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ARMS

Legal, political and ethical dimensions of drone warfare under international law : a preliminary survey / Geert-Jan Alexander Knoops. - In: International criminal law review, Vol. 12, no. 4, 2012, p. 697-720

This article delves into the advent of drone warfare and the international (criminal) law, political and ethical dimensions thereof. Fundamental questions to be addressed in this article are: who is accountable if decisions leading to lethal force are left up to computers? And under what legal regime may lethal forces by drones been administered? The U.S. policy, advocating that drone attacks are permissible under international and U.S. law, is outlined; as are the pitfalls of this policy. The implications of CIA operatives carrying out drone attacks are assessed. Finally, political and ethical dimensions of drone attacks will conclude this article.

Man-monkey, monkey-man : neutrality and the discussions about the "inhumanity" of poison gas in the Netherlands and International Committee of the Red Cross / Leo van Bergen and Maartje Abbenhuis. - In: First World War studies, Vol. 3, no. 1, March 2012, p. 1-23 : ill.. - Bibliographie : p. 21-23. - Photocopies
341.67/712 (Br.)

Quel contrôle pour le commerce des armes ? / par Virgine Moreau... [et al.]. - In: Diplomatie : affaires stratégiques et relations internationales, No 58, septembre-octobre 2012, p. 40-60 : fotogr., carte
Contient : Le contrôle du commerce des armes conventionnelles : les failles des réglementations internationale, régionale et nationale / V. Moreau. - Quelques trafiquants célèbres. - Traité sur le commerce des armes : un processus toujours en devenir / A. Elluin. - La France, promotrice d'un traité ambitieux sur le commerce des armes / entretien avec J.-H. Simon-Michel. - Quels sont les impacts potentiels d'un traité sur le commerce des armes ? / P. Holtom. - La levée de l'embargo européen sur les armes de la Chine : quelles conséquences à prévoir ? / E. Pflimlin.

Le régime d'interdiction des armes chimiques = Agent of change ? : the CW regime / réd. Kerstin Vignard. - In: Forum du désarmement = Disarmament forum, 1, 2012, 70, 66 p.. - Ouvrage tête-bêche
Contient notamment : La science et la "nouvelle" Convention sur l'interdiction des armes chimiques : des rôles multiples sont-ils envisageables pour les scientifiques civils ? / M. Dando. - L'élimination des armes chimiques dans le monde / P. F. Walker. - La non-prolifération et la lutte contre la résurgence des armes chimiques / A. Kelle

The use of depleted uranium ammunition under public international law / Lars Schönwald. - In: Humanitäres Völkerrecht : Informationsschriften = Journal of international law of peace and armed conflict, Vol. 25, 3/2012, p. 148-155
Several armies worldwide use depleted uranium in ammunition. DU is quite cheap, available in large quantities and its high density allows the use in armor-penetrating or bunker busting weapons. Despite these advantages, the use of DU is prohibited by international humanitarian law as is shown in this article. In the first part, it will be examined by presenting recent medical research that DU might cause superfluous injuries to combatants - a clear violation of international humanitarian law. Moreover, it will be elaborated in the second part that in certain cases the use of DU has effects which cannot be limited to combatants, but which also affect non-combatants - which constitutes another violation of international humanitarian law. Furthermore, DU has an impact on the environment, although this impact does not meet the high threshold needed to assert another violation of international humanitarian law - at least according to up to date research.

CHILDREN

Child soldiers and other children associated with armed forces and armed groups / ICRC. - Geneva : ICRC, August 2012. - 12 p. : fotogr. ; 21 cm. - (In brief)
The revised and updated version of the brochure provides detailed information about the problem of child soldiers, and outlines what should be done to prevent their recruitment, protect

them and help them rebuild their lives after their demobilization. It is an ideal introduction to the provisions of international law that apply specifically to the participation of children in hostilities.
362.7/217 (2012 ENG Br.) (also available in French)

Children and justice during and in the aftermath of armed conflict / Office of the Special Representative of the Secretary-General for Children and Armed Conflict. - New York : United Nations, September 2011. - 55 p. : fotogr. ; 30 cm. - (Working paper ; no. 3)
362.7/215

The International Criminal Court and child soldiers : an appraisal of the Lubanga judgement / Roman Graf. - In: Journal of international criminal justice, Vol. 10, No. 4, September 2012, p. 945-969

This contribution analyses the first judgment rendered by the International Criminal Court (ICC) in the Lubanga case, specifically focusing on those sections of the judgment dealing with the recruitment of child soldiers. After a brief enquiry into the reasons for the prosecutorial decision to charge Thomas Lubanga Dyilo with only one crime, the article examines the legal findings of the Trial Chamber on various aspects of the offence, including its chapeau elements. These findings are then compared with analysis carried out by the Special Court for Sierra Leone in similar instances. The article specifically addresses concerns of the potential danger presented by the ambiguous findings of the Trial Chamber with respect to the use of children in hostilities and offers a way of reading the judgment that reconciles the wording of the ICC Statute with the need to enhance protection of children in hostilities.

The responsibility to protect and child soldiers / Shelly Whitman. - London ; New York : Routledge, 2012. - p. 152-165. - In: The Routledge handbook of the responsibility to protect. - Bibliographie : p. 164-165. - Photocopies
362.7/190 (Br.)

CIVILIANS

La Grande Guerre 1914-18, un nouveau défi pour le CICR ? : l'Agence internationale des prisonniers de guerre et son action en faveur des civils / Jessica Pillonel. - [S.l.] : [s.n.], 2012. - 94 f. : ill. ; 30 cm. - Mémoire de master, Université de Genève, département d'histoire générale, unité d'histoire nationale, 2012. - Bibliographie : p. 89-94
362.191/1444

Sexual violence against men in countries affected by armed conflict / Sarah Solangon and Preeti Patel. - In: Conflict, security and development, Vol. 12, no. 4, September 2012, p. 417-442. - Bibliographie : p. 438-442

Sexual violence against men in armed conflict has been documented for thousands of years under the various guises of war, torture and mutilation yet it is often neglected mainly because of overwhelming stigma and shame surrounding it. Based on academic and grey literature on sexual violence against men in conflict, this article discusses the complex reasons for lack of quality data on this important topic. The motivations of sexual violence against men are also explored through applying causal theories that are largely based on female victims of sexual violence. Finally, interventions for the management of sexual violence against men in conflict are discussed. This study concludes that gendered binaries and strict gender roles are primarily responsible in accentuating sexual violence against men in terrorising and humiliating victims, and must be addressed. It also calls for more research and advocacy of male victims of sexual violence in order to fully understand the dynamics of this challenge as well as to offer effective care for male survivors of such violence.

CONFLICT-VIOLENCE AND SECURITY

Clausewitz and the study of war / Thomas Waldman. - In: Defence studies, Vol. 12, no. 3, September 2012, p. 345-374. - Photocopies
355/957 (Br.)

Expanding the global conversation about war : three Chinese perspectives / Ping-cheung Lo... [et al.]. - In: Journal of military ethics, Vol. 11, no. 2, August 2012, p. 79-135. - Bibliographies

Contient notamment : Classical confucianism, punitive expeditions, and humanitarian intervention / S. B. Twiss and J. Chan. - Xunzi's moral analysis of war and some of its contemporary implications / A. Stalnaker. - Warfare ethics in Sunzi's art of war ? : historical controversies and contemporary perspectives / P.-c. Lo

Foreign powers and intervention in armed conflicts / Aysegul Aydin. - Stanford : Stanford University Press, 2012. - VIII , 202 p. : tabl. ; 24 cm. - Index. - ISBN 9780804782814
355/956

Géographie des conflits armés et des violences politiques / Stéphane Rosière ; avec la collab. de Yann Richard. - Paris : Ellipses, 2011. - 228 p. : cartes, graph. ; 24 cm. - Bibliographie : p. 207-216. Index. - ISBN 9782729866082

Cet ouvrage propose une typologie des conflits armés et des violences politiques en prenant en compte le contexte spatial. Il aborde également les aspects démographiques (chapitres consacrés aux déplacements forcés de population et au nettoyage ethnique) et économiques des conflits.

355/955

Nouveaux acteurs, nouvelle donne : l'état du monde 2012 / sous la dir. de Bertrand Badie et Dominique Vidal. - Paris : La Découverte, 2011. - 237 p. ; 24 cm. - Bibliographies. - ISBN 9782707168887

355/954

Resource wars : searching for a new definition / Jasper Humphreys. - In: International affairs, Vol. 88, no. 5, September 2012, p. 1065-1082

The use of the phrase "resource wars" covers an ever-widening list of categories that range from minerals and oil to rhino horn, timber and much more; anchored around this milieu are phrases like "natural security" and "environmental security". While this proliferation has splintered the identity of the phrase 'resource wars', the more worrying impact is that it has allowed governments to ignore pressing problems related to biodiversity and the environment because the solutions are deemed too complex, time-consuming, and expensive with indeterminate outcomes. However, failing to address these problems not only increases the risk of conflict but also leads to a lack of trust in governments with the result that they risk being seen as "the enemy of the people". A first step to avoid this negative spiral should be to rethink the phrase "resource wars".

DETENTION

Beyond the death penalty : reflections on punishment / ed. by Hans Nelen, Jacques Claessen. - Cambridge [etc.] : Intersentia, 2012. - XIV, 326 p. : graph. ; 24 cm. - (Maastricht series in human rights ; 13). - ISBN 9781780680606
400/127

Detention guidelines : guidelines on the applicable criteria and standards relating to the detention of asylum-seekers and alternatives to detention / UNHCR. - Geneva : UNHCR, 2012. - 62 p. : tabl. ; 30 cm. - Photocopies
400/129 (Br.)

A functional approach to targeting and detention / Monica Hakimi. - In: Michigan law review, Vol. 110, no. 8, 2012, p. 1365-1420. - Photocopies

The international law governing when states may target to kill or preventively detain nonstate actors is in disarray. This article puts much of the blame on the method that international law uses to answer that question. The method establishes different standards in four regulatory domains: (1) law enforcement, (2) emergency, (3) armed conflict for civilians, and (4) armed conflict for combatants. Because the legal standards vary, so too may substantive outcomes; decisionmakers must select the correct domain before determining whether targeting or detention is lawful. This article argues that the "domain method" is practically unworkable and theoretically dubious. Practically, the method breeds uncertainty and subverts the discursive process by which international law adapts to new circumstances and holds decisionmakers accountable. Theoretically, it presupposes that the domain choice, rather than shared substantive considerations embedded in the domains, drives legal outcomes. This article

argues, to the contrary, that all targeting and detention law is and ought to be rooted in a common set of core principles. Decisionmakers should look to those principles to assess when states may target or detain nonstate actors. Doing so would address the practical problems of the domain method. It would narrow the uncertainty about when targeting and detention are lawful, lead to a more coherent legal discourse, and equip decisionmakers to develop the law and hold one another accountable.

345.26/224 (Br.)

Is the death penalty dying ? : European and American perspectives / ed. by Austin Sarat, Jürgen Martschukat. - Cambridge [etc.] : Cambridge University Press, 2011. - XI, 329 p. : graph., photogr. ; 24 cm. - Index. - ISBN 9780521763516
400/128

Is there a right to detain civilians by foreign armed forces during a non-international armed conflict ? / Peter Rowe. - In: International and comparative law quarterly, Vol. 61, part 3, July 2012, p. 697-711

This article considers whether there is any lawful authority for foreign armed forces assisting a territorial State during a non-international armed conflict to arrest and detain civilians. Taking the backdrop of Iraq and Afghanistan it considers relevant UN Security Council resolutions including Resolution 1546 (2004) relating to Iraq which authorized the multi-national force (MNF) 'to take all necessary measures' and provided for the internment, for imperative reasons of security, of civilians. In respect of Afghanistan, a number of resolutions authorized the International Assistance Stabilisation Force (ISAF) to 'take all necessary measures'. It challenges the notion that the positive rights under international humanitarian law applicable to an international armed conflict apply, *mutatis mutandis*, to a non-international armed conflict, where national law (including human rights law having extra-territorial effect) is of primary (although not of exclusive) significance. It also considers which body of national law, that of the sending or that of the receiving State, applies to determine the lawfulness of detention of foreign civilians. The article recognizes that the arrest and detention of civilians may be necessary during a non-international armed conflict but concludes that the lawful justification for doing so needs to be clearly established.

Preventive detention in the law of armed conflict : throwing away the key ? / Diane Webber. - In: Journal of national security law and policy, Vol. 6, no. 1, 2012, p. 167-205. - Photocopies

More than ten years after 9/11, the "clear legal framework for handling alleged terrorists" promised by President Obama in 2009 is still undeveloped and "the country continues to hold suspects indefinitely, with no congressionally approved mechanism for regular judicial review." Should terrorists be treated as criminals, involving traditional criminal law methods of detection, interrogation, arrest and trial? Or should they be treated as though they were involved in an armed conflict, which would involve detention and trial in accordance with a completely different set of rules and procedures? Neither model is a perfect fit to deal with twenty-first century terrorism. This paper reviews the framework to detain suspected terrorists preventively under the law of armed conflict together with the detention provisions of the NDAA of 2012. The paper concludes that the law relating to detention is still unclear, with many unanswered questions and the current law of armed conflict does not provide an adequate blueprint to deal with current and future detention challenges.

400.1/28 (Br.)

Some holds barred : extending executive detention habeas law beyond Guantanamo bay / Ashley E. Siegel. - In: Boston university law review, Vol. 92, no. 4, July 2012, p. 1405-1430. - Photocopies

Part I reviews habeas law from its historical roots to its modern application in executive detention cases brought about by the United States detention of aliens at Guantanamo Bay. Part II examines alien detention abroad apart from the habeas context. Part III explores the likelihood and appropriateness of extending the *Boumediene* line of cases to scenarios of alien detainees held abroad by foreign governments at the behest of the United States. The Supreme Court has recently demonstrated a greater willingness to exert its power in the national security realm, no longer giving broad deference to the Executive's wartime powers. The Supreme Court in this realm appears to take a functionalist, case-by-case approach that leaves open the

possibility that the Court will exert itself in different executive detention contexts. Given the vital, fundamental individual rights implicated by executive detention, the Supreme Court should continue to actively review the actions of the legislative and executive branches. Further, based on the reasoning supporting its past precedents, the Court should extend jurisdiction to detainees held by foreign nations at the behest of the U.S. government.

345.2/292 (Br.)

Tracing your prisoner of war ancestors : the First World War : a guide for family historians / Sarah Paterson. - Barnsley (Royaume-Uni) : Pen and Sword Family History, 2012. - VI, 234 p. : fotogr., ill. ; 24 cm. - Bibliographie : p. 143-148. Index.. - ISBN 9781848845015

Contient un bref chapitre sur le rôle du CICR. Contient en annexe des listes de camps de prisonniers de guerre en Allemagne et en Autriche, en Turquie et au Royaume-Uni.

400.2/329

Water, sanitation, hygiene and habitat in prisons : supplementary guidance / [ICRC]. - Geneva : ICRC, July 2012. - 79 p. : diagr., ill., fotogr. ; 30 cm. - (Reference (ICRC))

A practical handbook covering the architecture, engineering, design and operation of prisons. It is intended for all ICRC delegates working in places of detention, whether they have extensive practical experience or are new to the field.

400/88-1

ENVIRONMENT

Le concept de "régime spécial" dans les rapports entre droit humanitaire et droit de l'environnement / J. E. Viñuales. - Geneva : The Graduate Institute, Centre for International Environmental Studies, 2012. - 20 p. ; 30 cm. - (Research paper ; 12). - Photocopies

Une partie de la doctrine a accueilli de manière peu critique le concept de "régime spécial", au point même que les interactions normatives sont parfois conceptualisées en termes de rapports entre des "sous-systèmes" ou des "régimes spéciaux", tels que le droit humanitaire ou le droit de l'environnement. Une analyse des techniques régissant l'applicabilité de normes potentiellement concurrentes dans une situation donnée montre, cependant, que le droit international positif fait peu de cas de telles étiquettes. Ces rapports sont, pour l'essentiel, aménagés au niveau des normes, traités ou systèmes de traités juridiquement liés.

L'appartenance d'une norme ou d'un traité à un ensemble descriptif tel que le droit humanitaire ou le droit de l'environnement n'a de portée juridique qu'exceptionnellement et, même dans ces cas, cette portée ne va pas de soi. D'une manière plus générale, le chapitre souligne la nécessité d'utiliser de manière nuancée des catégories telles que le droit humanitaire ou le droit de l'environnement, dont l'existence en tant que réalité juridique reste à démontrer.

363.7/121 (Br.)

Don't blame the weather ! : climate-related natural disasters and civil conflict / Rune T.

Slettebak. - In: Journal of peace research, Vol. 49, no. 1, 2012, p.163-176 : ill.. - Bibliographie : p. 175-176. - Photocopies

363.7/122 (Br.)

Le droit international face aux enjeux environnementaux : colloque d'Aix-en-Provence / Société française pour le droit international. - Paris : Pedone, 2010. - 489 p. ; 23 cm. - Bibliographies. - ISBN 9782233005908

Cet ouvrage contient notamment un chapitre sur la protection de l'environnement et le droit de la sécurité internationale. Il est composé de : Le régime de protection des ressources naturelles en temps de conflit armé et ses faiblesses / M. Tignino. - Réflexions sur les dimensions environnementales du système de sécurité collective de l'ONU / P. Nastou. - La pratique de la Commission d'indemnisation des Nations Unies pour l'Irak en matière de réclamations environnementales / J.-C. Martin

363.7/125

Le pétrole et la guerre = Oil and war / Alain Beltran (dir./ed.). - Bruxelles [etc.] : Peter Lang, 2012. - 430 p. : fotogr., cartes, graph. ; 22 cm. - (Enjeux internationaux = International issues ; 21). - Bibliographies. Index. - ISBN 9789052017709
363.7/124

GEOPOLITICS

Baas et islam en Syrie : la dynastie Assad face aux oulémas / Thomas Pierret. - Paris : PUF, 2011. - 329 p. : tabl. ; 22 cm. - (Proche Orient). - Bibliographie : p. 295-315. Index. - ISBN 9782130588054

Les oulémas sunnites syriens ont été au cœur des transformations socio-politiques préalables au soulèvement de 2011; ils seront également parmi ceux qui décideront in fine du sort de la dynastie Assad. Cet ouvrage comble un vide majeur en mettant en lumière les acteurs les plus influents d'une scène religieuse particulièrement méconnue.

323.15/SYR 8

Chinese and Indian strategic behavior : growing power and alarm / George J. Gilboy, Eric Heginbotham. - Cambridge [etc.] : Cambridge University Press, 2012. - XXX, 346 p. : cartes, tabl., graph., diagr. ; 23 cm. - Bibliographie : p. 309-332. Index. - ISBN 9781107661691

323.13/24

Civil wars in the Democratic Republic of Congo, 1960-2010 / Emizet François Kisangani. - Boulder ; London : L. Rienner, 2012. - XI, 252 p. : cartes, tabl., graph. ; 24 cm. - Bibliographie : p. 227-241. Index. - ISBN 9781588268273

323.11/ZAR 17

Congo : une histoire / David Van Reybrouck ; trad. du néerlandais (Belgique) par Isabelle Rosselin. - Arles : Actes Sud, 2012. - 711 p. : cartes ; 24 cm. - (Lettres néerlandaises). - Titre original: Congo : Een geschiedenis. - Bibliographie : p. 639-664. Index. - ISBN 9782330009304

323.11/ZAR 18

Kenya at 50 : unrealized rights of minorities and indigenous peoples / by Korir Sing'Oei Abraham. - London : MRG, 2012. - 32 p. : carte, tabl. ; 30 cm. - ISBN 9781907919213

323.11/KEN 3

Nepal in transition : from people's war to fragile peace / ed. by Sebastian von Einsiedel, David M. Malone, Suman Pradhan. - Cambridge [etc.] : Cambridge University Press, 2012. - XIV, 398 p. : carte, tabl. graph. ; 23 cm. - Bibliographies. Index. - ISBN 9781107668980

323.13/NPL 4

Où va l'Iran ? / dossier dirigé par Denis Bauchard. - In: Politique étrangère, 3/2012, Automne 2012, p. 485-546

Contient notamment: Iran : mutation sociale et contestation politique / M. Ladier-Fouladi. - L'Iran dans son contexte régional / M.-R. Djalili et T. Kellner. - Nucléaire iranien : que sait-on ? / D. Esfandiary

La république islamique et les heures sombres de l'Iran / Malkom Kasp. - Paris :

L'Harmattan, 2012. - 213 p. ; 22 cm. - (Comprendre le Moyen-Orient). - ISBN 9782296991927
323.15/IRN14

Sudan, South Sudan, and Darfur : what everyone needs to know / Andrew S. Natsios. - Oxford [etc.] : Oxford University Press, 2012. - XXVIII, 250 p. : cartes, fotogr., graph. ; 21 cm. - Bibliographie : p. 229-231. Index. Chronologie. - ISBN 9780199764198

323.11/SDN 24

Testing the waters : assessing international responses to Somali piracy / Bibi van

Ginkel... [et al.]. - In: Journal of international criminal justice, Vol. 10, no. 4, September 2012, p. 717-880

Contient : Foreword / B. van Ginkel and M. Gardner. - In search of a sustainable and coherent strategy : assessing the kaleidoscope of counter-piracy activities in Somalia / B. van Ginkel and

L. Landman. - The context of contemporary piracy : the case of Somalia / J. Dua and K. Menkhaus. - Prosecuting Somali pirates : a critical evaluation of the options / D. Guilfoyle. - Piracy prosecutions in national courts / M. Gardner. - Private military and security companies v. international naval endeavours v. Somali pirates : a security studies perspective / C. Spearin. - Counter-piracy operations by private maritime security contractors : key legal issues and challenges / A. Priddy and S. Casey-Maslen. - Laundering pirates? The potential role of anti-money laundering in countering maritime piracy / M. T. Nance and A. P. Jakobi.

Turquie : le déploiement stratégique / [dirigé par] Firouzeh Nahavandi. - Bruxelles : Bruylant, 2012. - 285 p. : tabl. ; 17 cm. - (Axes. Savoir ; 32). - ISBN 9782802737179
323.14/TUR10

War and conflict in Africa / Paul D. Williams. - Cambridge (Royaume-Uni) ; Malden (Etats-Unis) : Polity, 2011. - XIV, 306 p. : cartes, tabl., graph. ; 25 cm. - Bibliographie : p. 275-294. Index. - ISBN 9780745645452
323.11/34

HEALTH-MEDICINE

Health care in danger : the responsibilities of health-care personnel working in armed conflicts and other emergencies / ICRC. - Geneva : ICRC, August 2012. - 103 p. : photogr. ; 21 cm. - (Reference (ICRC))

A guidance document in simple language for health personnel, setting out their rights and responsibilities in conflict and other situations of violence. One surgeon who reviewed the text said: "It's what I wish I'd had in my pocket when I first went into the field as a surgeon with the ICRC." It explains how responsibilities and rights for health personnel can be derived from international humanitarian law, human rights law and medical ethics. The document gives practical guidance on: - The protection of health personnel, the sick and the wounded - Standards of practice - The health needs of particularly vulnerable people - Health records and transmission of medical records - "Imported" health care (including military health care) - Data gathering and health personnel as witnesses to violations of international law - Working with the media
356/243

Protecting the "helpers" : humanitarians and health care workers during times of armed conflict / Helen Durham and Phoebe Wynn-Pope. - In: Yearbook of international humanitarian law, Vol. 14, 2011, p. 327-346. - Bibliographie : p. 345-346
This article aims to examine the existing rules and principles contained within the international humanitarian law (IHL) legal framework, in particular the protections afforded to humanitarian workers and health care workers under the 1949 Geneva Conventions and their 1977 Additional Protocols. It commences with an examination of the definition of relief workers, moves to discuss the implications of the increased political use of humanitarian aid and then reviews the legal framework within which this sector is located. The multi-dimensional nature of current conflicts, in particular as they pertain to health care workers, requires an examination of both human rights and IHL. In conclusion this paper argues that for the effective protection of affected communities much more should be done by all those engaged in conflict including ending impunity for attacks on humanitarian relief workers and material, and medical personnel, supplies and facilities, as well as the encouragement of further debate and discussion on the topic.

HISTORY

Civil war in Europe, 1905-1949 / Stanley G. Payne. - Cambridge [etc.] : Cambridge University Press, 2011. - XII, 242 p. : cartes ; 24 cm. - Chronologie. Index. - ISBN 9781107648159
94/483

Dictionnaire historique de la Suisse / publ. par la Fondation Dictionnaire historique de la Suisse (DHS) ; réd. en chef: Marco Jorio. - Hauterive : G. Attinger, 2002-. - 11 vol. : cartes, ill. ; 28 cm. - ISBN 9782882561336. - Vol. 11
94/279 (XI)

The Nazi concentration camps, 1933-1939 : a documentary history / ed. and with an introd. by Christian Goeschel and Nikolaus Wachsmann ; original German documents transl. by Ewald Osers. - Lincoln ; London : University of Nebraska Press, 2012. - XXVII, 410 p. : carte, graph. ; 24 cm. - Bibliographie : p. 375-398. Chronologie. Index. - ISBN 9780803227828
400.3/159

The Young Turks' crime against humanity : the Armenian genocide and ethnic cleansing in the Ottoman Empire / Taner Akçam. - Princeton (Etats-Unis) ; Oxford : Princeton University press, 2012. - XLII, 483 p. : cartes, tabl., fac-sim. ; 25 cm. - (Human rights and crimes against humanity). - Bibliographie : p. 453-470, index. - ISBN 9780691153339
94/482

HUMAN RIGHTS

L'application extraterritoriale de la convention européenne des droits de l'homme en Irak : Cour européenne des droits de l'homme, arrêt Al-Skeini e.a. et Al-Jedda c. Royaume Uni, 7 juillet 2011 / par Ioannis K. Panoussis. - In: Revue trimestrielle des droits de l'homme, 23ème année, no 91, juillet 2012, p. 647-670. - Photocopies

Les arrêts Al Skeini et Al-Jedda sont fondamentaux pour cerner la question de l'étendue géographique d'application de la Convention européenne des droits de l'homme. La Cour européenne revisite plusieurs questions importantes : celle du concept de "juridiction" au sens de l'article 1er de la Convention, celle de la responsabilité des Etats agissant en dehors de leur territoires sur le fondement d'une résolution du Conseil de sécurité des Nations Unies et celle des relations entretenues entre la Convention et ces mêmes résolutions. En permettant l'application extraterritoriale de la Convention en Irak, la Cour fait ainsi évoluer sa jurisprudence antérieure tout en laissant encore quelques zones d'ombre, qui devront être élucidées à l'avenir.

345.1/353 (Br.)

Energy as a human right in armed conflict : a question of universal need, survival, and human dignity / Jenny Sin-hang Ngai. - In: Brooklyn journal of international law, Vol. 37, no. 2, 2012, p. 579-622. - Photocopies

This article sets out to examine the individual's entitlement to access modern energy services in one of the most complex and pervasive long-lasting problems facing human existence today: armed conflict. In exploring the role of energy in realizing basic human needs, this article will show how energy is at the center of humansurvival and development. A substantial part of the discussion will be dedicated to the merits of recognizing access to energy as a human right and its implications on the international obligations of States. This analysis will examine the existing norms concerning energy under international humanitarian law and human rights law, as well as emerging international practice in support of a case for energy rights. It will then attempt to identify the content of the right and the legal obligations it entails. Finally, concluding remarks will be delivered on the status of the right to energy as a universal human right, its applicability in armed conflict, future challenges, and recommendations for the way forward.

345.1/ (Br.)

Guide for police conduct and behaviour : international human rights law and humanitarian principles for professional policing / International Committee of the Red Cross. - Geneva : ICRC, 2012. - 16 p. : ill. ; 15 cm. - (In brief)

This pocket-sized booklet adopts a simple pictorial format and aims to raise awareness as to the duties, responsibilities and powers of police and security officials in their daily law-enforcement practices. The booklet has been designed so that it can be carried along and consulted on the spot whenever police and security officials wish to verify whether their actions are compliant with international human rights standards.

345.1/508 (2012 ENG Br.) (also available in French)

Handbook of human rights / ed. by Thomas Cushman. - London ; New York : Routledge, 2012. - XXIII, 744 p. : graph. ; 26 cm. - (Routledge international handbooks). - Bibliographies. Index. - ISBN 9780415480239

345.1/602

International human rights law / Javid Rehman. - 2nd ed.. - New York [etc.] : Pearson, 2010. - LXVI, 947 p. ; 24 cm. - Index. - ISBN 9781405811811
Contient un chapitre intitulé "21. International human rights law and international humanitarian law".

345.1/603

Le soft law et la Cour européenne des droits de l'homme : questions de légitimité et de méthode / Françoise Tulkens, Sébastien van Drooghenbroeck et Frédéric Krenc. - In: Revue trimestrielle des droits de l'homme, 23ème année, no 91, juillet 2012, p. 433-489. - Photocopies

Aussi paradoxal qu'il puisse paraître, le texte de la Convention européenne des droits de l'homme n'est pas l'unique matériau de référence pour l'interprétation de la Convention. Y concourent également des "sources externes" aux origines et statuts juridiques les plus divers, à l'instar d'instruments de "soft law" venus du Conseil de l'Europe ou d'ailleurs. Ce phénomène de métissage juridique a acquis, ces dernières années, une ampleur insoupçonnée. Il convient à présent de l'évaluer, tant en termes de légitimité qu'au regard de sa méthode. La présente contribution entend poser les premiers jalons de cette évaluation.

345.1/352 (Br.)

HUMANITARIAN AID

L'aide humanitaire d'État / Sergio Albarello ; [préf. de Jean-Pierre Raffarin]. - Paris : Société des écrivains, 2011. - 257 p. ; 21 cm. - Bibliographie : p. 251-253. - ISBN 9782748363166

361/580

An analysis of soft law applicable to humanitarian assistance : relative normativity in action ? / Dug Cubie. - In: Journal of international humanitarian legal studies, Vol. 2, issue 2, 2011, p. 177-215

There is limited binding international law specifically covering the provision of humanitarian assistance in response to natural and human-made disasters. Yet a variety of authoritative soft law texts have been developed in the past 20 years, including the UN Guiding Principles on Internal Displacement, the Red Cross Red Crescent Code of Conduct and the Sphere Project's Humanitarian Charter and Minimum Standards in Disaster Response. While such 'non-binding normative standards' do not carry the weight of international law, they play an essential role in the provision of humanitarian assistance albeit subject to their limited enforceability vis-à-vis intended beneficiaries and to their voluntary application by humanitarian actors. Notwithstanding a lack of legal compulsion, certain non-binding normative standards may directly influence the actions of States and non-State actors, and so obtain a strongly persuasive character. Analysis of texts that influence the practice of humanitarian assistance advances our understanding of humanitarian principles and performance standards for disaster response. As the International Law Commission debates draft articles on the Protection of Persons in the Event of Disasters, such non-binding normative standards are crucial to the development of an internationally accepted legal framework to protect victims of disasters.

Assistance for people affected by armed conflict and other situations of violence / ICRC.

- 2nd ed.. - Geneva : ICRC, April 2012. - 12 p. : fotogr., diagr. ; 21 cm. - (In brief)
The ICRC's assistance work aims, basis for action, main activities and professions involved.

361/100 (2012 ENG Br.)

Constructing rights and wrongs in humanitarian action : contributions from a sociology of praxis / Dorothea Hilhorst, Bram J. Jansen. - In: Sociology, Vol. 46, no. 5, October 2012, p. 891-905. - Photocopies. - Bibliographie : p. 903-905

Human rights entered the language and practice of humanitarian aid in the mid-1990s, and since then they have worked in parallel, complemented or competed with traditional frameworks ordering humanitarianism, including humanitarian principles, refugee law, and inter-agency standards. This article positions the study of rights within a sociology of praxis. It starts from a premise that interpretation and realisation of international norms depends on actors' social negotiation. We seek to contribute to the sociology of rights with insights from legal pluralism and to analyse human rights as a semi-autonomous field in a multiplicity of normative frameworks. Based on cumulative research into humanitarian aid in disaster response, refugee

care and protracted crises, the article explores how humanitarian agencies evoke different normative frameworks to legitimate their presence and programmes. How aid is shaped through the 'rights speak' of aid workers and recipients alike is illuminated by cases of programmes promoting women's rights against sexual abuse from Kenya and the Democratic Republic of Congo (DRC).
361/318 (Br.)

Dans l'oeil des autres : perception de l'action humanitaire et de MSF / Médecins Sans Frontières Suisse ; sous la dir. de Caroline Abu-Sada. - Lausanne : Antipodes, 2011. - 205 p. : fotogr ; 21 cm. - (Sud et nord). - Bibliographie : p. 189-200. - ISBN 9782889010677
361/582

The personal and the professional in aid work / guest ed.: Anne-Meike Fechter. - In: Third world quarterly, Vol. 33, no. 8, 2012, p. 1387-1559
Contient notamment : Professionalisation trends and inequality : experiences and practices in aid relationships / S. Roth. - A moral economy ? : social interpretations of money in Aidland / C. Shutt. - Effective aid : the poetics of some aid workers' angles on how humanitarian aid "works" / R. Aphorpe

Sacred aid : faith and humanitarianism / [ed. by] Michael Barnett and Janice Gross Stein. - Oxford [etc.] : Oxford University Press, 2012. - VIII, 258 p. ; 24 cm. - Bibliographies. Index. - ISBN 9780199916092
Contient notamment: Introduction: the secularization and sanctification of humanitarianism / Michael Barnett and Janice Gross Stein. - Faith in markets / Stephen Hopgood and Leslie Vinjamuri. - "Cultural proximity" and the conjuncture of islam with modern humanitarianism / Jonathan Benthall. - Religious obligation or altruistic giving ? : Muslims and charitable donations / Ajaz Ahmed Khan. - The role of spirituality in humanitarian crisis survival and recovery / Peter Walker... [et al.]. - Faith in the machine ? : humanitarianism in an age of bureaucratization / Michael Barnett. - Bridging the sacred and the profane in humanitarian life / Andrea Paras and Janice Gross Stein
361/583

Trends and challenges in humanitarian civil-military coordination : a review of the literature / Victoria Metcalfe, Simone Haysom and Stuart Gordon. - London : Overseas Development Institute, May 2012. - II, 34 p. : tabl., diagr. ; 30 cm. - (HPG working paper). - Photocopies. - Bibliographie : p. 31-34. - ISBN 9781907288746
361/258 (Br.)

Urban violence and humanitarian challenges : joint report : EUISS-ICRC colloquium, Brussels, 19 January 2012 / directed by Pierre Apraxine... [et al.]. - Paris : Institut for Security Studies, 2012. - 84 p. : diagr., tabl. ; 30 cm. - Photocopies. - ISBN 9789291982035
361/182 (Br.)

ICRC-INTERNATIONAL MOVEMENT OF THE RED CROSS AND RED CRESCENT

The British government and the International Committee of the Red Cross relations, 1939-1945 / James Crossland. - [S.l.] : [s.n.], 2010. - 1 vol. (non paginé) ; 30 cm. - Thesis presented for the degree of doctor of philosophy in history, Murdoch University, February 2010. - Bibliographie
362.191/1263

Building resilience / ICRC. - Geneva : ICRC, March 2012. - 11 p. ; 21 cm. - (In brief)
This leaflet gives a brief overview of various ways in which people affected by violence can cope with their situations. It also aims to draw attention to methods by which the ICRC can build people's resilience while addressing their concerns. By resilience we mean the resources available to individuals, households, communities, institutions and nations to cope with various kinds of threats. The idea of resilience implies that vulnerable people do not passively await their fate, but take action to cope with the threats they face.
362.191/1009 (Br.)

Le CICR et les conflits étatiques internes : analyse de l'action / Ibrahima Ngom. - Saarbrücken : Editions universitaires européennes, 2011. - 90 p. ; 22 cm. - Mémoire de maîtrise, Université Gaston Berger de Saint-Louis (Sénégal), 2009. - Bibliographie : p.87-88. - ISBN 9786131589478
362.191/993

INTERNATIONAL CRIMINAL LAW

Beyond the grave breaches regime : the duty to investigate alleged violations of international law governing armed conflicts / Amichai Cohen and Yuval Shany. - In: Yearbook of international humanitarian law, Vol. 14, 2011, p. 37-84. - Bibliographie : p. 82-84
The purpose of the present article is to critically evaluate the contemporary international law obligation to investigate military conduct in times of conflict and to identify relevant normative trends. It first discusses the breadth of the duty to investigate and shows that the duty to investigate is far broader than the Geneva grave breaches regime encompassing alleged violation of many other norms of IHL and IHRL and engaging the responsibility of both military and civilian officials. After discussing the main legal standards governing military investigations — genuineness, effectiveness, independence and impartiality, promptness and transparency, the article addresses trends in international legislation and state practice concerning the maintenance of independence under the challenging conditions featured in many military investigations. Finally, it explains the reasons supporting the move away from criminal enforcement in some cases and sketches a possible solution to some of the practical problems identified in this article—the establishment of a permanent commission of inquiry for evaluating IHL compliance in military operations.

Can domestically seated war crimes tribunals generate positive externalities ? : a case study of the Special Court for Sierra Leone / Christopher E.S. Warburton and Richard F. Culp. - New York : Springer, 2011. - p. 169-187. - In: International criminal justice : critical perspectives and new challenges. - Photocopies. - Bibliographie : p. 185-187
344/255 (Br.)

The concept of universal crimes in international law / Terje Einarsen. - Oslo : Torkel Opsahl Academic EPublisher, 2012. - X, 361 p. : graph. ; 30 cm. - (FICHL Publication Series ; no. 14). - Bibliographie : p. 337-346. Index. - ISBN 9788293081333
344/583

Post-war developments of the Martens clause : the codification of "crimes against humanity" applicable to acts of genocide / Michael Salter and Maggi Eastwood. - In: Journal of international humanitarian legal studies, Vol. 2, issue 2, 2011, p. 250-280
The Martens Clause continues to provide resources for a free-standing norm of customary law prohibiting acts of genocide that are free from many of the restrictions concerning, for example, protected groups contained in the original 1948 Genocide Convention's definition. This article addresses post-war developments of the Martens Clause and the codification of crimes against humanity applicable to acts of genocide. It suggests an alternative way of examining how the idea of humanity originated from the Nuremberg and post-Nuremberg developments. We also explore the historical developments of the 1948 Genocide Convention, and its application within ad hoc tribunals that have adopted a narrow definition and application. Finally, we conclude that through an expansive and sympathetic judicial interpretation and legislative reception, the Martens Clause has operated as one of the key milestones along the path that culminated in the international criminalisation of genocide.

Research handbook on international criminal law / ed. by Bartram S. Brown. - Cheltenham ; Northampton : E. Elgar, 2011. - XV, 517 p. ; 25 cm. - (Research handbooks in international law). - Index. - ISBN 9780857933447
344/584

State immunity against claims arising from war crimes : the judgment of the International Court of Justice in jurisdictional immunities of the State / by Paul Christoph Bornkamm. - In: German law journal, Vol. 13, no. 6, 2012, p. 773-782. - Photocopies
344/257 (Br.)

Superior responsibility and the principle of legality at the ECCC / Rehan Abeyratne. - In: George Washington international law review, Vol. 44, no. 1, 2012, p. 39-78. - Photocopies
This article examines two recent decisions of the Pre-Trial Chamber of the Extraordinary Chambers in the Courts of Cambodia (ECCC) in the broader context of whether it is fair to impose criminal liability on Khmer Rouge leaders for acts committed between 1975 and 1979. Since international criminal law was not as fully developed in the 1970s, some of the accused Khmer Rouge leaders argue that the principle of legality ("nulleum crimen sine lege") bars many of the charges brought against them. In particular, they have argued that superior responsibility--a mode of liability that holds superiors responsible for the criminal acts of their subordinates--had not crystallized into a norm of customary international law by the 1970s. The Pre-Trial Chamber in two rulings in early 2011 dismissed the defendants' arguments and held that from 1975 to 1979 international law had recognized superior responsibility as a mode of criminal liability in a form sufficiently developed and accessible to the accused so as to satisfy the principle of legality. These decisions, though correctly decided, are based on a flimsy legal foundation. The Pre-Trial Chamber relied on the jurisprudence of post-World War II tribunals, which are notorious for their lack of clarity. These tribunals have also been plagued with allegations of "victor's justice," for finding German and Japanese commanders guilty of capacious, poorly-defined crimes that were arguably only recognized as crimes after the end of the war. For these reasons, this article argues that the ECCC should have based its decisions on Additional Protocol I to the Geneva Conventions of 1949 (1977), which more clearly defines superior responsibility and reflects broad consensus on the state of international law in the 1970s. Moreover, Additional Protocol I commenced an evolution in the law of superior responsibility--that has continued through the United Nations ad hoc tribunals and the International Criminal Court --toward greater protection of defendants from the sort of arbitrary justice imposed in the post-WWII cases. Counter-intuitively, relying on more recent statements of the law of superior responsibility would not only comply with the principle of legality, but would benefit the accused. Going forward, this approach would bolster the ECCC's legal stature and reputation for reasoned, impartial decision-making in light of persistent allegations of bias and corruption.
344/585 (Br.)

Taking armed conflict out of the classroom : international and domestic legal protections for students when combatants use schools / Bede Sheppard and Kennji Kizuka. - In: Journal of international humanitarian legal studies, Vol. 2, issue 2, 2011, p. 281-324
Schools around the world are being used for military purposes by State security forces and non-state armed groups. A review of conflicts in 23 countries since 2006 reveals that military use of schools often disrupts, or altogether halts, children's education and places students and schools at increased risk of abuse and attack. While international humanitarian law does not prohibit the military use of schools, failing to evacuate students from partially occupied schools, which have become military objectives subject to attack, may violate humanitarian law. Moreover, where military use impedes education, States may also violate international human rights obligations to ensure the right to education. Despite these negative consequences and the international legal framework restricting this practice, few States have enacted national prohibitions or restrictions to regulate the military use of schools explicitly. However, the experiences of countries heavily affected by conflict - Colombia, India, and the Philippines - indicate that States can counter opposition armed groups while completely prohibiting the military use of schools. This article argues that States should adopt and implement national legislation and military laws that restrict the military use of schools to better comply with their existing international obligations to protect schoolchildren and ensure the right to education.

Victims and perpetrators of international crimes : the problem of the "legal person" / Kirsten Campbell. - In: Journal of international humanitarian legal studies, Vol. 2, issue 2, 2011, p. 325-351

Protecting victims and punishing perpetrators are now seen as integral elements of the implementation and enforcement of humanitarian norms. However, how international law constructs the victims and perpetrators of international crimes as entities with rights and duties remains insufficiently examined. This paper explores the different models of victims and perpetrators as legal persons in international criminal law. It argues that the legal person takes two forms: the victim of human rights and the perpetrator of criminal responsibility. While the legal regime presents these as autonomous and singular individuals, it also constitutes them as

members of groups that criminal norms seek to protect or punish. Contemporary international criminal law resolves this tension between individual and collective rights and responsibilities by reconstituting legal subjectivity through an intersubjective conception of the universal community of humans. Ultimately, this 'legal person' relies on the idea of 'humanity', the collectivity of all humans, to hide this problematic conceptual basis of the rights and duties of victims and perpetrators in ICL.

INTERNATIONAL HUMANITARIAN LAW-GENERALITIES

Can the law of armed conflict survive 9/11 ? / Charles Garraway. - In: Yearbook of international humanitarian law, Vol. 14, 2011, p. 383-390

Although for many, the key issue is the strain placed on the laws of armed conflict, or international humanitarian law, to the author "9/11" has challenged the very framework of international law itself, revealing a schism that has been there for some decades but which has been masked by other more demanding issues. The author talks about the interrelationship between the law of war and the law of peace. Where does peace stop and war start and do the legal boundaries correspond?

Harmonising the individual protection regime : some reflections on the relationship between human rights and international humanitarian law in the light of the right to life / Vera Gowlland-Debbas. - Leiden ; Boston : M. Nijhoff, 2009. - p. 399-418. - In: The diversity of international law : essays in honour of professor Kalliopi K. Koufa. - Photocopies
We find a considerable literature on the links which are being forged not only between human rights and humanitarian law, but also with refugee law, disarmament or arms control, environmental law and international peace and security, all areas of which in the past were hermetically sealed off from one another. This trend has raised its own set of problems for there are important collisions and tensions between such fundamental interests and values, but the problems are gradually being ironed out in practice and in the courts though not always in a totally satisfactory manner. This contribution first highlights the points of divergence and convergence between human rights and humanitarian law then turn to the applicability of human rights law in time of armed conflict and its interplay with humanitarian law.
345.2/897 (Br.)

Legacy of 9/11 : continuing the humanization of humanitarian law / Vijay M.

Padmanabhan. - In: Yearbook of international humanitarian law, Vol. 14, 2011, p. 419-430. - Bibliographie : p. 429-430

The influence of human rights law on the war fighting domain - once thought solely the province of IHL - will continue to grow. Non-traditional conflicts appear to be on the rise. The human rights community, including many scholars, is committed to the application of human rights principles to warfare. And the lack of a clear boundary between IHL and human rights law means that the door is open to application of human rights to areas where it hitherto had no application. The controversy over the killing of Osama bin Laden and the U.S. drone campaign in Pakistan and Yemen suggests that targeting will be the next growth area for human rights.

Nociones básicas del derecho internacional humanitario / Kai Ambos ; trad. John

Zuluaga. - Valencia : Tirant lo Blanch, 2011. - 143 p. ; 20 cm. - (Alternativa ; 10). - Traduction de Vorbemerkung zu §§ 8 ff. VStGB / Kai Ambos, in: W. Joecks/K. Miebach (Gesamthrg.), Münchner Kommentar zum StGB, Band 6/2. Nebenstrafrecht III/Völkerstrafgesetzbuch, 2009, S. 620-649. - Bibliographie : p. 125-143. - ISBN 9788490043486

Este pequeño estudio se propone presentar y explicar las nociones básicas del derecho humanitario internacional. Una orientación conceptual en el tema es de especial utilidad para estudiantes y prácticos vinculados a este campo debido a la dinámica evolución de dichas nociones. El texto introduce a la materia explicando el concepto y propósito de los crímenes de guerra y ofreciendo un ensayo sobre el desarrollo histórico de los mismos. En la parte principal se analiza los presupuestos comunes de los crímenes de guerra y se determina su relación con otras normas penales. Al final se reproduce las normas más relevantes al respecto.
345.2/899

Perspective and the importance of history / W. Hays Parks. - In: Yearbook of international humanitarian law, Vol. 14, 2011, p. 361-382. - Bibliographie : p. 380-382

In the wake of the al Qaeda 9/11 attacks and ensuing Coalition military operations in Afghanistan, Iraq, and Yemen, government officials, military members, academicians, and international lawyers referred to the "changing character of war" while characterizing the conflicts as "asymmetric" warfare, as if this was the first time in which opposing armed forces with dissimilar capabilities, strategic goals, and tactical choices faced one another: that is, 9/11 was the first time the international community faced asymmetric threats of global acts of terror by armed non-State actors. History suggests otherwise as shown in this contribution. Ignorance of history leads to the argument that there has been a change in the character of war and may tempt military and civilian leaders to argue that the law of war does not apply, or cannot be applied. This was seen in Bush Administration reactions to the 11 September 2001 al Qaeda attacks on New York and Washington. Its mistakes were numerous. International lawyers, and others, owe it to their belief in the rule of law to study and understand history in understanding the law and its application over the past decade.

The principle of humanity under international humanitarian law in the "is/ought" dichotomy / Yutaka Arai-Takahashi. - In: Japanese yearbook of international law, Vol. 54 (2011), p. 333-364

The paper starts with two main premises: first, that much more saliently than in other fields of international law, interpretation of International Humanitarian Law (IHL) rules is, through the overarching principle of humanity, contingent on different subjective values derived from the metaphysical world, the world beyond our concrete, verifiable, social sphere; second, that while the principle of humanity is often associated with "ought"-driven, deductive methodology, the principle of military necessity has a penchant for inductive reasoning based on rigorous empirical data and accuracy. The paper's analysis turns to the time-honoured philosophical theme on the dichotomy between the law as it is and the law as it ought to be to obtain guidelines for explaining how to flesh out the "posited moral" concept of humanity when construing IHL. In that process, the paper teases out schematically implications drawn from different strands of legal thought on the separation or unification of this division. After undertaking such theoretical inquiries, it suggests that Ronald Dworkin's theory on interpretation be applied to acquire analytical insight into the mechanism of distilling and feeding moral values into the normative framework of IHL.

345.2/896 (Br.)

Splendid isolation : international humanitarian law, legal theory and the international legal order / Aoife O'Donoghue. - In: Yearbook of international humanitarian law, Vol. 14, 2011, p. 107-131. - Bibliographie : p. 128-131

To consider the role played by IHL in contemporary legal debate, this paper will first give a brief account of how this body of law interacts with other aspects of international law. As with other specialist fields, IHL is not absolutely settled; nevertheless, it is possible to broadly outline its place within the international legal order. This article aims to set a firm basis for considering what current discussions on the future of public international law can tell us about IHL and vice versa. Following an examination of the interplay between IHL and international law, this piece will turn to two thematic approaches that dominate current international legal discourse, namely, fragmentation and constitutionalisation. A brief outline of the parameters of both approaches is followed by an assessment of how each has engaged with IHL. The article concludes with some thoughts on how IHL could make a contribution to these debates. Ultimately, this article will discuss and propose how engagement from both ends of the spectrum would benefit international law and suggest why such connections should be encouraged.

INTERNATIONAL HUMANITARIAN LAW-CONDUCT OF HOSTILITIES

Autonomous weapons systems and the application of IHL / Daniel Reisner. - In: Collegium, No. 41, Automne 2011, p. 71-77
345.25/175

Current challenges in the legal regulation of the methods of warfare / Théo Boutruche. - In: Collegium, No. 41, Automne 2011, p. 21-31
345.25/175

Current challenges to the legal regulation means of warfare / Jann Kleffner. - In: Collegium, No. 41, Automne 2011, p. 13-20

This contribution first addresses the conceptual challenge of what is meant by 'means of warfare' or 'weapons' in the broadest sense. Indeed, to clarify that notion is vital in determining the regulatory ambit of the law of armed conflict as it relates to 'means of warfare'. Secondly, it addresses a normative challenge, namely the regulation in the law of armed conflict of effects of weapons that may only materialise after a considerable lapse of time. Thirdly, it addresses the challenge to legal regulation that emanates from processes of moral disengagement induced by an increasing number of new technologies.

345.25/175

Cyber warfare as armed conflict / Noam Lubell. - In: *Collegium*, No. 41, Automne 2011, p. 41-46

345.25/175

The Gaza mission : implications for international humanitarian law and UN fact-finding / Zeray Yihdego. - In: *Melbourne journal of international law*, Vol. 13, no. 1, June 2012, p. 1-59. - Photocopies

The Report of the United Nations Fact-Finding Mission on the Gaza Conflict was published more than two years ago. The UN Human Rights Council and the UN General Assembly endorsed the recommendations of the Report and requested both parties to undertake investigations on alleged violations, inter alia, of international humanitarian law. The parties to the conflict and two recent UN expert committees have published follow-up reports to the fact-finding. Nonetheless, in April 2011, the chair of the UN Fact-Finding Mission, Judge Goldstone, "retracted" from or "amended", some of the Report's conclusions, in particular the allegations against Israel concerning its "policy" of deliberate and indiscriminate attacks against Palestinian civilians and their objects. The remaining members of the UN Fact-Finding Mission stood firm on their original findings and conclusions. This article looks at the credibility of this fact-finding process and the wider implications of the whole exercise to civilian immunity and UN fact-finding in light of subsequent developments and the core features of UN fact-finding. It particularly enquires into the doubts raised about the appropriateness and effectiveness of the use of UN fact-finding in such complex and long-standing cases including, in this case, where there is lack of genuine will to act by the parties concerned or a lack of binding mandate from the UN Security Council. It also explores the substantive and institutional implications of the exercise in enhancing and promoting civilian immunity during armed conflict in cases where the parties are unwilling to cooperate fully but may be subject to legal obligations owed to the international community as a whole.

345.26/222 (Br.)

The killing of Osama Bin Laden and Anwar Al-Aulaqi : uncharted legal territory / Beth van Schaack. - In: *Yearbook of international humanitarian law*, Vol. 14, 2011, p. 255-325. - Bibliographie : p. 317-325

The killing of Osama bin Laden in Pakistan in May 2011 and Anwar al-Aulaqi in Yemen in September 2011 both raise the question of when the killing of an identified individual posing a threat to a nation-state is lawful. Although it has not yet been forced to publicly defend either killing in any great detail, the Obama Administration has insisted on the legality of both operations by deploying an amalgam of legal and rhetorical arguments that explicitly or implicitly invoke multiple bodies of law. As an administration spokesperson stated in connection with the Bin Laden operation.

The law of targeting / William H. Boothby. - Oxford : Oxford University Press, 2012. - XLVI, 603 p. ; 24 cm. - Bibliographie : p. 567-582. Index. - ISBN 9780199696611

This book offers the definitive and comprehensive statement of all aspects of the law of targeting. It is a 'one-stop shop' that answers all relevant questions in depth. It has been written in an open, accessible yet comprehensive style, and addresses both matters of established law and issues of topical controversy. The text explains the meanings of such terms as 'civilian', 'combatant', and 'military objective'. Chapters are devoted to the core targeting principles of distinction, discrimination, and proportionality, as well as to the relationship between targeting and the protection of the environment and of objects and persons entitled to special protection. New technologies are also covered, with chapters looking at attacks using unmanned platforms and a discussion of the issues arising from cyber warfare. The book also examines recent controversies and perceived ambiguities in the rules governing targeting, including the use of

human shields, the level of care required in a bombing campaign, and the difficulties involved in determining whether someone is directly participating in hostilities. This book will be invaluable to all working in this contentious area of law.

345.25/265

Law on the battlefield / A.P.V. Rogers. - 3rd ed.. - Manchester ; New York : Manchester University Press, 2012. - XXV, 402 p. ; 24 cm. - (Melland Schill studies in international law). - Bibliographie : p. 375-391. Index. - ISBN 9780719082184

This book explains the law relating to the conduct of hostilities and provides guidance on difficult or controversial aspects of the law. It covers who or what may legitimately be attacked and what precautions must be taken to protect civilians, cultural property, or the natural environment. It deals with the responsibility of commanders and how the law is enforced. There are also chapters on internal armed conflicts and the security aspects of belligerent occupation. This third edition has been brought up to date in the light of recent conflicts, especially the occupation Iraq by allied forces in the period 2003-04. Also included are the more recent judgments and opinions of the International Criminal Tribunal for the former Yugoslavia, the International Court of Justice and the European Court of Human Rights, the comprehensive work of the ICRC with regard to customary international humanitarian law and the meaning of "direct participation in hostilities", the Harvard University air and missile warfare project, the San Remo Manual on non-international armed conflicts, the UK Law of Armed Conflict Manual of 2004 and several excellent monographs.

345.25/206 (2012)

The legal regulation of cyber attacks in times of armed conflict / Robin Geiss. - In: Collegium, No. 41, Automne 2011, p. 47-53

345.25/175

Legal regulation of the military use of outer space : what role for international humanitarian law ? / Steven Freeland. - In: Collegium, No. 41, Automne 2011, p. 87-97

345.25/175

Margin of error : potential pitfalls of the ruling in The Prosecutor v. Ante Gotovina / Walter B. Huffman. - In: Military law review, Vol. 211, spring 2012, p. 1-56 : fac-sim.

On April 15, 2011, the International Criminal Tribunal for the Former Yugoslavia (ICTY) sentenced Croatian General Ante Gotovina to twenty-four years in prison on charges stemming from his actions during Operation Storm, the 1995 Croatian military campaign to reclaim territory from the self-proclaimed Republic of Serbian Krajina (RSK). While General Gotovina was formally charged with participating in a joint criminal enterprise to drive ethnic Serbs out of the Krajina region, the case against him was based largely on allegations that he ordered unlawful artillery and rocket attacks on four towns during conventional combat operations against RSK Serbian forces. Because very few judicial opinions apply the law of war to tactical artillery operations, the Trial Chamber's judgement raises issues of significant legal and operational importance and will command the attention of scholars, courts, and military professionals worldwide. This article critically examines the court's reasoning and concludes that in the interests of justice, the coherent development of international humanitarian law, and the protection of innocent civilians in future wars, the Gotovina judgement should be set aside.

Not all civilians are created equal : the principle of distinction, the question of direct participation in hostilities and evolving restraints on the use of force in warfare / Trevor A. Keck. - In: Military law review, Vol. 211, spring 2012, p. 115-178

This article is divided into three parts. First, it reviews the legal obligation to distinguish between combatants and noncombatants in war, the historical evolution of this principle, and the challenge state militaries face in observing this norm in asymmetric conflicts. The second section analyses criteria developed by the International Committee of the Red Cross (ICRC) for distinguishing between combatants, civilians participating in hostilities and civilians protected against direct attack. Such criteria were developed for and published in the ICRC's 2009 report entitled "Interpretive guidance on the notion of direct participation in hostilities under international humanitarian law." The final section analyses restraints on the use of force during asymmetric conflicts between sophisticated state militaries and poorly trained and equipped non-state actors. In doing so, this article will demonstrate the logic of more restrictive restraints

on lethal force during irregular warfare. In particular, this article contends that international human rights law should control lethal force during occupations or non-international armed conflicts where a party controls significant territory. Such a change would require that security forces exhaust non-lethal measures before resorting to deadly force, which could result in fewer noncombatant casualties at little additional risk to security forces.

A qualified defense of American drone attacks in northwest Pakistan under international humanitarian law / Robert P. Barnidge. - In: Boston university international law journal, Vol. 30, no. 2, Summer 2012, p. 409-447. - Photocopies

Since the terrorist attacks of September 11, 2001, international law has had to grapple with the fundamental challenges that large-scale violence carried out by non-State actors poses to the traditional inter-State orientation of international law. Questions related to the "adequacy" and "effectiveness" of international humanitarian law, international human rights law and the law related to the use of force have been particularly pronounced. This paper focuses on the international humanitarian law implications of American drone attacks in northwest Pakistan. A highly-advanced modality of modern warfare, armed drones highlight the possibilities, problems, prospects and pitfalls of high-tech warfare. How is the battlefield to be defined and delineated geographically and temporally? Who can be targeted, and by whom? Ultimately, this paper concludes that American drone attacks in northwest Pakistan are not unlawful as such under international humanitarian law, though, like any tactical decision in the context of asymmetric warfare, they should be continuously and closely monitored according to the dictates of law with sensitivity to facts on the ground.

345.25/115 (Br.)

Remote-controlled weapons systems and the application of IHL / Jack Beard. - In:

Collegium, No. 41, Automne 2011, p. 57-61

345.25/175

Robots in the battlefield : armed autonomous systems and ethical behaviour / Ronald Arkin. - In: Collegium, No. 41, Automne 2011, p. 62-70

345.25/175

The rules governing the conduct of hostilities in Additional Protocol I to the Geneva Conventions of 1949 : a review of relevant United States references / George Cadwalader.

- In: Yearbook of international humanitarian law, Vol. 14, 2011, p. 133-171. - Bibliographie : p. 171

Stuxnet : legal considerations / Katharina Ziolkowski. - In: Humanitäres Völkerrecht : Informationsschriften = Journal of international law of peace and armed conflict, Vol. 25, 3/2012, p. 139-147

The worm Stuxnet was programmed to affect computer systems of five nuclear facilities located in Iran. The media reported the worm as being the first "cyber-weapon" used and were speculating that certain States might have been the creators of the malware - suspecting in particular the involvement of USA and Israel within a long-term operation code-named "Olympic Games". The discovery of Stuxnet showed the possibility of malicious infections of computer systems of a State's critical infrastructure, even if disconnected from the Internet, and changed the perception of danger in the context of national security considerations. Legally assessing the implications of the creation, installation and control of Stuxnet is especially challenging because of the lack of detailed and reliable information relating to its origin and the physical effects it (indirectly) caused outside the targeted computer systems. Based on the assumption that one or more States created, installed and controlled the worm, the present public international law analysis shows that Stuxnet can be considered a "legal masterpiece".

Targeted strikes : the consequences of blurring the armed conflict and self-defense justifications / Laurie R. Blank. - In: William Mitchell law review, Vol. 38, no. 5, 2011-2012, p. 1655-1700. - Photocopies

Targeted strikes – predominantly using drones – have become the operational counterterrorism tool of choice for the United States. For the past several years, the United States has relied on both armed conflict and self-defense as legal justifications for targeted strikes outside of the zone of active combat in Afghanistan. Challenging questions arise from the use of both

justifications at the same time, without careful distinction delimiting the boundaries between when one applies and when the other applies. This article will focus on the consequences of the United States consistently blurring the lines between the armed conflict paradigm and the self-defense paradigm as justifications for the use of force against designated individuals. In particular, there are four primary categories in which the use of both paradigms without differentiation blurs critical legal rules and principles: geographical issues surrounding the use of force; the obligation to capture rather than kill; proportionality; and the identification of individual targets, namely the conflation of direct participation in hostilities and imminence. On a broader level, there are three areas in which this blurring of legal justifications and paradigms has significant contemporary and future consequences for the application of international law in situations involving the use of force. In particular, this blurring undermines efforts to fulfill the core purposes of the law, whether the law of armed conflict or the law governing the resort to force, hinders the development and implementation of the law going forward, and risks complicating or even weakening enforcement of the law.

345.25/124 (Br.)

Technological challenges for the humanitarian legal framework : proceedings of the 11th Bruges Colloquium, 21-22 October 2010 = Les défis technologiques posés au cadre juridique humanitaire : actes du 11ème colloque de Bruges, 21-22 octobre 2010 / CICR , Collège d'Europe. - In: Collegium, No. 41, Automne 2011, 130 p.

Ce colloque permet d'examiner les nouvelles technologies présentes sur le champ de bataille et les défis qu'elles posent quant à la réglementation des méthodes et moyens de combats. Il aborde ensuite le très vaste et difficile domaine de la guerre cybernétique. L'utilisation de l'espace cybernétique à des fins hostiles offre en effet un immense potentiel de nuisance dont il est difficile d'imaginer, aujourd'hui, tous les contours. Les armes télécommandées et automatiques sont ensuite abordées avant d'explorer dans quelle mesure l'espace extra-atmosphérique pourrait devenir un théâtre de conflit armé. Enfin ce colloque se termine par une table ronde dont le but est de discuter de la manière dont ces nouvelles technologies vont défier le DIH dans les décennies à venir.

345.25/175

The technology of offensive cyber operations / Herbert Lin. - In: Collegium, No. 41, Automne 2011, p. 33-40

345.25/175

Unmanned combat aircraft systems and international humanitarian law : simplifying the oft benighted debate / Michael N. Schmitt. - In: Boston university international law journal, Vol. 30, no. 2, Summer 2012, p. 595-619. - Photocopies

There are very few legal issues unique to unmanned combat aircraft systems (UCAS). For instance there is disagreement among legal experts as to whether counter-terrorist operations mounted outside the context of an ongoing armed conflict should be considered international armed conflict, non-international armed conflict or armed conflict at all. The question is significant, for its answer will determine which body of law to apply to UCAS cross-border operations. However, the fact that UCAS is the means of attack has no bearing on the determination. Furthermore, controversial issues raised by targeted killing operations, such as the legal status of the target or the individual conducting the strike, have little to do with the fact that a UCAS was employed instead of other means, such as cyber attacks or car bombs. This article attempts to identify, explain and demystify the key international humanitarian legal (IHL) issues that should be considered by those charged with rendering ex ante advice or making ex post facto assessments about UCAS operations. The article does not discuss the jus ad bellum.

345.25/114 (Br.)

INTERNATIONAL HUMANITARIAN LAW-IMPLEMENTATION

Do we need new regulations in international humanitarian law ? : one American's perspective / Charles J. Dunlap. - In: Humanitäres Völkerrecht : Informationsschriften = Journal of international law of peace and armed conflict, Vol. 25, 3/2012, p. 120-128

The purpose of this article is to provide the author's personal view as to whether certain possible proposals for LOAC additions genuinely serve US interests, and, even if so, whether it is probable that they - or any - proposed changes could garner the necessary US domestic public and political support. This essay attempts to provide context for considering - and

anticipating - American approaches to these questions. In general, this paper will conclude that the answer to both queries is no. It takes the position that existing law adequately serves US interests, even if American interpretations of LOAC do not always find consensus in the international community.

Domestic investigation of suspected law of armed conflict violations : United States procedures, policies and practices / Sean Watts. - In: Yearbook of international humanitarian law, Vol. 14, 2011, p. 85-105. - Bibliographie : p. 105

This Comment will briefly outline the investigative procedures available under current United States domestic law for suspected LOAC violations. Formal and informal procedures available under both civil and military justice systems will be explored. Investigative jurisdiction is often tied to prosecutorial jurisdiction and thus aspects of the latter will be presented to the extent required to understand the former. Special attention will be given to evidence that U.S. investigative procedures, policies, and protocols are influenced by or are functions of perceived international legal obligations. s Comment concludes by offering a few brief observations concerning the U.S. system and the likely direction of future scrutiny.

International humanitarian and human rights law in Russian courts / Sergei Yu. Marochkin and Vladimir A. Popov. - In: Journal of international humanitarian legal studies, Vol. 2, issue 2, 2011, p. 216-249

The paper investigates the implementation of the norms of international humanitarian and human rights law in the Russian courts. It may be viewed as a specific feature that these two categories are considered close in part of the Russian doctrine and, as we will see below, in some judicial cases. Since the adoption of the Constitution of the Russian Federation in 1993 international law has been granted a specific status and significance in the Russian legal system. According to the Constitution and legislation, Russian courts have had the opportunity to play a special role in the implementation of international humanitarian and human rights law. That being said, judicial practice relating to the implementation and the application of these norms is different from that of other international law norms. It is, however, explained, in particular, by the fact, that there are not many cases which either mention directly or use humanitarian law. Often, courts make abstract or general references to international treaties or make decisions only on the basis of the national law, though the considered cases fall directly under the regulation of international humanitarian or human rights law. In conclusion, at present the practice of Russian courts is rather diverse and needs further unification.

Investigating violations of international law in armed conflict / Michael N. Schmitt. - In: Harvard national security journal, Vol. 2, no. 1, 2011, p. 31-84. - Photocopies
Part I lays out requirements under IHL to investigate and prosecute war crimes, covering the obligations of states under both treaties and customary international law. Part II examines how different courts have addressed requirements to investigate violations of human rights instruments within the context of armed conflicts and the *lex specialis* of IHL, finding that human rights investigations must be independent, effective, prompt, and impartial. In Part III, the author notes the practice of Canada, Australia, the United Kingdom, and the United States in order to assess how these states have fleshed out the requirements and implemented the provisions of international law noted in the previous Parts. Drawing upon these case studies, the article generates twenty-three conclusions indicating the common characteristics of investigations into alleged violations of international law on the battlefield. Finally, in Part IV the article concludes that standards for investigations must consider IHL as *lex specialis* and the special circumstances of armed conflict in conducting investigations, and should remain practical given the context for situations in which investigations will take place.

345.22/204 (Br.)

Mini exploring humanitarian law : the essence of humanitarian law / ICRC. - Geneva : ICRC, June 2012. - 42 p. : ill. ; 30 cm + 1 collage photographique ([2] f. de pl. ; 28 cm)

This resource kit introduces young people to the principles and basic rules of international humanitarian law (IHL). It provides 5 x 45 minutes of sequential learning activities designed for both formal and non-formal education settings for young people and other interested groups. It can be used in the framework of a half-day workshop or over the course of five individual sessions. Mini EHL was developed by the ICRC on the basis of the Exploring Humanitarian Law (EHL) education programme and includes new exercises and source materials. The learning

materials are based on real-life situations and show how IHL aims to protect life and human dignity during armed conflict and to prevent and reduce the suffering and the devastation caused by war. By studying the behaviour of actual persons and the dilemma they experience, young people develop a new perspective and begin to understand the need for rules during war as well as the complexity of their application.

345.2/900 (ENG) (also available in French)

Operation Unified Protector and the protection of civilians in Libya / Chris De Cock. - In: Yearbook of international humanitarian law, Vol. 14, 2011, p. 213-235. - Bibliographie : p. 233-235

This paper focuses on the following issues: the mandate of the Security Council and its implication for the use of force under the *jus ad bellum* and current challenges in targeting under the *jus in bello*. Under the *jus ad bellum* and in accordance with the Charter, the Council shall determine that a threat to international peace and security exists. Only then can the Council decide to take coercive measures to restore international peace and security. This raises three questions. Firstly, what were the factual circumstances giving rise to a determination by the Council that such a threat existed? Only then could the Security Council impose decisions (or recommendations) to cope with the situations. Interestingly, no direct reference to a threat to international peace and security can be identified in UNSCR 1970. Secondly, how did UNSCR 1973 affect the applicable *jus in bello*? Did the Council restrict the use of force to the protection of the civilian population and the enforcement of the No Fly Zone and the arms embargo? Thirdly, did the hostilities amount to an armed conflict triggering the applicability of the law of armed conflict? In the second part, some targeting issues are covered briefly, more particularly the validity of military targets, such as the Tripoli broadcasting facility, mercenary staging points, and police stations as legitimate military objectives. The complexity of the decision making process, especially in the context of deliberate targeting and the necessity to adapt the targeting process in view of the rapidly changing situation on the ground will be assessed.

The right to reparation in international law for victims of armed conflict / Christine Evans. - Cambridge [etc.] : Cambridge University Press, 2012. - XX, 277 p. ; 24 cm. - (Cambridge studies in international and comparative law ; no. 91). - Adapté d'une thèse, London School of Economics and Political Science, soutenue en novembre 2010. - Bibliographie : p. 239-264. Index. - ISBN 9781107019973

In this evaluation of the international legal standing of the right to reparation and its practical implementation at the national level, Christine Evans outlines state responsibility and examines the jurisprudence of the International Court of Justice, the Articles on State Responsibility of the International Law Commission and the convergence of norms of different branches of international law, notably human rights law, humanitarian law and international criminal law. Case studies of countries in which the United Nations has played a significant role in peace negotiations and post-conflict processes allow her to analyse to what extent transnational justice measures have promoted state responsibility for reparations, interacted with human rights mechanisms and prompted subsequent elaboration of domestic legislation and reparations policies. In conclusion, she argues for an emerging customary right for individuals to receive reparations for serious violations of human rights and a corresponding responsibility of states.

345.22/203

Théories et réalités du droit international humanitaire : contribution à l'étude du droit des conflits armés en Afrique noire contemporaine / Saïdou Nourou Tall. - Saarbrücken : Éditions universitaires européennes, 2012. - 591 p. ; 22 cm. - Thèse, Faculté des sciences juridiques et politiques, Université Cheikh Anta Diop de Dakar, 2001. - Bibliographie : p. 487-587. - ISBN 9783841797872

Le droit international humanitaire repose sur le sentiment d'humanité et la protection de la personne humaine en période de conflit armé. Ses fondements éthiques et moraux sont aujourd'hui solidifiés par une normativité de moins en moins contestée. Toutefois, si les États africains ont majoritairement adhéré au DIH, il n'en demeure pas moins que certaines spécificités africaines en rendent sa réception difficile et sa mise en œuvre malaisée. Traumatisée par la traite négrière et la colonisation, l'Afrique noire est en proie à de nombreux conflits armés aux multiples causes mais aux conséquences toujours dramatiques : régression économique, flux de réfugiés et de déplacés internes, mercenariat, participation d'enfants-

soldats, génocide, etc. Il en découle un décalage entre la théorie du DIH et les réalités africaines. De nombreux obstacles liés à un usage du DIH en fonction d'intérêts étatiques et à un usage immodéré du principe de souveraineté grèvent fortement la mise en œuvre du DIH. A cela, s'ajoutent l'insuffisance d'information de la population civile et l'ignorance du DIH par ses principaux destinataires.

345.22/205

Victims of war and their rights to reparation for violations of international humanitarian law / Veronika Bílková. - In: Miskolc journal of international law, Vol. 4, no. 2, 2007, p. 1-11. - Photocopies. - Bibliographie : p. 10-11

It is a well-established principle of international law that states bear responsibility for illegal acts attributable to them, and that such responsibility entails a duty to provide reparation. Reparation aims at "eliminating, as far as possible, the consequences of the illegal act and restoring the situation that would have existed if the act had not been committed". This schema applies to all spheres of international law, including international humanitarian law (IHL). Here, however, its application raises a problem relating to the circle of right-holders entitled to reparation. "Does this circle remain limited to states, or does it include also individuals who suffered the actual physical, material or moral harm?" This is the question that will be dealt with in the current text.

345.22/202 (Br.)

The vietnamization of the long war on terror : an ongoing lesson in international humanitarian law non-compliance / Lesley Wexler. - In: Boston university international law journal, Vol. 30, no. 2, Summer 2012, p. 575-593. - Photocopies

This essay rejects the conventional wisdom that post Vietnam military reforms adequately addressed the problem of U.S. noncompliance with international humanitarian law. Just as My Lai and Son Thang defines the nadir of America's counterinsurgency in Vietnam, and the trio of Haditha, Abu Ghraib, and Operation Iron Triangle evoke our worst behavior in Iraq, the recent events of the 5th Stryker "kill team" brigade may come to symbolize our greatest failings in Afghanistan. The premeditated and deliberate killing of Afghani civilians reveals an indifference to human life that is utterly inconsistent with the premises of International Humanitarian Law and the deeply held values of the American military. This short piece examines the Stryker kill team's behavior to help build the knowledge and insight necessary to develop further reforms for military practices during the long war on terror. The essay situates the 5th Stryker brigade's troubling behavior within the military's recent shift to counterinsurgency and highlights the suboptimal compliance conditions likely to bedevil the U.S. military during the long war on terror. Though the U.S. military successfully restructured its goals and reformed its behavior after Vietnam, at least three notable similarities remain. In particular, the military still: (a) abandons effective sorting strategies to exclude high risk soldiers when the demand for troops rises; (b) lacks adequate safeguards against leadership failures that allow a culture of disrespect for human life to fester; and lastly (c) faces only weak checks on its behavior as the result of domestic pressure. In identifying these factors, this essay seeks to help the military and other actors better target efforts to improve international humanitarian law compliance.

345.22/206 (Br.)

INTERNATIONAL HUMANITARIAN LAW-LAW OF OCCUPATION

The Al-Jedda and Al-Skeini cases before the European Court of Human Rights / F.

Naert... [et al.]. - In: Revue de droit militaire et de droit de la guerre = The military law and law of war review = Tijdschrift voor militair recht en oorlogsrecht = Zeitschrift für Wehrrecht und Kriegsvölkerrecht = Rivista di diritto militare e di diritto della guerra = Revista de derecho militar y de derecho de la guerra, 50, 3-4, 2011, p. 315-446

Agora on the Al-Jedda and Al-Skeini judgments from the European Court of Human Rights on the conduct of UK forces in Iraq. Al-Jedda concerns detention by UK forces and address several issues such as: (1) was the conduct of these forces attributable to the UK or the United Nations? (2) did UN Security Council Resolution 1546 justify/permit detention in circumstances not covered by article 5 ECHR on deprivation of liberty and therefore displace, qualify, or derogate from this ECHR provision? Al-Skeini concerns the death of six Iraqis during the period of British occupation giving rise to the following questions: (1) the scope of extraterritorial application of the ECHR; (2) the scope and extent of the duty to investigate possible breaches of article 2 ECHR on the right to life as a consequence of the conduct of armed forces in an occupied territory, where international humanitarian law applies

Droit de l'occupation et reconstruction de l'Etat irakien : le droit de l'occupation militaire à l'épreuve de la reconstruction de l'Etat par les puissances occupantes en Irak / Laura Barjot. - Saarbrücken : Éditions universitaires européennes, 2012. - 149 p. ; 22 cm. - Mémoire de Master 1, Institut d'Etudes Politiques de Lyon, [2011]. - Bibliographie : p. 104-115.. - ISBN 9783841796073

La tendance aux occupations transformatrices observée depuis la Seconde Guerre mondiale est illustrée par l'occupation de l'Irak par les Etats-Unis et le Royaume-Uni d'avril 2003 à mai 2004. L'auteur souligne qu'il existe une contradiction évidente entre le comportement de l'occupant tel que prescrit par le droit dans le Règlement de la Haye de 1907 et la IVe Convention de Genève de 1949 et la pratique de l'Autorité provisoire de la coalition en Irak. En effet, les principes conservateurs du droit, le respect du statu quo ante bellum et des structures politiques et économiques en place ont été ignorés dans cette entreprise de reconstruction de l'Etat de grande ampleur. En l'absence de base légale satisfaisante pour les réformes menées, l'auteur pose la question de l'opportunité d'une réforme du droit de l'occupation telle qu'envisagée par les spécialistes.

345.28/92

Das humanitäre Völkerrecht in modernen asymmetrischen Konflikten : eine Untersuchung unter besonderer Berücksichtigung des Israel-Palästina-Konflikts / von Lars Schmidt. - Berlin : Duncker & Humblot, 2012. - 275 p. ; 24 cm. - (Schriften zum Völkerrecht ; Bd. 198). - Dissertation, Rechtswissenschaftlichen Fakultät der Friedrich-Schiller-Universität Jena, Juni 2011. - Bibliographie : p. 263-273. Index. - ISBN 9783428138722

345.26/221

It's not wrong, it's illegal : situating the Gaza blockade between international law and the UN response / Noura Erakat. - In: UCLA journal of islamic and near eastern law, Vol. 11, 2011-2012, p. 37-84. - Photocopies

This article examines the Gaza blockade from the perspective of international law and argues that the blockade is unlawful. In making this argument, the article also offers an analysis of the current international status of the Gaza strip and determines that it remains occupied territory - albeit under a new permutation of occupation - and that the legality of the blockade is determined by the international law of belligerent occupation. Accordingly, by maintaining its blockade, Israel also challenges the existing legal order. Namely Israel challenges the scope of legal self-defense as well as the permissible use of force under the law of occupation. This legal challenge has the consequence of weakening legal protections that should be afforded to civilians during armed conflict. Rather than resist this critical attempt to shift the law, the United Nation's Security Council has done little to clarify the law, thereby undermining its UN uphold the rule of law and restore its legitimacy by responding substantively to Israel's behavior and structurally to its own procedural mechanisms that have facilitated such an outcome.

345.28/93 (Br.)

INTERNATIONAL HUMANITARIAN LAW-TYPE OF ACTORS

The role and responsibilities of legal advisors in the armed forces : evolution and present trends (celebration of the military law and the law of war review's 50th anniversary) /

Thomas E. Randall... [et al.]. - In: Revue de droit militaire et de droit de la guerre = The military law and law of war review = Tijdschrift voor militair recht en oorlogsrecht = Zeitschrift für Wehrrecht und Kriegsvölkerrecht = Rivista di diritto militare e di diritto della guerra = Revista de derecho militar y de derecho de la guerra, 50, 1-2, 2011, p. 17-126 : tabl., diagr.

Contient : The evolving role of the legal advisor in support of military operations / T. E. Randall. - Legal officers in the Australian defence force : functions by rank and competency level, along with a case-study on operations / I. Henderson. - Legal advice in the conduct of operations in the Israeli defenses forces / L. A. Libman. - "Giving" operational legal advice : context and method / R. Mc Laughlin

INTERNATIONAL HUMANITARIAN LAW-TYPE OF CONFLICT

Cyber attacks and the laws of war / by Michael Gervais. - In: Berkeley journal of international law, Vol. 30, no. 2, 2012, p. 525-579. - Photocopies

345.26/225 (Br.)

Cyber warfare and the laws of war / Heather Harrison Dinniss. - Cambridge [etc.] : Cambridge University Press, 2012. - XIX, 331 p. ; 24 cm. - (Cambridge studies in international and comparative law ; [no. 92]). - Adapté d'une thèse, London School of Economics and Political Science. - Bibliographie : p. 297-320. Index. - ISBN 9781107011083

This book analyses the status of computer network attacks in international law and examines their treatment under the laws of armed conflicts. The first part of the book deals with the resort to force by states and discusses the threshold issues of force and armed attack by examining the permitted response against such attacks. The second part offers a comprehensive analysis of the applicability of international humanitarian law to computer network attacks.

345.25/264

Evaluating the use of force during the Arab Spring / Annyssa Bellal and Louise Doswald-Beck. - In: Yearbook of international humanitarian law, Vol. 14, 2011, p. 3-35. - Bibliographie : p. 33-35

The legal questions raised by the Arab Spring are almost as numerous and as complex as the scenarios that occurred. In Libya, for instance, the late Colonel Qaddafi, in response to civil protests in the east of the country, launched armed attacks against protesters, and then later plunged the country into an armed conflict of a non-international character with groups that became organised and armed, thereby triggering the application of international humanitarian law (IHL). This had the paradoxical consequence under IHL of allowing the Libyan government to use force against persons participating directly in hostilities, who could also be tried for having taken up arms against the regime. The evaluation of the use of force in such contexts needs to start with an analysis of the right to protest under international law and to its regulation. May a government use force to limit or control mass protest, and if so, what is its scope? In particular, what does public international law have to say, if anything, about armed civil resistance against oppressive political regimes? Can a State commit the equivalent of aggression against its own people and, were this the case, is there a collective right to self-defence for a population in danger? Would this change the applicable law?

International humanitarian law a decade after September 11 : developments and perspectives / Dieter Fleck. - In: Yearbook of international humanitarian law, Vol. 14, 2011, p. 349-360. - Bibliographie : p. 360

International law and the classification of conflicts / ed. by Elizabeth Wilmshurst ; Steven Haines... [et al.]. - Oxford : Oxford University Press, 2012. - XXXIV, 531 p. ; 24 cm. - Index. - ISBN 9780199657759

This book comprises contributions by leading experts in the field of international humanitarian law on the subject of the categorisation or classification of armed conflict. It is divided into two sections: the first aims to provide the reader with a sound understanding of the legal questions surrounding the classification of hostilities and its consequences; the second includes ten case studies that examine practice in respect of classification. Understanding how classification operates in theory and practice is a precursor to identifying the relevant rules that govern parties to hostilities. With changing forms of armed conflict which may involve multi-national operations, transnational armed groups and organized criminal gangs, the need for clarity of the law is all-important. The case studies selected for analysis are Northern Ireland, DRC, Colombia, Afghanistan (from 2001), Gaza, South Ossetia, Iraq (from 2003), Lebanon (2006), the so-called war against Al-Qaeda, and future trends. The studies explore the legal consequences of classification particularly in respect of the use of force, detention in armed conflict, and the relationship between human rights law and international humanitarian law. The practice identified in the case studies allows the final chapter to draw conclusions as to the state of the law on classification.

345.26/223

Konfliktpartei und Kriegsgebiet in bewaffneten Auseinandersetzungen : zur Debatte um den Anwendungsbereich des Rechts internationaler und nicht-internationaler bewaffneter Konflikte / Katja Schöberl. - In: Humanitäres Völkerrecht : Informationsschriften = Journal of international law of peace and armed conflict, Vol. 25, 3/2012, p. 128-138

The law of non-international armed conflict / Sandesh Sivakumaran. - Oxford : Oxford University Press, 2012. - XXXVII, 657 p. ; 24 cm. - Bibliographie : p. 571-618. Index. - ISBN 9780199239795

This book brings together and critically analyzes the disparate conventional, customary, and soft law relating to non-international armed conflict. All the relevant bodies of international law are considered, including international humanitarian law, international criminal law, and international human rights law. The book traces the changes to the legal framework applicable to non-international armed conflict from ad hoc regulation in the nineteenth and early twentieth century, to systematic regulation through the 1949 Geneva Conventions and 1977 Additional Protocols, to the transformation of the law in the mid-1990s. Armed conflicts ranging from the US civil war, the Algerian War of Independence, and the attempted secession of Biafra, through to the current conflicts in the Colombia, Philippines, and Sudan are all considered. The identification and analysis of the law is complemented by a consideration of the practice, allowing both violations of, and respect for, the law, to be ascertained. Given that non-international armed conflicts are fought between states and non-state armed groups, or between armed groups, particular attention is paid to the oft-neglected views of armed groups. This is done through an analysis of hundreds of statements, unilateral declarations, internal regulations, and bilateral agreements issued by armed groups. Equivalent material emanating from states parties to conflicts is also considered. The book is thus an essential reference point for the law and practice of non-international armed conflicts.

345.27/123

Legal-policy considerations and conflict characterisation at the threshold between law enforcement and non-international armed conflict / Rob McLaughlin. - In: Melbourne journal of international law, Vol. 13, no. 1, June 2012, p. 1-28. - Photocopies

When characterising a conflict situation as an international armed conflict, states and other analysts traditionally consider the "facts on the ground". When determining whether a situation is one of civil disturbance and riot, or has risen to the level of a non-international armed conflict ("NIAC"), there is much greater latitude for legal-policy considerations to influence, and indeed direct, the characterisation decision. This article explores three aspects of legal-policy concern for states dealing with conflict characterisation at this lowest law of armed conflict ("LOAC") threshold between less-than-NIAC law enforcement and NIAC: a general outline of three elements of legal-policy discretion that are clearly assumed and inherent within LOAC; legal defensibility, a discourse that is fundamentally governed by the tension between applicable law and policy objectives; and utility, a concern that focuses upon the balance to be struck between the legal argument employed to justify conflict characterisation and the capacity of the state to retain some degree of context control.

345.27/59

The mottled legacy of 9/11 : a few reflections on the evolution of the international law of armed conflict / Charles J. Dunlap. - In: Yearbook of international humanitarian law, Vol. 14, 2011, p. 431-442. - Bibliographie : p. 441-442

This essay contends that while the increasing influence of law on armed conflict since 9/11 generally operates to diminish the human suffering that warfare traditionally occasions, there are nevertheless some disturbing trends that deserve considered attention. Among the concerns are misplaced actions that encourage behaviors that may, over time, prove profoundly inimical to the fundamental purposes of International law of armed conflict (ILOAC). In particular, this article contends that ILOACs efforts to grapple with the challenge of non-state actors engaged in armed conflict and terroristic acts is too often having the perverse effect of seeming to reward noncompliance with ILOAC, and thus—paradoxically—incitizing further violations of the law. All the same, this article will also point out positive evolutions such as the increasing importance of military lawyers, and their growing ability to influence military operations. Finally, the essay will offer some predictions as to the direction of the law in the next decade and beyond.

Square pegs and round holes : Mexico, drugs, and international law / Craig A. Bloom. - In: Houston journal of international law, Vol. 34, no. 2, 2012, p. 345-414. - Photocopies

The drug-related violence in Mexico has become so ubiquitous that President Calderon is using the Mexican Army to fight the drug cartels. This paper argues that this situation rises to the level of a non-international armed conflict and discusses the international legal obligations and rights

that arise from that designation under international humanitarian law. Under international humanitarian law, to qualify as a non-international armed conflict, there must be protracted armed violence involving at least one sufficiently organized non-state party. This requirement does not give any guidance on how to answer the threshold question of how much or what kind of organization is sufficient. The paper proposes a bright line test for determining the existence of a non-international armed conflict based on the text of the Geneva Conventions. This paper addresses the non-international armed conflict taking place between Mexico and the drug cartels, and then proposes options that Mexico and the international community can undertake to curb the violence and ensure compliance with its international humanitarian law obligations. These options include referral of these violations to the International Criminal Court, the United States conditioning funding for Mexican anti-narcotics efforts on compliance with international humanitarian law, and ICRC engagement with Mexico and the cartels to promote compliance and protect civilians.

345.27/70 (Br.)

INTERNATIONAL ORGANIZATION-NGO

Assessing regional and international organisations' interventions in civil wars : capabilities and context / guest ed.: Oya Dursun-Özkanca and Stefan Wolff. - In: Civil wars, Vol. 14, no. 3, September 2012, p. 297-476

Contient notamment: Regional and international conflict regulation : diplomatic, economic and military interventions / S. Wolff and O. Dursun Özkanca. - NATO's intervention in the Afghan civil war / J. Sperling and M. Webber. - European Union conflict management in the Western Balkans / A. Peen Rodt and S. Wolff

International organizations as self-directed actors : a framework for analysis. - ed. by Joel E. Oestreich. - London ; New York : Routledge, 2012. - XXIV, 280 p. : graph. ; 22 cm. - (Routledge global institutions). - Bibliographies. Index. - ISBN 9780415782913
341.215/243

Les observateurs auprès des organisations intergouvernementales : contribution à l'étude du pouvoir en droit international / Thierry Garcia ; préf. de Laurence Boisson de Chazournes. - Bruxelles : Bruylant, 2012. - XVIII, 425 p. ; 24 cm. - (Mondialisation et droit international ; 23). - Adapté de la thèse du même auteur, Université de Nice-Sophia Antipolis, Institut du droit de la paix et du développement, présentée et soutenue publiquement le 10 décembre 1994. - Bibliographie thématique : p. 393-407. Index.. - ISBN 9782802735410
341.215/156

Research handbook on the law of international organizations / ed. by Jan Klabbers, Åsa Wallendahl. - Cheltenham ; Northampton : E. Elgar, 2011. - X, 530 p. ; 24 cm. - (Research handbooks in international law). - Bibliographies. Index. - ISBN 9780857931252
341.215/244

MEDIA

The international protection of journalists in times of armed conflict and the campaign for a press emblem / Emily Crawford. - Sydney : The University of Sydney, August 2012. - [30] p. ; 30 cm. - (Legal studies research paper ; no. 12/61). - Photocopies
War correspondents have long been vulnerable to violence, by dint of their profession. Embedded amongst military units, or else unilaterally venturing into war zones, journalists who seek to cover events in conflict areas knowingly place themselves at risk of injury or death by their acts. The Geneva Conventions and Additional Protocol I – both of which regulate international armed conflicts – offer some protections for journalists during times of international armed conflict, but the increasingly amorphous character of twenty-first century armed conflicts has meant that journalists most often find themselves reporting on non-international armed conflicts, or conflicts that do not meet the threshold of armed conflict under international law. Recently, an international campaign, emanating from journalist advocacy organizations, has argued for the introduction of an internationally protected and recognized emblem, similar to the Red Cross emblem, as a means by which journalists can be identified as persons deserving special protection. The Press Emblem would be part of a larger convention geared towards the protection of journalists in armed conflict situations. Therefore, this article will examine the reasons behind the call for special protections, analyze and examine the current legal

protections for journalists, and the perceived deficiencies of those protections, for media personnel who operate in conflict zones. This article will examine the substance of the prototype convention for the protection of journalists and analyze whether such a convention is indeed a necessary and useful addition to the law of armed conflict.

070/35 (Br.)

MISSING PERSONS

La Convención internacional para la protección de todas las personas contra las desapariciones forzadas : un gran paso hacia una mayor protección en la lucha contra este fenómeno / Patricio Galella. - In: Revista jurídica, No. 21, 2010, p. 77-100. -

Photocopies

332/12 (Br.)

How effective is the international Convention for the protection of all persons from enforced disappearance likely to be in holding individuals criminally responsible for acts of enforced disappearance ? / Kirsten Anderson. - In: Melbourne journal of international law, Vol. 7, 2006, p. 245-277. - Photocopies

332/48 (Br.)

A long road towards universal protection against enforced disappearance / An Vranckx. - [S.l.] : International Peace Information Service (IPIS), [2007?]. - 19 p. ; 30 cm. - Photocopies
The approval of the international convention for the protection of all persons from enforced disappearance, by the United Nations General Assembly in late December 2006, has been presented as a major achievement. This article explores roots and specifics of this Convention, and highlights its relevance and the impact it can be anticipated to have on the ground.

332/49 (Br.)

PEACE

Le maintien de la paix et de la sécurité internationales : recueil d'études / de Josiane Tercinet ; avant-propos de Catherine Schneider. - Bruxelles : Bruylant, 2012. - XX, 1014 p. : carte, graph. ; 24 cm. - ISBN 9782802735816

Ce recueil d'études rassemble une sélection de 50 publications de J. Tercinet parues entre 1988 et 2011 et consacrées à l'analyse du maintien de la paix et de la sécurité internationales.

172.4/249

PROTECTION OF CULTURAL PROPERTY

The art of armed conflicts : an analysis of the United States' legal requirements towards cultural property under the 1954 Hague Convention / Elizabeth Varner. - In: Creighton law review, Vol. 44, 2011, p. 1185-1243. - Photocopies

Following the looting of the Iraqi National Museum in 2003 countries and scholars around the world called upon the United States of America to ratify the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict. Scholars and the media wrote articles indicating the ratification of the 1954 Hague Convention would prevent another looting incident such as the one at the Iraqi National Museum because the United States would have a legal requirement to protect cultural property from third parties, including civilians. Still, other scholars claimed customary international law already imparted a legal requirement upon the United States to protect cultural property from third parties. Some sources, however, indicated that the United States did not have a legal requirement to protect cultural property from third parties under the 1954 Hague Convention. Ambiguities in the 1954 Hague Convention have fostered these inconsistencies in views of the protections afforded to cultural property under the Convention. On March 13, 2009, the United States Senate ratified the 1954 Hague Convention. Now that the Senate has ratified the Convention, this discrepancy in views of the United States' legal requirements under the 1954 Hague Convention has taken on increased relevance. This article outlines the 1954 Hague Convention and defines cultural property under the Convention. This article also considers States' legal requirements towards cultural property before and during armed conflict and illuminates discrepancies in views of the States' legal requirements towards cultural property during armed conflict. Then, while analyzing key provisions in the 1954 Hague Convention that imparts legal requirements towards cultural property during occupation, this article highlights discrepancies in views of the States' legal requirements

towards cultural property during occupation. Finally, this article analyzes if there should be a duty to protect cultural property from third parties during armed conflict and occupation and if the United States could have a legal requirement outside the 1954 Hague Convention to protect cultural property from third parties during armed conflict and occupation.

363.8/30 (Br.)

La Convention de La Haye de 1954 et les questions relatives à la restitution et au retour / Jiri Toman... [et al.] - In: *Museum international*, 228, décembre 2005, p. 7-76 : fotogr.

Contient : La convention de La Haye : un pas décisif de la communauté internationale / J. Toman. - L'importance des conférences de La Haye de 1899, 1907 et 1999 pour la protection juridique des biens culturels en cas de conflit armé / A. Bos. - La protection des biens culturels en cas de conflit armé dans la jurisprudence du tribunal pénal international pour l'ex-Yougoslavie / T. Meron. - La protection des biens culturels en cas de conflit armé en droit international humanitaire / F. Kalshoven. - La convention de la Haye de 1954 : quelques observations sur sa mise en oeuvre au niveau national / J. Hladik

363.8/29

PUBLIC INTERNATIONAL LAW

Code de droit international africain / Moïse Cifende Kaciko, Stefaan Smis. - Bruxelles : Larcier, 2011. - IV, 608 p. ; 24 cm. - (Les codes thématiques Larcier). - ISBN 9782804450205
345/615

Droit international public / Pierre-Marie Dupuy, Yann Kerbrat. - 10e éd.. - Paris : Dalloz, 2010. - XXVII, 916 p. ; 21 cm. - (Précis Dalloz. Droit public, science politique). - Bibliographie : p. XI-XXVII. Index. - ISBN 9782247088935
345/400

Guide to foreign and international legal citations / New York University. - 2nd éd.. - New York [etc.] : Wolters Kluwer Law & Business : Aspen publishers, 2009. - XIX, 292 p. ; 24 cm. - Sur la page de titre : "New York University School of Law, Journal of international law and politics". - Bibliographies. Index. - ISBN 9780735579798
Réf. DRO 2

L'humanité saisie par le droit international public / Catherine Le Bris ; préf. de Michel Bélanger ; avant-propos de Pierre-Marie Dupuy. - Paris : Librairie Générale de Droit et de Jurisprudence, 2012. - XXII, 667 p. ; 24 cm. - (Bibliothèque de droit international et communautaire ; t. 127). - Thèse de doctorat en droit, Université Montesquieu - Bordeaux IV, soutenue le 30 novembre 2010. - Bibliographie : p. 605-634. Index. - ISBN 9782275038162
345/613

International civil tribunals and armed conflict / Michael J. Matheson. - Leiden ; Boston : M. Nijhoff, 2012. - XV, 382 p. ; 25 cm. - (International litigation in practice ; vol. 5). - Bibliographie : p. 371-380. Index. - ISBN 9789004226036
This book explore the greatly increased involvement of the International Court of Justice and other international civil tribunals in conflict situations during the past three decades, and assesses their impact on the law relating to armed conflict. Part I is an introduction to the question of the involvement of international civil tribunals in cases concerning armed conflict. It includes a general review of the history of the involvement of international civil tribunals in armed conflicts. Part II considers the process by which international civil tribunals deal with cases involving armed conflict. Part III considers the effect that the decisions of these tribunals have had on the substantive law. It includes a chapter dealing with international humanitarian law, in particular the tribunals' findings on the applicability of the relevant agreements, the conduct of military operation, the treatment of persons, and responsibility for the actions of others.
345/614

International law / ed. by Malcom D. Evans. - 3rd éd.. - Oxford [etc.] : Oxford University Press, 2010. - LXIV, 865 p. ; 25 cm. - Bibliographies. Index. - ISBN 9780199565665

Contient notamment: The law of armed conflict (international humanitarian law) / David Turns.
345/612

REFUGEES-DISPLACED PERSONS

Displacement disparity : filling the gap of protection for the environmentally displaced person / Nicole Angeline Cudiamat. - In: Valparaiso University law review, Vol. 46, no. 3, spring 2012, p. 891-938. - Photocopies

Developing a cohesive definition for the Environmentally Displaced Person ("EDP") is the first step in devising a level of protection designed specifically to address the vulnerability of EDPs and establish legal responsibility to protect these people. This note aims to synthesize a formal definition of the EDP by using the histories and protections of vulnerable populations, with particular focus on the refugee as a comparative framework.

325.3/217 (Br.)

Handbook for the protection of internally displaced persons. - [Geneva] : [Global Protection Cluster Working Group], [2007]. - 4 vol. (533 p.) : tabl., graph. ; 30 cm. - Bibliographies. Index

This handbook is the result of joint efforts by the staff of over 30 international organizations, most of which are members of the Global Protection Cluster who contributed to the provisional version in 2007. This handbook provides operational guidance and tools to support effective protection responses in situations of internal displacement.

325.3/241

RELIGION

Religious transnational actors and soft power / Jeffrey Haynes. - Farnham ; Burlington : Ashgate, 2012. - 172 p. : tabl. ; 24 cm. - (Religion and international security). - Bibliographie : p. 151-168. Index. - ISBN 9781409425083

281/49

The Routledge handbook of religion and security / ed. by Chris Seiple, Dennis R. Hoover and Pauletta Otis. - London ; New York : Routledge, 2013. - XIII, 275 p. ; 26 cm. - Bibliographies. Index. - ISBN 9780415667449

281/48

TERRORISM

AQMI : enquête sur les héritiers de Ben Laden au Maghreb et en Europe / Atmane Tazaghart ; préf. de Roland Jacquard. - Paris : Picollec, 2011. - IV, 240, XII : ill., fotogr. ; 22 cm. - (Enquête et documents). - Index. - ISBN 9782864772491

303.6/212

Temporality and terrorism in international humanitarian law / Matthew C. Waxman. - In: Yearbook of international humanitarian law, Vol. 14, 2011, p. 411-417. - Bibliographie : p. 416-417

Most of the discussion on the United States' armed conflict against al Qaida and its allies—if it is legally an armed conflict at all—focuses on the nature of the actors, actions, and geography of this conflict—who, how, and where issues—because modern jus ad bellum and jus in bello regimes grew out of a long history of states or locally-confined armed groups waging violence in particular ways. In addition to resulting perplexities involving who, how, and where this conflict is waged, there are highly unusual temporal features of this conflict—and, therefore, when issues—that characterize it. It is difficult to discern when this conflict began (recognizing that it began at least as far back as the 9/11 attacks, though perhaps earlier than that), and even more difficult to assess even hypothetically its endpoint. The temporal aspects of the conflict have strained application of IHL, some would argue to the breaking point and others would argue necessitating legal or policy adaptation to meet the demands of 21st century warfare.

"Terrorism" as a central theme in the evolution of maritime operations law since 11 September 2011 / Rob McLaughlin. - In: Yearbook of international humanitarian law, Vol. 14, 2011, p. 391-409. - Bibliographie : p. 406-409

The aim of the author is to briefly examine the ways in which he believes the focus upon terrorism has influenced, or is beginning to influence, the development of maritime operations law. To do this, he focuses upon four sub-themes within the overall terrorism chapeau: terrorism from the sea; terrorism at sea; terrorism supported from the sea; and terrorist groups as subjects within the law of naval warfare. The first three sections briefly outline some examples of the types of threats emanating from this particular manifestation of terrorism, and then offer a short account of some (but by no means all) of the legal responses prompted by these threats. The fourth section offers general comments on an emerging debate.

TORTURE

Forensic evidence in the fight against torture : proceedings of a conference presented by American University Washington College of Law and the International Rehabilitation Council for Torture Victims, February 15-16, 2012. - In: Human rights brief, Vol. 19, no. 4 (Spring 2012 special edition), 85 p. : portr.

Contient : Opening remarks. - Session one: using forensic medical evidence in court. - Session two: concurrent panels. - Session three: voices of the survivors. - Session four: institutionalizing medical documentation at the national level. - Session five: expert panel discussion on fighting impunity

Hobbes face à Kant : la justice militaire américaine et la doctrine de la responsabilité du supérieur hiérarchique suite à Abu Ghraib / Radidja Nemar. - In: Revue de droit militaire et de droit de la guerre = The military law and law of war review = Tijdschrift voor militair recht en oorlogsrecht = Zeitschrift für Wehrrecht und Kriegsvölkerrecht = Rivista di diritto militare e di diritto della guerra = Revista de derecho militar y de derecho de la guerra, 50, 3-4, 2011, p. 447-515

L'article propose une analyse des enquêtes, des débats parlementaires et des poursuites entamées par les juridictions militaires américaines suite au scandale des cas d'abus commis par des soldats américains sur des détenus du camp d'Abu Ghraib en Irak. Comment les juridictions militaires américaines traitent-elles de la responsabilité du chef lorsque des actes de torture, qualifiables de violation grave des lois et coutumes de la guerre, ont été commis par leurs subordonnés? Assiste-t-on à l'émergence de multiples standards juridiques selon l'autorité de poursuite et la personne poursuivie? l'approche est-elle différente lorsque les poursuites sortent du champ militaire pour être menées par des juridictions civiles?

Torture and impunity : the U.S. doctrine of coercive interrogation / Alfred W. McCoy. - Madison : The University of Wisconsin Press, 2012. - XVIII, 401 p. : fotogr., ill. ; 23 cm. - (Critical Human Rights). - Bibliographie : p. 335-369. Index. - ISBN 9780299288549 323.2/186

Torture and the quest for justice / guest ed.: Emyr Jones Parry. - In: The international journal of human rights, Vol. 16, no. 5, June 2012, p. 689-813

Contient notamment : Do victims of torture and other serious human rights violations have an independent and enforceable right to reparation ? / G. Echeverria. - Implementing the prohibition of torture : the contribution and limits of national legislation and jurisprudence / L. Oette. - The role of supranational human rights litigation in strengthening remedies for torture nationally / L. McGregor. - Limited charges and limited judgments by the International Criminal Court : who bears the greatest responsibility ? / C. Ferstman 323.2/187

WOMEN-GENDER

Conflict-related sexual violence : international law, local responses / ed. by Tonia St. Germain and Susan Dewey. - Sterling (Etats-Unis) : Kumarian Press, 2012. - VII, 210 p. : tabl. ; 23 cm. - Bibliographie : p. 173-195. Index. - ISBN 9781565495043

Contient notamment: Creating second-class citizens at home and targets abroad : a feminist analysis of protection in the use of force / L. Sparling. - Improvements in the legal treatment of systematic mass rape in wartime : where do we go from here ? / A. Faucette. - International criminal justice : advancing the cause of women's rights ? : the example of the Special Court for

Sierra Leone / K. Grewal. - Combating postconflict violence against women : an analysis of the Liberian and Sierra Leonean governments' efforts to address the problem / P. A. Medie.
362.8/179

Devastating remnants of war : the impact of armed conflict on women and girls / Jody Williams. - New York : Seven Stories Press, 2012. - p. 109-116. - In: The unfinished revolution : voices from the global fight for women's rights. - Photocopies
362.8/181 (Br.)

Le droit international humanitaire protège-t-il assez la dignité des femmes ? : l'exemple du conflit israélo-palestinien / Katy Sakina Frattina. - In: Revue canadienne droit et société, Vol. 26, no 1, 2011, p. 51-67. - Photocopies
Comment définir et protéger la dignité de la femme en période de conflit armé ? Cette étude tentera de saisir les enjeux et dilemmes du droit à la dignité et des questions de diversité en droit international humanitaire, en prenant pour exemple le conflit israélo-palestinien. L'auteure proposera une autre approche possible du droit à la dignité, celle-ci étant dans le cadre légal du droit international humanitaire, essentiellement associée à la sexualité de la femme. Cette approche permettra d'engager plus en avant des débats occultés par les diversités sociales en périodes de guerre.
362.8/87 (Br.)

Female soldiers in Sierra Leone : sex, security, and post-conflict development / Megan H. MacKenzie. - New York ; London : New York University Press, 2012. - XII, 175 p. ; 24 cm. - (Gender and political violence series). - Index. - ISBN 9780814761373
362.8/178

Gender and conflict since 1914 : historical and interdisciplinary perspectives / ed. by Ana Carden-Coyne. - Basingstoke ; New York : Palgrave Macmillan, 2012. - XI, 185 : photogr. ; 24 cm. - (Gender and history). - Bibliographie : 174-181. Index. - ISBN 9780230280953
362.8/180

Rape as a weapon of war in the Democratic Republic of the Congo / Carly Brown. - In: Torture : journal on rehabilitation of torture victims and prevention of torture, Vol. 22, no. 1, 2012, p. 24-37
The Democratic Republic of the Congo has been appropriately acknowledged as "the rape capital of the world". While the country has been trapped in conflict, the use of rape as a weapon of war has been rampant and unyielding. The sexual violence inflicted upon women has been nothing less than brutal and destructive, physically, socially, and psychologically. This paper analyzes the use of rape as a weapon of war in the Congo, taking into context the ongoing war, cultural and social situations that facilitate its existence, and the many consequences the victims are forced to endure. Drawing information from various academic journals, articles, and field research from international organizations, this paper paints a concise picture of the sexual atrocities occurring in the Democratic Republic of Congo.

Responsibility to protect or prevent ? : victims and perpetrators of sexual violence crimes in armed conflicts / Inger Skjelsbaek. - In: Global responsibility to protect, Vol. 4, no. 2, 2012, p. 154-171. - Photocopies
362.8/4 (Br.)