initial Geneva Convention. This article considers the circumstances that led to the founding of the ICRC and then to that of the International Red Cross and Red Crescent Movement, starting with Solferino and culminating in the adoption of the Geneva Convention.

La Croix-Rouge française : 150 ans d'histoire / Frédéric Pineau. - Paris : Autrement, 2014. - 222 p. : fotogr., ill., fac-sim. ; 29 cm. - Bibliographie : p. 222. - ISBN 9782746735576

SN/FR/41

Le CICR et la construction d'un discours institutionnel : le Livre Blanc de 1946 / Benjamin Lachat. - [S.l.] : [s.n.], [2013?]. - 16, 34 p. : fac-sim. ; 30 cm. - Travail de Master Histoire internationale, Institut des hautes études internationales et du développement. - Bibliographie : p. 14-15. - Photocopies

362.191/68(Br.)

Le droit international humanitaire dans la mission du président du CICR : expériences pratiques de Cornelio Sommaruga (Président du CICR 1987-1999). - [Genève] : [s.n.], Septembre 2013. - 15 p.. - Exposé de Cornelio Sommaruga dans le cadre du cours de Marco Sassoli à l'Université de Genève, 23 septembre 2013. - Photocopies

362.191/530(Br.)

The ICRC and the changing humanitarian landscape / Ban Ki-moon. - In: International review of the Red Cross, Vol. 94, no. 888, Winter 2012, p. 1251-1254 : portr.

The ICRC and the detainees in Nazi concentration camps (1942-1945) / Sébastien Farré. - In: International review of the Red Cross, Vol. 94, no. 888, Winter 2012, p. 1381-1408 : photogr.

A sharp debate has emerged about the importance of humanitarian organisations speaking out against misdeeds and, more generally, on the ethical and moral aspects of doing humanitarian work in the face of mass violence. That debate has pushed out of the spotlight a number of essential questions regarding the work of the International Committee of the Red Cross (ICRC) during the Second World War. The aim of this text is to scrutinize the ICRC's humanitarian operations for detainees of Nazi concentration camps during the final phase of the war in Europe. We look beyond the risks faced by ICRC delegates working in Germany to show how difficult the organisation found it to carry out a humanitarian operation for concentration-camp detainees in the very particular circumstances that prevailed in Europe at that time. The ICRC was an organisation designed to collect information on and to protect and assist prisoners of war, and its hastily mounted response is indicative of the strenuous task it faced in re-inventing itself during the final stages of the war and the minor role it was assigned in the occupation programmes imposed by the Allied forces.

The ICRC at 150 : reflections of an Asian admirer / Tommy Koh. - In: International review of the Red Cross, Vol. 94, no. 888, Winter 2012, p. 1255-1259 : portr.

ICRC travel document : the future of a long-standing humanitarian service / Olivier Dubois. - In: ICAO MRTD report, Vol. 8, no. 1, Spring 2013, p. 22-25. - Photocopies

362.191/1020(Br.)

The indispensable organization / Kristalina Georgieva. - In: International review of the Red Cross, Vol. 94, no. 888, Winter 2012, p. 1233-1237 : portr.

An institution standing the test of time ? : a review of 150 years of the history of the International Committee of the Red Cross / Daniel Palmieri. - In: International review of the Red Cross, Vol. 94, no. 888, Winter 2012, p. 1273-1298

This article seeks to explain how the ICRC - the oldest international humanitarian organization still in activity - has managed to pass through 150 years of existence. By analysing some key moments in ICRC history and by examining both its inner workings and their interaction with the context within which the organization has functioned over time,

this article finds two characteristics that may help explain the ICRC's continuity: its unique specificity and its innovative capacity.

International Tracing Service : "respect for the past, responsibility for the future" : speech by Peter Maurer, president of the International Committee of the Red Cross, at the International Tracing Service, Bad Arolsen, on 19 November 2012. - In: International review of the Red Cross, Vol. 94, no. 888, Winter 2012, p. 1557-1561

Interview with Peter Maurer / by Vincent Bernard and Elvina Pothélet. - In: International review of the Red Cross, Vol. 94, no. 888, Winter 2012, p. 1209-1221 : fotogr.

In this interview, Mr Maurer reflects on the rich history of the ICRC, conveys his perception of the evolution of the organization, and presents his perspective on the challenges ahead for the humanitarian sector and the ICRC in particular.

Looking back over 150 years of humanitarian action : the photographic archives of the ICRC / Valérie Gorin. - In: International review of the Red Cross, Vol. 94, no. 888, Winter 2012, p. 1349-1379 : fotogr.

The purpose of this article is to suggest some historical milestones for a retrospective reflection on the photographic archives of the International Committee of the Red Cross (ICRC). This collection is little used by researchers, although the 120,000 photographs which it contains have helped to forge the symbolism and identity of the institution and to document its operations in accordance with a memory preservation policy which gradually emerged in the course of the 20th century. The photographs shown in this article are divided into three main themes (the ICRC delegate, the context of action, suffering and the victims), in order to make it easier to discuss the key aspects of this tremendous visual heritage which looks at humanitarian action, its protagonists and its beneficiaries from an anthropological and ethnological point of view.

Médecins Sans Frontières and the ICRC : matters of principle / Rony Brauman. - In: International review of the Red Cross, Vol. 94, no. 888, Winter 2012, p. 1523-1535 : portr.

How do Médecins Sans Frontières (MSF) and the International Committee of the Red Cross (ICRC) differ, and how are they alike? The question came from the Editor-in-chief of this Review, but it is regularly discussed at MSF, which might just as well have queried a member of the ICRC on the same subject.

A new challenge or a new role ? : the ICRC in Northern Ireland / Geoff Loane. - In: International review of the Red Cross, Vol. 94, no. 888, Winter 2012, p. 1481-1502

Despite the narrative of success surrounding the Northern Ireland peace process, which culminated in the 1998 Good Friday Agreement, there remain significant humanitarian consequences as a result of the violence. The International Committee of the Red Cross (ICRC) has opened an office in Belfast after its assessments demonstrated a need for intervention. While a two-year 'dirty protest' in Northern Ireland's main prison has been recently resolved, paramilitary structures execute punishments, from beatings to forced exile and even death, outside of the legal process and in violation of the criminal code. This article examines the face of modern humanitarianism outside of armed conflict, its dilemmas, and provides analysis as to why the ICRC has a role in the Northern Ireland context.

New technologies and new policies : the ICRC's evolving approach to working with separated families / Olivier Dubois, Katharine Marshall and Siobhan Sparkes McNamara. - In: International review of the Red Cross, Vol. 94, no. 888, Winter 2012, p. 1455-1479 : fotogr., graph.

The field of humanitarian action is far from static, and the ICRC has worked over the years to evolve and respond to changing needs and changing circumstances. The past several decades

have seen a proliferation of humanitarian actors, protracted, complex conflicts, and the rapid rise of new technologies that have significantly impacted how humanitarian work is done. The ICRC has been continually challenged to adapt in this changing environment, and its core work of supporting separated families - through restoration of family links and through support to the families of the missing - provides insight into ways that it has met this challenge and areas in which it may still seek to improve.

Observations on the 150th anniversary of the ICRC / John B. Bellinger. - In: International review of the Red Cross, Vol. 94, no. 888, Winter 2012, p. 1223-1228 : portr.

"Organising the unpredictable" : the Nigeria-Biafra war and its impact on the ICRC / Marie-Luce Desgrandchamps. - In: International review of the Red Cross, Vol. 94, no. 888, Winter 2012, p. 1409-1432 : fotogr.

This article analyses how the events of the late 1960s - and in particular the Nigeria-Biafra War - marked a turning point in the history of the International Committee of the Red Cross (ICRC). The Nigeria-Biafra conflict required the ICRC to set up and coordinate a major relief operation during a civil war in a post-colonial context, posing several new challenges for the organisation. This article shows how the difficulties encountered during the conflict highlighted the need for the Geneva-based organisation to reform the management of its operations, personnel, and communications in order to become more effective and professional. Finally, the article takes the examination of this process within the ICRC as a starting point for a broader discussion of the changing face of the humanitarian sector in the late 1960s.

Le rapport entre le Comité international de la Croix-Rouge et le Congrès juif mondial pendant la seconde guerre mondiale (1939-1945) / Thomas Kuhn. - [S.l.] : [s.n.], [2013]. - 38 p. ; 30 cm. - Projet de recherche, baccalauréat en Relations internationales, Université de Genève, 2013. - Bibliographie : p. 35-38

362.191/1497

Reflections on the ICRC's present and future role in addressing humanitarian crises / Matthias Schmale. - In: International review of the Red Cross, Vol. 94, no. 888, Winter 2012, p. 1263-1267 : portr.

Thirty years of working within the Red Cross and Red Crescent Movement in a country affected by conflict / Ahmed Mohamed Hassan. - In: International review of the Red Cross, Vol. 94, no. 888, Winter 2012, p. 1243-1249 : portr., fotogr.

During the Ogaden War between Somalia and Ethiopia (1977-1978), the International Committee of the Red Cross (ICRC) began providing medical and surgical assistance to wounded combatants and civilians in Mogadishu. When the war broke out, I was Director of the Medical Services Department of the Ministry of Health, and I had been elected President of the Somali Red Crescent Society (SRCS) a few years earlier. In this dual assignment, I had the opportunity to observe the ICRC's operations in Somalia during the Ogaden War in providing humanitarian assistance to thousands of victims of war, prisoners of war, and refugees. Since then I have been working alongside the ICRC throughout the different phases of the conflict, on many different projects, and this has allowed me to gain a unique perspective on the way the organisation has approached its work in a war-torn country like Somalia.

Working towards a better world / James G. Stavridis. - In: International review of the Red Cross, Vol. 94, no. 888, Winter 2012, p. 1269-1271 : portr.

INTERNATIONAL CRIMINAL LAW

Code of international criminal law and procedure : Larcier law annotated 2013 / Paul De Hert... [et al.] eds. - Brussel : Larcier, 2013. - 803 p. ; 25 cm. - (Law annotated series). - Bibliographies. - ISBN 9782804452384

344/615

La complicité de génocide / Daniel Dormoy. - Bruxelles : Bruylant, 2013. - p. 645-670. - In: Permanence et mutation du droit des conflits armés

345.2/945

Elements of genocide / ed. by Paul Behrens and Ralph Henham. - Abingdon ; New York : Routledge, 2013. - XII, 258 p. ; 24 cm. - Index. - ISBN 9780415504386

Contient notamment : Establishing the foundations for the international criminalisation of acts of genocide : from the Marten Clause to the International Criminal Court / M. Salter and M. Eastwood. - Forms of perpetration / M. G. Karnavas. - The need for a genocide law / P. Behrens

344/616

Évolution jurisprudentielle du crime de guerre / Délidji Eric Degila. - Bruxelles : Bruylant, 2013. - p. 613-643. - In: Permanence et mutation du droit des conflits armés

La présente contribution ambitionne de faire le point sur l'évolution du crime de guerre, à travers la récente jurisprudence de ces différentes juridictions pénales internationales. La notion de crime de guerre a-t-elle évolué au cours des dernières décennies du fait de l'activité des juridictions pénales internationales ? Ou au contraire a-t-on assisté à une permanence quant à la définition de ce concept dans les jugements émis par ces différentes juridictions internationales ? Ainsi, la première partie analyse l'évolution du concept de crime de guerre à travers la jurisprudence du TPIY et celle du TPIR, en mettant l'accent sur les apports les plus pertinents de ces deux juridictions pénales ad hoc (Section I). Dans une deuxième partie, la notion de crime de guerre à travers les récentes décisions de la CPI (Section II) sera traitée. Il s'agira d'examiner, à la lumière des situations en République démocratique du Congo, en Ouganda, en République centrafricaine et au Darfour (Soudan), l'apport des différentes chambres de la Cour à la notion de crime de guerre.

345.2/945

From The Hague to the Balkans : a victim-oriented reparations approach to improved international criminal justice / Stathis N. Palassis. - In: International criminal law review, Vol. 14, issue 1, 2014, p. 1-41

The international crimes committed in the territory of the former Yugoslavia during the 1990s have been the subject of both State responsibility claims and prosecutions establishing individual criminal responsibility. On 26 February 2007 the International Court of Justice handed down its judgment in the Genocide case while it is expected that in 2014 the International Criminal Tribunal for the former Yugoslavia will conclude all appeals from prosecutions. While these initiatives contribute to the acknowledgement of the commission of international crimes they have not provided the victims with any financial reparations.

Instead victims have had to make compensation claims under domestic law. The article examines how, in addition to the international initiatives at The Hague, a regionally focused victim oriented reparations approach can assist in attaining improved international criminal justice for international crimes committed during the Yugoslav wars. A victim oriented reparations approach would enhance victims' rights through the provision of financial reparations, reflect improved international criminal justice and assist in the attainment long-term stability in the war-torn States of the former Yugoslavia.

International criminal law / Beth Van Schaack with the assistance of Kelly Madigan ; guest ed. : Cécile Aptel. - [Atlanta] : Emory University School of Law, International Humanitarian Law Clinic ; [Washington] : ICRC, Regional Delegation for United States and Canada, 2012. - 78 p. : fotogr., cartes ; 30 cm. - (International humanitarian law teaching supplement ; volume 2). - Photocopies

This supplement is designed to provide material for one to three class periods depending on how in depth IHL/war crimes are covered in the course. Students are quite engaged with this topic in light of the United States' protracted involvement in overseas military engagements. This document includes both supplemental reading materials for distribution to students and teacher's manual commentary, merged together into one comprehensive supplement. The supplement is divided into four main substantive chapters on IHL, selected for their relevance to International Criminal Law (ICL). Each chapter contains 1) materials for distribution to students, including an introduction to the main IHL concepts; cases and primary source materials; and notes and questions for discussion; and 2) materials for professors, including general commentary at the beginning of each chapter and suggested answers and comments for discussion in response to the questions. For purposes of clarity, sections in italics are the teacher's manual commentary (with the exception of a few excerpted materials contained within those sections that are in regular type for accuracy purposes); sections in regular type are the student reading materials.

344/82(Br.)

International criminal law : student materials / Beth Van Schaack with the assistance of Kelly Madigan ; guest ed. : Cécile Aptel. - [Atlanta] : Emory University School of Law, International Humanitarian Law Clinic ; [Washington] : ICRC, Regional Delegation for United States and Canada, 2012. - 51 p. : fotogr., cartes ; 30 cm. - (International humanitarian law teaching supplement ; volume 2). - Photocopies

This is a teaching supplement on the interface of international humanitarian law (IHL) and international criminal law (ICL). It is designed for use primarily in a course on ICL, but could also be assigned in an IHL course as well. It is part of a series being generated by the Emory International Humanitarian Law Clinic and the International Committee of the Red Cross to enable the teaching of the law of armed conflict in other substantive courses.

344/82-1(Br.)

La juridictionnalisation du droit des conflits armés : les tribunaux internationaux mixtes / Olivier de Frouville et Olivia Martelly. - Bruxelles : Bruylant, 2013. - p. 573-612. - In: Permanence et mutation du droit des conflits armés

345.2/945

Quelle complémentarité entre la justice transitionnelle et la justice pénale internationale ? / S. Essomba. - In: Revue internationale de droit pénal = International review of penal law = Revista internacional de derecho penal, 84ème année, 1/2 trim., 2013, p. 181-204

Targeting and the concept of intent / Jens David Ohlin. - In: Michigan journal of international law, Vol. 35, issue 1, Fall 2013, p. 79-130. - Photocopies

International law generally prohibits military forces from intentionally targeting civilians; this is the principle of distinction. In contrast, unintended collateral damage is permissible unless the anticipated civilian deaths outweigh the expected military advantage of the strike; this is the principle of proportionality. These cardinal targeting rules of international humanitarian law are generally assumed by military lawyers to be relatively well-settled. However, recent international tribunals applying this law in a string of little-noticed decisions have completely upended this understanding. Armed with criminal law principles from their own domestic systems—often civil law jurisdictions—prosecutors, judges and even scholars have progressively redefined what it means to "intentionally" target a civilian population. In particular, these accounts rely on the civil law notion of *dolus eventualis*, a mental state akin to common law recklessness that differs in at least one crucial respect: it classifies risk-taking behavior as a species of intent. This problem represents a clash of legal cultures. International lawyers trained in civil law jurisdictions are nonplussed by this development, while the Anglo-American literature on targeting has all but ignored this conflict. But when told of these decisions, U.S. military lawyers view this "reinterpretation" of intent as conflating the principles of distinction and proportionality. If a military commander anticipates that attacking a building may result in civilian casualties, why bother analyzing whether the collateral damage is proportional? Under the *dolus eventualis* view, the commander is already guilty of violating the principle of distinction. The following Article voices skepticism about this vanguard application of *dolus eventualis* to the law of targeting, in particular by noting that *dolus eventualis* was excluded by the framers of the Rome Statute and was nowhere considered by negotiators of Additional Protocol I of the Geneva Convention. Finally, and most importantly, a *dolus eventualis*-inspired law of targeting undermines the Doctrine of Double Effect, the principle of moral theology on which the collateral damage rule rests. At stake is nothing less than the moral and legal distinction between terrorists who deliberately kill civilians and lawful combatants who foresee collateral damage.

344/92(Br.)

Threats posed to human security by non-state corporate actors : the answer of international criminal law / Cedric Ryngaert and Heleen Struyven. - Cambridge [etc.] : Intersentia, 2014. - p. 101-134. - In: Human security and international law : the challenge of non-state actors

Judicial precedents as regards corporate liability under international criminal law are scarce. In fact, the leading body of relevant case law is composed of a number of judgments rendered by Allied war crimes tribunals after World War II. As will be set out in section 2, these judgments developed legal principles to address German industrialists' complicity in international crimes perpetrated by the Nazi regime. Although the various tribunals' decisions are not always consistent, and all times lack legal clarity, they continue to be cited as leading standards for assessing corporate complicity. This is mainly so because later international criminal tribunals (Rwanda, Yugoslavia, and the International Criminal Court) have not heard corporate complicity cases, although they have further developed the general complicity standard (section 3). That being said, in recent times, corporate complicity litigation has been increasing in domestic courts, in particular in United States (UN) federal courts hearing tort cases against MNCs under the Alien Tort Claims Act (ATCA) (section 4), but also elsewhere, e.g. in the Netherlands (section 5). This increasing case law combined with historical precedents, the Rome Statute of the International Criminal Court (ICC), and considerations of criminal policy, allow us, in section 6, to develop general principles of corporate complicity that may guide future litigation brought by public prosecutors, or by victims of human security violations. For the sake of clarity, section 1 provides a definition, or rather definitions, of complicity, with a specific focus on corporate complicity. 345/644

"Too radical for its time" ? : Gustave Moynier and his proposal for an international criminal court around 1872. - [S.l.] : [s.n.], 2011. - 36 p. ; 30 cm. - Master dissertation, London School of Economics and Political Sciences, September 2011. - Bibliographie : p. 32-36

344/91(Br.)

INTERNATIONAL HUMANITARIAN LAW-GENERAL

Beginning of IHL application : overview and challenges / Louise Arimatsu. - In: Collegium, No 43, automne 2013, p. 71-82

345.2/948

Bringing the commentaries on the Geneva Conventions and their Additional Protocols into the twenty-first century / Jean-Marie Henckaerts. - In: International review of the Red Cross, Vol. 94, no. 888, Winter 2012, p. 1551-1555

The ICRC Commentaries on the 1949 Geneva Conventions date back to the 1950s, and those on the 1977 Additional Protocols were written in the 1980s. Since the original Commentaries were published, the Conventions and Protocols have been put to the test, and practice with respect to their application and interpretation has developed significantly. In order to capture these new developments a major ICRC project to update the Commentaries on these six treaties is now well underway. Its goal is to contribute to a better understanding of, and respect for, international humanitarian law. Ultimately, the project seeks to enhance protection for the victims of armed conflicts.

Le concept de conflit armé : enjeux et ambiguïtés. - Bruxelles : Bruylant, 2013. - p. 55-71. - In: Permanence et mutation du droit des conflits armés

345.2/945

Droit international général et droit international humanitaire : retour aux sources / Vincent Chetail. - Bruxelles : Bruylant, 2013. - p. 13-51. - In: Permanence et mutation du droit des conflits armés

Ce chapitre propose une brève cartographie des sources du droit international humanitaire. Il examine successivement le droit international humanitaire dans ses relations avec le droit des traités, le droit coutumier et le droit impératif. L'objectif est de mettre à jour les particularités du droit international humanitaire, ses points communs avec d'autres branches du droit international public, ainsi que ses limites.

345.2/945

End of IHL application / Marko Milanovic. - In: Collegium, No 43, automne 2013, p. 83-94

The general principle is that if a particular situation can no longer be qualified as an IAC, a NIAC, or an occupation, even if it was so qualified at a particular point in the past, the application of IHL will end. In the absence of any specific guidance to the contrary, this general principle makes perfect sense in the factual, objective Geneva threshold framework. For IHL to apply, its thresholds of application must continue to be satisfied at any given point in time. In order to elaborate on this general principle further, we must, of course, look at the constitutive elements of each threshold in the context of those particular scenarios in

which these elements might be extinguished. We must then establish whether a departure from the general rule is warranted. In doing so, we will observe certain terminating processes and events, which end the application of IHL altogether, and certain transformative processes and events, which end the application of one IHL sub-regime but engage another.

345.2/948

Folk international law : 9/11 lawyering and the transformation of the law of armed conflict to human rights policy and human rights law to war governance / Naz K. Modirzadeh. - In: Harvard national security journal, Vol. 5, issue 1, 2014, p. 225-304. - Photocopies

This Article argues that the positions many U.S.-based lawyers in the disciplines of international humanitarian law and human rights law took in 2013 on issues of lethal force and framing of armed conflict vis-à-vis the Obama Administration would have been surprising and disappointing to those same professionals back in 2002 when they began their battle against the Bush Administration's formulations of the "Global War on Terror." By 2013, many U.S.-based humanitarian and human rights lawyers had traded in strict fealty to international law for potential influence on executive decision-making. These lawyers and advocates would help to shape the Obama Administration's articulation of its legal basis for the use of force against al Qaeda and others by making use of "folk international law," a law-like discourse that relies on a confusing and soft admixture of IHL, jus ad bellum, and IHRL to frame operations that do not, ultimately, seem bound by international law. In chronicling the collapse of multiple legal disciplines and fields of application into the "Law of 9/11," the Article illustrates how that result came about not simply through manipulation by a government seeking to protect national security or justify its actions but also through a particular approach to legal argumentation as mapped through various tactical moves during the course of the legal battle over the war on terror.

345.2/946(Br.)

The geographic reach of IHL : the law and current challenges / Tristan Ferraro. - In: Collegium, No 43, automne 2013, p. 105-113

345.2/948

Is there a need for clarification of the temporal scope of IHL ? / David Frend. - In: Collegium, No 43, automne 2013, p. 95-100

345.2/948

Permanence et mutation du droit des conflits armés / sous la dir. de Vincent Chetail. - Bruxelles : Bruylant, 2013. - XI, 683 p. ; 24 cm. - (Organisation internationale et relations internationales ; 72). - ISBN 9782802736233

Le présent ouvrage réunit les principaux experts du droit international humanitaire pour réfléchir sur ses principes fondateurs et leur pertinence dans les conflits armés contemporains. Il propose un état des lieux sur les grandes questions du droit international humanitaire à la lumière de l'évolution récente de la pratique en la matière. L'approche retenue par cette étude se veut à la fois didactique et critique, de manière à mieux comprendre les enjeux contemporains du droit international humanitaire, son évolution et sa portée. L'ouvrage collectif s'articule à cette fin autour de cinq axes essentiels : - la notion de

conflit armé ; - les nouveaux acteurs des conflits armés ; - les espaces des conflits armés ; - les méthodes de combat ; - la juridictionnalisation du droit des conflits armés.

345.2/945

The practical guide to humanitarian law / Françoise Bouchet-Saulnier ; ed. and transl. by Laura Brav and Camille Michel. - 3rd English language ed.. - Lanham [etc.] : Rowman and Littlefield, 2014. - XXVII, 797 p. ; 26 cm. - Bibliographies. Index. - Titre original : Dictionnaire pratique du droit humanitaire. - ISBN 9781442221413

Now in a comprehensively updated edition, this indispensable handbook analyzes how international humanitarian law has evolved in the face of these many new challenges. Central concerns include the war on terror, new forms of armed conflict and humanitarian action, the emergence of international criminal justice, and the reshaping of fundamental rules and consensus in a multipolar world. The Practical Guide to Humanitarian Law provides the precise meaning and content for over 200 terms such as terrorism, refugee, genocide, armed conflict, protection, peacekeeping, torture, and private military companies—words that the media has introduced into everyday conversation, yet whose legal and political meanings are often obscure. The Guide definitively explains the terms, concepts, and rules of humanitarian law in accessible and reader-friendly alphabetical entries. Written from the perspective of victims and those who provide assistance to them, the Guide outlines the dangers, spells out the law, and points the way toward dealing with violations of the law. Entries are complemented by analysis of the decisions of relevant courts; detailed bibliographic references; addresses, phone numbers, and Internet links to the organizations presented; a thematic index; and an up-to-date list of the status of ratification of more than thirty international conventions and treaties concerning humanitarian law, human rights, refugee law, and international criminal law. This unprecedented work is an invaluable reference for policy makers and opinion leaders, students, relief workers, and members of humanitarian organizations.

345.2/635(2014-ENG)

Pray fire first Gentlemen of France : has 21st century chivalry been subsumed by humanitarian law ? / Evan J. Wallach. - In: Harvard national security journal, Vol. 3, issue 2, 2013, p. 431-469. - Photocopies

In 1956 the U.S. Army's FM 27-10 required that belligerents conduct hostilities "with regard for the principles of ... chivalry... ". Similarly, the 1958 British Manual of Military Law Part III stated that chivalry was one of the three principles which determined development of the law of war, saying it "demands a certain amount of fairness and a certain mutual respect between the opposing forces... ". Despite those requirements, however, no clear definition of the term existed in a form which provided legal guidance for an officer concerned with international law compliance. The current (2004) British Manual drops the chivalry requirement, saying only that the Martens Clause⁵ "incorporates the earlier rules of chivalry that opposing combatants were entitled to respect and honor." One premise of this Article is that international humanitarian law is not a substitute for the specific elements of chivalry, and that chivalric obligations must continue to guide military conduct, as U.S. law currently requires. It is written primarily at the tactical level, although aspects apply to operational and strategic matters. After an historical survey, it examines modern chivalry both through positive requirements and negative prohibitions in the national codes of the United States and the international law of war, and analyzes the application of those strictures in regulations, case authorities, and commentary.

345.2/944(Br.)

Scope of application of international humanitarian law : proceedings of the 13th Bruges Colloquium, 18-19 October 2012 = Le champ d'application du droit international humanitaire : actes du 13e Colloque de Bruges, 18-19 octobre 2012 / CICR, Collège d'Europe. - In: Collegium, No 43, automne 2013, 155 p.

Session 1 : Material scope of application of IHL. - Session 2 : Personal scope of application of IHL. - Session 3 : Temporal scope of application IHL. - Session 4 : Geographical scope of application of IHL.

345.2/948

INTERNATIONAL HUMANITARIAN LAW-CONDUCT OF HOSTILITIES

Boucliers humains volontaires et participation directe aux hostilités : analyse à la lumière du Guide interprétatif du CICR sur la participation directe aux hostilités / P. Antoine Kaboré. - Saarbrücken : Ed. universitaires européennes, 2012. - VIII, 94 p. ; 22 cm. - Bibliographie : p. 84-94. - ISBN 9783841787606

Cette étude tente de clarifier une question controversée en droit international humanitaire: l'application d'une notion juridique aux contours imprécis (la participation directe aux hostilités) à une situation difficilement identifiable sur le terrain des hostilités (les boucliers humains volontaires). L'auteur part d'un postulat bien clair à savoir que les boucliers humains volontaires sont des civils qui ne doivent donc pas faire l'objet d'attaques directes sauf s'ils participent directement aux hostilités et pendant la durée de leur participation. La question juridique principale qui touche les boucliers humains volontaires est celle de savoir si l'attaquant peut être exonéré de son obligation de respecter le principe de proportionnalité. Pour l'auteur, l'attitude des boucliers humains volontaires peut justifier l'infléchissement de ce principe. Cette idée qualifiée de proportionnalité qualitative prône un "moindre poids" des boucliers humains volontaires dans le calcul de la proportionnalité, en raison de leur conduite. Cependant, pour éviter les abus, la proportionnalité qualitative ne doit s'appliquer que dans des cas très extrêmes et après le respect de plusieurs règles.

345.25/292

Civilian casualties in modern warfare : the death of the collateral damage rule / Valerie Epps. - In: Georgia journal of international and comparative law, Vol. 41, no. 2, 2013, p. 307-355. - Photocopies

This article will first examine the changes that have taken place, over roughly the last two centuries, in the types of wars that occur. It will next focus on the shifting ratio of military to civilian war-related deaths during this period, noting that we now live in an era where wars result in a hugely disproportionate loss of civilian lives. The final part of the article will trace the history and applicability of the collateral damage rule, also known as the proportionality rule. The article then brings together the data on the changes in the types of wars fought and the shift from mainly military to mainly civilian war-related deaths and asks what continuing regulatory effect the collateral damage rule can be expected to exert when the data on war-related deaths will inevitably mean that the rule has utterly failed to achieve its purpose. The final part of the article makes a few modest suggestions that may, in some measure, help fulfill the purpose of the collateral damage rule.

345.25/104(Br.)

Le droit de la Haye à l'épreuve des espaces aériens et extra-atmosphériques / Mireille Couston et Géraldine Ruiz. - Bruxelles : Bruylant, 2013. - p. 305-355. - In: Permanence et mutation du droit des conflits armés

345.2/945

Le juge international et les nécessités militaires / Etienne Henry. - Genève : Schulthess, 2013. - p. 105-122. - In: Le juge en droit européen et international = The judge in European and international law. - Photocopies

Ce chapitre tente d'identifier et d'articuler le concept de « nécessité militaire » en tant que fait juridique mais aussi principe général du droit international humanitaire qui a pour objet d'autoriser les belligérants à utiliser la force nécessaire pour atteindre leurs objectifs. Celui-ci est concrétisé par de nombreuses dispositions du droit international humanitaire. Mais le juge international n'est que rarement appelé à juger de ce qui est militairement nécessaire. Diverses revendications infructueuses ont été formulées en vue d'empêcher les prononcés judiciaires sur ces questions. Il n'y a donc pas d'obstacle à ce que les tribunaux internationaux se prononcent dans des affaires portant sur une appréciation de la nécessité militaire. L'appréciation de la nécessité militaire, par le recours à des critères extrajuridiques qu'elle implique, n'est cependant pas une tâche aisée pour le juge. Sur un plan plus fondamental, la tendance à limiter la compétence des tribunaux aux questions relevant du *jus in bello* - à l'exclusion du *jus contra bellum* - ainsi que la structure interétatique du droit international risquent de transformer le juge en instance de légitimation de certaines conduites immorales, voire illégales.

345.25/290(Br.)

La notion d'objectif militaire et les cibles duales / Yves Sandoz. - Bruxelles : Bruylant, 2013. - p. 415-451. - In: Permanence et mutation du droit des conflits armés

345.2/945

Il principio di proporzionalità nell'interazione tra diritto umanitario e tutela dei diritti umani : strumento per la risoluzione delle antinomie o mero argomento retorico ? / Marco Pertile. - Napoli : Editoriale Scientifica, 2012. - p. 159-206. - In: La tutela dei diritti umani e il diritto internazionale. - Photocopies

345.25/291(Br.)

Rethinking the criterion for assessing CIA-targeted killings : drones, proportionality and jus ad vim / Megan Braun and Daniel R. Brunstetter. - In: Journal of military ethics, Vol. 12, issue 4, December 2013, p. 304-324 : tabl., diagr.. - Bibliographie : p. 322-324

According to US government statements, drones succeed in killing terrorists while minimizing the risk to noncombatants, thus suggesting that they satisfy the *jus in bello* proportionality criterion. Scholars, however, are divided on whether drones are truly proportionate. What does it really mean to say drones are, or are not, proportionate? How are we to judge the proportionality of the CIA's drone program? We expose the fallacy of drone proponents who claim they are proportionate by repudiating what we call proportionality relativism - the use of impertinent comparisons to argue that drones are proportionate because they cause less collateral damage than other uses of force. We then analyze the existing data on drone strikes to expose problematic differences in how the US military and the CIA understand proportionality balancing. Finally, we employ what Walzer calls the category of *jus ad vim* -

the just use of force short of war - to assess the ethics of drones. Jus ad vim demands a stricter relationship between the use of force short of war and the jus in bello principles of proportionality and discrimination, as well as human rights concerns of civilians not usually considered in the proportionality calculus, that severely restricts the scope of proportionality balancing. Assessing the CIA's use of drones in Pakistan according to this standard casts a dark shadow on claims that CIA drones are proportional.

The use of force in armed conflicts : interplay between the conduct of hostilities and law enforcement paradigms : expert meeting : report / prepared and ed. by Gloria Gaggioli. - Geneva : ICRC, October 2013. - VII, 92 p. : tabl. ; 30 cm. - (Report)

This report provides an account of the debates that took place during a meeting of experts organized by the ICRC in January 2012 in Geneva. The subject of discussion was "Use of Force in Armed Conflicts: Interplay between the Conduct of Hostilities and Law Enforcement Paradigms." The meeting sought to find the line dividing the conduct-of-hostilities and law-enforcement paradigms in situations of armed conflict. It paid especial attention to non-international armed conflicts, during which the interplay between the two is particularly discernible. The report is divided into three parts. First, it addresses the legal basis and distinguishing features of the two paradigms. Then, it introduces and discusses five case studies pertaining to the use of force; these studies were developed to illustrate some of the concrete legal and practical issues that arise in the field: Case study 1: The use of force against potential targets (example of the isolated sleeping fighter) Case study 2: Riots (where civilians and fighters are blended in with each other) Case study 3: Fight against criminality Case study 4: Escape attempts and rioting detainees Case study 5: Checkpoints The third part explores legal issues relevant before and after the actual use of force - notably questions of planning and investigation. A brief conclusion sums up the points of agreement and the differences of opinion among the experts.

345.25/293

INTERNATIONAL HUMANITARIAN LAW-IMPLEMENTATION

Amnesty : evolving 21st century constraints under international law / Juan Carlos Portilla. - In: The Fletcher Forum of world affairs, Vol. 18:1, Winter 2014, p. 169-194

The arms trade treaty and human security : what role for NSAS ? / Zeray Yihdego. - Cambridge [etc.] : Intersentia, 2014. - p. 135-173. - In: Human security and international law : the challenge of non-state actors

345/644

The challenges of establishing the facts in relation to "Hague law" violations / Stephen Wilkinson. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 313-330. - In: War crimes and the conduct of hostilities : challenges to adjudication and investigation

345.25/289

Decision-making process in military combat operations / ICRC. - Geneva : ICRC, October 2013. - 53 p. ; 21 cm. - (Reference (ICRC))

Directed at commanders, staff officers and military doctrine writers, this practical guidance manual illustrates where and how the application of the Law of Armed Conflict (LOAC) should

be integrated into the operational and tactical decision-making process, as well as into operational orders in times of armed conflict. The manual is intended to help decision makers create the necessary conditions for the respect of the law in the conduct of military combat operations.

345.22/234

Le droit des conflits armés devant les organes de contrôle des traités relatifs aux droits de l'homme / Emmanuel Decaux et Spyridon Aktypis. - Bruxelles : Bruylant, 2013. - p. 529-572. - In: Permanence et mutation du droit des conflits armés

345.2/945

Fact-finding by international human rights institutions and criminal prosecution / Simone Vezzani. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 349-368. - In: War crimes and the conduct of hostilities : challenges to adjudication and investigation

345.25/289

Guantánamo and beyond : exceptional courts and military commissions in comparative perspective / ed. by Fionnuala Ni Aoláin, Oren Gross. - Cambridge [etc.] : Cambridge University Press, 2013. - XXII, 385 p. ; 23 cm. - Index. - ISBN 9781107401686

DescriptionContentsResourcesAbout the Authors The Military Commissions scheme established by President George W. Bush in November 2001 has garnered considerable controversy. In parallel with the detention facilities at Guantánamo Bay, Cuba, the creation of military courts has focused significant global attention on the use of such courts to process and try persons suspected of committing terrorist acts or offenses during armed conflict. This book brings together the viewpoints of leading scholars and policy makers on the topic of exceptional courts and military commissions with a series of unique contributions setting out the current 'state of the field'. The book assesses the relationship between such courts and other intersecting and overlapping legal arenas including constitutional law, international law, international human rights law, and international humanitarian law. By examining the comparative patterns, similarities and disjunctions arising from the use of such courts, this book also analyzes the political and legal challenges that the creation and operation of exceptional courts produces both within democratic states and for the international community.

345.22/227

As infrações graves do direito internacional humanitário, os processos legislativos para sua implementação a nível nacional na América Latina e a contribuição do Comitê Internacional da Cruz Vermelha (CICV) / Gabriel Pablo Valladares. - In: Revista do Ministério público militar, Ano 38, no 23, novembro de 2013, p. 133-158

345.22/235

International Conference on Military Jurisdiction : conference proceedings = Conférence internationale sur la juridiction militaire : textes de la conférence / Société internationale de droit militaire et de droit de la guerre ; Stanislas Horvat, Ilja Van Hespén, Veerle Van Gijsegem (eds.). - Bruxelles : Société internationale de droit militaire et de droit de la guerre, 2013. - 522 p. ; 24 cm. - (Recueils de la Société internationale de droit militaire et de droit de la guerre)

In 2001 the "seminar on military jurisdiction" was held in Rhodes, gathering 125 participants from 45 countries and making a synthesis of 38 national reports about the theme. Ten years later, the International Society sent a vast questionnaire to its national groups and to the ministries of Defence and of Justice of numerous countries, a total of 77. Nearly all the answering countries (25) had reforms of the military justice system since the 2001 seminar, mainly with regard to the criminal procedure and this mostly to make it compatible with human rights law or the Covenant on Political and Civil Rights. Some countries- such as Belgium - abolished their military courts. At this moment there is discussion in certain countries about possible reforms. After the fundamental institutional reforms in Tunisia after the change of government, the whole judicial system has been modified. Discussions in Australia deal with independence and impartiality of military courts. France is considering modifying wartime legislation and the abolishment of the Tribunal des Armées (dealing with offences committed by French military during operations abroad). In Ireland amendments are on their way. Kenya is changing its legislation on armed forces in order to make it compatible with its constitution. It is also quite clear that the Salduz case of the European Court for Human Rights will result in substantial changes for the countries bound by the European Convention with regard to the inquiry regarding military aspects and that new reforms of (military) judicial systems will be necessary.

345.22/233

National human rights institutions, displacement and human security / Richard Carver. - Cambridge [etc.] : Intersentia, 2014. - p. 75-99. - In: Human security and international law : the challenge of non-state actors

345/644

National security law / Geoffrey S. Corn and Eric T. Jensen with the assistance of Anne Johnson ; guest ed. : Gary D. Solis. - [Atlanta] : Emory University School of Law, International Humanitarian Law Clinic ; [Washington] : ICRC, Regional Delegation for United States and Canada, [2012?]. - 30 p. : tabl. ; 30 cm. - (International humanitarian law teaching supplement ; volume 1). - Photocopies

This teaching International humanitarian law Supplement offers materials for faculty interested in incorporating IHL into a National Security Law course. IHL offers several excellent illustrations of important national security law concepts. The examples provided are intended to facilitate the incorporation of these illustrations into a national security law curriculum. This pamphlet provides a brief narrative proposal for how to do so, references to suggested cases and potential questions and topics for classroom discussion. Section I provides a brief introduction to the key principles of IHL. The subsequent sections deal topically with National Security concepts into which IHL can be integrated as part of the teaching methodology.

345.22/232(Br.)

A necessidade de regulamentação nos conflitos armados para o reestabelecimento da democracia / Lucas Garcia Alves. - In: Revista de direito internacional vol. 9, no. 2, 2012, p. 45-67. - Bibliographie : p. 66-67. - Photocopies

Este artigo tem por escopo a análise das necessidades humanitárias nos campos de batalha que se encontram pouco ou não normatizadas, como também, a observação da ausência de regulamentação do jus post bellum, e suas relações com o estabelecimento da democracia pós-conflito, que, conseqüentemente, visa à paz. Por meio do entendimento de que a norma é formada mediante a história, far-se-á uma busca da formação do Direito Internacional

Humanitário e as convenções que se formaram. Em seguida, o principal ator na aplicação do Direito Humanitário. Adiante, serão expostas as obscuridades e ausência de regulamentação do auxílio humanitário dentro do conflito. Também será discutida a fase conceitual que o jus post bellum passa e a necessidade de se fazer um quadro principiológico normativo. Ainda, uma exposição do que é a democracia em seus mecanismos, uma vez que eles em ação seriam vistos como via para a paz. Concluir-se-á que há princípios normativos e orientadores do jus post bellum, entretanto esses não vêm apresentando concordância entre doutrinadores para sua aplicação; entretanto com a colaboração da Comissão de Construção da Paz, presente na ONU, tem-se trabalhado com mais vigor para a definição deste quadro normativo, mas que será útil se os países não começarem a respeitar o sistema internacional.

345.22/229(Br.)

El Perú y su política exterior en materia de derecho internacional humanitario : reseña de un camino inacabado / Elizabeth Salmón. - Lima : Fondo editorial de la Pontificia universidad católica del Perú, 2012. - p. 363-382. - In: Veinte años de política exterior peruana (1991 - 2011) : libro homenaje por el vigésimo aniversario del Instituto de estudios internacionales (IDEI) de la Pontificia universidad católica del Perú. - Photocopies

345.22/228(Br.)

Russia, Chechnya and the Geneva Conventions, 1994-2006 : norms and the problem of internalization / Mark Kramer. - [Plovdiv] : Universitetsko izd. "Paisij Chilendarski", 2013. - p.493-504. - In: Pravoto-izkustvo za dobroto i spravedlivoto. - Photocopies

This paper discusses Russia's position vis-à-vis the four Geneva Conventions of 1949 and the two Additional Protocols of 1977 and the implications for the two wars fought by troops against separatist guerrillas in Chechnya in 1994 - 2006. The paper begins by tracing the Soviet Union's policies toward the Conventions and Additional Protocols and the effects (or lack thereof) of these documents on Soviet military operations both abroad and at home from the late 1940s through the early 1990s. The experience with the Conventions and Additional Protocols during the Soviet era helped to shape the policies of the Russian Federation, which, as the legal successor state to the USSR, inherited the Soviet government's obligations under international treaties and agreements. The paper highlights the changes and continuities in post-Soviet Russia's position and then uses the recent Russian-Chechen wars as a case study. The paper sheds light not only on Russia's policies in Chechnya but also on recent scholarly literature regarding international norms and state behavior. A norm in international relations, including the tenets of international humanitarian law (IHL), can be defined as a shared conception of the appropriate way to behave or the appropriate stance to take on a particular issue. Over time, as a norm becomes more prevalent, actors in the system come to expect that other actors will comply with it. The growing acceptance of a norm does not preclude the establishment of mechanisms to monitor and, if necessary, enforce compliance with it, but, at least in principle, a norm could eventually become self-enforcing or nearly so. The focus here is on compliance (or non-compliance) with norms relating to IHL and human rights. A key aspect of this issue is the process of internalization.

345.22/231(Br.)

The Security Council and the obligation to prevent genocide and war crimes / Andreas Zimmermann. - In: Polish yearbook of international law, 32, 2012, p. 307-314. - Photocopies

This article addresses the question of the obligations of both, the Security Council as such, as well as of its individual members (including the five permanent members), when faced with genocide or in situations where violations of the Geneva Conventions are being committed,

given that the contracting parties of the Genocide Convention are under a positive obligation to prevent genocide and are under an obligation to secure respect for the provisions of the Geneva Conventions.

345.22/230(Br.)

A turn to non-state actors : inducing compliance with international humanitarian law in war-torn areas of limited statehood / Heike Kriege. - Berlin : DFG Collaborative Research Center (SFB) 700, June 2013. - 45 p. ; 30 cm. - (SFB-governance working paper series ; No. 62). - Bibliographie : p. 36-42. - Photocopies

Many of the perpetuated armed conflicts in the Great Lakes Region in Africa take place in war-torn areas of limited statehood. These conflicts are characterized by a high number of civilian victims, often resulting from utter disregard for international humanitarian law. Here, the rise of armed, violent non-state actors collides with the State-centric traditional nature of public international law. Thus, (classical) compliance structures seem to lose their significance, as they predominantly rely on the State for law enforcement and therefore mainly accommodate States' interests when inducing compliance. The working paper suggests that the international community responds to these challenges by allocating competences to other actors than the State. Particularly, international organizations increasingly contribute to enforcing international humanitarian law. However, since these organizations are dependent on their member States' political willingness to support measures for inducing compliance effectively, a proliferation of humanitarian non-state actors can be observed that step in where third States and international organizations are reluctant to act. The paper investigates reasons for compliance and arrives at the conclusion that traditional motives rooted in a logic of consequences, as well as appropriateness are still valid and must therefore be addressed by the corresponding compliance mechanisms. These compliance mechanisms are interdependent and mutually reinforcing. Persuasion and incentives work more effectively if they are used under a shadow of hierarchy thrown by coercive legal enforcement instruments, such as international criminal justice and UN targeted sanctions. These instruments are in turn more effective if they are part of a concerted effort.

345.22/226(Br.)

UN fact-finding commissions and the prosecution of war crimes : an evolution towards justice-oriented missions ? / Micaela Frulli. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 331-348. - In: War crimes and the conduct of hostilities : challenges to adjudication and investigation

345.25/289

W. Hays Parks Symposium : teaching the law of war / W. Hays Parks, François Sénéchaud... [et al.]. - In: IDF law review, Vol. 3, issue 1, 2007-2008, p. 9-69. - Photocopies

Contains : Teaching the law of war : a reprise / W. Hays Parks. - Some reflections on teaching the law of armed conflict in national and multinational contexts : a view from the United Kingdom / David Turns. - Teaching the law of war in the Israel Defense Forces / Hila Adler. - Instructing the law of armed conflict : a review of ICRC practice / François Sénéchaud. - National Red Cross/Red Crescent Societies and international humanitarian law / Rogier Bartels

345.24/39(Br.)

INTERNATIONAL HUMANITARIAN LAW-LAW OF OCCUPATION

A propos de l'applicabilité du droit de l'occupation militaire aux forces des Nations Unies / par Noemi Corso. - In: Schweizerische Zeitschrift für internationales und europäisches Recht = Revue suisse de droit international et de droit européen = Rivista svizzera di diritto internazionale e europeo = Swiss review of international and european law, 23. Jg, 4/2013, p. 609-638

A administração de territórios ocupados : indeterminação das normas de direito internacional humanitário ? / João Henrique Ribeiro Roriz, Fabia Fernandes Carvalho Veçoso, Lucas da Silva Tasquetto. - In: Revista de direito internacional vol. 10, no. 2, 2013, p. 184-195. - Bibliographie : p. 194-195. - Photocopies

O objectivo deste artigo é analisar as normas de direito internacional humanitário relativas à administração de territórios ocupados. Primeiro apresentamos a noção de "território ocupado" no direito internacional humanitário segundo os principais tratados sobre o tema, assim como as principais decisões de tribunais internacionais sobre a matéria. Em seguida, discutimos especificamente a Regulação 43 das Regulações da Haia de 1907, que dispõe sobre os direitos e deveres do Estado ocupante. Logo após, analisamos o caso da ocupação liderada pelos Estados Unidos e pelo Reino Unido no Iraque após a guerra em 2003, que prooveu uma série de reformas liberais na economia iraquiana. À luz das regulações relativas à administração de territórios ocupados, buscamos responder se : (i) as transformações econômicas promovidas pelas potências ocupantes foram votadas para a restauração e asseguarção da ordem e da vida públicas no Iraque ; e (ii) se houve um impedimento absoluto para se anter a legislação doméstica econômica. Concluimos que indeterminações das normas de direito internacional humanitário relativas à ocupação militar de territórios, impossibilitam uma resposta exata que evite o abuso promovido por aqueles que têm mais poder. O discurso em defesa das normas de direito internacional humanitário está arquitetado na premissa de que é possível reduzir o sofrimento humano em conflitos armados. Todavia, restou claro que esse sistema apresenta diversas lacunas que permitem a exploração por parte daqueles que tentam encobrir suas intenções com o manto da legalidade.

345.28/107(Br.)

L'applicabilité ratione temporis du droit de l'occupation de guerre : le début et la fin de l'occupation / Robert Kolb et Sylvain Vité. - Bruxelles : Bruylant, 2013. - p. 97-148. - In: Permanence et mutation du droit des conflits armés

345.2/945

Challenges to international humanitarian law : Israel's occupation policy / Peter Maurer. - In: International review of the Red Cross, Vol. 94, no. 888, Winter 2012, p. 1503-1510

In this article, the ICRC's President Peter Maurer presents the ICRC's view on Israeli policies and practices regarding certain key issues related to the occupation, deriving from Israel's obligations under occupation law, namely the annexation of East Jerusalem, the routing of the West Bank Barrier and the building of Israeli settlements in the Occupied Palestinian Territory.

Experts legal opinion : in relation with the petition filed by residents of villages in Firing Zone 918 against the intention to transfer them from their homes / Yuval Shany, David Kretzmer, Eyal Benvenisti. - [S.l.] : [s.n.], January 2013. - 15 p. ; 30 cm. - Unofficial translation from Hebrew. - Photocopies

The Association for Civil Rights in Israel filed a new petition on January 16, 2013 at the High Court of Justice of Israel against the State's plans to expel some 1,000 Palestinians living in eight rural villages in Firing Zone 918 in the South Hebron Hills. The petition include this experts legal opinion concerning the legality of transferring residents of Palestinian villages out from Firing Zone 918 and concerning the legality of declaring it as a Firing Zone. This opinion is based on the International Law provisions.

345.28/108(Br.)

International humanitarian law, ICRC and Israel's status in the Territories / Alan Baker. - In: International review of the Red Cross, Vol. 94, no. 888, Winter 2012, p. 1511-1521

This article discusses contentions voiced by ICRC President Maurer in a speech on 'Challenges to humanitarian action in contemporary conflicts: Israel, the Middle East and beyond', developed in the form of the article in this issue of the International Review of the Red Cross. It discusses challenges to international humanitarian law in situations where one party violates humanitarian norms, and questions some ICRC contentions and assumptions regarding the status of the West Bank territories, the status of Israel-Palestinian agreements, the status of the Gaza Strip, the concept of 'occupation', Israel's settlement policy, Israel's separation barrier, East Jerusalem, and concludes with a discussion of ICRC policies of confidentiality, as opposed to public engagement.

INTERNATIONAL HUMANITARIAN LAW-TYPE OF ACTORS

Blurred lines : an argument for a more robust legal framework governing the CIA drone program / Andrew Burt [and] Alex Wagner. - In: The Yale journal of international law online, Vol. 38, Fall 2012, 15 p.. - Photocopies

In general, CIA employees are civilians and not combatants, and therefore do not enjoy any legal privilege to participate in hostilities pursuant to the laws of war. Military combatants are privileged to participate in hostilities and kill other combatants (or civilians who directly participate in hostilities) during armed conflict, where killing is a principal means of achieving the objective of attrition. Further, any such participation in hostilities, without marking themselves as such through uniforms or insignia to distinguish themselves from noncombatants, arguably renders CIA personnel in violation of the international humanitarian law requirement known as "distinction." That has led many to question whether the CIA civilian drone operators who engage in armed attacks against members of al Qaeda, the Taliban, and their associated forces might share the same legal status as the terrorists they combat. Initially, this Essay attempts to unpack that potential irony, laying out the legal framework that governs the law of armed conflict. More importantly, however, we propose possible courses of action that the Obama Administration could take to realign, revise, and strengthen the legal framework on which its highly effective drone program is based. We suggest two possible courses of action. First, and perhaps most intuitively, the Administration could transfer its drone program to military control and consolidate the separate CIA and military lists it reportedly maintains of targeted belligerents. Barring that transfer, however, we believe that broadening the U.S. government's view of who qualifies as a legal combatant—by publicly announcing the United States' acceptance, as a matter of legal obligation, of Articles 43 and 44 of the 1977 Additional Protocol I of the Geneva Conventions—would grant additional legitimacy under international law to buttress the drone program.

345.29/203(Br.)

Combattants et combattants illégaux / Marco Sassòli. - Bruxelles : Bruylant, 2013. - p. 151-184. - In: Permanence et mutation du droit des conflits armés

345.2/945

Constructive constraints ? : conceptual and practical challenges to regulating private military and security companies / Surabhi Ranganathan. - Cambridge [etc.] : Intersentia, 2014. - p. 175-193. - In: Human security and international law : the challenge of non-state actors

345/644

Does IHL protect "unlawful combatants" ? / Gabor Rona. - In: Collegium, No 43, automne 2013, p. 63-67

This contribution gives a little background to the notion of "unlawful combatant " and how it has no place in the construction of the third Geneva Convention and Additional Protocol I.

345.2/948

Le droit international humanitaire à l'épreuve des groupes armés non-étatiques / Céline Bauloz. - Bruxelles : Bruylant, 2013. - p. 217-250. - In: Permanence et mutation du droit des conflits armés

Tout groupe armé ne constitue pas automatiquement un groupe armé au sens du droit international humanitaire. Les développements normatifs dans ce domaine ont clairement délimité les situations où les groupes armés peuvent être considérés en tant que parties à un conflit (section I). Concernant les conflits armés non internationaux, plus particulièrement, la jurisprudence des tribunaux pénaux internationaux a par la suite joué un rôle majeur en affinant la définition des groupes armés en droit international humanitaire (section II). Une question reste néanmoins en suspens : le droit international humanitaire est-il à même de refléter la nature protéiforme des groupes armés contemporains ? Le cas des groupes armés terroristes opérant de manière transnationale et celui des bandes criminelles organisées seront ainsi abordés en conclusion.

345.2/945

The duty to respect international humanitarian law during European Union-led operations / Marten Zwanenburg. - The Hague : T.M.C. Asser Institute, 2012. - p. 63-78. - In: Human rights in EU crisis management operations : a duty to respect and to protect ?. - (CLEER working papers ; 2012/6). - Photocopies

The clear military nature of some of the EU missions calls for the more specific question of whether there is a duty to respect international humanitarian law (IHL) during EU-led operations, and if so, who is the addressee of this obligation. Marten Zwanenburg argues that the EU may indeed itself become a party to an armed conflict when an EU-led operation becomes involved in hostilities. At the same time, this does not preclude troop-contributing states from also becoming such parties. The question then is how to determine whether the EU or rather troop-contributing states are accountable under the rules of IHL.

345.26/243(Br.)

Ensuring human security in armed conflicts : the role of non-state actors and its reflection in current international humanitarian law / Veronika Bílková. - Cambridge [etc.] : Intersentia, 2014. - p. 29-51. - In: Human security and international law : the challenge of non-state actors

345/644

L'implication des sociétés militaires privées dans les conflits armés contemporains et le droit international humanitaire / Mamadou Hébié. - Bruxelles : Bruylant, 2013. - p. 251-301. - In: Permanence et mutation du droit des conflits armés

Sans confondre les genres, l'air et l'espace ayant chacun des caractéristiques propres, leur intégration grandissante dans les conflits armés impose de les confronter aux principes qui gouvernent la conduite des hostilités. Ces normes sont issues de développements qui ont débuté à une époque se situant, technologiquement parlant, à des années-lumières de la nôtre. Il s'agit alors de mettre en parallèle les progressions techniques des deux espaces considérés et les développements du droit, pour dresser un tableau global de la place de l'air et de l'espace dans le conflit armé et dans son cadre juridique (section I). Postuler la permanence des normes dans un contexte de mutation des caractéristiques empiriques de la guerre n'empêche néanmoins pas les difficultés qui naissent dès que les règles ont à passer le test de l'application concrète. Il est alors primordial d'envisager le droit dans les contextes nouveaux auquel il se trouve confronté afin d'évaluer la pertinence de ses normes (section II).

345.2/945

Opérations de maintien de la paix et droit des conflits armés / Nicolas Michel et Katherine Del Mar. - Bruxelles : Bruylant, 2013. - p. 185-216. - In: Permanence et mutation du droit des conflits armés

345.2/945

Personal scope of IHL protection in NIAC : legal and practical challenges / Françoise Hampson. - In: Collegium, No 43, automne 2013, p. 59-62

While the principle of distinction is relatively straightforward in international armed conflict - two categories of persons can be targeted : the fighting members of the enemy's armed forces and civilians who at the times are taking a direct part in hostilities - in non-international armed conflict, there is no reference to combatant status. Therefore, in NIAC, the only persons who can be targeted are civilians at the time they are taking a direct part in hostilities. But what is meant by "for such time as" and what activities are covered by "direct participation". This contribution offers a critical look at the ICRC's Interpretive Guidance on the Notion of Direct Participation in Hostilities.

345.2/948

Private military and security companies in international law : a challenge for non-binding norms : the Montreux Document and the International Code of Conduct for Private Security Service Providers / Corinna Seiberth. - Cambridge [etc.] : Intersentia, 2014. - XLV, 295 p. ; 25 cm. - (International law series). - Bibliographie : p. 279-290. Index. - ISBN 9781780681825

345.29/201

The private military company complex in Central and Southern Africa : the problematic application of international humanitarian law / Mathew Kincade. - In: Washington university global studies law review, Vol. 12, issue 1, 2013, p. 205-226. - Photocopies

There is some debate as to whether or not IHLs apply to PMCs in the same fashion they can at times apply to sovereigns. IHLs do not explicitly refer to PMCs, and most attempts to retroactively fit PMCs into IHL interpretations have been problematic. International legislation is also partially responsible for the difficulties in applying IHLs to PMCs due to the combination of a lack of time, effort, and political motivation for some sovereigns to address the issues. As a result, PMC activities potentially fall into a troublesome gray area with respect to human rights protections in armed conflict. Africa has been a point of considerable interest and curiosity with respect to PMC involvement. Africa has been considered a potential stage for increasing PMC involvement for a few reasons. First, the conflicts both in and between the various countries of Africa would provide a business opportunity for PMCs. Second, many of the leading PMCs originated from Africa and already possess regional geographic familiarity. Third, some African countries have already encouraged the use of PMCs by allowing the legislature to regulate their activities. These factors contribute to the notion that Africa is particularly susceptible to, if not in some places inviting, PMC activity.

This article first looks at how contemporary IHL has attempted to tackle the existence of PMCs and "mercenaryism" then it compares and contrasts the different approaches of these Central and Southern African countries in regards to regulation of PMC activity. At the end of the analysis, this Note will synthesize the ramifications that each country's legislation may have on the international community.

345.29/202(Br.)

INTERNATIONAL HUMANITARIAN LAW-TYPE OF CONFLICT

Al Qaeda in the Arabian peninsula through the framework of international humanitarian law / Simon Henderson. - In: Al Nakhlah : online journal on Southwest Asia and Islamic civilization, Spring 2012, 12 p.. - Photocopies

This paper argues that international humanitarian law can encompass transnational armed conflicts. The author draws specifically upon Common Article 2 and 3 of the 1949 Geneva Conventions to discuss the case of Al-Qaeda in the Arabian Peninsula and the involvement of Yemen, Saudi Arabia and the US, arguing that this case fits the criteria of a transnational conflict. He suggests that where an armed conflict has not developed, states should be resorting to criminal law enforcement and international cooperation wherever possible, while protecting human rights. Finally, the author points out that the practical realities can make it difficult to apply this framework.

303.6/17(Br.)

An assessment of jus in bello issues concerning computer network attacks : a threat reflected in national security agenda / Kalliopi Chainoglou. - In: Romanian journal of international law, Vol. 12, 2010. - Photocopies

Since 2001, computer network attacks have become a feature of international relations; they have been conducted on a regular basis, leaving states troubled as to the appropriate way of responding to them. Limited bibliography exists on how the existing rules on the use of force (jus ad bellum) as well as the law of armed conflict (jus in bello) apply to computer network attacks. The scope of the present article is broader, as it seeks to explore issues that pertain

to computer network attacks/operations in the light of *jus in bello* and present the new tendencies concerning this matter which is already being addressed by states and international organizations, i.e. NATO. The analysis takes into consideration the *jus in bello* and the codified existing law in the form of HPCR Manual on International Law Applicable to Air and Missile Warfare (2009) along with the strategy doctrines and military manuals of various states that have openly admitted to be conducting computer network operations and/or recognize the potential harm of cyber threats to their security. With the civilian and military cyber domain considered to be interlinked, states with significant digital infrastructure have moved to design national strategies to mitigate and establish agencies to counter threats in the cyber space. The dual (civilian/military) nature of the threat is underscored in most official policies while cyber warfare is expected or considered to be a part of conventional warfare. A number of states have claimed the severity of cyber threats, issued strategy doctrines which address the prospect of offensive and defensive computer network operations while they gradually upgrade computer network operations from "stand alone capabilities" to integrated operations in the conventional military force scheme/theatre of operations, and adjust military manuals to the complexities of computer network operations.

345.25/294(Br.)

Attacked by our own government : does the War Powers Resolution or the law of armed conflict limit cyber strikes against social media companies ? / Harry P. Koulos. - In: The Georgetown journal of law and public policy, Vol. 11, 2013, p. 705-736. - Photocopies

The use of email and social media to support terrorist acts poses a threat to the United States. Terrorists are known to communicate using a common email account's "drafts folder," which makes their activity much more difficult to track because no emails need be sent. And, potentially innocent use of social media could jeopardize American operations. This note confronts the potential situation where the US Government uses cyber strikes to shut down a social media site's private message service in order to protect national security. Using a hypothetical situation, it asks the following questions: "Does the Authorization for Use of Military Force (AUMF) authorize such an attack ? Assuming the AUMF does not apply, would the cyber strike against the social media company's server in the Middle East trigger the War Powers Resolution ? Assuming the US was in an armed conflict with the hypothetical terrorist group, would such a cyber strike comply with the law of armed conflict ?

345.26/242(Br.)

Belligerent reprisals in non-international armed conflicts / Veronika Bílková. - In: International and comparative law quarterly, Vol. 63, part 1, January 2014, p. 31-65

The paper offers the first comprehensive treatment of the applicability and regulation of belligerent reprisals in non-international armed conflicts. It introduces three approaches to the topic ('extralegal', 'permissive' and 'restrictive' approaches) which all enjoy some support among States and scholars. The paper shows that international humanitarian law (IHL) treaties, IHL customs and other legal sources do not make it possible to decide between these approaches, as they are either silent on the topic or allow for several interpretations. It is the assessment of extralegal considerations and of the general framework of IHL which allows us to conclude that belligerent reprisals are inapplicable in non-international armed conflicts ('extralegal' approach). Yet, there are signs indicating that a gradual shift toward the 'restrictive' approach could be under way. The paper cautions against a premature acceptance of this approach drawing attention to its limits.

Computernetzwerkoperationen innerhalb internationaler bewaffneter Konflikte / Juliane Thümmel. - Baden-Baden : Nomos, 2013. - 273 p. ; 23 cm. - (Veröffentlichungen aus dem Institut für Internationale Angelegenheiten der Universität Hamburg ; Bd. 38). - Bibliographie : p. 247-273. - ISBN 9783832978877

355/1019

Corresponding evolution : international law and the emergence of cyber warfare / by Bradley Raboin. - In: Journal of the national association of administrative law judiciary, Vol. 31, no. 2, Fall 2011, p. 602-668. - Photocopies

345.26/246(Br.)

Cyber-attacks and international law of armed conflicts: a "jus ad bellum" perspective / Titiriga Remus. - In: Journal of international commercial law and technology, Vol. 8, no. 3, 2013, p. 179-189. - Photocopies

This article highlights legal problems of cyber attacks from a 'jus ad bellum' perspective (international dispositions regarding the justification for entering a war). Since no international instrument whatsoever cover the cyber attacks the analogies with current international solutions are largely employed. We illustrate also the developments with relevant examples taken from main powers' doctrine and practice (US, Russia and China). The starting points are the provisions regarding the use of (armed)"force" under Article 2(4) and "armed attack" under Article 51 of United Nations Charter. The qualification of a cyber attack as use of "armed force" or "armed attack" is based a multi criteria threshold developed by Schmitt. Other developments focus the capacity of present International law concepts (direct and indirect armed attack, identification of the aggressor state, pertinence of pre-emptive or interceptive self defense vis-à-vis cyber 'armed attack', etc.) to answer cyber warfare's structures and challenges.

345/648(Br.)

Cyber-conflict, cyber-crime, and cyber-espionage / David Weissbrodt. - In: Minnesota journal of international law, Vol. 22, Summer 2013, p. 347-387. - Photocopies

This Article explores different types of computer network operations and the scope of existing legal paradigms that can be applied to computer network operations. This Article examines three recent examples of computer network operations and analyzes the situations to determine the types of computer network operation and what, if any, legal operations apply. Finally, this Article discusses the limitations of existing legal paradigms, and analyzes the attributes and weaknesses of the three more prominent proposals for addresses regulation of international computer network operations.

345.26/249(Br.)

Cyber warfare and the crime of aggression : the need for individual accountability on tomorrow's battlefield / Jonathan A. Ophardt. - In: Duke law and technology review, No. 3, 2013, [27] p.. - Photocopies

As cyberspace matures, the international system faces a new challenge in confronting the use of force. Non-State actors continue to grow in importance, gaining the skill and the expertise necessary to wage asymmetric warfare using non-traditional weaponry that can create devastating real-world consequences. The international legal system must adapt to this battleground and provide workable mechanisms to hold aggressive actors accountable for

their actions. The International Criminal Court--the only criminal tribunal in the world with global reach--holds significant promise in addressing this threat. The Assembly of State Parties should construct the definition of aggression to include these emerging challenges. By structuring the definition to confront the challenges of cyberspace--specifically non-State actors, the disaggregation of warfare, and new conceptions of territoriality--the International Criminal Court can become a viable framework of accountability for the wars of the twenty-first century.

344/617(Br.)

Cyberwar and customary international law : the potential of a "bottom-up" approach to an international law of information operations / Jon P. Jurich. - In: Chicago journal of international law, Vol. 9, no. 1, Summer 2008, p. 275-295. - Photocopies

345.26/247(Br.)

O direito internacional humanitário e a emergência da ciberguerra / José Pedro Teixeira Fernandes. - In: Revista do direito internacional vol. 9, no. 2, 2012, p. 11-24. - Bibliographie : p. 23-24. - Photocopies

Em O Direito Humanitário e a Emergência da Ciberguerra o autor analisa os desafios levantados pelos ataques e conflitos cibernéticos às normas de Direito Internacional Humanitário atualmente existentes. O principal objetivo do artigo é apresentar um suncinto state of the art em matéria de regulação jurídica internacional da ciberguerra. O objetivo é também de discutir o conceito de ciberguerra a partir de uma abordagem estratégica e de segurança para, em seguida, analisar em que medida a regulamentação do DIH deverá aplicar-se a ela. A análise se assenta em uma revisão de literatura, essencialmente norteamericana, pois é aí que a reflexão sobre os seus aspectos legais se encontra mais avançada e aprofundada. A conclusão é a de que, apesar de ser líquido não estarmos perante um vazio jurídico, o enquadramento pelo DIH não está isento de dificuldades, sendo talvez a mais notória atribuição da responsabilidade em um ciberataque.

345.26/241(Br.)

Evolving battlefields : does Stuxnet demonstrate a need for modifications to the law of armed conflict ? / Jeremy Richmond. - In: Fordham international law journal, Vol. 35, issue 3, 2012, p. 842-894. - Photocopies

this Note analyzes the facts surrounding one of the few publicly known cyber attacks, Stuxnet, but assumes a hypothetical situation in which the LOAC applies. This Note thus addresses whether the deployment of Stuxnet conforms to the LOAC. Part I presents the facts of Stuxnet's development and deployment. Part II briefly discusses the history of the LOAC and then describes LOAC principles relevant to Stuxnet. Part III then applies the current LOAC to Stuxnet, identifying possible violations. This Note concludes that, with the possible exception of certain "knock-on" effects, current LOAC rules adequately address Stuxnet and that Stuxnet therefore demonstrates the LOAC's capability of regulating cyber war.

345.25/296(Br.)

International law in cyberspace : the Koh speech and Tallinn Manual juxtaposed / Michael N. Schmitt. - In: Harvard international law journal, Vol. 54, December 2012, p. 13-37. - Photocopies

345.26/245(Br.)

The military response to criminal violent extremist groups: aligning use of force presumptions with threat reality / Geoffrey S. Corn, Tanweer Kaleemullah. - [S.l.] : [s.n.], 2013. - [29] p. ; 30 cm. - Photocopies

The response to criminal disturbances appears to have been specifically excluded from situations triggering common article 3 when it was adopted in 1949. However, it is unlikely that the drafters of the conventions at that time anticipated the nature of organized criminal gangs and the destabilizing effect these groups have today in many areas of the world. The nature of this threat has resulted in the increasingly common utilization of regular military forces to restore government control in areas where they operate. This results in uses of force and exercise of incapacitation powers that far exceeds normal law enforcement response authority. It is therefore the thesis of this article that when the nature of these threats exceeds the normal law enforcement response authority and compels the state to resort to regular military force to restore order, international humanitarian law, or the law of armed conflict, provides the only viable legal regulatory framework for such operations. However it is also the view of the authors, that the risk of over breadth of authority inherent in this legal framework necessitates a carefully tailored package of rules of engagement to mitigate the risk that the effort to restore order will result in unjustified deprivations of life liberty and property.

345.27/134(Br.)

Navigating conflicts in cyberspace : legal lessons from the history of war at sea / Jeremy Rabkin and Ariel Rabkin. - In: Chicago journal of international law, Vol. 14, no. 1, Summer 2013, p. 197-258. - Photocopies

Despite mounting concern about cyber attacks, the United States has been hesitant to embrace retaliatory cyber strikes in its overall defense strategy. Part of the hesitation seems to reflect concerns about limits imposed by the law of armed conflict. But analysts who invoke today's law of armed conflict forget that war on the seas has always followed different rules. The historic practice of naval war is a much better guide to reasonable tactics and necessary limits for conflict in cyberspace. Cyber conflict should be open - as naval war has been - to hostile measures short of war, to attacks on enemy commerce, to contributions from private auxiliaries. To keep such measures within safe bounds, we should consider special legal constraints, analogous to those traditionally enforced by prize courts.

345.26/250(Br.)

Navigating jus ad bellum in the age of cyber warfare / Reese Nguyen. - In: California law review, Vol. 101, issue 4, 2013, p. 1079-1129. - Photocopies

The last decade has witnessed the heightened destructive potential of cyber attacks; correspondingly, cyberspace has become the new battlefield for nation-states in conflict. Yet jus ad bellum - the body of international law governing legitimate use of force - provides little guidance about the legality of a cyber attack or when such an attack becomes an act of war justifying resort to responsive force. This Comment provides a new analytical framework for addressing that question. It begins by clarifying definitional ambiguities in the literature on cyber attack, setting forth a definition that focuses on computer networks as the

instruments, rather than objects, of attack. It examines the technical concepts and considerations that influence the use-of-force analysis and animate the evaluation of potential analytical frameworks. It then discusses the governing jus ad bellum standards and critiques the leading approaches to assessing cyber attacks under these standards. This Comment departs from the traditional and accepted models of inquiry, drawing on cyber security research to propose a framework centered on cyber-physical systems that addresses cyber attacks under the laws of just war.

245.26/248(Br.)

The new cyber face of battle : developing a legal approach to accommodate emerging trends in warfare / Stephenie Gosnell Handler. - In: Stanford journal of international law, Vol. 48, no. 1, 2012, p. 209-237. - Photocopies

The article presents information on the cyberspace operations with reference to the emerging trend and the conduct of warfare. The Russian-Georgian War of 2008 was the first warfare executed with the use of non-kinetic cyberattacks. Information on the difference between cybercrimes and cyberattacks and the utilization of kinetic effects instead of traditional weapons by the cyberattacks, under the laws of war is also presented.

345.26/244(Br.)

Non-international armed conflicts : the applicable law / Sandesh Sivakumaran. - In: Collegium, No 43, automne 2013, p. 25-32

The first part of this contribution reviews the historical steps that have led to a situation where today, there does exist a developed body of international law that governs non-international armed conflict. In many respects, it is similar to the law on international armed conflict. The second part then turns to difficulties linked with the scope of application of IHL that some of these recent developments (the increase substance of IHL applicable to non-international armed conflict, the role played by International human rights law, the conflation between bodies of law) have given rise to.

345.2/948

Le principe de distinction entre conflits armés interne et international / Paul Tavernier. - Bruxelles : Bruylant, 2013. - p. 73-95. - In: Permanence et mutation du droit des conflits armés

345.2/945

Transnational armed conflict : does it exist ? / Rogier Bartels. - In: Collegium, No 43, automne 2013, p. 114-128

345.2/948

What does IHL regulate and is the current armed conflict classification adequate ? / Noam Lubell. - In: Collegium, No 43, automne 2013, p. 17-24

This contribution looks at the traditional categories of armed conflicts - international, non-international (NIAC) and belligerent occupation - that IHL seems to regulate clearly and looks at whether they are in fact still as clear as expected. While the current challenges to the traditional classification are difficult to deal with, they appear manageable insofar. However,

new developments, especially in the technological field (drones and cyber operations) are said to raise new questions that may require us to go further in our solutions.

345.2/948

When does violence cross the armed conflict threshold : current dilemmas / Paul Berman. - In: *Collegium*, No 43, automne 2013, p. 33-42

Violence - the use of physical force against people and property - is at the heart of most people's concept of armed conflict. That is certainly the case for disciplines outside the legal world. The Uppsala Conflict Data Programme in Sweden which tracks ongoing armed conflicts uses a definition based on at least 25 battle-related deaths a year. That gives a figure of 27 internal, one international and nine so-called internationalised conflicts for 2011. The but determining the relationship between levels of violence and the threshold of the legal concept of armed conflict is much more problematic.

345.2/948

INTERNATIONAL ORGANIZATION-NGO

Complementarity between the ICRC and the United Nations and international humanitarian law and international human rights law, 1948-1968 / Katharine Fortin. - In: *International review of the Red Cross*, Vol. 94, no. 888, Winter 2012, p. 1433-1454

This article shows that between the drafting of the Universal Declaration of Human Rights in 1948 and the Tehran conference in 1968, international human rights law and international humanitarian law and their respective guardian institutions, the United Nations (UN) and the International Committee of the Red Cross (ICRC), were not so conceptually far apart as is sometimes suggested. Its purpose is to give further legitimacy to the role of human rights law in armed conflict and show that cooperation between the UN and the ICRC has a long history.

NGOs : a new history of transnational civil society / Thomas Davies. - London : Hurst, 2013. - IX, 301 p. ; 22 cm. - Bibliographie : p. 243-267. Index. - ISBN 9781849043106

341.215/251

MEDIA

Early warning signals for war in the news / Thomas Chadeaux. - In: *Journal of peace research*, Vol. 51, issue 1, 2014, p. 5-18 : graph., tabl.. - Bibliographie : p. 17-18. - Photocopies

070/40(Br.)

Transforming media coverage of violent conflicts : the new face of war / Zohar Kampf and Tamar Liebes. - Basingstoke ; New York : Palgrave Macmillan, 2013. - VII, 187 p. ; 23 cm. - Bibliographie : p. 172-182. Index. - ISBN 9780230298705

070/104

MISSING PERSONS

The ante-mortem/post-mortem database : an information management application for forensic data / ICRC. - Geneva : ICRC, December 2013. - 11 p. : ill. ; 21 cm. - (In brief)

The proper management of forensic data is crucial for identifying human remains and resolving cases of disappearance. This brochure describes the AMPM Database, an electronic tool that facilitates the identification of remains by supporting the archiving, standardization, reporting, searching, and analysis of forensic data.

332/21(Br.)

Forensic identification of human remains / ICRC. - Geneva : ICRC, December 2013. - 11 p. : fotogr., ill. ; 21 cm. - (In brief)

When a missing person is believed to be dead, two complementary lines of investigation have to be opened: tracing that person's whereabouts and scientific identification of human remains. This brochure outlines the forensic process of identifying human remains, with an emphasis on the scientific matching of data.

332/20(Br.)

The war on terror and the enforced disappearances in Pakistan / Aysha Shafiq. - In: Human rights review, Vol. 14, issue 4, December 2013, p. 387-404. - Bibliographie : p. 403-404. - Photocopies

332/22(Br.)

PEACE

The Hague approach : six principles for achieving sustainable peace in post-conflict situations / The Hague Institute for Global Justice. - The Hague : The Hague Institute for Global Justice, August 2013. - 54 p. ; 24 cm

172.4/259

PROTECTION OF CULTURAL PROPERTY

The international legal protection of World Heritage sites during armed conflict / Anne-Marie Carstens. - In: TDM, Vol. 5, 2013, 11 p.. - Photocopies

The World Heritage programme and the law of armed conflict governing the protection of cultural property share the common principle of preserving the 'cultural heritage of mankind'. World Heritage sites are vulnerable to deliberate destruction in modern warfare, particularly during conflicts motivated by ethnic and religious animus. The vulnerability of World Heritage sites has been proven by a succession of deliberate attacks on World Heritage sites, beginning with the shelling of the Old City of Dubrovnik in 1991 and continuing through attacks on World Heritage sites in Syria and Timbuktu in 2012. This article explores the extent to which

belligerents must afford heightened protection to cultural sites on UNESCO's World Heritage List, pursuant to either the World Heritage programme or the law of armed conflict. In outlining the legal protection afforded by these regimes, it considers whether the World Heritage List can serve as a proxy for a list of properties entitled to prima facie heightened protection during armed conflict. Based on this analysis, a presumption of heightened protection should prevail for a significant subset of World Heritage sites, and the article therefore aims to identify the characteristics or categories of World Heritage sites that will support such a presumption.

363.8/80(Br.)

Prosecuting the destruction of cultural property in international criminal law : with a case study on the Khmer Rouge's destruction of Cambodia's heritage / by Caroline Ehlert. - Leiden ; Boston : M. Nijhoff, 2014. - XIV, 252 p. ; 25 cm. - (International criminal law series ; vol. 4). - Bibliographie : p. 235-245. Index. - ISBN 9789004257627

Caroline Ehlert, Dr. iur. (2013), University of Zurich, is currently working at a law firm in Zurich, which specializes in criminal law. She has published several articles on international criminal law and the proceedings at the Khmer Rouge Tribunal in Cambodia.

363.8/81

PSYCHOLOGY

Comment devient-on génocidaire ? : et si nous étions tous capables de massacrer nos voisins / Damien Vandermeersch ; en collab. avec Marc Schmitz. - Bruxelles : GRIP, 2013. - 158 p. : carte ; 22 cm. - (L'international en jeu ; 4). - ISBN 9782872910373

150/95

Misinformation, disinformation, and violent conflict : from Iraq and the "war on terror" to future threats to peace / Stephan Lewandowsky... [et al.]. - In: American Psychologist, Vol. 68, no. 7, October 2013, p. 487-501. - Photocopies. - Bibliographie : p. 497-501

150/94(Br.)

Psychological assessment of torture survivors : essential steps, avoidable errors, and helpful resources / Kenneth S. Pope. - In: International journal of law and psychiatry, Vol. 35, issue 5-6, 2012, p. 418-426. - Bibliographie : p. 424-426. - Photocopies

150/93(Br.)

Le trauma dans les conflits contemporains / [sous la dir. de] François Mabilie, Hélène Tessier. - Paris : Ed. du Cygne, 2013. - 229 p. : tabl. ; 21 cm. - (Enjeux de société et prospective). - Bibliographie : p. 225-228. - ISBN 9782849243411

Contient notamment : War related trauma / A. Muinonen. - Le trauma dans les relations internationales : émergence d'une recherche, limites d'une notion / F. Mabilie. - Le trauma dans l'approche du peacebuilding / C. Mellul. - Case study : FLM/ACT mental health project in Guinea / A. Muinonen 150/91

PUBLIC INTERNATIONAL LAW

Article 2(4) and cyber warfare : how do old rules control the brave new world ? / Jason D. Jolley. - In: International law research, Vol. 2, no. 1, 2013, p. 1-16. - Photocopies

345/646(Br.)

Cyberattack attribution matters under article 51 of the U.N. Charter / Levi Grosswald. - In: Brooklyn journal of international law, Vol. 36, no. 3, 2011, p. 1151-1181. - Photocopies

345/645(Br.)

Estonia two-and-a-half years later : a progress report on combating cyber attacks / Scott J. Shackelford. - In: Journal of internet law, Vol. 13, no. 8, 2010, p. 1-12. - Photocopies

345/647(Br.)

Human securities, international laws and non-state actors : bringing complexity back in / Math Noortmann. - Cambridge [etc.] : Intersentia, 2014. - p. 13-27 : tabl.. - In: Human security and international law : the challenge of non-state actors

345/644

Human security and international law : the challenge of non-state actors / Cedric Ryngaert and Math Noortmann. - Cambridge [etc.] : Intersentia, 2014. - p. 1-11. - In: Human security and international law : the challenge of non-state actors

345/644

Human security and international law : the challenge of non-state actors / Cedric Ryngaert, Math Noortmann (eds.). - Cambridge [etc.] : Intersentia, 2014. - XII, 203 p. ; 25 cm. - (International law series). - ISBN 9781780682006

In 1994, the United Nations Development Programme (UNDP) coined the term 'human security' in the seminal UNDP Human Development Report. This report approached 'security' for the first time from a holistic perspective: security would no longer be viewed from a purely military perspective, but rather it would encapsulate economic, food, health, environmental, personal, community and political security. Although the concept of human security accords a higher status to individual than to governmental interests, human security discourses have continually emphasised the central role of States as providers of human security. This volume challenges this paradigm, and highlights the part played by non-state actors in both threatening human security and also in rescuing or providing relief to those whose human security is endangered. It does so from a legal perspective, (international) law being one of the instruments used to realise human security as well as being a material source or guiding principle for the formation of human security-enhancing policies. In particular, the volume critically discusses how various non-state actors, such as armed opposition groups, multinational corporations, private military / security companies, non-governmental organisations, and national human rights institutions, participate in the construction of such policies, and how they are held legally accountable for their adverse impact on human security. 345/644

The legality and legitimacy of the use of force in Northeast Asia / ed. by Brenda Howe, Boris Kondoch. - Leiden ; Boston : Brill, 2013. - X, 296 p. : tabl. ; 24 cm. - (Studies in East Asian security and international relations ; vol. 2). - Bibliographie : p. 265-284. Index. - ISBN 9789004249042

Contient notamment : Aggression, the prohibition of the use of force and Northeast Asia / B. Kondoch. - East Asian values and humanitarian intervention / B. Howe. - From ideology to pragmatism : China's position on humanitarian intervention in the Post-Cold War era / J. E. Davis. - "The crime of aggression" and Japan / M. Futamura

345/643

Towards a (new) human security-based agenda for international law and non-state actors ? / Math Noortmann and Cedric Ryngaert. - Cambridge [etc.] : Intersentia, 2014. - p. 195-203. - In: Human security and international law : the challenge of non-state actors

345/644

REFUGEES-DISPLACED PERSONS

Armed conflicts and protection of refugees / Seshaiiah Shasthri. - Leiden : M.Nijhoff, 2013. - p. 159-188. - In: An introduction to international refugee law. - Bibliographie : p. 187-188. - Photocopies

325.3/3(Br.)

Forced displacement and the role of the ICRC : perspectives for the twenty-first century / António Guterres. - In: International review of the Red Cross, Vol. 94, no. 888, Winter 2012, p. 1239-1241 : portr.

Handbook for the protection of internally displaced persons / Global Protection Cluster Working Group. - [Geneva] : Global Protection Cluster Working Group, March 2010. - VI, 533 p. : tabl., fotogr. ; 24 cm + 1 CD-ROM. - Bibliographies. Index

325.3/241

A life of fear and flight : the legacy of LRA brutality in North-East Democratic Republic of the Congo / commissioned by UNHCR and IDMC/NRC ; research conducted by Kristof Titeca, Koen Vlassenroot and Melanie Wissing. - Genève : Norwegian Refugee Council : Internal Displacement Monitoring Centre, 2013. - 22 p. : fotogr., carte ; 30 cm

325.3/486

The point of no return : refugees, rights, and repatriation / Katy Long. - Oxford : Oxford University Press, 2013. - X, 257 p. ; 24 cm. - Bibliographie : p. 233-249. Index. - ISBN 9780199673315

325.3/487

Protection of refugees through the principle of non-refoulement / Jahid Hossain Bhuiyan. - Leiden : M. Nijhoff, 2013. - p. 99-131. - In: An introduction to international refugee law. - Bibliographie : p. 127-131. - Photocopies

325.3/2(Br.)

What happens to law in a refugee camp ? / Elizabeth Holzer. - In: Law and society review, Vol. 47, no. 4, 2013, p. 837-872. - Bibliographie : p. 866-872. - Photocopies

325.3/5(Br.)

RELIGION

Religious diversity and violent conflict : lessons from Nigeria / Robert Dowd. - In: The Fletcher Forum of world affairs, Vol. 18:1, Winter 2014, p. 153-168

What drives inter-religious violence ? : lessons from Nigeria, Côte d'Ivoire, and Tanzania / Matthias Basedau, Johannes Vüllers, Peter Körner. - In: Studies in conflict & terrorism, Vol. 36, issue 10, 2013, p. 857-879. - Photocopies

281/57(Br.)

SEA WARFARE

Contemporary views on the lawfulness of naval blockades / Martin David Fink. - In: Aegean review of the law of the sea and maritime law, Vol. 1, Issue 2, October 2011, p. 191-215. - Photocopies

The traditional law of blockade has several technical requirements that if not met renders a blockade unlawful. These traditional requirements balance the interests of the belligerent and neutrals. A more contemporary view on the law of blockade, however, emphasizes that blockades are also subject to the restrictions and general obligations imposed by treaties and general principles of humanitarian law. Crucially, whether or not the consequences of a breach of humanitarian principles or humanitarian law render a naval blockade unlawful or not is however not at all clear. The recent use of naval blockades during the Israeli military operations has given rise again to the discussion as to what renders a blockade unlawful. The maturation of the law of blockade has seen an increasing willingness to embrace aspects of humanitarian law. However, the diversity of views from the international community as endorsed by the published reports on the flotilla incident demonstrates that there remains a lack of consensus and an active discussion on the state of the law of blockade.

347.799/149(Br.)

La mer comme espace de conflits armés / Habib Gherari. - Bruxelles : Bruylant, 2013. - p. 357-381. - In: Permanence et mutation du droit des conflits armés

345.2/945

TERRORISM

Les alibis de la lutte contre le terrorisme / Paul Tavernier. - Paris : Pedone, 2013. - p. 401-408. - In: Humanisme et droit : offert en hommage au professeur Jean Dhommeaux. - Photocopies

303.6/20(Br.)

Beyond the battlefield, beyond al Qaeda : the destabilizing legal architecture of counterterrorism / Robert M. Chesney. - In: Michigan law review, Vol. 112, no. 2, November 2013, p. 163-224. - Photocopies

By the end of the first post-9/11 decade, the legal architecture associated with the U.S. government's use of military detention and lethal force in the counterterrorism setting had come to seem relatively stable, supported by a remarkable degree of cross-branch and cross-party consensus (manifested by legislation, judicial decisions, and consistency of policy across two very different presidential administrations). That stability is certain to collapse during the second post-9/11 decade, however, thanks to the rapid erosion of two factors that have played a critical role in generating the recent appearance of consensus: the existence of an undisputed armed conflict in Afghanistan, as to which the law of armed conflict clearly applies, and the existence of a relatively identifiable enemy in the form of the original al Qaeda organization. Several long-term trends contribute to the erosion of these stabilizing factors. Most obviously, the overt phase of the war in Afghanistan is ending. At the same time, the U.S. government for a host of reasons places ever more emphasis on what we might call the "shadow war" model (i.e., the use of low-visibility or even deniable means to capture, disrupt, or kill terrorism-related targets in an array of locations around the world). The original al Qaeda organization, meanwhile, is undergoing an extraordinary process of simultaneous decimation, diffusion, and fragmentation; one upshot of this transformation has been the proliferation of loosely related regional groups that have varying degrees of connection to the remaining core al Qaeda leadership. These shifts in the strategic posture of both the United States and al Qaeda profoundly disrupt the stability of the current legal architecture on which military detention and lethal force rest. Specifically, these developments make it far more difficult (though not impossible) to establish the relevance of the law of armed conflict to U.S. counterterrorism activities, and they raise exceedingly difficult questions regarding whom these activities lawfully may be directed against. Critically, they also all but guarantee that there will be a new wave of judicial intervention to consider those very questions. Bearing that in mind, I conclude this Article by outlining steps that could be taken now to better align the legal architecture with the trends described above.

303.6/224(Br.)

The boundaries of the battlefield : a critical look at the legal paradigms and rules in countering terrorism / Jessica Dorsey and Christophe Paulussen. - The Hague : International Centre for Counter-Terrorism, April 2013. - 25 p. ; 30 cm. - (ICCT research paper). - Bibliographie : p. 21-25. - Photocopies

This ICCT Research Paper is a detailed report from the two-day symposium entitled The Boundaries of the Battlefield: A Critical Look at the Legal Paradigms and Rules in Countering Terrorism, which was convened in The Hague in January 2013. The conference covered a range of issues that are relevant in debates about using force in counter-terrorism operations against non-state actors. Specifically, this paper elaborates on a number of key questions raised during the conference; these relate to the temporal and geographical limitations of

armed conflict, the interplay between international humanitarian law and international human rights law, as well as the use of drones, the law enforcement approach to counter-terrorism and the possible need for a new framework for countering terrorism. The authors supplement participants' debates with detailed background information and theoretical discussions.

303.6/32(Br.)

Fighting terror within the law ? : terrorism, counterterrorism and military occupations / Marco Pertile. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 276-292. - In: War crimes and the conduct of hostilities : challenges to adjudication and investigation

345.25/289

The relevance of international humanitarian law in national case law on terrorism / Antonino Ali. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 293-310. - In: War crimes and the conduct of hostilities : challenges to adjudication and investigation

345.25/289

TORTURE

Beyond the erotics of Orientalism : lawfare, torture and racial-sexual grammars of legitimate suffering / Melanie Richter-Montpetit. - In: Security dialogue, Vol. 45, no. 1, February 2014, p. 43-62. - Bibliographie : p. 59-62

WOMEN-GENDER

Diritto internazionale umanitario e diritti umani : una prospettiva di genere / Gabriella Venturini. - Napoli : Editoriale Scientifica, 2012. - p. 93-114. - In: La tutela dei diritti umani e il diritto internazionale. - Photocopies

362.8/202(Br.)

How is rape a weapon of war ? : feminist international relations, modes of critical explanation and the study of wartime sexual violence / Paul Kirby. - In: European journal of international relations, Vol. 19, no. 4, December 2013, p. 797-821. - Bibliographie : p. 817-821. - Photocopies

362.8/206(Br.)

Living with insecurity : marginalization and sexual violence against women in north and east Sri Lanka / Minority Rights Group International. - London : Minority Rights Group International, 2013. - 24 p. ; 30 cm. - ISBN 9781907919435

362.8/205

The protection of women refugees under the international refugee convention / Avinash Govindjee and Elijah Adewale Taiwo. - Leiden : M. Nijhoff, 2013. - p. 379-399. - In: An introduction to international refugee law. - Bibliographie : p. 397-399. - Photocopies

362.8/203(Br.)

La protection spéciale des femmes et des enfants dans les conflits armés / Gérard Aivo. - Bruxelles : Bruylant, 2012. - p. 99-121. - In: Justice et solidarité. - Photocopies

Le but de ce chapitre est d'analyser de manière globale la protection et le statut juridiques des deux catégories les plus vulnérables et les plus affectés par les conflits armés et dont le sort est généralement lié. L'observation des conflits armés montre que les femmes et les enfants sont des acteurs croissants des conflits armés, mais plus souvent des victimes sans défense, alors même que le droit international humanitaire leur confère une protection générale en tant que personnes civiles, et une protection spécifique en tant que catégorie spécifique (I). Toutefois, lorsque les femmes et les enfants participent directement aux conflits armés, ils ne bénéficient pas de la même protection et celle-ci varie selon que le conflit est international ou non international (II).

362.8/204(Br.)

Retour à la vie : l'accueil en Suisse romande d'anciennes déportées françaises de la Résistance 1945-1947 / Éric Monnier, Brigitte Exchaquet-Monnier ; préf. Marc Perrenoud ; avant-propos Anise Postel-Vinay ; postf. Noëlla Rouget. - Neuchâtel : Alphil, 2013. - 411 p. : fotogr., tabl., portr. ; 23 cm. - Bibliographie p. 401-407. Glossaire. - ISBN 9782940489503

362.8/200

Women [and] conflict in the Middle East : palestinian refugees and the response to violence / Maria Holt. - London ; New York : I.B. Tauris, 2014. - 282 p. ; 22 cm. - Bibliographie p. 261-276. Index. - ISBN 9781780761015

362.8/201

Women at war, women building peace : challenging gender norms / Joyce P. Kaufman, Kristen P. Williams. - Boulder ; London : Kumarian Press, 2013. - IX, 193 p. : cartes ; 23 cm. - Bibliographie : p. 169-182. Index. - ISBN 9781565495616

362.8/207