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AIR WARFARE

Aerial blockades and zones / by Wolff Heintschel von Heinegg. - In: Israel yearbook on human rights, Vol. 43, 2013, p. 263-295

From above : war, violence and verticality / Peter Adey, Mark Whitehead, Alison J. Williams. - London : Hurst, 2013. - X, 376 p. : fotogr., ill. ; 22 cm. - Index. - ISBN 9781849042994
341.226/54

Manual on international law applicable to air and missile warfare / produced by the Program on Humanitarian Policy and Conflict Research at Harvard University. - Cambridge [etc.] : Cambridge University Press, 2013. - LXII, 441 p. ; 23 cm. - ISBN 9781107625686
341.226/53

Precision air warfare and the law of armed conflict / by Christopher J. Markham and Michael N. Schmitt. - In: Israel yearbook on human rights, Vol. 43, 2013, p. 297-319
Precision attacks dominate contemporary aerial warfare. The centrality of precision operations derives not only from their military utility, but also from the international community's evolving expectations with respect to the avoidance of collateral damage. As technological developments in the field proceed apace, the emphasis on precision can only be expected to grow. This article examines the synergistic relationship between precision air-strikes and the law of armed conflict. It defines precision, briefly reviews the history of its rise to prominence in aerial warfare, examines the application of the law of armed conflict to precision attacks and considers several new precision weapon systems. In sum, the article explores both how the law of armed conflict governs the use of precision capabilities and how advances in precision capabilities are likely to shape the law of armed conflict.

ARMS

Arms transfer and complicity in war crimes / Antonio Leandro. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 225-240. - In: War crimes and the conduct of hostilities : challenges to adjudication and investigation
345.25/289

The criminalization of the use of biological and chemical weapons / Annita Larissa Sciacovelli. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 211-224. - In: War crimes and the conduct of hostilities : challenges to adjudication and investigation
345.25/289

La dissuasion nucléaire au XXI^e siècle : comment aborder une nouvelle ère de piraterie stratégique / Thérèse Delpech ; trad. de l'anglais par D. Macabiès. - Paris : O. Jacob, 2013. - 301 p. ; 22 cm. - Titre original : Nuclear deterrence in the 21st century : lessons from the Cold War for a new era of strategic piracy. - Bibliographie : p. 281-296.. - ISBN 9782738130112
341.67/738

A legal "red line" ? : Syria and the use of chemical weapons in civil conflict / Jillian Blake and Aqsa Mahmud. - In: UCLA law review discourse, Vol. 61, 2013, p. 244-260. - Photocopies
This essay analyzes the prohibition on the use of chemical weapons in civil conflicts and applies its findings to the Syrian civil war. International humanitarian law and international criminal law provide a clear ban on the use of chemical weapons in international armed conflict. This prohibition is less clear in noninternational armed conflict, suggesting the need for legal reforms to firmly ban the use of chemical weapons in all armed conflicts. Furthermore, the use of chemical weapons in Syria does not, by itself, cross a legal red line justifying military

intervention. Instead, the use of chemical weapons is one factor in determining the existence of a humanitarian crisis requiring strong international action.

341.67/267 (Br.)

Linking humanitarian law and nuclear disarmament action : the case for a nuclear weapons convention / Rebecca Johnson. - In: Austrian review of international and European law, Vol. 15, 2010, p.173-196. - Photocopies

The humanitarian case for banning nuclear weapons can be made on three core grounds : ethics, international law, and human security and survival. This article focuses primarily on international humanitarian law and security. After considering basic arguments, it briefly discusses how centralising humanitarian interests over national military concerns makes the achievement of comprehensive nuclear weapons conventions more realisable and practical in the near term than sticking with the step-by-step arms reduction paradigm that keeps faltering and sliding backwards.

341.67/261 (Br.)

New weapons, old crimes ? / Marina Castellaneta. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 194-210. - In: War crimes and the conduct of hostilities : challenges to adjudication and investigation

345.25/289

The use of prohibited weapons and war crimes / Andrea Cannone. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 173-193. - In: War crimes and the conduct of hostilities : challenges to adjudication and investigation

345.25/289

BIOGRAPHY

The hero of Budapest : the triumph and tragedy of Raoul Wallenberg / Bengt Jangfeldt. -

London ; New York : I.B. Tauris, 2014. - X, 416 p., [16] p. d'ill. : fotogr. ; 24 cm. -

Bibliographie : p. 401-406. Index. - ISBN 9781780766829

92/325

CHILDREN

The effects of the Lubanga case on understanding and preventing child soldiering / Mark A. Drumbl. - In: Yearbook of international humanitarian law, Vol. 15, 2012, p. 87-116. -

Bibliographie : p. 113-116

The enlistment, conscription and use of child soldiers as war crimes / Alberto Oddenino. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 119-135. - In: War crimes and the conduct of hostilities : challenges to adjudication and investigation

345.25/289

Sexual violence against children on the battlefield as a crime of using child soldiers : square pegs in round holes and missed opportunities in Lubanga / Joe Tan. - In: Yearbook of international humanitarian law, Vol. 15, 2012, p. 117-151. - Bibliographie : p. 149-151

On 14 March 2012, the International Criminal Court ('ICC') delivered its historic and much anticipated first judgment in the case of Prosecutor v Thomas Lubanga Dyilo. The Accused in the case was charged and convicted of conscripting and enlisting children under the age of 15 into armed forces or groups and using those children to participate actively in hostilities. One of the more significant contributions of the Lubanga judgment was the recognition of the crime of 'using' children to participate actively in hostilities as an offense in its own right, distinct from the 'recruitment' crimes of conscripting or enlisting children into armed forces or groups. All three crimes are referred to in the single provision of Article 8(2)(e)(vii) of the Rome Statute ('child soldiers provision'). The case is unique due to the Prosecution's attempt to run the novel argument that acts of sexual violence (rape, forced marriages and sexual slavery) by commanders against girls—primarily 'child soldiers' but also civilians—constituted the crime of using child soldiers. Section 6.2 of this article begins with an overview of how the prosecution of

Mr. Lubanga was undertaken and progressed. Notably, sexual violence came to attain prominence haphazardly and belatedly in the proceedings rather than by way of any deliberate case theory properly investigated, pleaded and particularized in the Document Containing the Charges from the outset. Bound by charges of conscription, enlistment and use of child soldiers as confirmed by the Pre-Trial Chamber, the Prosecution found itself in the difficult position of pursuing a sexual violence case with the blunt instrument of the child soldiers provision. Misconceptions in the SCSL, which saw the crime of use conflated with conscription/enlistment, were also repeated by the Prosecution in Lubanga.

"Special protection measures" : states parties reporting on article 38 of the Convention of the Rights of the Child / Chaditsa Poulatova. - In: The international journal of children's rights, Vol. 21, no. 4, 2013, p. 569-589 : tabl.. - Bibliographie : p. 587-589

In 1989 when the Convention on the Rights of the Child (CRC) came into existence children officially became right holders. This article reviews States Parties' reporting on Article 38 of the CRC to test how far the reporting guidelines have been fully met by the States Parties' reports to the Committee on the Rights of the Child. The first section analyses the adequacy and the depth of the reports submitted by the States Parties' up to the 44th session of the Committee (January 2007). The second examines and evaluates the Committee's use of List of Issues and its Concluding Observations. The third examines the relationship between the reporting performance and the geographical region, income level and regime type of the States Parties to the CRC. The fourth focuses on States Parties that have experienced war/conflict over the past years and have a well established record of use of child soldiers either in government or non-governmental militia groups. The fifth concludes that States Parties have provided the Committee with poor, inadequate or no reporting on article 38, despite its significance.

The torture of children during armed conflicts : the ICC's failure to prosecute and the negation of children's human dignity / Sonja C. Grover. - Heidelberg [etc.] : Springer, 2014. - XVIII, 228 p. ; 24 cm. - Bibliographies. Index. - ISBN 9783642406881 362.7/386

CIVILIANS

The duty to investigate civilian casualties during armed conflict and its implementation in practice / Alon Margalit. - In: Yearbook of international humanitarian law, Vol. 15, 2012, p. 155-186. - Bibliographie : p. 184-186

Seeking to balance military necessity with humanitarian considerations, the Law of Armed Conflict (LOAC) restricts the manner in which force can be used during warfare and prohibits certain kinds of attacks. In order to protect civilians and civilian objects while pursuing attacks against combatants and military objectives, LOAC prescribes strict targeting rules which are based on the principles of distinction, proportionality and precautions. The investigation of civilian casualties that have occurred during armed conflict enforces (and reinforces) these targeting rules and serves a similar purpose—protecting the civilian population from the effects of military operations. The present article discusses the circumstances which give rise to a duty to investigate civilian casualties. It considers whether and to what extent a State whose armed forces caused civilian casualties during combat is required—under LOAC—to investigate these incidents. While the starting point is the case where a suspected war crime is involved, the article also deals with the question whether there is a duty to investigate incidents which indicate a LOAC violation that does not trigger individual criminal responsibility, namely a suspected failure to take feasible precautions in attack. It further considers whether an obligation to investigate arises in each and every case of civilian casualties, notwithstanding they are not necessarily unlawful under LOAC.

CONFLICT-VIOLENCE AND SECURITY

Military robots and drones : a reference handbook / Paul J. Springer. - Santa Barbara [etc.] : ABC-Clio, 2013. - XII, 297 p. ; 24 cm. - (Contemporary world issues). - Bibliographie : p. 249-278. Index. - ISBN 9781598847321 355/1015

Modern war : a very short introduction / Richard English. - Oxford : Oxford University Press, 2013. - XIV, 132 p. : cartes, fotogr., portr. ; 18 cm. - Bibliographie : p. 120-125. Index. - ISBN 9780199607891
355/17

Regards croisés sur la guerre et la paix / ouvrage collectif sous la dir. de Gabriel Galice, avec le concours d'Aurélien Vuille ; préf. de Myriam Klinger et Gabriel Galice ; postface de Jacques Dubochet. - Paris : L'Harmattan, 2013. - 170 p. : graph. ; 24 cm. - (Cahier du GIPRI ; no 9). - Bibliographie : p. 157-163. - ISBN 9782343013664
355/1012

Villes en guerre au Moyen-Orient / dossier dirigé par Julie Chapuis. - In: EurOrient, No 43, 2013, 195 p. : cartes, fotogr.. - ISBN : 978-2-343-01462-3. - Bibliographies
Contient notamment : Jérusalem dans le conflit israélo-palestinien / O. Danino. - Hébron : le stade suprême de l'occupation israélienne ? / J. Salingue. - Bagdad, 2006-2008 : du conflit sectaire à la reconfiguration de la carte confessionnelle / E. Cepoi et M. Lazar
355/1014

War play : video games and the future of armed conflict / Corey Mead. - Boston ; New York : Houghton Mifflin Harcourt, 2013. - 198 p., [8] p. de fotogr. ; 24 cm. - Bibliographie : p. 179-184. Index. - ISBN 9780544031562
355/16

The war report : 2012 / ed. by Stuart Casey-Maslen. - Oxford : Oxford University Press, 2013. - XXXII, 499 p. : tabl. ; 25 cm. - Index. - ISBN 9780199689088
355/1018

What causes war ? : an introduction to theories of international conflict / Greg Cashman. - 2nd ed.. - Lanham [etc.] : Rowman & Littlefield, 2004. - XII, 607 p. : graph., tabl. ; 25 cm. - Bibliographie : p. 569-588. Index. - ISBN 9780742566514
355/1013

DETENTION

Code international de la détention en Afrique : recueil de textes / Ghislain Patrick Lessène. - Genève : Globethics.net, 2013. - 614 p. ; 21 cm. - (African law series ; no. 1). - ISBN 9782940428717
400/146

The Copenhagen principles on the handling of detainees : implications for the procedural regulation of internment / Lawrence Hill-Cawthorne. - In: Journal of conflict and security law, Vol. 18, no. 3, Winter 2013, p. 481-497

The Copenhagen Principles on the Handling of Detainees in International Military Operations were released in October 2012 after a five-year long process involving states and certain organizations. The Principles address a number of issues concerning the handling and transfer of detainees. They apply in military operations conducted by states abroad in the context of non-international armed conflicts and peace operations. This article focuses on those principles that address the procedural regulation of internment (ie preventive, security detention), as it is here that the current law is particularly unclear. On the one hand, the treaty provisions applicable in non-international armed conflicts contain no rules on the procedural regulation of internment, in comparison with the law of international armed conflict. On the other hand, the relevant rules under international human rights law (IHRL) appear derogable in such situations. This article demonstrates that the approach taken to this issue in the Copenhagen Principles is one which essentially draws on the procedural rules applicable to civilian internment in the international armed conflicts. These rules adopt standards that are lower than those under IHRL. Reference is then made to other recent practice, which illustrates that the Copenhagen Principles do not apply in a legal vacuum. In particular, two recent judicial developments highlight the continued relevance of human rights law and domestic law, respectively, in regulating detention operations in the context of international military operations. Compliance with the Copenhagen Principles may not, therefore, be sufficient for detention to be lawful.

Prisonniers du FLN / Raphaëlle Branche. - Paris : Payot, 2014. - 286 p. : fac-sim., carte, photogr., ; 23 cm. - Index. - ISBN 9782228910293
400.2/346

Das Recht der Kriegsgefangenen in modernen bewaffneten Konflikten / Jörg Sommer. - Frankfurt am Main [etc.] : P. Lang, 2013. - XXVI, 199 p. ; 21 cm. - (Schriften zum internationalen und zum öffentlichen Recht ; Bd. 108). - Bibliographie : p. XV-XXIV.. - ISBN 9783631641156
400.2/347

ECONOMY

Assessing the roles of multi-stakeholder initiatives in advancing the business and human rights agenda / Scott Jerbi. - In: International review of the Red Cross, Vol 94, no. 887, Autumn 2012, p. 1027-1046

Growing reliance on 'multi-stakeholder initiatives' (MSIs) aimed at improving business performance with respect to specific human rights-related challenges has become a significant dimension of the evolving corporate responsibility agenda over recent decades. A number of such initiatives have developed in direct response to calls for greater state and corporate accountability in areas of weak governance and violent conflict. This article examines the evolution of key MSIs in light of the 2011 adoption of the United Nations (UN) Guiding Principles on Business and Human Rights and addresses challenges facing these initiatives in the future.

Business actors in armed conflict : towards a new humanitarian agenda / Hugo Slim. - In: International review of the Red Cross, Vol. 94, no. 887, Autumn 2012, p. 903-918

The purpose of this article is to give an overview of current understandings of the various roles of business actors in armed conflict. It traces the expanding discussion of business and conflict in today's civil wars, and the discussion's importance to humanitarian, human rights, corporate and peacebuilding policymakers. It shows how the humanitarian understanding of business roles in conflict has progressed beyond some simple and largely negative stereotypes about business in war to become more sophisticated. The article then looks at the significant diversity of business actors, which can determine their experience of armed conflict. It is suggested that there are six potential roles of business in armed conflict – that of victim, perpetrator, supplier, humanitarian actor, peacebuilder, and conflict preventer. Finally, the article recommends a range of ways to improve humanitarian policy so that humanitarian actors engage with business more actively and appropriately on law, business relief, and business continuity.

The importance of stakeholder engagement in the corporate responsibility to respect human rights / Barbara Dubach and Maria Teresa Machado. - In: International review of the Red Cross, Vol. 94, no. 887, Autumn 2012, p. 1047-1068 : tabl., diagr.

Over the past forty years, there has been a steady rise in the expectation for companies to operate as responsible citizens. Today companies have at their disposal a variety of initiatives, and new levels of accountability have been reached with the advancement of international standards on, among others, corporate responsibility to respect human rights. Against this background, this article provides an overview of the most important guiding tools available on this subject and on how to promote peace and stability when operating in conflict-affected or high-risk areas. The article argues that ongoing stakeholder engagement is a key success factor in meeting the responsibility to respect human rights and that it has to be an integral part of a company's strategy, especially when operating in conflict-affected countries.

The interaction between humanitarian non-governmental organisations and extractive industries : a perspective from Médecins sans Frontières / Philippe Calain. - In:

International review of the Red Cross, Vol. 94, no. 887, Autumn 2012, p. 1115-1124 : tabl.

This opinion note explores some aspects of the relationship between humanitarian non-governmental organisations (NGOs) and extractive industries. Médecins sans Frontières (Doctors without Borders, MSF) has endorsed a policy of non-engagement with the corporate sector of the extractive industries, particularly when it comes to financial donations. This is coherent with MSF being first and foremost a medical organisation, and one that adheres to the humanitarian principles of independence and neutrality. For humanitarian actors, the prospect of future environmental disasters and environmental conflicts calls for the anticipation of novel

encounters, not only with environmental organisations but also with the extractive sector. Unlike environmental organisations, extractive industries are prone to generating or perpetuating different forms of violence, often putting extractive companies on a par with the parties to armed conflicts. In situations where a dialogue with extractive companies would be needed to optimise care and access to victims, humanitarian organisations should carefully weigh pragmatic considerations against the risk of being co-opted as medical providers of mitigation measures.

Interview with John G. Ruggie / by Vincent Bernard and Mariya Nikolova. - In: International review of the Red Cross, Vol. 94, no. 887, Autumn 2012, p. 891-902

The conduct of multinational corporations, particularly those operating in conflict areas, is increasingly becoming subject to public scrutiny. More and more companies profess a commitment to live up to their human rights responsibilities in fragile contexts. In situations of armed conflict, international humanitarian law also applies. The business sector is, however, relatively less aware of this body of law. In June 2011, the United Nations Human Rights Council adopted unanimously the Guiding Principles on Business and Human Rights, which spell out what measures companies and states could take to strengthen the human rights performance of the business sector around the world. The Review wanted to hear from the person who spearheaded this initiative, Professor John G. Ruggie, and have his views on any emerging good practices amongst governments and companies in implementing the Guiding Principles, on the importance of due diligence criteria and grievance mechanisms, and on the role of regional organisations and civil society in promoting the Principles. Trained as a political scientist, Professor Ruggie has made significant contributions to the study of international relations, focusing on the impact of economic and other forms of globalisation on global rule-making and the emergence of new rule-makers. In addition to his academic pursuits, Professor Ruggie has long been involved in practical policy work. From 1997–2001, he served as UN Assistant Secretary-General for Strategic Planning, assisting the Secretary-General in establishing and overseeing the UN Global Compact, and proposing and gaining General Assembly approval for the Millennium Development Goals. In 2005, Professor Ruggie was appointed as the UN Secretary-General's Special Representative for Business and Human Rights. Over the course of six years and after extensive research, consultations, and work on pilot projects, Professor Ruggie developed the UN Guiding Principles on Business and Human Rights. Today, he chairs the boards of two non-profits, the Institute for Human Rights and Business and Shift: Putting Principles into Practice, and serves as Senior Advisor to the corporate social responsibility practice of the law firm Foley Hoag LLP.

Pushing the humanitarian agenda through engagement with business actors : the ICRC's experience / Claude Voillat. - In: International review of the Red Cross, Vol. 94, no. 887, Autumn 2012, p. 1089-1114

Large companies can have both massively positive and massively negative impacts on communities, be it directly through their operations or indirectly through their influence on decision-makers. This is particularly true when business operations take place in conflict-affected or high-risk areas. Humanitarian organisations endeavouring to bring protection and/or assistance in these areas cannot, therefore, ignore these influential actors. Engagement with business actors – as well as with any other societal actor – should be framed within a clear rationale in order to deliver positive results. This article introduces the rationale that has been developed by the International Committee of the Red Cross (ICRC) and offers some examples of past engagement between the ICRC and business actors. It notes that occasions for humanitarian organisations to engage with business actors are likely to become more frequent in the coming years and argues that this trend, if properly managed, offers humanitarian organisations opportunities to leverage energies, know-how, and resources from the business sector for the benefit of the persons and communities that humanitarian organisations strive to protect and assist.

Regulating the private security industry : a story of regulating the last war / Sarah Percy.

- In: International review of the Red Cross, Vol. 94, no. 887, Autumn 2012, p. 941-960

This article argues that attempts to regulate the private military and security industry have been stymied by a tendency to be constantly 'regulating the last war' or responding to the challenges of a previous manifestation of private force rather than dealing with the current challenges. It argues that states ought to more clearly consider the direction of the industry rather than regulate in response to crises, an approach that has left regulation unequipped to deal with two

fields of PSC growth: the use of PSCs against piracy, and to deliver and support humanitarian aid.

Responsible risk-taking in conflict-affected countries : the need for due diligence and the importance of collective approaches / John Bray and Antony Crockett. - In: International review of the Red Cross, Vol. 94, no. 887, Autumn 2012, p. 1069-1087

This article discusses some of the challenges that may be encountered by companies seeking to adhere to the Voluntary Principles on Security and Human Rights and the United Nations Guiding Principles on Business and Human Rights when operating in conflict-affected countries. The authors argue that corporate respect for human rights may not be sufficient to correct or compensate for state failure and also suggest that the leverage or influence enjoyed by individual companies in relation to the conduct of security forces and host governments may be limited, particularly in times of crisis. There is therefore a need for a collective approach to human rights risks in conflict-affected countries, and this should focus on public security sector reform and good governance as well as on corporate due diligence.

The role of business in armed violence reduction and prevention / Achim Wennmann. - In: International review of the Red Cross, Vol. 94, no. 887, Autumn 2012, p. 919-940 : tabl., diagr.

This article looks at business activities in violent and fragile environments through an armed violence lens and explores the role of business in armed violence reduction and prevention (AVRP) strategies. The article argues that the transformation of armed violence patterns over the last decade requires a new optic on a subject that has traditionally been discussed in the context of 'business and peace' or 'business and conflict', and of armed violence related to inter- or intra-state armed conflict. The article sets out to better understand how different constituencies have dealt with the role of the private sector in reducing armed violence, and to connect the dots between various scholarly and practice communities to identify entry points for AVRP strategies across sectors and institutions. The article suggests that such entry points exist in relation to the costing of armed violence and civic observatories.

The UN guiding principles on business and human rights and conflict-affected areas : state obligations and business responsibilities / Rachel Davis. - In: International review of the Red Cross, Vol. 94, no. 887, Autumn 2012, p. 961-979 : tabl.

The UN Guiding Principles on Business and Human Rights provide authoritative guidance for states and businesses on how to prevent and address business-related human rights harms, including in conflict-affected areas. States need to explore a more innovative range of policy and regulatory options in such situations, whether they are engaging with cooperating companies or dealing with uncooperative ones. Companies need to be able to know and show that they can operate with integrity – and avoid being involved in gross abuses of human rights – and that their risk assessment, mitigation, and remediation processes take full account of the potential risks to affected stakeholders, not just risks to the business.

ENVIRONMENT

The analytical framework of water and armed conflict : a focus on the 2006 Summer war between Israel and Lebanon / Mark Zeitoun, Karim Eid-Sabbagh and Jeremy Loveless. - In: Disasters : the journal of disaster studies and management, Vol. 38, no. 1, January 2014, p. 22-44 : tabl., fotogr., carte. - Bibliographie : p. 41-44

This paper develops an analytical framework to investigate the relationship between water and armed conflict, and applies it to the 'Summer War' of 2006 between Israel and Lebanon (Hezbollah). The framework broadens and deepens existing classifications by assessing the impact of acts of war as indiscriminate or targeted, and evaluating them in terms of international norms and law, in particular International Humanitarian Law (IHL). In the case at hand, the relationship is characterised by extensive damage in Lebanon to drinking water infrastructure and resources. This is seen as a clear violation of the letter and the spirit of IHL, while the partial destruction of more than 50 public water towers compromises water rights and national development goals. The absence of pre-war environmental baselines makes it difficult to gauge the impact on water resources, suggesting a role for those with first-hand knowledge of the hostilities to develop a more effective response before, during, and after armed conflict.

Water as a catalyst for peace : transboundary water management and conflict resolution / Ahmed Abukhater. - London ; New York : Routledge, 2013. - XIX, 295 p. : diagr, cartes, graph., tabl., ; 24 cm. - (Earthscan studies in water resource management). - Bibliographie : p. 270-286. Index. - ISBN 9780415642132
363.7/152

GEOPOLITICS -WORLD-MINORITIES

The Afghan conundrum : intervention, statebuilding and resistance / guest ed.: Jonathan Goodhand and Mark Sedra. - In: Central Asian survey, Vol. 32, no. 3, September 2013, 239-422. - Bibliographies
Contient notamment : Statebuilding in Afghanistan : challenges and pathologies / W. Maley. - Contested boundaries : NGOs and civil-military relations in Afghanistan / J. Goodhand. - March towards democracy ? : the development of political movements in Afghanistan / A. Giustozzi. - Order, stability, and change in Afghanistan : from top-down to bottom-up state-making / A. Wilde and K. Mielke

African agency in a changing security environment : sources, challenges and opportunities / guest ed.: Danielle Beswick and Anne Hammerstad. - In: Conflict, security and development, Vol. 13, no. 5, November 2013, p. 471-630. - Bibliographies
Contient notamment : UNAMID : a hybrid solution to a human security problem in Darfur ? / D. Mickler. - Exercising African agency in Burundi via multilateral channels : opportunities and challenges / T. Kwasi Tiekou. - Alternative agency : Rwandan refugee warriors in exclusionary states / S. Perera. - Agency as silence and muted voice : the problem-solving networks of unaccompanied young Somali refugee women in Eastleigh, Nairobi / S. Thomson

The conflict in Syria / Ben Parker... [et al.]. - In: Humanitarian exchange : the magazine of the Humanitarian Practice Network, No. 59, November 2013, 35 p. : fotogr., tabl.
Contient notamment: Ethical and legal perspectives on cross-border humanitarian operations / H. Slim and E.-C. Gillard. - Refugees, host states and displacement in the Middle East : an enduring challenge / B. White, S. Haysom and E. Davey. - Lessons from assessing the humanitarian situation in Syria and countries hosting refugees / N. Parham, L. Tax, L. Yoshikawa and K. Lim. - Syria : a child protection crisis : key findings from a 2013 interagency assessment of child protection trends inside Syria / The Child Protection Working Group
La naissance du Soudan du Sud : la paix impossible / Géraldine Giraudeau. - In: Annuaire français de droit international, 58, 2012, p. 61-82

The internationalization of internal conflicts : threatening the state / ed. by Amy L. Freedman. - London ; New York : Routledge, 2014. - VI, 280 p. : tabl. ; 22 cm. - Index. - ISBN 9780415507899

Domestic conflicts in Africa, the Middle East, and Southeast Asia have started as internal problems, but have taken on regional and international dimensions as parties to the conflict within the country and sympathetic external forces have joined forces with each other for mutual gain. This book examines the international dimension to internal conflicts and asks: under what conditions do domestic conflicts become opportunities for regional or global actors to become involved? Why have some countries been able to successfully deal with this problem while others have not? Who are the actors who seek to internationalize conflicts? Why and with what means do they become involved and how do their agendas get internalized/localized? Cases include: the separatist movements in the Philippines, Southern Thailand, Aceh (Indonesia); and the civil wars in Rwanda/Congo, and Sierra Leone/Liberia, Lebanon, and Iraq.

323.10/37

Post-war conflict and the market for protection : the challenges to Congo's hybrid peace / Timothy Raeymaekers. - In: International peacekeeping, Vol. 20, no. 5, November 2013, p. 600-617

Sierra Leone : a political history / David Harris. - London : Hurst, 2013. - VII, 232 p. : carte ; 22 cm. - Bibliographie : p. 203-215. Index. - ISBN 9781849043236
323.11/SLE 11

Where is the war ? : explaining peace in Sierra Leone / Kieran Mitton. - In: International peacekeeping, Vol. 20, no. 3, June 2013, p. 321-337

HEALTH-MEDICINE

Health and humanitarian assistance : towards an integrated norm under international law / Brigit Toebe. - In: Tilburg law review, Vol. 18, issue 2, 2013, 133-151. - Photocopies
This contribution assesses how a set of health-related norms under international law and ethics apply to situations where humanitarian assistance is provided. It asserts that the right to health, as an international human rights norm, is reinforced by similar standards under international humanitarian law, medical ethics and the International Health Regulations (WHO). Based on this integrated norm, there is a legal obligation to ensure access to a set of essential health-related services during emergencies, and to offer health-related protection. With respect to the duty to deliver such services we suggest that there is a shared responsibility of a number of actors. For the State where the emergency is taking place there is a primary legal responsibility to deliver essential health services. Nonetheless, if the services are (partly) provided by third parties there is a legal duty on the part of this State to respect and to guarantee the safe delivery of the services, and a duty to consent to the delivery of such aid. These duties could potentially also fall upon non-state actors, for example armed opposition groups, if they exercise certain governmental functions and de facto authority over a population. Arguably the international community and donor States have correlated duties to provide a certain amount of assistance and cooperation. Lastly, humanitarian aid organizations and their staff are bound by their professional ethical standards, including the principle of medical neutrality, which requires that medical aid is to be provided to everyone, irrespective of nationality and civil status.
356/256 (Br.)

HISTORY

Les guerres [et] la mémoire : enjeux identitaires et célébrations de guerre en France de 1870 à nos jours / Rémi Dalisson. - Paris : CNRS, 2013. - 332 p., [8] p. de fotogr. : tabl., graph. ; 23 cm. - Bibliographie : p. 314-318. Index. - ISBN 9782271072368
94/509

HUMAN RIGHTS

The endtimes of human rights / Stephen Hopgood. - Ithaca (Etats-Unis) ; London : Cornell University Press, 2013. - XV, 255 p. : fotogr., ill. ; 24 cm. - Bibliographie : p. 223-245. Index. - ISBN 9780801452376
345.1/613

La relation ambiguë de la Cour européenne des droits de l'homme avec le droit international humanitaire / Yves Sandoz. - Bruxelles [etc.] : P. Lang, 2013. - p. 109-129. - In: Scrutinizing internal and external dimensions of European law = Les dimensions internes et externes du droit européen à l'épreuve : liber amicorum Paul Demaret. - Photocopies
Cette contribution examine les principaux points qui peuvent faire problème dans la relation sur un plan général, entre le droit international humanitaire et le droit international des droits de l'homme. Elle examine ensuite les liens du droit international humanitaire avec la Convention européenne des droits de l'homme et la manière donc celui-ci est traité par la Cour européenne des droits de l'homme. Elle tente de tirer les principales lignes de force des nombreux arrêts qui touchent à ces liens.
345.1/50 (Br.)

HUMANITARIAN AID

Assistance juridique aux étrangers / [Comité international de la Croix-Rouge]. - In: Revue internationale de la Croix-Rouge, No 330, juin 1946., p. 532-538
345.21/15 (II)

Legal assistance to aliens / [International Committee of the Red Cross]. - Texte original paru dans la RICR, no 330, juin 1946, p. 532-538
345.21/15 (II)

ICRC-INTERNATIONAL MOVEMENT OF THE RED CROSS AND RED CRESCENT

Engaging with all actors of violence : necessity, duty and dilemmas from an ICRC delegate's perspective / Pierre Gentile. - Farnham : Burlington : Ashgate, 2013. - p. 57-73. - In: Principled engagement : negotiating human rights in repressive states. - Photocopies
The ICRC works to promote better respect for international humanitarian law (IHL) and other legal norms protecting civilians and people hors de combat and, for that purpose, seeks to establish direct dialogue with all actors in situations of armed conflict or other situations of violence, regardless of their ideological stance or human rights record. In this respect it can be considered a "principle engager". This chapter argues - in line with the ICRC's institutional position - for the necessity for the ICRC to be able to access and engage meaningfully with all actors in situations of violence, including with opposition armed groups. This is a long practice that derives from the organisation's unique mandate and from the fact that IHL binds all parties to an armed conflict (including non-state actors), as opposed to human rights laws which are binding only on states parties. Nevertheless, it must be recognised that the ICRC's stance is not always an easy one to maintain. Thus, this contribution details some of the dilemmas and challenges that ICRC delegates encounter in the field.
362.191/5 (Br.)

The International Committee of the Red Cross's (ICRC's) confidential approach : specific means employed by the ICRC to ensure respect for the law by State and non-State authorities : policy document / ICRC. - In: International review of the Red Cross, Vol. 94, no. 887, Autumn 2012, p. 1135-1144

INTERNATIONAL CRIMINAL LAW

Between consolidation and innovation : the International Criminal Court's trial chamber judgment in the Lubanga case / Sylvain Vité. - In: Yearbook of international humanitarian law, Vol. 15, 2012, p. 61-85. - Bibliographie : p. 84-85
The judgment delivered by Trial Chamber I of the International Criminal Court on 14 March 2012 in the case of The Prosecutor v. Thomas Lubanga Dyilo was welcomed by a number of experts as a landmark decision. Not only was the judgment the first ever adopted by the Court, thus marking a new step in the operationalization of the Rome Statute, but it also provided an opportunity for addressing a number of procedural and substantive issues that are essential to the progressive development of both international criminal and humanitarian law. This chapter does not seek to provide a comprehensive analysis of all these issues. It focuses instead on the core of the judgment, i.e., the definitions of the war crimes for which Thomas Lubanga Dyilo was convicted (Sect. 4.3). The Trial Chamber found that the accused was guilty of conscripting and enlisting children under 15 into an armed group, namely the Forces Patriotiques Pour la Libération du Congo (UPC/FPLC), and of using them to participate actively in hostilities. These crimes occurred in the Ituri region of the Democratic Republic of the Congo from September 2002 to August 2003. This article also examines how the Trial Chamber addressed the preliminary question of the characterization of the situation during the relevant period (Sect. 4.2). The judgment provides essential insight into the Trial Chamber's understanding of the notion of armed conflict within the framework of the Rome Statute.

Corporations, international crimes and national courts : a Norwegian view / Simon O'Connor. - In: International review of the Red Cross, Vol. 94, no. 887, Autumn 2012, p. 1007-1025

For a number of reasons, questions regarding the accountability of corporations for actions that might be complicit in the commission of international crimes have gained prominence in recent times. Though initiatives regarding what is more broadly described as business and human rights are to be welcomed, this sometimes distracts from existing systems of accountability, especially when those acts, which may be discussed as human rights violations, equally constitute crimes. Whilst not all criminal jurisdictions extend to legal persons, the Norwegian Penal Code does. This article analyses the Norwegian Penal Code's provisions, in light of

amendments made to it in 2008 to include international crimes in it, with the effect of extending those crimes to corporations. The article first addresses the personal, material, temporal, and geographical scope of the penal code. It then addresses the potential consequence of the exercise of jurisdiction in light of the only case in recent times in Norway that deals explicitly with a corporation's potential criminal liability for war crimes. The article then addresses three additional issues with respect to provisions on complicity, intent, and defences under the Norwegian Penal Code, before concluding with some reflections on the possible future effects of this legislation and the possibility that it will inspire developments elsewhere.

Crimes against humanity and the armed conflict nexus : from Nuremberg to the ICC /

Hirad Abtahi. - [S.I.] : European Society of International Law, 2013. - 11 p. ; 30 cm. - (European society of international law conference paper series ; No. 1/2013). - Photocopies
This study charts the development of the concept of crimes against humanity from the "golden age" of jus in bello into a "golden age" of international criminal justice. In the past two decades, the concept of crimes against humanity has evolved in the legislative and jurisprudential sphere, in that it is no longer shackled to the jus in bello framework. This study will first briefly consider crimes against humanity's armed conflict nexus during the Golden Age of jus in bello in order to accurately appreciate the subsequent work of practitioners on these crimes. The study then analyses some potential reasons behind the erosion – and yet often perceived presence – of the armed conflict nexus, using the ICC as a case study.
344/80 (Br.)

The criminalization of the violations of international humanitarian law from Nuremberg to the Rome statute / Fausto Pocar. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 3-19. - In: War crimes and the conduct of hostilities : challenges to adjudication and investigation
345.25/289

Developing local capacity for war crimes trials : insights from BiH, Sierra Leone, and Colombia / Alejandro Chehtman. - In: Stanford journal of international law, Vol. 49, issue 2, Summer 2013, p. 297-329. - Photocopies

Generally, in post-conflict situations the domestic justice system is in a state of collapse. Doubts exist as to whether alleged perpetrators of international crimes will be prosecuted effectively, or as to whether they will receive a fair trial. International penal interventions are therefore envisaged as a way to assure individual accountability. Yet it has become increasingly clear that these tribunals themselves lack the capacity to deal with the vast majority of cases. If the tribunals' impact is to be enhanced, they will need to rely on national courts. The way out of this circle is for them to develop the capacity of local legal systems. This Article examines the impact of international tribunals on municipal legal systems by providing an in-depth, comparative analysis of four different international or internationalized tribunals-the International Criminal Court, the International Criminal Tribunal for the Former Yugoslavia, the Special Court for Sierra Leone, and the Court of Bosnia and Herzegovina-and their impact on the respective domestic legal systems. This Article critically examines the main direct and indirect ways in which the international community has sought to develop local capacity for war crimes trials, such as training initiatives, "on the job" knowledge transfer, and the provision of information and access to evidence. Yet, it argues that the focus in this area should be more on the structural or institutional aspects, such as the institutional position of the international or internationalized tribunal vis-a-vis the local judiciary, the law applicable before each tribunal, and the main features of each exit strategy.
344/81 (Br.)

Developments in international criminal law and the case of business involvement in international crimes / Joanna Kyriakakis. - In: International review of the Red Cross, Vol. 94, no. 887, Autumn 2012, p. 981-1005

In the wake of the mandate of the Special Representative of the United Nations Secretary-General for Business and Human Rights (SRSG), international criminal law looks set to play a role in measures towards the legal accountability of business actors involved in gross human rights and humanitarian law violations. Against the backdrop of the SRSG's now completed mandate, this article looks at three recent developments in international criminal law to consider the field's potential relevance to business actors involved in conflict. The first is the newest mode of liability recently adopted by the International Criminal Court, indirect perpetration

through an organisation. The second is the aiding and abetting doctrine as applied by the Special Court for Sierra Leone in the Charles Taylor case. The third is the potential uptake of a practice of thematic prosecutions focusing on particular under-regulated issues of concern for the international community.

L'évolution des fonctions du juge pénal international et le développement du droit international humanitaire / Jérôme de Hemptinne ; ed. : Nico Krisch, Mario Prost, Anne van Aaken. - [S.l.] : European Society of International Law, 2013. - 10 p. ; 30 cm. - (European society of international law conference paper series ; 10/2013). - Photocopies

Les spécificités du droit humanitaire influencent les rôles du juge pénal international et vice versa. D'une part, les particularités de ce droit – notamment son imprécision et son inadaptation à la répression pénale internationale ainsi que sa nécessaire flexibilité – ont amené le juge à exercer des fonctions législatives hors-normes. Selon l'auteur, cet exercice n'est toutefois pas incompatible avec une conception fonctionnelle de la légalité pénale. Manié avec précaution, il peut même s'avérer être un outil essentiel pour éviter que le droit humanitaire ne demeure figé une fois pour toute. D'autre part, les spécificités des fonctions du juge – en particulier sa quête de légitimité et sa volonté d'exercer un pouvoir de réconciliation – ont conditionné le développement du droit humanitaire. En effet, cette recherche de légitimité a amené le juge à constamment veiller à ce que les principes de droit humanitaire qu'il applique soient fondés sur des normes coutumières largement partagées ou sur des sortes de « méta-principes » indiscutables moralement. En outre, soucieux de promouvoir un esprit de réconciliation, le juge a fait une large place aux considérations d'humanité dans son travail d'interprétation de ces principes.

344/79 (Br.)

The hidden histories of war crimes trials / ed. by Kevin Jon Heller and Gerry Simpson. - Oxford : Oxford University Press, 2013. - XXV, 463 p. : graph. ; 24 cm. - Index. - ISBN 9780199671144

Contient notamment : The trial of Peter von Hagenbach : reconciling history, historiography and international criminal law / G. S. Gordon. - A narrative of justice and the (re)writing of history : lessons learned from World War II French trials / D. Jacobs. - Capitalism's victor's justice ? : the hidden stories behind the prosecution of industrialists post-WWII / G. Baars. - Trying communism through international criminal law ? : the experiences of the Hungarian historical justice trials / T. Hoffman. - Mass trials and modes of criminal responsibility for international crimes : the case of Ethiopia / F. K. Tiba.

344/614

The impact of military justice reforms on the law of armed conflict : how to avoid unintended consequences / Victor Hansen. - In: Michigan State international law review, Vol. 21, issue 2, 2013, p. 229-272. - Photocopies

One consequence of the "civilianization" of the military justice systems in Canada the United Kingdom and elsewhere potentially impacts the commander's own personal criminal liability. The doctrine of command responsibility holds that a commander may be criminally liable for the law-of-war violations committed by the forces under his command if a commander fails to prevent, suppress, or punish law-of-war violations that he either knew about or was reckless or negligent in failing to notice, he can be punished as if he committed the underlying offenses. It is the commander who, by use of all the resources and authority available to him, ensures that his forces do not violate the laws of war. If those forces do, it is in large part attributable to the commander's failings. If, as a result of the civilianization of military justice, commanders lose a significant portion of the disciplinary authority they have traditionally held, do they no longer occupy that critical position of responsibility over the forces under their command? If they have lost that authority, to whom does the law now turn to for accountability? Does the commander, who has lost some of his authority, lose the ability to maintain discipline through the military justice system, and does he find himself in a situation where he is given responsibility to maintain discipline and control without having sufficient authority to meet that obligation? This article raises and addresses these important questions and it provides a framework for considering military justice reforms that preserve the commander's critical role in law of war compliance.

345.29/200 (Br.)

The new crime of aggression : a triumph for powerful states / Troy Lavers. - In: Journal of conflict and security law, Vol. 18, no. 3, Winter 2013, p. 499-522

Syria and the semantics of intervention, aggression and punishment : on "red lines" and "blurred lines" / Carsten Stahn. - In: Journal of international criminal justice, Vol. 11, no. 5, December 2013, p. 955-977

The Syria crisis marked one of the greatest turns in the history of intervention. In late August and September 2013, military strikes were contemplated in response to the use of chemical weapons on 21 August 2013 against civilians near Damascus. Use of force was averted through an unexpected shift in diplomacy, i.e. Syria's agreement on the destruction of its chemical weapons and the adoption of a framework for disarmament, compliance and political settlement under Security Council Resolution 2118 (2013). In the discourse on intervention in Syria, it has been argued that the threat of the use of force constitutes a legitimate means to sanction violations of the ban on chemical weapons. This article challenges this assumption. The Syria debate folded criminal justifications into the rhetoric of intervention. Intervention was regarded as a threat and a potential means to achieve rationales of retribution. The author examines justifications invoked in relation to (i) regime accountability (Responsibility to Protect, 'humanitarian intervention', 'protection of civilians'); (ii) the 'punitive' and deterrence-based justification of intervention; and (iii) the semantics of 'aggression' and (iv) accountability strategies under Resolution 2118 (2013) to argue that use of force cannot and should not serve as a short cut to international justice or as a means of punishment. A new 'red line' regarding chemical weapons under Resolution 2118 (2013) should not detract from the need to address other categories of crimes in the Syrian conflict.

INTERNATIONAL HUMANITARIAN LAW-GENERAL

Conférence préliminaire des Sociétés de la Croix-Rouge pour l'étude des Conventions et de divers problèmes ayant trait à la Croix-Rouge, Genève, 26 juillet au 3 août 1946 : documentation fournie par [différentes sociétés nationales]. - Genève : CICR, 1946. - [164] p. ; 30 cm

Contient la documentation fournie par les Croix-Rouges britannique, australienne, hellénique, néerlandaise, tchécoslovaque, bolivienne, suédoise, sud-africaine, yougoslave, suisse, autrichienne, belge, italienne, norvégienne et par le CICR.

345.21/15 (II)

Dictionnaire pratique du droit humanitaire / Françoise Bouchet-Saulnier. - 4e éd. mise à jour et augmentée. - Paris : La Découverte, 2013. - 862 p. ; 24 cm. - Index. - ISBN 9782707147066

345.2/635 (2013 FRE)

Réf. DIH 5-b (2013 FRE)

The interaction between investment law and the law of armed conflict in the interpretation of full protection and security clauses / Gleider I. Hernández. - Cambridge : Cambridge university press, 2013. - p. 21-50. - In: Investment law within international law : integrationist perspectives. - Photocopies

The present study focuses on the interaction of international investment law with the law governing armed conflict; a phenomenon of increasing importance, given the emergence of situations of violence in states that have, in recent years, actively entered in bilateral investment treaties (BITs). Many of these BITs contain so-called "full protection and security" clauses, which impose a positive obligation on contracting states to take measures to provide a certain measure of protection; the question remains whether this obligation can be said to remain unaffected by the emergence of a situations of armed conflict. This chapter is an attempt to consider the workings of investment law during situations of armed conflict through the prism of public international law. The first section considers the impact of armed conflict in public international law generally, and make the claim that international humanitarian law constitutes a form of *lex specialis*, which can come to modify, in case of conflict between them, treaty obligations such as those contained in BITs. The second section examines practice in the investment law sphere in relation to "full protection and security" clauses, in order to assess whether investment law has adopted an approach consistent with international law.

330/59 (Br.)

Learning to live with (a little) uncertainty : the operational aspects and consequences of the geography of conflict debate / Laurie R. Blank. - In: University of Pennsylvania law review online, Vol. 161, p. 347-361. - Photocopies

This Essay, written as a response to Professor Jennifer Daskal's thought-provoking article on the geography of the battlefield, addresses the debate over the geographical parameters of armed conflict through a focus on the operational consequences of efforts to draw geographical lines setting the parameters of conflict. The question of geographical application of LOAC is both highly relevant in the most pragmatic sense – the difference between being in an area of armed conflict or not can literally be life or death – and also not susceptible to specific and concrete definition. This combination of relevance and thorniness has led not only to extensive debates about how to conceptualize the geographic parameters of the battlespace in an armed conflict but also to alternative paradigms for regulating the use of force through rules-based frameworks, hybrid paradigms or other mechanisms. This essay highlights two primary concerns as a counterpoint to the idea of a new set of rules based on shifting geographical combat zones, even in light of the potential procedural benefits such new rules and frameworks might engender: 1) how the lack of strategic clarity trickles down to affect operational and tactical clarity, and 2) the long-term consequences for the development and implementation of the law of armed conflict.

342.2/942 (Br.)

Minderheitenschutz in bewaffneten Konflikten / Tamara Hartmann. - Genf [etc.] : Schulthess, 2013. - XXXII, 184 p. ; 23 cm. - (Zürcher Studien zum öffentlichen Recht ; Bd. 208). - Bibliographie : p. XV-XXXII.. - ISBN 9783725567744

345.2/943

The practical guide to humanitarian law / Françoise Bouchet-Saulnier ; ed. and transl. by Laura Brav. - Lanham (Maryland) ; Oxford : Rowman & Littlefield, 2002. - XII, 489 p. ; 26 cm. - Index. Titre original : Dictionnaire pratique du droit humanitaire. - ISBN 9780742554962

345.2/635 (2002 ENG)

INTERNATIONAL HUMANITARIAN LAW-CONDUCT OF HOSTILITIES

Attacks in air and missile warfare / by Arne Willy Dahl. - In: Israel yearbook on human rights, Vol. 43, 2013, p. 215-261 : tabl.

Focusing on air and missile warfare, the aim of this article is to discuss rules of customary international law for international armed conflict regarding attacks, understood as "acts of violence against the adversary, whether in offence or in defence". The ambition of this article is humble: to show what seems to be customary law with regard to attacks. The ideal way would be to study actual practise on the battlefield and how the actors justify their actions or their decisions when they choose not to act in a particular way. For practical reasons, a simple methodology is used. Where a particular rule is codified in a widely accepted treaty, it is assumed to reflect customary law unless there is reason to believe that it is rejected by one or more "most affected" States.

Criminalizing rape and sexual violence as methods of warfare / Ludovica Poli. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 136-152. - In: War crimes and the conduct of hostilities : challenges to adjudication and investigation

345.25/289

Dealing with the principle of proportionality in armed conflict in retrospect : the application of the principle in international criminal trials / Rogier Bartels. - In: Israel law review, Vol. 46, issue 2, July 2013, p. 271-315. - Photocopies

The principle of proportionality is one of the core principles of international humanitarian law. The principle is not easy to apply on the battlefield, but is even harder to apply retrospectively, in the courtroom. This article discusses the challenges in applying the principle during international criminal trials. It discusses the principle itself, followed by an explanation of the general challenges of dealing with violations of international humanitarian law, and more specifically the rules related to the conduct of hostilities, during war crime trials. The way in which the principle has been used before the International Criminal Tribunal for the former

Yugoslavia is examined, including an in-depth discussion of the recent Gotovina case. The second part consists of an evaluation of Article 8(2)(b)(iv) of the Rome Statute of the International Criminal Court, and discusses the difficulties the International Criminal Court would face in cases dealing with violations of the principle of proportionality.

345.25/141 (Br.)

Direct attacks on civilians and indiscriminate attacks as war crimes / Francesco Moneta.

- Cheltenham ; Northampton : E. Elgar, 2013. - p. 59-77. - In: War crimes and the conduct of hostilities : challenges to adjudication and investigation

345.25/289

Serious violations of the law on the conduct of hostilities : a neglected class of war crimes ? / Paola Gaeta.

- Cheltenham ; Northampton : E. Elgar, 2013. - p. 20-37. - In: War crimes and the conduct of hostilities : challenges to adjudication and investigation

345.25/289

Target area bombing / by Ove Bring. - In: Israel yearbook on human rights, Vol. 43, 2013, p. 199-213

The method of warfare which treats a whole area as a legitimate target has been controversial at least since the time of the 1899 Hague Peace Conference, although the matter was not addressed in these terms until much later. This article shows how the "target area bombing" concept and its prohibition have evolved from 1899 to the recent 2009 HPCR Manual on international law applicable to air and missile warfare. For the purposes of this article, "target area bombing" is defined as air attacks by any means that treat multiple clearly separated and distinct military objectives located in or near a concentration of civilians or civilian objects as a single military objective.

To what extent do the international rules on human rights matter ? / Edoardo Greppi.

- Cheltenham ; Northampton : E. Elgar, 2013. - p. 38-55. - In: War crimes and the conduct of hostilities : challenges to adjudication and investigation

345.25/289

Using human shields as a war crime / Marco Pedrazzi.

- Cheltenham ; Northampton : E. Elgar, 2013. - p. 98-116. - In: War crimes and the conduct of hostilities : challenges to adjudication and investigation

345.25/289

War crimes and the conduct of hostilities : challenges to adjudication and investigation / ed. by Fausto Pocar, Marco Pedrazzi, Micaela Frulli.

- Cheltenham ; Northampton : E. Elgar, 2013. - XXI, 383 p. ; 24 cm. - Index. - ISBN 9781781955918

345.25/289

INTERNATIONAL HUMANITARIAN LAW-IMPLEMENTATION

All other breaches : state practice and the Geneva Conventions' nebulous class of less discussed prohibitions / Jesse Medlong.

- In: Michigan journal of international law, Vol. 34, Summer 2013, p. 829-856. - Photocopies

The article describes what sorts of conduct will qualify as minor breaches under the Geneva Conventions in an attempt to provide some contours to this class of violations. It briefly surveys state practice with respect to these breaches, which demonstrates the high degree of variability in the means employed for suppressing such breaches. It then addresses the broader inquiry of what the duty to suppress "means" in light of standard interpretative methods, but with especial attention to state practice as an interpretative tool. It asks what the implications are of a duty to suppress nongrave breaches, so construed, and attempts to provide some preliminary answers. Finally, It concludes the discussion by attempting to frame the issue so as to spur further development of this underexplored subject.

345.22/222 (Br.)

The competence of UN Human Right Council Commissions of Inquiry to make findings of international crimes / Catherine Harwood. - [S.l.] : [s.n.], 2013. - 25 p. ; 30 cm. -

Photocopies

International commissions of inquiry established by the UN Human Rights Council (HRC) have often gone beyond the realm of international human rights law, also making findings of violations of international humanitarian law (IHL) and international criminal law (ICL). This article discusses HRC commissions' practice of making findings of international crimes by exploring two senses of competence: jurisdiction and proficiency. While some claimed sources of ICL jurisdiction are unpersuasive, commissions may have acquired such jurisdiction through practice. However, viewing ICL through a human rights lens has the potential to distort ICL, blur the boundaries between the bodies of law and damage the wider projects of international human rights and international criminal justice.

345.22/224 (Br.)

The design and planning of monitoring, reporting, and fact-finding missions / Rob Grace.

- Cambridge (MA) : Program on humanitarian policy and conflict research Harvard university, December 2013. - 52 p. ; 30 cm. - Photocopies

The design and planning process is crucial to the implementation of monitoring, reporting, and fact-finding (MRF) mechanisms geared toward investigating violations of international law, including human rights, international criminal law, and international humanitarian law. However, many disagreements exist about how MRF actors should weigh different factors in their design and planning decision-making processes. This paper — to provide a point of reference indicating the implications of different methodological choices — examines areas of methodological agreement and disagreement, trends of professional decision-making, and normative perceptions that practitioners hold about best practices regarding the design and planning of MRF mechanisms. Based on an assessment of fifteen MRF missions implemented over the past decade, this paper analyzes how commissioners on these missions interpreted the mission's investigative scope, examines the factors that guided decisions about the activities that the mission would undertake, and offers an overview of common staffing dilemmas. Overall, the paper aims to present a portrait of the state of MRF practice, in terms of how practitioners approach fulfilling their mandates.

345.22/223 (Br.)

The International Court of Justice and the law of armed conflicts / Claus Kress. - Oxford : Oxford University Press, 2013. - p. 263-298. - In: The development of international law by the International Court of Justice

This chapter shows in what way the International Court of Justice has contributed to the development of the law of armed conflict by reviewing its case law. It shows that the court strongly emphasized that the substitution of the concept "international humanitarian law" for that of "laws and customs of war" was not only a terminological matter, but also signified the liberation of the law of armed conflicts from the normative limitations flowing from the traditional idea of inter-state reciprocity as expressed by traditional concepts such as the *si omnes* clause and belligerent reprisals. The Court reconceptualized the traditional "laws and customs of war", the codification of which was driven to a significant extent by a utilitarian calculation of state interest, as an integral humanitarian legal regime designed, above all, to ensure respect for the human person. At the same time and despite its clearly articulated humanitarian impetus, the Court, all in all, has been significantly less adventurous than the ICTY when it comes to the progressive development of the law of armed conflicts. This is primarily due to the fact that the occasions on which the Court has had the opportunity to pronounce on questions of the law of armed conflicts have been fairly limited in number, but also because the Court has not fully seized its relatively few opportunities.

345/639

International humanitarian law transparency / Lesley Wexler. - [S.l.] : [s.n.], [2013]. - [16] p. ; 30 cm. - (Illinois public law and legal theory research papers series ; no. 14-11). -

Photocopies

Demands for enhanced public transparency span the range of IHL activities: the classification of conflicts, the sorting of combatants and civilians, the numbers of civilian casualties, the deployment of unlawful weapons, conditions of detention, the use of coercive interrogation, its facilitation via extraordinary rendition, and punishment for unlawful activities. Part I begins by

broadly contextualizing some of the most frequently deployed mechanisms of public transparency (Official acknowledgement by governments, third parties actors revelations, disclosure obligations made mandatory by domestic law, ...). Part II uses a 2010 German ordered air strike in Kunduz, Afghanistan to investigate the role of various transparency mechanisms in the current IHL climate. The strike raised such questions as whether an armed conflict existed, what rules of IHL applied, what the facts on the ground were concerning civilian casualties, and whether government actors had lied or engaged in a cover up. Part III turns to the substantive content of IHL itself to survey existing and possible future transparency requirements. While legal scholars have exhaustively discussed domestic information forcing statutes, they have written much less about how IHL itself can be used as a tool to compel disclosure. While such requirements would still require domestic implementation, they affect transparency on a global scale. This paper concludes by noting the contours of this new IHL frontier. What normative priors inform this frontier? What questions demand further research? What sort of reforms need to be assessed?

345.26/140 (Br.)

Das Recht des Individuums auf Wiedergutmachung nach humanitärem Völkerrecht / Yasser Abdelrehim. - In: Humanitäres Völkerrecht : Informationsschriften = Journal of international law of peace and armed conflict, Vol. 26, 4/2013, p. 178-187

Selecting and applying legal lenses in monitoring, reporting, and fact-finding missions / by Théo Bouteruche. - [Cambridge (MA)] : Program on humanitarian policy and conflict research Harvard university, October 2013. - 36 p. ; 30 cm. - (HPCR working paper series). - Photocopies

While the existence of monitoring, reporting and fact-finding (MRF) bodies in the international realm is not a new phenomenon, the recent proliferation of such institutions raises a number of policy and legal issues. One issue is that, as MRF bodies are increasingly called to make legal determinations and interpret existing unsettled rules or concepts of international law, these mechanisms' role and practice in this regard attract more legal scrutiny. As a result, the way that MRF missions apply the law — as much as the methodology used to establish facts — can affect the mission's credibility. This paper addresses this issue by focusing on the selection and application of legal lenses in MRF mechanisms. The paper aims at describing and analyzing the current practice to identify strengths, gaps, and challenges, with a view to presenting options to improve the ways that MRF practitioners articulate and apply legal frameworks.

345.22/225 (Br.)

INTERNATIONAL HUMANITARIAN LAW-LAW OF OCCUPATION

Do no harm : the dispute over access to health care between Israel and the Palestinian territories / Emma Glazer. - In: Cardozo journal of international and comparative law, Vol. 22, no. 1, Fall 2013, p. 51-84. - Photocopies

Some, including the Israeli government, argue that the West Bank is not an occupied territory, and Israel therefore is not obligated under IHL to the Palestinians living in those territories. This Note focuses on the interplay between Israeli security concerns and whether international humanitarian law (IHL) applies to Israel's obligation to provide health care to residents of the West Bank in this context. It will argue that IHL requires Israel to provide for health care services to Palestinians injured in cross-border fire, but does not mandate that Israel provide all-encompassing medical services to civilians in the West Bank who are seeking medical attention for more routine concerns, such as child birth.

345.28/105 (Br.)

INTERNATIONAL HUMANITARIAN LAW-TYPE OF ACTORS

Constraining targeting in noninternational armed conflicts : safe conduct for combatants conducting informal dispute resolution / Peter Margulies. - In: Vanderbilt journal of transnational law, Vol. 46, no. 4, p. 1041-1077. - Photocopies

Some evidence suggests that informal negotiators have been either targeted or become collateral damage in U.S. drone strikes. This evidence might be unreliable. However, if it is accurate, even in part, that should be a concern even for those who support the broad outlines of the U.S. targeting strategy. Responding to this concern, this Article argues that informal

negotiators from an armed non-state group should receive an "implied safe conduct," not only shielding them from targeting but also imposing an affirmative duty on a state party to a noninternational armed conflict (NIAC) to ensure their safety. The expansion of implied safe conduct suggested here reflects what can be called a "stewardship model" for third-party states, such as the United States, that participate in NIACs in host countries, such as Afghanistan, Pakistan, Somalia, or Yemen. A stewardship model, which this author has also advanced in another recent piece dealing with the interaction of American and international law, seeks to reconcile LOAC and international human rights law in order to promote the preservation of indigenous governance and the transition to civil order in the host state.

345.29/199 (Br.)

The crime of attacking peacekeepers / Andrea Spagnolo. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 153-170. - In: War crimes and the conduct of hostilities : challenges to adjudication and investigation
345.25/289

International law and cyber threats from non-state actors / by Laurie R. Blank. - In: Israel yearbook on human rights, Vol. 43, 2013, p. 111-139

This article focuses on the international legal framework that governs defense against cyber threats from non-State actors, specifically LOAC and the law governing the resort to force. In doing so, it identifies both essential paradigms for understanding options for response to cyber threats from non-State actors and key challenges in those paradigms. Section II addresses *ius ad bellum* and how it applies to and provides guidance for State responses to cyber actions by non-State actors. Section III analyzes when and how LOAC applies to non-State cyber acts and examines some of the specific challenges cyber acts pose for such analysis. Finally, Section IV highlights broader crosscutting issues, such as the challenges of multiple overlapping legal paradigms and the role and power of rhetoric, in exploring how States can and do respond to cyber threats from non-State actors.

Ten questions to Philip Spoerri, ICRC director for international law and cooperation. - In: International review of the Red Cross, Vol. 94, no. 887, Autumn 2012, p. 1125-1134

With the globalisation of market economies, business has become an increasingly prominent actor in international relations. It is also increasingly present in situations of armed conflict. On the one hand, companies operating in volatile environments are exposed to violence and the consequences of armed conflicts. On the other hand, some of their conduct in armed conflict may lead to violations of the law. The International Committee of the Red Cross (ICRC) engages with the private sector on humanitarian issues, with the aim of ensuring compliance or clarifying the obligations that business actors have under international humanitarian law (IHL) and encouraging them to comply with the commitments they have undertaken under various international initiatives to respect IHL and human rights law. In times of conflict, IHL spells out certain responsibilities and rights for all parties involved. Knowledge of the relevant rules of IHL is therefore critical for local and international businesses operating in volatile contexts. In this Q&A section, Philip Spoerri, ICRC Director for International Law and Cooperation, gives an overview of the rules applicable to business actors in situations of conflict, and discusses some of the ICRC's engagement with business actors.

INTERNATIONAL HUMANITARIAN LAW-TYPE OF CONFLICT

Cyber war and international law : international law conference / Robin Geiss... [et al.]. - In: Israel yearbook on human rights, Vol. 43, 2013, p. 1-169

Contient notamment: Lawful targets in cyber operations : does the principle of distinction apply ? / N. Lubell. - The role of counterterrorism law in shaping *ius ad bellum* norms for cyber warfare / W. C. Banks. - International law and cyber threats from non-state actors / L. R. Blank. - Cyber warfare and non-international armed conflicts / R. Geiss

Cyber warfare and non-international armed conflicts / by Robin Geiss. - In: Israel yearbook on human rights, Vol. 43, 2013, p. 141-157

This article seeks to discuss particular legal issues arising under the laws of armed conflict with regard to the use of military cyber operations in non-international armed conflicts. The analysis proceeds in three steps and will analyze three general questions. The first question that arises

when considering the issue of cyber warfare in non-international armed conflicts is whether cyber operations in and of themselves, without accompanying kinetic military operations, could ever trigger a non-international armed conflict. The second question that arises when considering the issue of cyber warfare in non-international armed conflicts relates to the geographic scope of application of the laws of armed conflict. Finally, the third question relates to the use of cyber operations in the course of an already ongoing non-international armed conflict in which conventional kinetic military means and methods of warfare are being employed.

Cyberspace operations in international armed conflict : the principles of distinction and proportionality in relation to military objects / Wieteke Theeuwen. - In: Humanitäres Völkerrecht : Informationsschriften = Journal of international law of peace and armed conflict, Vol. 26, 4/2013, p. 188-194

This article discusses the interpretation of international humanitarian law in relation to cyber warfare. The author examines when a cyber attack can be qualified as an attack under *ius in bello*, that is in the course of an international armed conflict. The main question is whether cyber attacks with non-kinetic outcomes can still be qualified as an armed attack under IHL. Applying the effects-based approach the author argues, in line with the view of a number of scholars, that a non-kinetic cyber operation which indirectly facilitates kinetic outcomes will qualify as an armed attack under *ius in bello*. A group of experts that drafted the Tallinn Manual on the applicability of international law came to the same conclusion. The article further discusses, applying the principles of distinction and proportionality, dual-use objects and their qualification as military or civilian objects. Despite the risk of being indiscriminate, cyber attacks could also lead to less collateral damage.

Expertise, uncertainty, and international law : a study of the Tallinn Manual on cyberwarfare / Oliver Kessler and Wouter Werner. - In: Leiden journal of international law, Vol. 26, no. 4, December 2013, p. 793-810

How should international law deal with the uncertainty arising from the rise of irregular forms of warfare? In the past decade, this question has been the topic of several reports produced by international groups of experts in the field of conflict and security law. The most recent examples include the study on the notion of the 'direct participation in hostilities' under the auspices of the International Committee of the Red Cross, and the Tallinn Manual on cyberwarfare prepared at the invitation of NATO. In this article, we discuss the Tallinn Manual, showing how experts faced with uncertainty as to the law's precise scope and meaning construct legal interpretations, legal definitions, and institutional facts and norms that can be used to make sense of a contingent world. At the same time, we argue, this absorption of uncertainty produces new uncertainty. Consequently, the power of experts does not reside in their knowledge, but in their control and management of uncertainty and non-knowledge.

Law in the virtual battlespace : the Tallin Manual and the *jus in bello* / Rain Liivoja and Tim McCormack. - In: Yearbook of international humanitarian law, Vol. 15, 2012, p. 45-58. - Bibliographie : p. 57-58

This contribution offers some comments on the second part of the Tallin Manual dealing with *jus in bello*. The observations are limited to the methodology of drafting the Manual and to a few selected issues of substantive law that illustrate the difficulties in applying LOAC to cyber operations: cyber operations as hostilities and the principle of distinction, limitations on cyber operations not amounting to attacks, military occupation and neutrality.

Lawful targets in cyber operations : does the principle of distinction apply ? / by Noam Lubell. - In: Israel yearbook on human rights, Vol. 43, 2013, p. 23-43

The cyber sphere presents unique challenges to our ability to adequately distinguish between military and civilian and thereby adhere to the fundamental principle of distinction. Moreover, the nature of cyber operations is such that it does not neatly fit into the paradigm of hostilities around which the law of armed conflict (LOAC) is constructed. In fact, it has even been debated whether the LOAC rules on targeting would always apply to cyber operations, and whether the need to distinguish between military and civilian and the prohibition on attacking civilian targets are applicable to all forms of cyber operations or not. This article addresses the question of the nature of cyber operations that are likely to take place. It includes an examination of cyber operations as fitting within the notion of attack. It then turns to an analysis of the appropriate

threshold of harm that would lead a cyber operation to be considered an attack under LOAC — and thus subject to the principle of distinction — with particular focus on destruction of data and harm that does not have direct physical manifestation.

Mexico's drug "war" : drawing a line between rhetoric and reality / Andrea Nill Sánchez. -

In: Yale journal of international law, Vol. 38, issue 2, p. 467-509. - Photocopies

Across the border, lawmakers and public officials in the United States are increasingly confronted with a loaded question: is Mexico's metaphorical drug war transforming into a verifiable armed conflict under the laws of war? This Note argues that the answer is no. Although the current approach is largely inadequate, applying a law-of-war framework is not legally appropriate, nor would it provide the appropriate remedies. The worsening violence in Mexico has rightfully motivated many people to reassess the current anti-cartel strategy. Nevertheless, redefining the situation in Mexico as an armed conflict and recasting drug cartels as terrorists or insurgents would misapprehend the drug cartels' true nature. Further, applying the law of armed conflict framework would trigger a military approach and accompanying legal regime that are ill suited to meet the challenges that drug cartels pose.
345.26/239 (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.
347.799/148 (Br.)

The role of counterterrorism law in shaping ad bellum norms for cyber warfare / by

William C. Banks. - In: Israel yearbook on human rights, Vol. 43, 2013, p. 45-80

The Tallin Manual and international cyber security law / Wolff Heintschel von Heinegg. -

In: Yearbook of international humanitarian law, Vol. 15, 2012, p. 3-18. - Bibliographie : p. 17-18

The Tallinn Manual on the international law applicable to cyber warfare : a commentary on chapter II : the use of force / Nicholas Tsagourias. - In: Yearbook of international humanitarian law, Vol. 15, 2012, p. 19-43. - Bibliographie : p. 40-43

Unmanned platforms in the cyber age / by William H. Boothby. - In: Israel yearbook on human rights, Vol. 43, 2013, p. 171-197

The question that this chapter seeks to explore is how the application of the law of armed conflict targeting rules to unmanned and autonomous attack operations is likely to be affected by cyber operations. It shows in three fictitious scenarios how a cyber operation deceiving the other party, who is using unmanned combat aerial vehicles (UCAV), can lead to catastrophic consequences for civilians. It starts by summarising the legal rules on unmanned air operations and the precautions that are required in attack, as set out in the HPCR Manual on the law of air and missile warfare. Then it turns to the rules that apply to deception operations - the modern law of perfidy, ruses and misuse of indicia - and how they can apply to deception cyber operations.

L'usage de la force dans le cyberespace et le droit international / Loïc Simonet. - In:

Annuaire français de droit international, 58, 2012, p. 117-143

La mise en péril de la sécurité nationale d'un État par des moyens informatiques ne relève plus de la science-fiction, et les États se dotent de capacités d'action militaire dans le cyberespace. Dans ce contexte, assimiler l'acte de cyberhostilité à une attaque armée pourrait autoriser l'État victime à répliquer sur la base de la légitime défense individuelle ou collective. La succession

d'une cyberattaque d'une gravité particulière et de contre-mesures de même ampleur, pourrait déboucher sur un conflit armé, ce qui soulève la question de la transposition à la "cyberguerre" du jus in bello, dont les normes sont aujourd'hui mises au défi par cet univers immatériel. La difficulté d'identifier l'auteur de la cyberattaque et de le rattacher aux autorités d'un État complice, elle aussi, l'appréhension de la cyberdéfense par le droit international. Un régime juridique international consacré au cyberspace permettrait-il d'introduire davantage de sécurité, pour autant que les États consentent à limiter leurs moyens d'action dans cet espace stratégique ?

Das zweite Zusatzprotokoll zu den vier Genfer Rot-Kreuz-Abkommen vom 12. August 1949 über den Schutz der Opfer nichtinternationaler bewaffneter Konflikte : eine selektive Nachschau / Manfred Rotter. - Wien : Facultas.wuv, 2012. - p. 370-387. - In: Völkerrecht und die Dynamik der Menschenrechte : Liber Amicorum Wolfram Karl. - Photocopies
342.27/133 (Br.)

INTERNATIONAL ORGANIZATION-NGO

International organization : theories and institutions / J. Samuel Barkin. - 2nd ed.. - Basingstoke ; New York : Palgrave Macmillan, 2013. - XII, 213 p. ; 24 cm. - Bibliographie : p. 189-201. Index. - ISBN 9781137302403
341.215/249

MEDIA

Journalists as a protected category : a new status for the media in international humanitarian law / Elizabeth Levin. - In: UCLA journal of international law and foreign affairs, Vol. 17, issue 1 & 2, Spring 2013, p. 215-250. - Photocopies
The nature of modern warfare has vastly changed the role of journalists in conflict and, therefore, the reliability of the protections afforded to them. Countries such as the United States have interpreted international humanitarian law in such a way that leaves journalists vulnerable to targeting decisions based solely on the content of their writings. International law must take a firm step forward in not only securing de facto protection for journalists, but in reaffirming their importance to the public. Such a step may best be taken by adopting a new status for journalists. Under this new status, a journalist could not be said to have directly participated in conflict without a proven intention to incite violence and would therefore remain immune from direct targeting no matter how much the content of the reporting supports or undermines the objectives of a belligerent party.
070/15 (Br.)

La photographie humanitaire en question : entre éthique du photographe et loi du tapage médiatique / Victoire Dewaegeneire ; préf. de Serge Regourd. - Paris : L'Harmattan, 2013. - 87 p. : fotogr., diagr. ; 22 cm. - (Inter-national). - Bibliographie : p. 85-87. - ISBN 9782336299044
070/103

Propaganda, power and persuasion : from World War I to wikileaks / ed. by David Welch. - London ; New York : I.B. Tauris, 2014. - XIV, 257 p. : fotogr., ill., diagr. ; 24 cm. - Bibliographie : p. 251-252. Index. - ISBN 9781780764580
Contient notamment : "War" versus "cultural" propaganda : institutional and ideological tensions over the projection of Britain during the Second World War / J. Chapman. - NATO and information warfare / E. M. Spiers. - Strategic communications and the combatant commander / J. B. Jones, D. T. Kuehl, D. Burgess, and R. Rochte. - WikiLeaks and cybersecurity : new modes of propaganda / D. Culbert.
070/102

MISSING PERSONS

Families of the missing : a test for contemporary approaches to transitional justice / Simon Robins. - Abingdon ; New York : Routledge, 2013. - XIV, 264 p. : cartes, graph., tabl. ; 24 cm. - (Transitional Justice). - Bibliographie : p. 238-261. Index. - ISBN 9780415812481 332/79

State involvement in the perpetration of enforced disappearance and the Rome Statute / Irena Giorgou. - In: Journal of international criminal justice, Vol. 11, no. 5, December 2013, p. 1001-1021

This article provides a critical insight into the rule enshrined in the Rome Statute with regard to the role of state involvement in the commission of the crime of enforced disappearance. Under the United Nations International Convention for the Protection of All Persons from Enforced Disappearance, state involvement is a constitutive element of the crime of enforced disappearance. The Rome Statute departs from existing international law by inserting in the definition of enforced disappearance — as the underlying act of crimes against humanity — the concept of a 'political organization', next to the state, as a potential perpetrator. The drafters thus achieved a 'de-statalization' rather than a 'privatization' of enforced disappearance and streamlined the definition with the chapeau requirement of 'state or organizational policy'. The interpretation of the chapeau, however, remains problematic. This deviation from the established norm of international law is warranted de lege ferenda. It achieves logical consistency within the system of the Rome Statute and adapts the definition of enforced disappearance as a crime against humanity to the peculiarities of modern non-international conflicts, while safeguarding its particular character as a crime intrinsically related to the state.

PEACE

Statebuilding : consolidating peace after civil war / Timothy D. Sisk. - Cambridge ; Malden : Polity, 2013. - XIV, 215 p. : diagr., tabl. ; 21 cm. - (War and conflict in the modern world). - Bibliographie : p. 188-209. Index. - ISBN 9780745661599 172.4/258

PROTECTION OF CULTURAL PROPERTY

The criminalization and prosecution of attacks against cultural property / Andrea Carcano. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 78-97. - In: War crimes and the conduct of hostilities : challenges to adjudication and investigation 345.25/289

PUBLIC INTERNATIONAL LAW

Au coeur des relations entre violence et droit : la pratique des meurtres ciblés au regard du droit international / Muriel Ubéda-Saillard. - In: Annuaire français de droit international, 58, 2012, p. 83-116

La pratique des meurtres ciblés consiste en l'utilisation délibérée de la force meurtrière par des agents publics ou des membres de groupes armés organisés, en période de conflit armé, contre des individus préalablement identifiés qui ne se trouvent pas sous la garde physique de leur agresseur. Mise en oeuvre par certains États, y compris des États de droit, notamment dans le cadre du contre-terrorisme, à l'encontre de personnes dont les activités violentes sont jugées extrêmement dangereuses pour la sauvegarde de l'ordre public et la protection de la population, cette pratique soulève de nombreuses interrogations quant à son éventuelle licéité au regard du jus ad bellum et du jus in bello. Elle est présentée comme un moyen de mise en oeuvre des normes internationales mais il est difficile, sinon impossible, de l'appréhender sous l'angle de l'application du droit.

Droit international et conflits armés / sous la dir. de Nils Andersson et Daniel Lagot. - Paris : L'Harmattan, 2013. - 154 p. ; 24 cm. - (Questions contemporaines). - ISBN 9782343008783
345/642

Droit international et interventions armées / Daniel Lagot. - Paris : L'Harmattan, 2013. - p. 9-32. - In: Droit international et conflits armés
345/642

The legality of the threat or use of nuclear weapons : the ICJ advisory opinion reconsidered / Daniel Thürer. - Wien : Facultas.wuv, 2012. - p. 538-552. - In: Völkerrecht und die Dynamik der Menschenrechte : Liber Amicorum Wolfram Karl. - Photocopies
The most serious, insidious and publicly neglected challenge in today's world and international law is the legal status of nuclear weapons. This chapter introduces the subject with some remarks of a historical and rather general nature. It concentrates on the 1996 Nuclear weapons opinion of the International Court of Justice and formulates seven critiques concerning the Opinion based on fundamental principles and concepts of international law. In conclusion, it asks whether the Court would or should decide differently, if it had to deal with the General Assembly's request today.
341.67/7 (Br.)

Morality, jus post bellum, and international law / ed. by Larry May, Andrew T. Forcehimes. - Cambridge [etc.] : Cambridge University Press, 2012. - X, 271 p. ; 24 cm. - (ASIL studies in international legal theory). - Bibliographie : p. 257-264. Index. - ISBN 9781107024021
Contient notamment : Reparation, restitution, and transitional justice / L. May. - Justice after war : economic actors, economic crimes, and the moral imperative for accountability after war / J. Kyriakakis. - Child soldier, transitional justice, and the architecture of post bellum settlements / M. A. Drumbl. - Law and the jus post bellum : counseling caution / R. Cryer.
345/640

La responsabilité de protéger / Nabil Hajjami ; préf. de Olivier Corten et de Rahim Kherad. - Bruxelles : Bruylant, 2013. - XXII, 558 p. ; 24 cm. - (Collection de droit international ; 77). - Bibliographie : p. 507-544. Index. - ISBN 9782802742555
345/641

Under the UN Security Council's watchful eyes : military intervention by invitation in the Malian conflict / Karine Bannelier and Théodore Christakis. - In: Leiden journal of international law, Vol. 26, no. 4, December 2013, p. 855-874

REFUGEES-DISPLACED PERSONS

Detention, alternatives to detention, and deportation / Alice Edwards... [et al.]. - In: Forced migration review, Issue 44, September 2013, p. 4-69 : fotogr.
Contient notamment : Health at risk in immigration detention facilities / I. Kotsioni, A. Ponthieu and S. Egidii. - The impact of immigration detention on children / A. Farmer. - Detention of women : principles of equality and non-discrimination / A. McGinley. - Women : the invisible detainees / M. Brané and L. Wang. - Immigration detention : looking at the alternatives / P. Amaral

The making of the modern refugee / Peter Gatrell. - Oxford : Oxford University Press, 2013. - XII, 312 p. : tabl., cartes, ; 24 cm. - Bibliographie : p. 297-299. Index. - ISBN 9780199674169
325.3/485

RELIGION

Religious armed conflict and discrimination in the Middle East and North Africa / Jonathan Fox... [et al.]. - In: Civil wars, Vol. 15, no. 4, December 2013, p. 407-470
Contient notamment : One God, many wars : religious dimensions of armed conflict in the Middle East and North Africa / I. Svensson. - Armed conflict and religious factors : the need for synthesized conceptual frameworks and new empirical analyses : the case of the MENA region

/ L. Feliu and R. Grasa. - Religious discrimination against minorities in middle eastern muslim states / J. Fox

TERRORISM

International terrorism, the law of war and the negotiation of a UN comprehensive convention / Giuseppe Nesi. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 243-256. - In: War crimes and the conduct of hostilities : challenges to adjudication and investigation
345.25/289

Terror and terrorism in armed conflicts : developments in international criminal law / Julinda Beqiraj. - Cheltenham ; Northampton : E. Elgar, 2013. - p. 257-275. - In: War crimes and the conduct of hostilities : challenges to adjudication and investigation
345.25/289

WOMEN-GENDER

Feminist perspectives on transitional justice : from international and criminal to alternative forms of justice / ed. by Martha Albertson Fineman, Estelle Zinsstag. - Cambridge [etc.] : Intersentia, 2013. - XV, 362 p. : tabl. ; 25 cm. - (Series on transitional justice ; vol. 13). - ISBN 9781780681429
Contient notamment : International law and domestic gender justice, or why case studies matter / C. O'Rourke. - Justice as practised by victims of conflict : post-world war II movements as sites of engagement and knowledge / W. L. Cheah. - Sexual violence against women in armed conflicts and restorative justice : an exploratory analysis / E. Zinsstag
362.8/198

Women's human rights : CEDAW in international, regional and national law / ed. by Anne Hellum and Henriette Sinding Aasen. - Cambridge ; New York : Cambridge University Press, 2013. - XXII, 675 p. ; 24 cm. - Index. - ISBN 9781107034624
Contient notamment : The Committee on the Elimination of Discrimination against Women / A. Byrner. - The United Nations working group on the issue of discrimination against women in law and practice / F. Banda. - "Women's rights !" : the practice of the United Nations Human Rights Committee and the Committee on Economic, Social and Cultural rights / F. Van Leeuwen. - From ratification to implementation : "domesticating" the CEDAW in state, government and society. A case study of Pakistan / S. Sardar Ali
362.8/199