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ARMS

Autonomous weapons and the law of armed conflict / Allyson Hauptman. - In: Military law review, Vol. 218, winter 2013, p. 170-195

This article begins by outlining the principles of the law of armed conflict (LOAC). It then examines the laws governing weapons. Next, it reviews existing and developing autonomous weapons technology, and finally, the article explores the moral principles important to determining the answer to this question. Ultimately, it concludes that until technology is advanced enough to mirror human decision making processes, humans must remain a part of the "kill chain" for the foreseeable future, but that possibility of autonomous weapons that can follow LOAC are possible.

Autonomous weapons : are you sure these are killer robots ? : can we talk about it ? / Shane R. Reeves and William J. Johnson. - In: The army lawyer, April 2014, p. 25-31. - Photocopies

The rise of autonomous weapons is creating understandable concern for the international community as it is impossible to predict exactly what will happen with the technology. This uncertainty has led some to advocate for a preemptive ban on the technology. Yet the emergence of a new means of warfare is not a unique phenomenon and is assumed within the Law of Armed Conflict. Past attempts at prohibiting emerging technologies use as weapons – such as aerial balloons in Declaration IV of the 1899 Hague Convention – have failed as a prohibitive regime denies the realities of warfare. Further, those exploring the idea of autonomous weapons are sensitive not only to their legal obligations, but also to the various ethical and moral questions surrounding the technology. Rather than attempting to preemptively ban autonomous weapons before understanding the technology's potential, efforts should be made to pool the collective intellectual resources of scholars and practitioners to develop a road forward. Perhaps this would be the first step to a more comprehensive and assertive approach to addressing the other pressing issues of modern warfare.

341.67/746(Br.)

Chemical, biological, radiological and nuclear response : introductory guidance : for training purposes only / ICRC. - Geneva : ICRC, April 2014. - 32 p. : tabl., ill. ; 30 cm. - (Reference (ICRC))

The ICRC might be required to undertake activities in locations where there is the potential for intentional or unintentional release of chemical, biological, radiological or nuclear (CBRN) agents. In such situations, ICRC staff may be at risk of exposure to CBRN agents with potentially significant consequences for their health and safety, and for the ICRC's ability to undertake field operations. This document provides basic guidance for those who know comparatively little about CBRN response. It covers four main areas: CBRN agents, CBRN events, the basics of CBRN response and handling allegations of use of CBRN weapons. It is intended to be used for training purposes but further, practical training by a CBRN specialist is highly recommended.

341.67/308(Br.)4175/002

Drohnen und das Recht : Völker- und verfassungsrechtliche Fragen automatisierter und autonomer Kriegführung / hrsg. von Robert Frau. - Tübingen : Mohr Siebeck, 2014. - XII, 280 p. : tabl. ; 24 cm. - (Jus Internationale et Europaeum ; 91). - ISBN 9783161531408
Contient notamment : Automated warfare : Operationen unbemannter Systeme / C. Mahn-Gauseweg. - Chancen und Risiken der Schwarmtechnologie / T. Singer. - Der konstitutive Parlamentsvorbehalt beim Einsatz bewaffneter Drohnen / S. Gauseweg

341.67/748

The future of the law of armed conflict : ostriches, butterflies, and nanobots / Eric Talbot Jensen. - In: Michigan journal of international law, Vol. 35, winter 2014, p. 253-317. - Photocopies

The law has consistently lagged behind technological developments. This is particularly true in armed conflict, where the 1907 Hague Conventions and the 1949 Geneva Conventions form the basis for regulating emerging technologies in the 21st century. However, the law of armed conflict, or LOAC, serves an important signaling function to states about the development of new weapons. As advancing technology opens the possibility of not only new developments in weapons, but also new genres of weapons, nations will look to the LOAC for guidance on how to manage these new technological advances. Because many of these technologies are in the very early stages of development or conception, the international community is at a point in time where we can see into the future of armed conflict and discern some obvious points where future technologies and developments are going to stress the current LOAC. While the current LOAC will be sufficient to regulate the majority of future conflicts, we must respond to these discernible issues by anticipating how to evolve the LOAC in an effort to bring these future weapons under control of the law, rather than have them used with devastating effect before the lagging law can react. This paper analyzes potential future advances in weapons and tactics and highlights the LOAC principles that will struggle to apply as currently understood. The paper will then suggest potential evolutions of the LOAC to ensure its continuing efficacy in future armed conflicts.

341.67/745(Br.)

"A game of drones" : unmanned aerial vehicles (UAVs) and unsettled legal questions / Maritza S. Ryan. - Chicago : Section of Administrative Law and Regulatory Practice, American Bar Association, 2014, p. 185-211. In : The fundamentals of counterterrorism law.

Just as the strikes by ever more technically sophisticated drones have proliferated, so have the vigorous debates regarding their legality. This chapter aims to examine the legal arguments regarding the remote targeting and killing of suspected terrorist operatives : is the proper legal framework that of the law of armed conflict, international law, domestic law, or perhaps a combination of some or all of them? Does it matter whether the person at the computer toggle switch, controlling the UAV and activating its weapons system from perhaps thousands of miles away, wears a military uniform or civilian clothes? Is a designated target's American citizenship - or, for that matter, his or her location on the globe - relevant? How does the perceived lawfulness of drone strikes under international law shape their effectiveness as a leading component of a national strategy?

303.6/227

The humanitarian problem with drones / Frédéric Mégret. - In: Utah law review, Vol. 2013, no. 5, 2013, p. 1283-1319. - Photocopies

This article outlines a series of ways in which drones have been seen as problematic which it is argued are either not specifically humanitarian, or really interested in something else such as what the legal framework applicable to the "war on terror" should be. Separating these very important debates from the humanitarian questions that ought to be asked about drones as such is crucial if one is to make conceptual headway. The author examines the issue of whether there is anything that is specific and/or inherent to drones, and address the question of whether it is that drones cause unwarranted harm to civilians. He seeks to explain how, regardless of the answer to that complicated question, drones are much more likely to be perceived as inflicting excessive damage due to their highly discriminatory potential but also, crucially, the way in which they maximize the safety of the drone operator. If anything, it is this aspect that is most specific and novel about drones. He argues that this absolute safety of the operator not only maximizes states' ability to minimize collateral harm, as has already been observed elsewhere, but also has the potential to fundamentally alter the laws of war's tolerance for collateral harm, which was always based on the assumption of a tradeoff

between harm to the attacker and to “enemy civilians.” It is this tradeoff that is increasingly at risk of being rendered moot. The author finishes with an attempt to contextualize the drone problem within a larger history of exogenous technological shock to international humanitarian law and how it has addressed them. Overall, the article is interested not just in determining whether drone use may or may not be “legal” but also more broadly how it impacts some of the moral underpinnings of the laws of war.

341.67/258(Br.)

Humanitarian reframing of nuclear weapons and the logic of a ban / John Borrie. - In: International affairs, Vol. 90, no. 3, May 2014, p. 625-646

International humanitarian law (IHL) and the use of unmanned aerial vehicles (UAV's) (drones) as a means of warfare against armed groups in Africa / Kasaija Phillip Apuuli. - In: Uganda's paper series on international humanitarian law, Vol. 1, No. 1, August 2013, p. 109-122. - Photocopies

345.2/967(Br.)

A new dawn in the nuclear weapons debate : a role for Africa ? / Sarah Swart. - In: African yearbook on international humanitarian law, 2013, p. 196-218

The question this article attempts to answer is what role the African continent should and could play in the call for an international treaty banning nuclear weapons, and how interested Africa really is in playing such a role. The continent has been described as surprisingly disinterested when it comes to the issue, and this article aims to assess both the implications and likelihood of Africa's future involvement.

Nuclear exits : conference proceedings : Helsinki, 18-19 October 2013 / guest ed.: Vappu and Ikka Taipale ; F. W. de Klerk... [et al.]. - In: Medicine, conflict and survival, Vol. 30, supplement 1, August 2014, 80 p. : cartes, tabl.. - Bibliographies

Contient notamment : The Middle East as a weapons of mass destruction-free zone / J. Dhanapala. - Forgoing the nuclear option : states that could build nuclear weapons but chose not to do so / S. van der Meer. - From nuclear weapons acquisition to nuclear disarmament : the Swedish case / T. Jonter and E. Rosengren.

Nuclear weapons counterproliferation : a new grand bargain / Jack I. Garvey. - Oxford [etc.] : Oxford University Press, 2013. - VIII, 240 p. ; 24 cm. - Index. - ISBN 9780199841271

341.67/747

Origins of the norm against chemical weapons / Catherine Jefferson. - In: International affairs, Vol. 90, no. 3, May 2014, p. 647-661

The use of chemical weapons in Syria in August 2013 led to calls for a tough international response in order to uphold the norm against what is often portrayed as a particularly odious form of warfare. The condemnation of poison weapons has a long history and this article examines the origins of the international norm against their use. It focuses particularly on the proceedings of the first Hague Peace Conference and suggests that this represented the emergence of an important distinction between the customary norm against poison and poisoned arms, and a newly codified norm against the use of asphyxiating gas projectiles, which was primarily an attempt to limit the potential of new weapons technologies. However, psychological responses to the wide-scale use of chemical weapons in the First World War underscored a deep revulsion to this form of warfare and blurred the distinction between gas projectiles and poison. While the Hague Conventions ultimately failed to avert the use of chemical weapons, the formation of the 1925 Geneva Protocol reaffirmed the norm against the use of poison in war and represented both a legal and moral condemnation of chemical and biological weapons that continues to be enshrined in international law today.

Report of the ICRC expert meeting on "Autonomous weapon systems : technical, military, legal and humanitarian aspects", 26-28 March 2014, Geneva / ICRC. - [Geneva] : ICRC, May 2014. - 16 p. ; 30 cm. - Photocopies

The aim of the meeting was to better understand the issues raised by autonomous weapon systems and to share perspectives among government representatives, independent experts and the ICRC. It brought together 21 States and 13 independent experts, including roboticists, jurists, ethicists, and representatives from the United Nations and non-governmental organisations. Some of the key points made by speakers and participants at the meeting are provided by this report although they do not necessarily reflect a convergence of views.

341.67/39(Br.)

A short historiography of the unmanned aerial vehicle (UAV) / Adebayo Olowo-Ake. - In: Uganda's paper series on international humanitarian law, Vol. 1, No. 1, August 2013, p. 101-108. - Photocopies

345.2/966(Br.)

Small arms survey 2013 : everyday dangers / Graduate Institute of International and Development Studies, Small Arms Survey. - Cambridge [etc.] : Cambridge University Press, 2013. - VII, 327 p. : fotogr., tabl., graph., cartes ; 25 cm. - Index. - ISBN 9781107672444

341.67/489(2013)

CHILDREN

The abuse of ambiguity : the uncertain status of Omar Khadr under international law / Ryan Liss. - In: Canadian yearbook of international law = Annuaire canadien de droit international, Vol. 50, 2012, p. 95-161. - Photocopies

There has been a great deal of contemporary scholarly debate, in the abstract, surrounding many of the issues related to Khadr's case, such as the status of "unlawful combatants" and child soldiers. This article endeavours to clarify Khadr's status under international law. First, it analyzes Khadr's status under international humanitarian law, (IHL). In doing so, it considers the character of the conflict in which Khadr was captured, the concept of combatancy, the assertion that Khadr was an "unlawful combatant," and the rights guaranteed to Khadr under IHL as a result of his status. Second, the article assesses Khadr's potential protections as a child soldier by surveying the debate concerning the definition of child soldiers, the obligations of states detaining child soldiers, and the principles governing the treatment of minors involved in penal processes generally. This article focuses on the international legal status and protections Khadr should have been granted, rather than the question of whether any specific breaches of his rights in fact occurred. Nevertheless, even without a thorough review of the state conduct at issue, it is evident that the United States (and arguably Canada) breached some of the basic guarantees that should have been afforded to Khadr. While the law surrounding each aspect of his status is not clear, it seems the United States and Canada have exploited this very ambiguity to justify their disregard for Khadr's rights. The article concludes by observing that this approach to legal ambiguity is, itself, contrary to the foundational principles of IHL.

362.7/11(Br.)

Children and armed conflict / Trevor Buck. - 3rd. ed.. - New York : Routledge, 2014. - p. 384-424. - In: International child law. - Photocopies

362.7/398(Br.)

Enfants soldats... enfants sorciers ? : approche anthropologique dans l'Afrique des Grands Lacs / Geneviève N'Koussou ; préf. de Michael Singleton. - Paris : L'Harmattan, 2014. - 163 p. : fotogr., carte ; 22 cm. - (Cutures et médecines). - Bibliographie : p. 155-163. - ISBN 9782343023922

362.7/396

From heroes to victims : an analysis of the mutation of the social meaning of child soldiering / Conrad Nyamutata. - In: International criminal law review, Vol. 14, issue 3, 2014, p. 619-640

Law as shield, law as sword : the ICC's Lubanga decision, child soldiers and the perverse mutualism of participation in hostilities / Chris Jenks. - In: The University of Miami national security and armed conflict law review, Vol. 3, summer 2013, p. 106-124. - Photocopies

The International Criminal Court's Lubanga decision has been hailed as a landmark ruling heralding an end to impunity for those who recruit and employ children in armed conflict and a pivotal victory for the protection of children. Overlooked amidst this self-congratulation is that the ICC incorrectly applied the law governing civilian participation in hostilities which perversely places child soldiers at greater risk of being attacked. The Court created a false distinction between active and direct participation in hostilities. Expanding the kinds and types of behaviors that constitute children actively participating in hostilities expanded Lubanga's liability. But under the law of armed conflict active and direct refer to the same quantum of participation. And when a civilian, including a child soldier, directly participates in hostilities, they lose a pivotal protection - the protection from being made the lawful object of attack. The ICC's first verdict confuses an already opaque area of the law. Worse, the ICC now provides the international legal imprimatur for the permissible targeting of child soldiers under a wider range of circumstances than previously recognized.

362.7/21(Br.)

Malice supplies the age? : assessing the culpability of adolescent soldiers / Maria Achton Thomas. - In: California western international law journal, Vol. 44, fall 2013, p. 1-38. - Photocopies

This article considers the issues arising out of international criminal law's incoherence in dealing with child soldiers as perpetrators. Particularly those aged fifteen to seventeen. This article discusses the legal and moral concerns of attaching criminal responsibility to adolescent soldiers before proposing that prosecuting adolescent soldiers may be appropriate in certain circumstances. In doing so, the article recognizes the tension between international law's normative commitment to protect children and the duty to end impunity and seek justice for the victims of war crimes and crimes against humanity. It proposes how this tension might be resolved through case-by-case application of the criminal defenses of superior orders and duress, and suggests how these defenses might be applied to recognize the specific characteristics of adolescent soldiers.

362.7/395(Br.)

Die Pflichten der Staaten im menschenrechtlichen Schutz von Kindersoldaten / Flavia von Meiss. - Genf [etc.] : Schulthess, 2014. - XXIX, 259 p. ; 23 cm. - (Schweizer Studien zum internationalen Recht = Etudes suisses de droit international ; Bd. 142). - Bibliographie : p. XXI-XXVI. - ISBN 9783725569861

362.7/397

Training children for armed conflict : where does the law stand ? / Elijah Oluwatoyin Okebukola. - In: International criminal law review, Vol. 14, issue 3, 2014, p. 588-618

This article considers the question of criminal liability for training child soldiers. None of the legal instruments prohibiting recruitment and use of child soldiers expressly relates to training child soldiers. This raises the question, on the one hand, whether a trainer can be held liable for training as a distinct offence from recruiting or using child soldiers. On the other hand, it raises the question whether a trainer is necessarily liable for recruitment or use of child soldiers. In an attempt to answer these questions, this article highlights the distinct factual and legal differences between recruitment, training and use of child soldiers. This exercise demonstrates that the law is not clear on the criminal liability of a trainer especially if the trainer is not factually involved in recruitment or use of child soldiers. The article concludes that the express clarification of the nature and extent of criminal liability for training child soldiers will improve the legal regimes for the protection of children in armed conflict.

CIVILIANS

Practising civilian protection : human security in Myanmar and Cambodia / Cecilia Jacob. - In: Security dialogue, Vol. 45, no. 4, August 2014, p. 391-408. - Bibliographie : p. 404-408
The UN and casualty recording : good practice and the need for action / Jacob Beswick and Elizabeth Minor. - London : Oxford Research Group, April 2014. - 48 p. : fotogr., carte, tabl., diagr. ; 30 cm. - Photocopies. - Bibliographie : p. 47

361/25(Br.)

CONFLICT-VIOLENCE AND SECURITY

Cyber warfare and Sino-American crisis instability / David C. Gompert and Martin Libicki. - In: Survival, Vol. 56, no. 4, August-September 2014, p. 7-21

Cyberespace : enjeux géopolitiques / Frédérick Douzet... [et al.]. - In: Hérodote : revue de géographie et de géopolitique, No 152-153, 1er-2e trimestre 2014, 297 p.

Contient notamment: Les représentations du cyberespace : un outil géopolitique / Alix Desforges. - Le cyberterrorisme : un discours plus qu'une réalité / Olivier Kempf. - Cybergéopolitique : de l'utilité des cybermenaces aux Etats-Unis / Rodrigo Nieto Gomez. - La Russie dans le cyberespace : représentations et enjeux / Kevin Limonier. - L'art de la guerre revisité : cyberstratégie et cybermenace chinoises / Frédérick Douzet. - Souveraineté et juridiction dans le cyberespace : entretien avec Bertrand de La Chapelle. - De Tallinn à Las Vegas, une cyberattaque d'importance justifie-t-elle une réponse cinétique ? / Martin Libicki. - Existe-t-il un droit international du cyberespace ? / Oriane Barat-Ginies. - Revendications sur le cyberespace et puissances émergentes / Hannes Ebert et Tim Maurer.

Cybersecurity and cyberwar : what everyone needs to know / P.W. Singer and Allan Friedman. - Oxford [etc.] : Oxford University Press, 2014. - VIII, 306 p. ; 21 cm. - Index. - ISBN 9780199918119

355/1031

Le génocide comme pratique sociale : du nazisme à l'expérience argentine / Daniel Feierstein ; trad. de l'espagnol par Gabriel Périès. - [Genève] : MétisPresses, 2013. - 395 p. ; 20 cm. - (Imprescriptible). - Bibliographie : p. 381-395. - ISBN 9782940406296

355/1034

La guerre, une vérité humaine / sous la dir. de Nabil El-Haggar ; Monique Chemillier-Gendreau... [et al.]. - Paris : L'Harmattan, 2013. - 191 p. ; 21 cm. - (Les rendez-vous d'Archimède). - Bibliographie : p. 187-191. - ISBN 9782343002545

Contient notamment : Les métamorphoses de la guerre / P. Hassner. - De la dialectique de la guerre et du droit ou : qu'est-ce que la guerre après l'abolition du droit à la guerre ? / J.-M. Ferry. - Religions en conflits : les querelles de l'universel / F. Guidal. - Prévenir et humaniser la guerre, est-ce possible ? : l'exemple de la guerre du Vietnam / M. Chemillier-Gendreau

355/1034

How we fight : ethics in war / ed. by Helen Frowe and Gerald Lang. - Oxford : Oxford University Press, 2014. - XXXII, 196 p. ; 25 cm. - (Mind Association occasional series). - Bibliographies. Index. - ISBN 9780199673438

Contient notamment : Varieties of contingent pacifism in war / S. Bazargan. - Self-defense, resistance, and suicide : the Taliban women / F. M. Kamm. - Risking and protecting lives : soldiers and opposing civilians / N. Zohar. - Non-combatant liability in war / H. Frowe.

355/1032

Point of attack : preventive war, international law, and global welfare / John Yoo. - Oxford [etc.] : Oxford University Press, 2014. - XII, 259 p. : tabl. ; 25 cm. - Index. - ISBN 9780199347735

355/1035

Streitkräfte und nicht-staatliche Akteure / Dieter Weingärtner, Heike Krieger [Hrsg.]. - Baden-Baden : Nomos, 2013. - 215 p. ; 23 cm. - (Forum Innere Führung ; Bd 37). - ISBN 9783848703777

Contient notamment : Das Internationale Komitee vom Roten Kreuz und die Weiterentwicklung des Rechts des nicht-internationalen Konflikts / M. Bothe. - Haftungsfragen im Auslandseinsatz deutscher Streitkräfte - Rechtsgrundlagen und Rechtspraxis- / C. Raap. - Die Privatisierung von Militäreinsätzen : Völkerrechtliche Rahmenbedingungen einer Einbeziehung privater Militär- und Sicherheitsdienste / T. Marauhn.

355/1030

Understanding land warfare / Christopher Tuck. - London ; New York : Routledge, 2014. - XV, 274 p. : cartes, diagr., graph. ; 25 cm. - Bibliographie : p. 255-258. Index. - ISBN 9780415507547

355/1033

Violence after war : explaining instability in post-conflict states / Michael J. Boyle. - Baltimore : Johns Hopkins University Press, 2014. - XIV, 433 p. : tabl., graph. ; 24 cm. - Bibliographie : p. 383-421. Index. - ISBN 9781421412573

355/1036

Why are the longest insurgencies low violence? : politician motivation, sons of the soil, and civil war duration / Shivaji Mukherjee. - In: Civil wars, Vol. 16, no. 2, p. 172-207 : graph., tabl.

DETENTION

The Copenhagen process : principles and guidelines on the handling of detainees in international military operations / Bruce 'Ossie' Oswald, Thomas Winkler. - In: Nordic journal of international law, Vol. 83, issue 2, 2014, p. 128-167. - Photocopies

The Copenhagen Process Principles and Guidelines on the Handling of Detainees in International Military Operations are intended to contribute both to the humane treatment of detainees and the effectiveness of military operations. This article seeks to stimulate discussion concerning the Principles and Guidelines. It also provides the international community with a better understanding of a very successful process for developing normative standards or soft law. Finally, it explains some of the main issues dealt with during the Process, and some of the key aspects of the provisions contained in the Principles and Guidelines.

400/148(Br.)

Du droit d'asile en pays neutre et de l'internement / Albéric Rolin. - Bruxelles : Dewit, 1921. - p. 123-148. - In: Le droit moderne de la guerre : les principes, les conventions, les usages et les abus, tome 3. - Photocopies

400.21/441(Br.)

Die Ingewahrsamnahme nicht-staatlicher Kämpfer im nicht-internationalen bewaffneten Konflikt / Christoph Schütz. - In: Humanitäres Völkerrecht : Informationsschriften = Journal of international law of peace and armed conflict, Vol. 27, 3/2014, p. 139-145

L'humanité comme raison d'Etat : l'internement des prisonniers de guerre étrangers en Suisse pendant la Première Guerre mondiale / Thomas Bürgisser ; [trad. Patrick Innocenti]. - Baden : Hier und jetzt, Verlag für Kultur und Geschichte, 2014. - p. 266-289 : photogr., ill.. - In: 14/18 : la Suisse et la Grande Guerre

94/516(FRE)

Menschlichkeit aus Staatsräson : die Internierung ausländischer Kriegsgefangener in der Schweiz im Ersten Weltkrieg / Thomas Bürgisser. - Baden : Hier und jetzt, 2014. - p. 266-289 : photogr., fac-sim.. - In: 14/18 : die Schweiz und der Grosse Krieg

94/516(GER)

Pourquoi des prisons, pourquoi visiter des prisons ? / Yves Sandoz. - Bern : Stämpfli, 2002. - p. 373-388. - In: Brennpunkt Strafvollzug : Festschrift zum 25-jährigen Jubiläum des Schweizerischen Ausbildungszentrums für das Strafvollzugspersonal = Regards sur la prison : mélanges en l'honneur du 25e anniversaire du Centre suisse de formation pour le personnel pénitentiaire. - Photocopies

400/149(Br.)

ENVIRONMENT

Human conflict and ecosystem services : finding the environmental price of warfare / Robert A. Francis and Krishna Krishnamurthy. - In: International affairs, Vol. 90, no. 4, July 2014, p. 853-869 : tabl.

GEOPOLITICS

After Westgate : opportunities and challenges in the war against Al-Shabaab / Paul D. Williams. - In: International affairs, Vol. 90, no. 4, July 2014, p. 907-923

Afghanistan-Pakistan : talibans, le grand retour ? / Marjane Kamal... [et al.]. - In: Diplomatie : affaires stratégiques et relations internationales, No 69, juillet-août 2014, p. 42-63 : photogr., cartes

Contient : Le mouvement taliban afghan : identité politique et sociale d'un héritier de la guerre contre les Soviétiques / M. Kamal. - Talibans et Al-Qaïda : complexité des alliances, ancrages historiques, populaires et idéologiques / G. Lefeuvre. - La "diplomatie" des talibans / O. Guillard. - Le mouvement taliban dans l'échiquier politique afghan : un absent omniprésent / entretien avec R. Malejacq. - Les talibans et la résurgence de la poliomyélite.

Atlas des guerres et conflits : un tour du monde géopolitique / Amaël Cattaruzza ; cartographie: Aurélie Boissière. - Paris : Autrement, 2014. - 96 p. : cartes, diagr., graph. ; 25 cm. - (Atlas/Monde). - Bibliographie : p. 94-95. - ISBN 9782746735583

Réf. GUE2-y

The Cold War's cold cases / Ray Takeyh... [et al.]. - In: Foreign Affairs, Vol. 93, no. 4, p. 2-42 : photogr.

Contient : What really happened in Iran : the CIA, the ouster of Mosaddeq, and the restoration of the Shah / R. Takeyh. - What really happened in Congo : the CIA, the murder of Lumumba, and the rise of Mobutu / S. R. Weissman. - What really happened in Chile : the CIA, the coup against Allende, and the rise of Pinochet / J. Devine. - What really happened in Bangladesh : Washington, Islamabad, and the genocide in East Pakistan / H. H. Saunders

Exodus to North Korea : shadows from Japan's Cold War / Tessa Morris-Suzuki. - Lanham : Rowman & Littlefield, 2007. - X, 291 p. : carte, photogr. ; 24 cm. - Index. - ISBN 9780742554429

*323.13/KOR5
323.13/KOR 5*

Glutland : roman / Otto Höschle. - Luzern : Pro libro, 2012. - 357 p. ; 22 cm. - ISBN 9783905927269

323.15/ISR 47

Kurdistan(s) / dossier dirigé par Dorothee Schmid. - In: Politique étrangère, 2014, 2, p. 9-77 : cartes. - Bibliographie : p. 77

Contient notamment : Turquie : le mouvement kurde à l'heure du "processus de paix" / O. Grojean. - Les paradoxes du printemps kurde en Syrie / J. Tejel. - L'introuvable frontière du Kurdistan d'Irak / C. Roussel.

Le Liban et la crise syrienne / Charles Abdallah... [et al.]. - In: Maghreb - Machrek, No 218, 2014, p. 5-134

Contient notamment : Violence et déplacement : la crise des réfugiés syriens au Liban / A. J. Knudsen. - Conflit en Syrie et dynamiques de guerre civile à Tripoli / T. Gade. - Le Hezbollah en Syrie : la Résistance redéfinie ? / M. Klasta

Negotiating the great game : ending the U.S. intervention in Afghanistan / Jamie Lynn De Coster. - In: The Fletcher Forum of world affairs, Vol. 38:2, summer 2014, p. 73-100

Où va le Mali ? : entre vulnérabilités et résilience / Rodolphe Cathala. - Paris : Ed. du

Cygne, 2014. - 137 p. : tabl. ; 22 cm. - (Géo-sécurité). - Bibliographie : p. 135-138. - ISBN 9782849243473

323.15/MLI 3

The Crimea crisis / Christian Marxsen. - In: Zeitschrift für ausländisches öffentliches Recht und Völkerrecht = Heidelberg journal of international law, 74. Jahrgang, H. 2/2014, p. 367-391

La fantaisie des dieux : Rwanda 1994 / Hippolyte, Patrick de Saint-Exupéry. - Paris : Les Arènes, 2014. - 92 p. : tout en ill. ; 32 cm. - ISBN 9782352043201

323.11/RWA 24

The humanitarian situation in Yemen / Steven A. Zyck... [et al.]. - In: Humanitarian exchange : the magazine of the Humanitarian Practice Network, No. 61, May 2014, p. 3-23 : fotogr., graph., carte

Contient notamment : Yemen's security crises and transition process : implications for humanitarian action and access / S. A. Zyck. - Political transition and the humanitarian challenge in Yemen / I. Ould Cheick Ahmed and T. Jensen. - Humanitarian relief and building resilience in Yemen / B. Wittbold, M. Al-Awdi and S. Mubarak

The long peace of East Asia / Timo Kivimäki. - Farnham ; Burlington : Ashgate, 2014. - X, 222 p. : graph., tabl. ; 24 cm. - (Rethinking Asia and international relations). - Bibliographie : p. 191-215. Index. - ISBN 9781472422293

323.13/CHN20

The lord's resistance army / Lawrence E. Cline. - Oxford [ect.] : Praeger, 2013. - XI, 226 p., [4] p. de fotogr. : cartes, fotogr., tabl. ; 25 cm. - (PSI guides to terrorists, insurgents, and armed groups). - Bibliographie : 207-215. Index. - ISBN 9781440828546

323.11/40

Unconventional warfare in South Asia : shadow warriors and counterinsurgency / Scott Gates, Kaushik Roy. - Farnham ; Burlington : Ashgate, 2014. - XIII, 199 p : cartes, tabl. ; 24 cm. - Bibliographies. Index. - ISBN 9781409437062

323.13/26

Ukraine and global order / William W. Burke-White, Mark Fitzpatrick. - In: Survival, Vol. 56, no. 4, August-September 2014, p. 65-90

Contient : Crimea and the international legal order / W. W. Burke-White. - The Ukraine crisis and nuclear order / M. Fitzpatrick.

Ukraine : premières leçons / Iouri Iakimenko... [et al.]. - In: Politique étrangère, 2014, 2, p. 81-121

Contient : Le conflit ukraino-russe vu de Kiev / I. Iakimenko et M. Pachkov. - Pourquoi Russie et Union Européenne doivent coopérer en Ukraine / V. Tchernega. - La crise ukrainienne ou le malentendu européen / P. Lefort

Völkerrecht und Sezession : ist die Annexion der Krim eine zulässige Wiedergutmachung sowjetischen Unrechts ? / Hans-Joachim Heintze. - In: Humanitäres Völkerrecht : Informationsschriften = Journal of international law of peace and armed conflict, Vol. 27, 3/2014, p. 129-138

Will China dominate the 21st century? / Jonathan Fenby. - Cambridge ; Malden : Polity, 2014. - VII, 139 p. ; 20 cm. - (Global futures series). - ISBN 9780745679266

323.13/CHN 21

HEALTH-MEDICINE

Le blessé de guerre / [coordination : Stéphane Mérat]. - Montrouge (France) [etc.] : Arnette, 2014. - LVIII, 594 p. : fotogr., tabl., graph. ; 24 cm. - Bibliographies. - ISBN 9782718413457

Contient 4 parties : 1) Ramassage ; 2) Réanimation et chirurgie à l'avant, traitement stabilisateur ; 3) Evacuation médicale ; 4) Hospitalisation et traitement définitif.

356/265

Health and human rights in a changing world / ed. by Michael A. Grodin... [et al.]. - New York ; London : Routledge, 2013. - XIV, 647 p. : tabl., graph., diagr., fotogr. ; 24 cm. - Bibliographies. Index. - ISBN 9780415503990

356/264

HISTORY

14/18 : die Schweiz und der Grosse Krieg / Roman Rossfeld, Thomas Buomberger, Patrick Kury (Hg.). - Baden : Hier und jetzt, 2014. - 408 p. : fotogr., fac-sim. ; 29 cm. - Bibliographie : p. 388-399. - Publié à l'occasion de l'exposition "14/18 : la Suisse et la Grande Guerre" au Musée historique de Bâle, du 23 août 2014 au 15 février 2015.. - ISBN 9783039193257

94/516(GER)

14/18 : la Suisse et la Grande Guerre / Roman Rossfeld, Thomas Buomberger, Patrick Kury (éd.). - Baden : Hier und jetzt, 2014. - 408 p. : fotogr., fac-sim. ; 29 cm. - Bibliographie : p. 388-399. - Publié à l'occasion de l'exposition "14/18 : la Suisse et la Grande Guerre" au Musée historique de Bâle, du 23 août 2014 au 15 février 2015.. - ISBN 9783039193424

94/516(FRE)

Bibliography of works by Jean S. Pictet. - Geneva : International Committee of the Red Cross Library, September 2014. - 6 p. ; 21 cm

92/3(Br.)

Guillaume Henri Dufour im Spiegel seiner Schriften : bibliographisches Handbuch / Thomas Bachmann. - Bern : Eidgenössische Militärbibliothek und Historischer Dienst, Juli 2004. - 84 p. : fotogr., ill., cartes ; 21 cm. - (Schriftenreihe der Eidgenössischen Militärbibliothek und des Historischen Dienstes ; Nr. 14)

92/98

Histoire militaire, 1914-1944 : la Suisse et la guerre : Sturmgeschütze / Hervé de Weck... [et al.]. - In: Revue militaire suisse (RMS), 2014, numéro thématique : 1914-1944, 63 p. : fotogr., tabl., cartes

Contient notamment : 1914-1915... : guerre à la frontière Nord-Ouest de la Suisse / H. de Weck. - Il n'y a rien à dire sur l'histoire de la Suisse pendant la Première Guerre Mondiale / C. Vuilleumier. - La Croix-Rouge suisse au secours des enfants en 1942-1945 / G. Minder. - Les chasseurs de chars allemands, 1940-1945 (2) : Sturmgeschütze / A. Vautravers.

L'indochine : un siècle de présence française au Vietnam, au Laos et au Cambodge : des premières expéditions à la défaite de Diên Biên Phu 1858-1954 / Jean-Luc Coatalem réd..
- In: Géo histoire No 14, avril-mai 2014, 120 p. : fotogr., cartes, ill. 94/517

La première guerre mondiale : 2[ème]e partie 1914-1918 : au coeur des grandes batailles / Eric Meyer réd..
- In: Géo histoire No 13, février-mars 2014, 128 p. : fotogr., cartes, ill.

54/510-2

Spécial seconde guerre mondiale (2[ème]e partie) : la Libération : de l'insurrection de Paris à la victoire de 1945 / Eric Meyer réd..
- In: Géo histoire No. 16, août-septembre 2014, 117 p. : fotogr., cartes, ill.

94/518

HUMAN RIGHTS

An evaluation of the U.S. policy of "targeted killing" under international law : the case of Anwar Al-Aulaqi (part II) / Jake William Rylatt. - In: California western international law journal, vol. 44, spring 2014, p. 115-147. - Photocopies

The analysis in Part II this two-part article develops the overall thesis proposed by this author, namely that the targeted killing of Anwar Al-Aulaqi must be evaluated under both jus ad bellum and the "law enforcement" paradigm of International Human Rights Law (IHRL). In doing so, this article analyzes the United States' invocation of a non-international armed conflict (NIAC) to encompass the Al-Aulaqi strike, consequently triggering the more permissive rules of International Humanitarian Law (IHL). After concluding that the strike may not be justified as falling within the scope of any armed conflict in which the United States was engaged at that time, this Article continues to consider whether the strike is justifiable under the true applicable law, IHRL. In doing so, a final conclusion as to the legality of the Al-Aulaqi strike will be reached; a conclusion that may have far-reaching implications for the legality of the U.S. policy of conducting "Targeted Killings" within States such as Yemen, Pakistan, and Somalia.

345/660(Br.)

Les commissions vérité et les violations des droits de l'homme et du droit international humanitaire / Emmanuel Guematcha ; avant-propos Christian Tomuschat ; préf. Sandra Szurek. - Paris : Pedone, 2014. - 628 p. : tabl., ; 24 cm. - (Publications de l'Institut international des droits de l'homme. Institut René Cassin de Strasbourg ; no 23). - Bibliographie : p. 537-606. Index. - ISBN 9782233007247

Généralement créées dans le cadre d'une transition ou après un conflit armé, les Commissions vérité posent la question de la place accordée au droit international, eu égard aux violations des droits de l'homme et du droit international humanitaire sur lesquelles elles enquêtent, eu égard aux obligations internationales des Etats sur le territoire desquels les violations ont été commises. Mises en place au sein de nombreux Etats, notamment à El Salvador, au Guatemala, en Sierra Leone et au Liberia à la suite des conflits armés particulièrement violents, ces institutions, par leurs traits caractéristiques, sont tout à la fois porteuses d'originalités et d'interrogations quant aux évolutions du droit international.

345.1/620

Derecho internacional de los derechos humanos y derecho internacional humanitario / Valentín Bou Franch, Mireya Castillo Daudí. - Valencia : Tirant lo Blanch, 2014. - 623 p. ; 22 cm. - (Tirant monografias ; 930). - ISBN 9788490537480

En la presente monografía se contiene un análisis exhaustivo y sistemático de las normas internacionales sobre derechos humanos. Se examinan tanto las normas relativas a los derechos humanos contenidas en los instrumentos jurídicos de vocación universal, adoptados a instancia de la Organización de Naciones Unidas, como las cada vez más abundantes normas de ámbito regional, ya sea en Europa (por iniciativa del Consejo de Europa o de la Unión Europea) o en otros ámbitos regionales (por iniciativa de la Organización de Estados Americanos, la Unión Africana, la Liga Árabe o la Asociación de Estados del Sureste Asiático). Se aborda igualmente el estudio de las normas internacionales relativas a la protección del individuo durante los conflictos armados, así como las relativas a la responsabilidad internacional penal del individuo.

345.1/618

Failing to protect : the UN and the politicisation of human rights / Rosa Freedman. - London : Hurst, 2014. - XVI, 222 p. ; 22 cm. - Index. - ISBN 9781849044097

345.1/619

Human rights bodies and international humanitarian law : common but differentiated approaches / Larissa van den Herik and Helen Duffy. - [Leiden] : Grotius Centre for International Legal Studies : Universiteit Leiden, 2014. - 27 p. ; 30 cm. - (Grotius Centre working paper series ; 2014/020). - Photocopies

Human rights courts and bodies are increasingly called upon to look outwards, beyond the immediate contours of their constituent instruments and beyond their own jurisprudence. There is a growing call for such bodies to have regard to, interpret and in some cases 'apply' a range of other norms of international law beyond international human rights law (IHRL). UN imposed sanctions, the assertion of immunities of the state and state officials and issues of state responsibility are among the contexts in which human rights courts have recently had to grapple with generic international law concepts or rules from areas of law other than IHRL, often with controversial results. This chapter considers the approach of human rights courts and bodies to one such issue of interplay that arises with increasing frequency, namely the application of international humanitarian law (IHL) alongside IHRL in situations of armed conflict.

345.1/96(Br.)

Human Rights Watch world report 2013 : events of 2012. - New York : Human Rights Watch, 2013. - 665 p. : fotogr. ; 23 cm. - ISBN 9781609804824

345.1/522(2013)

Quasi-hostile acts : the limits on forcible disruption operations under international law / Eliav Lieblich. - In: Boston university international law journal, Vol. 32, issue 2, summer 2014, p. 355-409. - Photocopies

One of the most pressing problems in contemporary international law concerns the interaction between hostilities, undertaken in armed conflict, and law enforcement. In situations where law and order collapses, states engaged in transnational law enforcement can be increasingly tempted to blur the boundaries between these paradigms by forcibly targeting objects relating to criminal activity. This Article labels such actions as "forcible disruption operations" ("FDOs") and seeks to offer a comprehensive legal framework for their assessment. As a case study, this Article builds upon a strangely overlooked 2012 operation conducted by EU Naval Forces, in which "pirate equipment" was attacked from the air in Somalia. Using this case study, the Article makes two main claims. First, it contributes to theory by identifying FDOs as complex hybrids: they forcibly target objects on the one hand (a "hostilities" approach), yet attempt to spare the persons using them on the other (a "law enforcement" approach). Thus, FDOs are best described as "quasi-hostile" acts. This Article explores the unique modalities of such operations in various contexts. Second, through its discussion of FDOs, this Article reveals a surprising difference between the hostilities and law

enforcement paradigms. While international humanitarian law ("IHL") prohibits the targeting of civilian objects even if used for criminal activities, international human rights law ("IHRL") - due to its system of derogations - might permit such actions in cases of extreme necessity, provided that procedural guarantees are in place. This finding uncovers a novel distinction between IHL and IHRL by exemplifying, perhaps counter-intuitively, that the latter can be more permissive than the former.

345.1/617(Br.)

The right to life in light of the integration between the norms of international humanitarian law and human rights law / Vera Rusinova. - [Moscow] : National Research University Higher School of Economics, 2014. - 19 p. ; 30 cm. - (Working paper series. Law ; 38/2014). - Photocopies

This paper casts doubts on the existence of a contradiction between the norms of international humanitarian law and international human rights law in the sphere of the protection of the right to life and concludes that the wording and systematic interpretation of international treaties, and the subsequent application allowing the inference of an integrated approach to the determination of the negative and positive obligations of states in respect of the right to life.

345.1/108(Br.)

Some thoughts on the relationship between international humanitarian law and international human rights law : a plea for mutual respect and a common sense approach / Terry D. Gill. - Cambridge [etc.] : Intersentia, March 2014. - p. 335-350. - In: The realisation of human rights : when theory meets practice : studies in honour of Leo Zwaak. - Photocopies

The basic purpose of this chapter is to set out a number of observations and criteria which could assist in determining how international humanitarian law (IHL) and international human rights law (IHRL) interact, and how they could be applied in practice with a view to promoting a fruitful interaction between IHL and IHRL, promoting protection of victims and vulnerable groups in armed conflict and in other military operations outside a situation of armed conflict, while at the same time taking account of the realities of armed conflict and of military considerations. The essay first sets out the basic object and purpose of both sub-disciplines and provides some observations concerning the basic terms of their applicability. It then briefly discusses the main approaches to determining their mutual relationship and interaction, including, in particular, the role of the principle of *lex specialis derogat legi generali* (the *lex specialis* principle), both as a means of interpretation and as an instrument for resolving conflicts between legal rules and regimes when they occur. It then applies the above to two situations and normative paradigms: the conduct of hostilities, and the maintenance of public order and law enforcement.

345.1/102(Br.)

HUMANITARIAN AID

Aid in danger : the perils and promise of humanitarianism / Larissa Fast. - Philadelphia : University of Pennsylvania Press, 2014. - 326 p. : tabl., diagr. ; 24 cm. - (Pennsylvania studies in human rights). - Bibliographie : p. 275-304. Index. - ISBN 9780812246032

361/612

Challenges to humanitarian action in contemporary conflicts : Israel, the Middle East and beyond / Peter Maurer. - In: Israel law review, Vol. 47, issue 2, July 2014, p. 175-180. - Photocopies

While international law has established clear legal obligations for the parties to armed conflict, the reality is that humanitarian organisations such as the ICRC are facing growing dilemmas in working towards the implementation of those rules and in deciding how best to orientate their work in connection with conflict, whether in Israel and the occupied territories, the broader Middle East or anywhere else in the world. The dilemmas to which this piece alludes, may be summarised as follows: how to determine a practical and acceptable balance between the legitimate security requirements of the parties to a conflict while effectively protecting the civilian population; how to remain committed to confidential dialogue on humanitarian concerns with the parties to a conflict while at the same time meeting the growing requirement for greater public engagement and transparency; whether to focus on the short-term humanitarian needs of populations affected by protracted conflicts or to invest in the resilience and self-sufficiency of these communities.

361/106(Br.)

Ethical and legal perspectives on cross-border humanitarian operations / Hugo Slim and Emanuela-Chiara Gillard. - In: Humanitarian exchange : the magazine of the Humanitarian Practice Network, No. 59, November 2013, p. 6-9

This article looks briefly at three main types of cross-border operations in humanitarian history, and then addresses two main questions: can cross-border operations be pursued legally?; and what constitutes ethical crossborder operations? The legality of cross-border humanitarian operations turns mainly on the two issues of the consent of the affected state and the exclusively humanitarian character of any crossborder aid. Under international humanitarian law (IHL), the consent of the state in whose territory operations are to be implemented is required. So too is the consent of the neighbouring state from which any cross-border operation is to be mounted. In practice, consent is also required from any non-state armed actor in effective control of territory through which the relief goods must transit or for whose civilians they are intended. If the law allows cross-border humanitarian operations in certain situations, what are the main ethical considerations in the decision to pursue such operations? Like most humanitarian decision-making, these turn on issues of need, context and capability, and issues of principle around impartiality, neutrality and independence.

L'éthique de l'action humanitaire / Fabrice Weissman. - Paris : Presses Universitaires de France, 2013. - p. 221-243. - In: Ethique des relations internationales : problématiques contemporaines. - Bibliographie : p. 241-243

361/611(Br.)

Hilfe zum Selbstschutz : die Schweiz und ihre humanitären Werke / Cédric Cotter, Irène Herrmann ; [Übers. von Caroline Gutberlet]. - Baden : Hier und jetzt, 2014. - p. 240-265 : photogr., cartes postales, fac-sim.. - In: 14/18 : die Schweiz und der Grosse Krieg

94/516(GER)

Humanitarian assistance and the duration of peace after civil war / Neil Narang. - In: The journal of politics, Vol. 76, no. 2, April 2014, p. 446-460. - Bibliographie : p. 458-460. Photocopies

361/609(Br.)

Humanitarian diplomacy : the ICRC experience / Fiona Terry. - London : Hurst, 2014. - p. 247-257. - In: Negotiating relief : the politics of humanitarian space
361/610

The impact of human rights INGO shaming on humanitarian interventions / Amanda Murdie, Dursun Peksen. - In: The journal of politics, Vol. 76, no. 1, January 2014, p. 215-228. - Bibliographie : p. 226-228. Photocopies

Do transnational human rights organizations (HROs) influence foreign military intervention onset? We argue that the greater international exposure of human suffering through HRO "naming and shaming" activities starts a process of mobilization and opinion change in the international community that ultimately increases the likelihood of humanitarian military intervention. This is a special corollary to the supposed "CNN Effect" in foreign policy; we argue that information from HROs can influence foreign policy decisions. We test the empirical implication of the argument on a sample of all non-Western countries from 1990 to 2005. The results suggest that HRO shaming makes humanitarian intervention more likely even after controlling for several other covariates of intervention decisions. HRO activities appear to have a significant impact on the likelihood of military missions by IGOs as well as interventions led by third-party states.

361/608(Br.)

Der Johanniter-Orden und die Malteser in ihrem Einsatz 1864 in Schleswig-Holstein und Dänemark / Gerd Stolz. - In: Natur- und Landeskunde : Zeitschrift für Schleswig-Holstein, Hamburg and Mecklenburg, 120. Jg., 2013, p.174-197 : fotogr., gravures, ill.. - Photocopies

361/613(Br.)

Military-civilian interactions : humanitarian crises and the responsibility to protect / Thomas G. Weiss ; [foreword by Brian Urquhart]. - 2nd ed.. - Lanham (etc) : Rowman & Littlefield, 2005. - XXXIII, 275 p. : cartes, fotogr., tabl. ; 25 cm. - (New millennium books in international studies). - Index. - ISBN 9780742530171

361/383

Negotiating relief : the politics of humanitarian space / Michele Acuto (ed.). - London : Hurst, 2014. - XXIX, 333 p. : fotogr., tabl. ; 22 cm. - Index. - ISBN 9781849042666

Contient notamment : The humanitarian system : how does it affect humanitarian space ? / S. Collinson. - Ethical complexity and perplexity : humanitarian actors, disasters and space / H. M. Roff. - Humanitarian diplomacy : the ICRC experience / F. Terry. - On "opening" humanitarian diplomacy : a dialectic space / M. Acuto

361/610

Neutrality and humanitarianism : Fridtjof Nansen and the Nansen passports / Rebecka Lettevall. - New York ; London : Routledge, 2012. - p. 316-336 : fotogr.. - In: Neutrality in twentieth-century Europe : intersections of science, culture, and politics after the First World War. - Photocopies

361/614(Br.)

Quand secourir sert à se protéger : la Suisse et les oeuvres humanitaires / Cédric Cotter, Irène Herrmann. - Baden : Hier und jetzt, 2014. - p. 240-265 : fotogr., cartes postales, fac-sim.. - In: 14/18 : la Suisse et la Grande Guerre

94/516(FRE)

ICRC-INTERNATIONAL MOVEMENT OF THE RED CROSS AND RED CRESCENT

Annual report 2013 / International Committee of the Red Cross ; [message from Peter Maurer]. - Geneva : ICRC, May 2014. - 2 vol. (616 p.) : tabl., cartes, diagr. ; 30 cm. - (Report)

The 2013 Annual Report of the ICRC is an account of field activities conducted out of 80 delegations worldwide. The activities are part of the organization's mandate to protect the lives and dignity of victims of war and to promote respect for international humanitarian law. The ICRC's Annual Report 2013 describes the harm that armed conflicts inflict on populations around the world, and what the organization is doing to protect and assist them.

362.191/563(I-2013)
362.191/563(II-2013)
Réf.MOU1(I-2013)
Réf.MOU1(II-2013)
4184/002(vol.1)
4184/002(vol.2)

Annual report 2013 : extract / International Committee of the Red Cross ; [message from Peter Maurer]. - Geneva : ICRC, May 2014. - 176 p. : tabl., cartes, fotogr. ; 30 cm. - (Report)

The 2013 Annual Report of the ICRC is an account of field activities conducted out of 80 delegations worldwide. The activities are part of the organization's mandate to protect the lives and dignity of victims of war and to promote respect for international humanitarian law. The ICRC's Annual Report 2013 describes the harm that armed conflicts inflict on populations around the world, and what the organization is doing to protect and assist them.

362.191/563-1(2013)
Réf.MOU1-1(2013)
4192/002

Britain and the International Committee of the Red Cross, 1939-1945 / James Crossland. - Basingstoke ; New York : Palgrave Macmillan, 2014. - XIV, 269 p., [5] p. de fotogr. ; 23 cm. - Bibliographie : p. 247-258. Index. - ISBN 9781137399557

362.191/1601

Il Comitato Internazionale della Croce Rossa ed il diritto internazionale umanitario / Tullio Aebischer ; con contributi di Carlo Giulio Martini, Monica Maggiori e Arnaldo Squillante ; direttore responsabile Sergio Rassa. - In: Caledoscopio italiano, No 170, Settembre 2003, 317 p. : tabl., ill.. - Bibliographie : p. 315

345.22/242

En mission : une vie au sein de la Croix-Rouge / Elisabeth Carrier. - Montréal : Québec Amérique, 2014. - 550 p., [16] p. de fotogr. : cartes ; 23 cm. - (Dossiers et documents). - ISBN 9782764412312

362.191/1602

Le "non-appel" du Comité international de la Croix-Rouge du 14 octobre 1942, ses tenants et aboutissants / Léonard Mach. - [S.l.] : [s.n.], juin 2005. - 23 p., [51] p. d'annexes : facsim. ; 30 cm. - Travail de la faculté des lettres, Université de Genève, 20 juin 2005. - Photocopies. - Bibliographie : p. 20-23

362.191/1394

Prisoners of war [and] the legacy of Henri Dunant of Solferino / by Jim Stockdale. - In: Bohemian club library notes, No. 47, summer 1985, p. 5-7

362.191/1230(Br.)

The Red Cross Society of China : past, present, and future / Caroline Reeves. -
Bloomington : Indiana University Press, 2014. - p. 214-233. - In: Philanthropy for health in
China. - Photocopies. - Bibliographie : p. 231-233

362.191/1240(Br.)

Safer access : a guide for all national societies : [practical resource pack] / ICRC. - Geneva
: ICRC, October 2013. - 84 p. : tabl., diagr. ; 30 cm. - (Reference (ICRC))

This guide is the core component of the Safer Access Practical Resource Pack, which is
designed to support National Societies in fulfilling their humanitarian mandate and roles,
particularly when working in sensitive and insecure contexts, including armed conflict and
internal disturbances and tensions. Safer Access: A guide for all National Societies The guide
gives a detailed description of the Safer Access Framework (SAF), its benefits for all National
Societies, and where, when and how to apply it.

362.191/1600

4149/002

Safer access in action : case study : Afghanistan : [practical resource pack] / ICRC. -
Geneva : ICRC, October 2013. - 18 p. : carte, fotogr., tabl. ; 30 cm. - (Reference (ICRC))

This case study summarizes some of the issues affecting safe access by the Afghan Red
Crescent Society (ARCS) to people and communities affected by armed conflict or internal
disturbances or tensions. It also includes the strategies that the organization is adopting to
enable its volunteers and staff to safely provide humanitarian services in an active conflict
environment. The case study is the outcome of a peer learning process that shed light on
several aspects of the Safer Access Framework (SAF), particularly context and risk
assessment, acceptance of the organization and acceptance of the individual.

362.191/1600-1

4149/002;01

Safer access in action : case study : Lebanon : [practical resource pack] / ICRC. - Geneva :
ICRC, October 2013. - 31 p. : cartes, fotogr., tabl. ; 30 cm. - (Reference (ICRC))

This case study is a joint initiative of the British Red Cross, the Lebanese Red Cross (LRC) and
the International Committee of the Red Cross (ICRC). All three organizations are members of
the International Red Cross and Red Crescent Movement, a global humanitarian network that
responds to armed conflicts and other emergencies. The case study is linked to two separate
projects currently being carried out by the British Red Cross and the ICRC.

362.191/1600-2

4149/002;02

Safer access in action : case study : South Africa : [practical resource pack] / ICRC. -
Geneva : ICRC, October 2013. - 16 p. : carte, fotogr., tabl. ; 30 cm. - (Reference (ICRC))

This case study was developed jointly by the South African Red Cross Society (SARCS) and the
International Committee of the Red Cross (ICRC). The purpose of the study is to explore and
highlight some of the lessons learned from the SARCS' humanitarian response to a spate of
violence associated with xenophobic attacks that took place in May 2008.

362.191/1600-3

4149/002;03

Solferino [and] the origins of the Red Cross : the background of a grove play / by George
S. Prugh. - In: Bohemian club library notes, No. 47, summer 1985, p. 1-5 : ill.

362.191/1230(Br.)

INTERNATIONAL CRIMINAL LAW

Amnesty and transitional justice (TJ) in Uganda / Margaret Ajok. - In: Uganda's paper series on international humanitarian law, Vol.1, no.1, August 2013, p. 13-30. - Photocopies

345.2/962(Br.)

Automated warfare / George R. Lucas. - In: Stanford Law & policy review, Vol. 25, issue 2, June 2014, p. 317-339. - Photocopies

In this Article, I review the military and security uses of robotics and "un-manned" or "uninhabited" (and sometimes "remotely piloted") vehicles in a number of relevant conflict environments that, in turn, raise issues of law and ethics that bear significantly on both foreign and domestic policy initiatives. My treatment applies to the use of autonomous unmanned platforms in combat and low-intensity international conflict, but also offers guidance for the increased domestic uses of both remotely controlled and fully autonomous unmanned aerial, maritime, and ground systems for immigration control, border surveillance, drug interdiction, and domestic law enforcement. I outline the emerging debate concerning "robot morality" and computational models of moral cognition and examine the implications of this debate for the future reliability, safety, and effectiveness of autonomous systems that might come to be deployed in both domestic and international conflict situations. I summarize the lessons learned and the areas of provisional consensus reached thus far in this debate in the form of "soft-law" precepts that reflect emergent norms and a growing international consensus regarding the proper use and governance of such weapons.

344/634(Br.)

Challenges of domestic prosecution of war crimes with special attention to criminal justice guarantees / Réka Varga. - Budapest : Pázmány press, 2014. - 284 p. : tabl. ; 24 cm. - (PhD Thesis ; vol. 4). - Doctoral thesis defended at the Pázmány Catholic University, Budapest, February 2013. Bibliographie : p. 259-284. - ISBN 9789633081730

The present book discusses the different questions arising in the framework of the domestic repression of war crimes, both during the implementation phase as well as its application : the war crimes procedures. Besides discussing legal questions, primarily from the perspective of criminal justice guarantees and their possible conflict with the repression of war crimes, the book also deals with practical questions that may emerge as obstacles during domestic war crime trials.

344/624

The changing nature of customary international law : methods of interpreting the concept of custom in international criminal tribunals / Noora Arajärvi. - London ; New York : Routledge, 2014. - XIX, 194 p. : diagr. ; 24 cm. - (Routledge research in international law). - Bibliographie : p. 166-181. Index. - ISBN 9780415827416

344/630

La compétence universelle et l'Afrique : ingérence ou complémentarité ? / Fannie Lafontaine. - In: Etudes internationales, Vol. 45, no. 1, mars 2014, p. 129-151. - Photocopies. - Bibliographie : p. 148-151

L'exercice de la compétence universelle met en évidence une contradiction potentielle entre des principes fondamentaux du droit international, soit, d'un côté, la souveraineté des États et la non-ingérence dans leurs affaires internes et, de l'autre, la lutte contre l'impunité pour les crimes internationaux. L'Union africaine, si elle s'est fréquemment positionnée en faveur d'un renforcement de la lutte contre l'impunité, s'oppose par ailleurs à ce qu'elle considère comme un exercice abusif de la compétence universelle par certains États, surtout européens. Cet article aborde, à la lumière des positions juridiques de l'Union africaine,

certaines limites potentielles à l'exercice de la compétence universelle qui permettent une utilisation raisonnable de celle-ci.

344/112(Br.)

Convention on the prevention and punishment of the crime of genocide : a commentary / by Christian J. Tams, Lars Berster and Björn Schiffbauer. - München : C. H. Beck ; Oxford : Hart, 2014. - XLV, 468 p. : tabl., diagr. ; 25 cm. - Bibliographie : p. XXV-XLV. Index. - ISBN 9781849461986

344/628

Cour pénale internationale et néocolonialisme : au-delà des évidences / Frédéric Mégret. - In: Etudes internationales, Vol. 45, no. 1, mars 2014, p. 27-50. - Photocopies. - Bibliographie : p. 48-50

Le « néocolonialisme » de la Cour pénale internationale a été beaucoup critiqué, au motif que le procureur de la CPI se serait presque exclusivement intéressé à des affaires concernant le continent africain. Cet article tentera d'aller au-delà de la vision de ce néocolonialisme comme ressortissant uniquement d'une sur-représentation d'affaires africaines. Si néocolonialisme il y a, celui-ci tiendrait plus subtilement à un traitement postcolonial de l'Afrique à travers les catégories de la justice pénale internationale. Il importe de replacer les rapports justice pénale internationale / Afrique dans un « temps long » de l'introduction de la pensée et des pratiques pénales modernes sur le continent par le biais de la colonisation et de la construction de l'État postcolonial, notamment au regard de logiques d'exclusion / instrumentalisation / hybridation des formes de la justice traditionnelle.

344/116(Br.)

La Cour spéciale pour la Sierra Leone et la portée de son héritage / Viviane E. Dittrich. - In: Etudes internationales, Vol. 45, no. 1, mars 2014, p. 85-103. - Photocopies. - Bibliographie : p. 101-103

La fermeture de la Cour spéciale pour la Sierra Leone a intensifié le débat sur l'impact de la Cour. La question de la portée de son héritage est ainsi d'une actualité brûlante. S'agissant d'un sujet tant juridique que politique, cet article fait le choix d'interroger la notion même d'héritage plutôt que d'évaluer ou de mesurer de manière empirique cet héritage. Une reconceptualisation du processus de legs est proposée pour mieux l'apprécier comme processus de construction continue d'héritages - au pluriel - avec une diversité d'acteurs. La Cour se présentant comme précurseur d'une approche institutionnelle, les héritages sont d'ores et déjà devenus des lieux de contestation sur la signification de la Cour pour la Sierra Leone, l'Afrique et la justice pénale internationale.

344/117(Br.)

Diminishing the value of war crimes prosecutions : a view of the Guantanamo military commissions from the perspective of international criminal law / Jonathan Hafetz. - In: Cambridge journal of international and comparative law, Vol. 2, issue 4, 2013, p. 800-824. - Photocopies

One of the most important questions in the current Guantanamo detainee litigation is whether the United States may prosecute individuals in military commissions for offenses that are not recognized as war crimes under international law. The United States maintains that such offenses—particularly, material support for terrorism and conspiracy—are violations of the 'US common law of war', a form of customary domestic liability in armed conflict distinct from international law. This paper offers a critique of the US theory from the perspective of international criminal law practice and theory. In particular, it explains how the US position unduly expands the conception of war crimes liability, thereby distorting the meaning of a war crime and undermining the value of prosecuting conduct on that basis.

344/623(Br.)

Fair trial manual / Amnesty International. - 2nd ed.. - London : Amnesty International, 2014. - XVIII, 253 p. ; 30 cm. - ISBN 9780862104849

344/240(2014)

International criminal procedure and disclosure : an attempt to better understand and regulate disclosure and communication at the ICC on the basis of a comprehensive and comparative theory of criminal procedure / by Alexander Heinze. - Berlin : Duncker and Humblot, 2014. - 599 p. : tabl., diagr. ; 24 cm. - (Studies in international and European criminal law and procedure ; vol. 20). - Thesis, Faculty of law, Georg - August - University Göttingen, 2013. - Bibliographie : p. 545-593. Index. - ISBN 9783428143436

344/626

Judges, law and war : the judicial development of international law / Shane Darcy. - Cambridge : Cambridge University Press, 2014. - XXV, 362 p. ; 24 cm. - (Cambridge studies in international and comparative law). - Bibliographie : p. 335-351. Index. - ISBN 9781107060692

International courts and judicial bodies play a formative role in the development of international humanitarian law. Judges, Law and War examines how judicial bodies have influenced the substantive rules and principles of the law of armed conflict, and studies the creation, application and enforcement of this corpus of laws. Specifically, it considers how international courts have authoritatively addressed the meaning and scope of particular rules, the application of humanitarian law treaties and the customary status of specific norms. Key concepts include armed conflicts and protected persons, guiding principles, fundamental guarantees, means and methods of warfare, enforcement and war crimes. Consideration is also given to the contemporary place of judicial bodies in the international law-making process, the challenges presented by judicial creativity and the role of customary international law in the development of humanitarian law.

344/633

Jurisprudence of international criminal justice / Farhad Malekian ; [introd. by Benjamin B. Ferencz]. - Newcastle upon Tyne : Cambridge scholars publishing, 2014. - XXV, 771 p. ; 21 cm. - Bibliographie : p. 741-771. - ISBN 9781443853606

344/629

Justice denied : the reality of the International Criminal Court / David Hoile. - London : The Africa Research Centre, 2014. - 609 p. ; 30 cm. - Photocopies. - Bibliographie : p. 433-472. Index. - ISBN 9780992803506

344/625

Narrowing the international law divide : the drone debate matures / Michael N. Schmitt. - In: The Yale journal of international law online, Vol. 39, Spring 2014, p. 1-14. - Photocopies

344/635(Br.)

New frontiers in the laws of war : some other mens'rea ? : the nature of command responsibility in the Rome statute / Joshua L. Root. - In: Journal of transnational law and policy, Vol. 23, 2013-2014, p. 119-156. - Photocopies

The Rome Statute of the International Criminal Court provides for Command Responsibility. The provision addressing this is ambiguous and raises a number of interpretive issues. Command responsibility can either be understood as a mode of liability--a way of holding commanders vicariously responsible for the acts of their subordinates, or it can be understood as a separate, distinct crime based on the commander's dereliction of his supervisory duties. The Rome Statute is not clear on the matter and points in both directions. In recent years,

the mode of liability approach has come under increasing scrutiny by academics and by judges, particularly at the ICTY. This is rightly so, because the mode of liability approach offends basic notions of justice and accountability for personal responsibility. The separate crime theory conversely, serves to punish commanders for their omissions and comports with modern notions of due process and fundamental fairness. A mode of liability approach is particularly problematic in the context of specific intent crimes, like genocide, because the Rome Statute only requires that a military superior be negligent to be punishable under command responsibility. If command responsibility is a distinct crime, there is no conflict here; however, if command responsibility is a mode of liability, it effectively nullifies the element of genocidal intent, the hallmark of the "crime of crimes." This dissertation explores some of the interpretive issues the Court must address in order to construe command responsibility in the Rome Statute as a distinct crime. The conclusion here is that there is sufficient foundation in the Rome Statute to construe command responsibility as a separate, distinct crime, and still maintain the Court's jurisdiction over that crime.

344/627(Br.)

Old crimes, new states and the temporal jurisdiction of the International Criminal Court / Alexander Wills. - In: Journal of international criminal justice, Vol. 12, no. 3, July 2014, p. 407-435

This article addresses contentious questions about the International Criminal Court's temporal jurisdiction pursuant to a declaration by a state under Article 12(3) of the Rome Statute. In particular, it argues that such declarations can be effective retroactively; that – notwithstanding the express terms of Article 12(3) – states parties can make 12(3) declarations; and that newly-created states can give the Court jurisdiction over crimes committed even before their birth.

Prosecution of rape as a war crime / written by Vivienne O'Connor. - [S.l.] : INPROL, July 2012. - 13 p. ; 30 cm. - Photocopies

This research memo outlines some options to address the issue of rape committed during armed conflict. The strategies outlined are diverse and range from implementing new legislation to criminalize rape as a war crime, to others which seek to ensure prosecution under the guise of another crime or ground of criminal liability.

344/98(Br.)

Les "sections pour les crimes de guerre" de la Cour d'État de Bosnie-Herzégovine : une juridiction hybride atypique à Sarajevo / Aurélien-Thibault Lemasson. - Nancy : Presses Universitaires de Nancy, 2013. - p. 295-320. - In: Questions de droit pénal international, européen et comparé : mélanges en honneur du professeur Alain Fournier. - Photocopies

344/622(Br.)

Sexual exploitation and abuse by UN military contingents : moving beyond the current status quo and responsibility under international law / by Róisín Sarah Burke. - Leiden ; Boston : Brill Nijhoff, 2014. - XX, 382 p. ; 25 cm. - (International humanitarian law series ; vol. 42). - Bibliographie : p. 323-376. Index. - ISBN 9789004208476

344/632

Terrorism, war crimes and the International Criminal Court / Roberta Arnold. - Cheltenham ; Northampton : E. Elgar, 2014. - p. 282-297. - In: Research handbook on international law and terrorism

Over a decade since the adoption of the Rome Statute for an International Criminal Court (ICC) in 1998, this chapter considers whether the jurisprudential developments after the 11 September 2001 terrorist attacks may have paved the way to prosecute acts of terrorism as an international crime within the ICC's jurisdiction. Following the launching of the United

States' 'war on terror' against Al Qaeda in response to 9/11, lawyers had to be creative to identify the applicable legal regime and to discern, in particular, whether acts of terrorism may be prosecuted under the international law of armed conflict (LOAC). This chapter first examines the jurisprudence of the International Tribunal for the former Yugoslavia (ICTY) and the Special Court for Sierra Leone (SCSL) to assess whether, notwithstanding the initial exclusion of a separate crime of terrorism from the ICC's jurisdiction, there may be new legal arguments that terrorism may be prosecuted as a war crime under Article 8 of the ICC Statute. Part 2 gives an overview of the applicable legal framework and the limits set by the ICC Statute; Part 3 then examines the existing jurisprudence supporting the view that acts of terrorism may be prosecuted as war crimes; and Part 4 draws this chapter's conclusions.

303.6/228

Victims of international crimes : an interdisciplinary discourse / Thorsten Bonacker, Christoph Safferling eds.. - The Hague : T.M.C. Asser Press, 2013. - XXV, 399 p. : fotogr., tabl. ; 24 cm. - Bibliographies. Index. - ISBN 9789067049115

344/631

War crimes and other international "core" crimes / Paola Gaeta. - Oxford : Oxford University Press, 2014. - p. 737-765. - In: The Oxford handbook of international law in armed conflict

Under the orthodox approach, war crimes were considered crimes under international law only as a means to enforce international rules of warfare at the national level. This basic principle of international law was challenged and eventually discarded following the trials of war criminals before the Nuremberg Tribunal and the Tokyo Tribunal. However, the revolutionary precedent established by the Nuremberg and Tokyo trials did not develop into a fully-fledged body of international criminal rules, known as 'international criminal law', until the end of the Cold War, when the International Criminal Tribunal for the former Yugoslavia and the International Criminal Tribunal for Rwanda were set up by the United Nations Security Council. This chapter focuses on the criminalization of war crimes under international law and compares it with the parallel criminalization of crimes against humanity and genocide.

345.2/952

War crimes in modern warfare / Karl Zemanek. - In: Schweizerische Zeitschrift für internationales und europäisches Recht = Revue suisse de droit international et de droit européen = Rivista svizzera di diritto internazionale e europeo = Swiss review of international and european law, 2014/2, 24e année, p. 207-240

Modern methods in warfare make it difficult to attribute responsibility for war crimes. The paper examines that in three instances: private military and security companies (PMSCs), lethal autonomous robots (LARs) and computer network attacks (CNAs). With PMSCs the crucial question is whether the hiring contract proves a sufficient link to engage the hiring state's responsibility for the company's misconduct. Since LARs are not operated by a human, the options for assigning individual criminal responsibility are doubtful. CNAs suffer from the as yet unsure technical means to definitely establishing their source. Although CNAs targeting a civilian object are likely war crimes, the technical impossibility of establishing the source prevents the verification of either state or individual responsibility.

INTERNATIONAL HUMANITARIAN LAW-GENERAL

Bibliography 2013 : international humanitarian law : based on the ICRC Library classified acquisitions / ICRC ; compil. by Michèle Hou. - Geneva : ICRC, May 2014. - 167 p. ; 30 cm

A compilation of the four electronic quarterly International Humanitarian Law bibliography issued by the ICRC Library during the year 2013. Based on the library's regular and extended acquisitions on IHL, this bibliography is aimed at helping students, professors and legal professionals be up-to-date and have overview on issues being dealt with by academic authors in specific subjects of IHL. It contains articles, chapters, books, reports and working papers in English and French. Subject headings include general issues, types of conflict, armed forces and non-state actors, multinational forces, detention and treatment of persons, private actors, protection of persons, protection of objects, conduct of hostilities, weapons, law of occupation, international criminal law, human rights, implementation, contemporary challenges and countries. Easy to use, the bibliography also offers abstracts.

345.2/922(2013)
Réf. DIH6-I(2013)
4198/002

Current issues of international humanitarian law : Belgrade National Assembly of the Republic of Serbia, 16 December 2010 : international seminar / organized by the International Institut of Humanitarian Law ; [ed. by Stefania Baldini]. - San Remo : International Institute of Humanitarian Law, [2011]. - 135 p. : cartes, fotogr., diagr. ; 24 cm

The volume, reproducing the proceedings of the international Seminar on current issues of international humanitarian law, which took place in Belgrade on 16th December 2010, offers an overview of the more recent evolution of a legal framework confronted with a number of new challenges arising from the transformation of the very nature of armed conflict and the growing complexity of the international security environment.

345.2/958

Initiative der Schweiz und des IKRK für die bessere Einhaltung des Humanitären Völkerrechts : Rede auf der 24. Tagung zum Humanitären Völkerrecht des Deutschen Roten Kreuzes in Ettlingen am 21. März 2014 / Nicolas Lang. - In: Humanitäres Völkerrecht : Informationsschriften = Journal of international law of peace and armed conflict, Vol. 27, 2/2014, p. 60-64

International humanitarian law : recent case-law and materials : part 2. - Tilburg : Global Law Association, 2012. - 596 p. : ill. ; 25 cm. - (Global human rights law collection ; vol. 13M)

345.21/44

Das Internationale Komitee vom Roten Kreuz und die Weiterentwicklung des Rechts des nicht-internationalen Konflikts / Michael Bothe. - Baden-Baden : Nomos, 2013. - p. 11-22. - In: Streitkräfte und nicht-staatliche Akteure

355/1030

Laws of war and international law / [Editors]: René van der Wolf and Willem-Jan van der Wolf. - Nijmegen : Wolf Legal Publishers, 2013. - 3 vol. (402, 321, 446 p.) ; 26 cm. - (International law series). - ISBN 9789058500243

L'ouvrage présente une sélection de documents juridiques, parfois mis en contexte de leur époque, et analyse certains points de l'histoire et de l'influence et convergence du droit international, du droit national, de la coutume et de la science.

345.2/722(I)
345.2/722(II)
345.2/722(III)

Legal asymmetries in asymmetric war / Ryder MacKeown. - In: Review of international studies, 2014, p. 1-22. - Photocopies

Standard conceptions of the relationship between international law and war in International Relations (IR) mostly oscillate between the sceptical view that law is mostly irrelevant in times of conflict, and the optimistic view that law is a meaningful moral standard that effectively constrains violence. Modern asymmetric conflicts between liberal democratic states and non-state actors such as the Taliban, al-Qaeda, or Hamas challenge these conceptions, however, as they are at once increasingly legal and extremely violent. Drawing inspiration from IR and International Law (IL) scholarship from multiple theoretical paradigms, this article examines the legal asymmetries before, during, and after asymmetric conflict. Noting that law is at once a useful tool and a strong normative force, it argues that a good understanding of legal asymmetries can supplement existing theories of asymmetric war, continue the dissolution of false dichotomies and open up interesting avenues of research in IR, and help both scholars and policymakers understand how international law influences modern asymmetric conflict against non-state actors.

345.2/961(Br.)

New frontiers in the laws of war : international humanitarian law transparency / Lesley Wexler. - In: Journal of transnational law and policy, Vol. 23, 2013-2014, p. 93-117. - Photocopies

This article identifies the demand for public transparency as a new frontier in international humanitarian law (IHL). When new conflicts occur, they expose the limitations of the IHL regime and often spur major reform efforts. It suggests that the growing movement for greater public access to information is just as significant as proposals for substantive IHL changes, calls for enhanced accountability, and suggestions for better training. Its advocates contend that information is a necessary precondition to intelligent public debate over IHL reform and assessments of IHL compliance. Demands for enhanced public transparency span the range of IHL activities: the classification of conflicts, the sorting of combatants and civilians, the numbers of civilian casualties, the deployment of unlawful weapons, the conditions of detention, the use of coercive interrogation, its facilitation via extraordinary rendition, and the punishment for unlawful activities.

345.2/960(Br.)

The United States and international humanitarian law : building it up, then tearing it down / Morris Davis. - In: North Carolina journal of international law and commercial regulation, Vol. 39, issue 4, summer 2014, p. 983-1028. - Photocopies

This article examines the development and the objectives of modern international humanitarian law, particularly the principle of distinction intended to limit the effects of war on those not directly involved in the conflict. It looks at actions the United States took after the terrorist attacks on September 11, 2001, that undermine the foundations upon which international humanitarian law rests. It also looks at how these actions weaken the legal and moral authority of the United States and casts doubt upon its claim to be securely bound to the highest standards of conduct in times of war.

345.2/959(Br.)

War is governance : explaining the logic of the laws of war from a principal-agent perspective / Eyal Benvenisti, Amichai Cohen. - In: Michigan law review, Vol. 112, no. 8, June 2014, p. 1363-1415. - Photocopies

What is the purpose of the international law on armed conflict, and why would opponents bent on destroying each other's capabilities commit to and obey rules designed to limit their choice of targets, weapons, and tactics? Traditionally, answers to this question have been offered on the one hand by moralists who regard the law as being inspired by morality and on the other by realists who explain this branch of law on the basis of reciprocity. Neither side's answers withstand close scrutiny. In this Article, we develop an alternative explanation that is based on the principal-agent model of domestic governance. We pry open the black box of "the state" and examine the complex interaction between the civilian and military apparatuses seething beneath the veil of sovereignty. Our point of departure is that military conflicts raise significant intrastate conflicts of interest that result from the delegation of authority to engage in combat: between civil society and elected officials, between elected officials and military commanders, and within the military chain of command. We submit that the most effective way to reduce domestic agency costs prevalent in war is by relying on external resources to monitor and discipline the agents. Even though it may be costly, and reciprocity is not assured, principals who worry that agency slack may harm them or their nation's interests are likely to prefer that international norms regulate warfare. The Article expounds the theory and uses it to explain the evolution of the law and its specific doctrines, and it outlines the normative implications of this new understanding of the purpose of the law. Ultimately, our analysis suggests that as a practical matter, international law enhances the ability of states to amass huge armies because it lowers the costs of controlling them. Therefore, although at times compliance with the law may prove costly in the short run, in the long run states with massive armies are its greatest beneficiaries.

345.2/957(Br.)

INTERNATIONAL HUMANITARIAN LAW-CONDUCT OF HOSTILITIES

A battle over elasticity : interpreting the concept of "concrete and direct military advantage anticipated" under international humanitarian law / Yutaka Arai-Takahashi. - Cambridge [etc.] : Intersentia, March 2014. - p. 351-367. - In: The realisation of human rights : when theory meets practice : studies in honour of Leo Zwaak. - Photocopies

This essay focuses on the key notion 'concrete and direct military advantage' under Articles 51(5)(b) and 57 AP I. It dissects the elements of this notion for the purpose of demonstrating the extent to which this consolidated notion has spawned several additional broader interpretations. This analysis is purported to examine why there is much of elasticity in construing this notion, as compared to the relatively curt treatment given to the countervailing interest of minimising collateral civilian casualties. The investigations will shed light on how the parameters of the notion 'concrete and direct military advantage' may be considered (over-)stretched. To gain closer insight into divergent understandings of components of the expression 'concrete and direct military advantage', analyses will turn to the material element of Article 8(2)(b)(iv) of the Rome Statute of the International Criminal Court (ICC Statute), which contains the corresponding war crime of disproportionate collateral casualties, and to the ICC's Elements of Crimes, which provides elaborate commentaries on the normative ingredients of this war crime.

345.25/305(Br.)

Extending positive identification from persons to places: terrorism, armed conflict, and the identification of military objectives / Laurie R. Blank. - In: Utah law review, Vol. 2013, no. 5, 2013, p. 1227-1261. - Photocopies

This Article addresses the identification of military objectives in a variety of non-international armed conflict contexts, including conflicts with terrorist groups operating transnationally and conflicts with non-state actors located outside the state's borders. In particular, the nature of non-international armed conflict can alter how the basic definition and analysis of the term "military objective" is applied. To the extent that the application of the definition of military objectives in non-international armed conflicts introduces

complications and conceptual challenges that blur the lines between civilian and military, and exacerbate existing difficulties, it is important to tease out and better understand those conceptual challenges. Building on foundational discussions of the law of targeting and the definition of military objective as set out in Additional Protocol I and customary international law, this Article analyzes the legal and operational complexities of identifying military objectives in non-international armed conflicts. The first question centers on the meaning of the criterion of "nature" and whether it is substantially narrower in the identification of military objectives on the non-state actor side of the conflict. A second major question concerns dual-use objects -- does the nature of non-international armed conflict result in nearly all objects being dual-use objects? Finally, this Article explores the ramifications of cross-border and transnational conflicts in particular for *jus ad bellum* and operational considerations as well in applying and interpreting the definition of military objectives.

345.28/111(Br.)

International humanitarian law and the challenge of combatant status / Jonathan Crowe. - In: International law annual, Vol. 2, 2014, p. 17-22. - Photocopies

International humanitarian law faces a range of ongoing challenges. These include the challenges posed by new and emerging types of weapons, the changing face of armed conflict and the political dynamics of the international community. This article focuses on the challenges these kinds of issues can pose for one of the most fundamental principles of international humanitarian law: namely, the principle of distinction. International humanitarian law encourages a clear and reliable division between combatants and non-combatants. The principle of distinction requires combatants to distinguish at all times between military targets and civilian objects and stipulates that only military targets may be the object of attack. This is arguably the most important principle of the whole law of armed conflict. The principle is undermined if attacking forces cannot readily distinguish combatants from other parties.

345.29/209(Br.)

Law-of-war perfidy / Sean Watts. - In: Military law review, Vol. 219, Spring 2014, p. 106-175

The structural role of law-of-war perfidy is widely unappreciated and misunderstood. More than a prohibition of underhanded or dishonorable conduct, the prohibition of perfidy is an essential buttress to the law of war as a medium of exchange between combatants - a guarantee of minimum respect and trust between belligerents even in the turmoil of war. Indeed, it may be difficult to conceive of an operative or effective war convention at all without guarantees against and protections from perfidy. Yet most existing conceptions of perfidy, whether drawn from treaty, military legal doctrine, or legal scholarship, merely restate imprecise codifications or offer little more than a vague sensibility. Amid seismic shifts in the conduct, scale, participants, and means of warfare, States have codified progressively narrower conceptions of perfidy, ultimately incorporating discrete legal elements into the offense. This article argues that a principled conception of perfidy that protects minimal concerns of humanity and preserves the law of war as a scheme of minimum good faith between adversaries is at once highly elusive but critical to the future of regulated violence.

Necessity and non-combatant immunity / Seth Lazar. - In: Review of international studies, Vol. 40, issue 1, January 2014, p. 53-76. - Photocopies

The principle of non-combatant immunity protects non-combatants against international attacks in war. It is the most widely endorsed and deeply held moral constraint on the conduct of war. And yet it is difficult to justify. Recent developments in just war theory have undermined the canonical argument in its favour - Michael Walzer's, in *Just and Unjust Wars*. Some now deny that non-combatant immunity has principled foundations, arguing instead that it is entirely explained by a different principle: that of necessity. In war, as in ordinary life, harms to others can be justified only if they are necessary. Attacking non-combatants, the argument goes, is never necessary, so never justified. Although often repeated, this

argument has never been explored in depth. In this article, I evaluate the necessity-based argument for non-combatant immunity, drawing together theoretical analysis and empirical research on anti-civilian tactics in interstate warfare, counterinsurgency, and terrorism.

345.25/113(Br.)

New frontiers in the laws of war : proportionate defense / Jeff McMahan. - In: Journal of transnational law and policy, Vol. 23, 2013-2014, p. 1-36. - Richard B. Lillich Memorial lecture. - Photocopies

The purpose of this essay is to explore some of the hitherto unappreciated complexities in the idea of proportionality. It explains how a requirement of proportionality differs from a requirement of necessity, distinguish among various types of proportionality, and examine the ways in which proportionality in defense differs from proportionality in punishment. It also suggests that certain good or bad effects may have less weight than others, or even no weight at all, in the assessment of proportionality. Finally, it argues that proportionality is not just a matter of the consequences of action but is also sensitive to the ways in which consequences are brought about.

345.25/307(Br.)

Permissibility of targeted killing / Ophir Falk. - In: Studies in conflict & terrorism, Vol. 37, issue 4, 2014, p. 295-321. - Photocopies

Targeted killing has become an increasingly prevalent tactic employed by states in their efforts to counter terrorism. Despite its widespread use, the criteria for targeted killing permissibility have remained vague. This article identifies and evaluates the circumstances under which targeted killings can be considered permissible and looks at on-the-ground implementation by Israel and the United States. While both Israel and the United States may have largely adhered to the laws of armed conflict, in practice, discrepancies in implementation exist. This is primarily due to the ambiguity of the "distinction" and "proportionality" principles, two key legal and moral criteria that need further clarification.

345.25/301(Br.)

Proportionality in international law / Michael Newton, Larry May. - Oxford [etc.] : Oxford University Press, 2014. - X, 339 p. ; 24 cm. - Bibliographie : p. 305-323. Index. - ISBN 9780199355037

Proportionality in International Law critically assesses the law of proportionality in normative terms combining abstract philosophical and legal analysis with highly emotive contemporary combat cases. The principle of proportionality permits actions that are logically linked to the intended goal, and thus defines the permissible boundaries for the initiation and conduct of modern wars. The case studies discussed in this book are predominantly from the perspective of those who make decisions in the midst of armed conflict, bringing analytic rigor to the debates as well as sensitivity to facts on the ground. The authors analyze modern usages of proportionality across a wide range of contexts enabling a more complete comprehension of the values that it preserves. This book contrasts the applications of proportionality in both *jus ad bellum* (the law and morality of resort to force) and within *jus in bello* (the doctrines applicable for using force in the midst of conflicts). Proportionality in International Law provides the reader with a unique interdisciplinary approach, offering practitioners and policymakers alike greater clarity over how proportionality should be understood in theory and in practice.

345.25/303

Reconstructing the civilian/combatant divide : a fresh look at targeting in non-international armed conflict / Monika Hlavkova. - In: Journal of conflict and security law, Vol. 19, no. 2, Summer 2014, p. 251-278 : diagr.

The role of necessity in international humanitarian and human rights law / Lawrence Hill-Cawthorne. - In: Israel law review, Vol. 47, issue 2, July 2014, p. 225-251. - Photocopies

The nature of armed conflict has changed dramatically in recent decades. In particular, it is increasingly the case that hostilities now occur alongside 'everyday' situations. This has led to a pressing need to determine when a 'conduct of hostilities' model (governed by international humanitarian law - IHL) applies and when a 'law enforcement' model (governed by international human rights law - IHRL) applies. This, in turn, raises the question of whether these two legal regimes are incompatible or whether they might be applied in parallel. It is on this question that the current article focuses, examining it at the level of principle. Whilst most accounts of the principles underlying these two areas of law focus on humanitarian considerations, few have compared the role played by necessity in each. This article seeks to address this omission. It demonstrates that considerations of necessity play a prominent role in both IHL and IHRL, albeit with differing consequences. It then applies this necessity-based analysis to suggest a principled basis for rationalising the relationship between IHL and IHRL, demonstrating how this approach would operate in practice. It is shown that, by emphasising the role of necessity in IHL and IHRL, an approach can be adopted that reconciles the two in a manner that is sympathetic to their object and purpose.

345.25/304(Br.)

Technological asymmetry and the law of armed conflict : the intersection of law and politics in the creation of differentiated state obligations / Michele Krech. - [S.l.] : [s.n.], [2014]. - 11 p. ; 30 cm. - Winning paper of the Fourth Annual Student International Humanitarian Law Writing Competition, Center for Human Rights and Humanitarian Law at American University Washington College of Law and the American Society of International Law's Lieber Society

This paper asserts that the law of armed conflict (LOAC), despite its theoretical equal application, actually holds technologically superior militaries (TSMs) to higher standards, and that such differentiated and capacity-based obligations are further buttressed by the politics of war. The law serves as a baseline by which states' actions are publicly scrutinized, resulting in improved humanitarian protection overall. In order to illustrate that the existing legal framework assigns differentiated responsibilities, Part II outlines the relevant provisions of LOAC, particularly the proportionality and precautionary principles. Part III then highlights certain political factors which reinforce differentiated obligations, including the impacts of non-governmental organization (NGO) and media monitoring, 'lawfare', and public perceptions of state behaviour. Both these sections also note how differentiated obligations affect humanitarian protection. Part IV identifies certain limits to the differential obligations supported by the current interplay of law and politics, and provides examples of commitments beyond this limit. Finally, Part V provides some general conclusions which underscore LOAC's modern relevance to technologically-asymmetrical warfare and humanitarian protection.

345.25/306(Br.)

INTERNATIONAL HUMANITARIAN LAW-IMPLEMENTATION

Compliance with international humanitarian law : democratic third parties and civilian targeting in interstate war / Alyssa K. Prorok and Benjamin J. Appel. - In: Journal of conflict resolution, Vol. 58, no. 4, 2014, p. 713-740. - Bibliographie : p. 737-740. Photocopies

This article examines compliance with international laws prohibiting the intentional targeting of noncombatants in interstate war, specifically focusing on the role of third-party states in enforcement. We argue that the expectation of third-party coercion, when sufficiently high, can induce war participants to comply with this body of law. We identify the conditions under which combatant states will anticipate a high likelihood of coercion, demonstrating that third-party states are most likely to coerce combatants when they have both the willingness and opportunity to do so. Democratic third parties that value the rule of law and human

rights possess the willingness to coerce war participants, while strong allies, trade partners, and intergovernmental organization (IGO) partners with existing ties to the combatant state have the opportunity to engage in coercion by linking combatant behavior to the provision of benefits or imposition of costs. Based on this logic, we hypothesize that war combatants who have ratified the Geneva/Hague Conventions prohibiting the intentional targeting of noncombatants during war are more likely to comply with the legal obligations included in those conventions when they interact with relatively strong democratic alliance, trade, and IGO partners. In a series of quantitative tests on a data set of all interstate wars from 1900 to 2003, we find strong statistical and substantive support for the role of third parties in inducing compliance with the law.

345.25/302(Br.)

L'évolution de l'héritage juridique humaniste d'Henry Dunant / Myriam Fillaud. - Paris : Pedone, 2013. - p. 51-62. - In: Humanisme et droit : offert en hommage au professeur Jean Dhommeaux. - Photocopies

Le but de cet article est d'explorer dans quelle mesure le droit et les outils juridiques - ambitieux - mis au service de l'Homme en période de conflit armé et tels qu'insufflés par Henry Dunant, constituent toujours un droit reconnu, appliqué et utile. Après avoir présenté les apports juridiques humanistes d'Henry Dunant, l'efficacité normative de ce droit face aux formes contemporaines de violence armée ou de crises, sera évaluée. Cette évaluation menant à des conclusions nuancées, une dernière partie de l'article sera consacrée aux nouveaux types d'outils juridiques humanistes qui semblent se développer afin de refreiner les manifestations actuelles de violence (la justice transitionnelle comme outil de lutte contre l'impunité liée au conflit armé et le développement de l'état de droit comme garantie future du non-retour à la violence).

345.22/241(Br.)

The international conference on the Great Lakes Region (ICGLR) and the implementation of international humanitarian law (IHL) in the Great Lakes Region / Kasaija Phillip Apuuli. - In: Uganda's paper series on international humanitarian law, Vol. 1, No. 1, August 2013, p. 49-70. - Photocopies

345.2/964(Br.)

International humanitarian law and the Israeli Supreme Court / Aharon Barak. - In: Israel law review, Vol. 47, issue 2, July 2014, p. 181-189. - Photocopies

In contrast with most other municipal courts in the world, the Israeli Supreme Court routinely decides cases based on international humanitarian law (IHL). Since the Six Day War in 1967, both the state and the Supreme Court have agreed that the Court has jurisdiction to decide humanitarian issues that come before it from territory held under belligerent occupation. The Court has indeed done so in issues ranging from land seizures to targeted killings, ruling on the basis of the relevant IHL. The Court has been criticised for its judgments, both from the right wing of the political spectrum, who see it as interfering with military matters, and from the left, who see it as granting legitimacy to occupation. In this article, I briefly describe the development, both historical and legal, of IHL in the Israeli Supreme Court, the criticism of the way the law is applied by the Court, and finally the importance of the fundamental concepts of human dignity and proportionality to IHL decisions.

345.22/244(Br.)

Jurisdictional immunities of the State for serious violations of international human rights law or the law of armed conflict / Paul David Mora. - In: Canadian yearbook of international law = Annuaire canadien de droit international, Vol. 50, 2012, p. 243-287. - Photocopies

In its recent decision in Jurisdictional Immunities of the State (Germany v Italy: Greece Intervening), the International Court of Justice (ICJ) held that Italy had failed to respect

immunities enjoyed by Germany under international law when the Italian courts allowed civil actions to be brought against Germany for alleged violations of international human rights law (IHRL) and the law of armed conflict (LOAC) committed during the Second World War. This article evaluates the three arguments raised by Italy to justify its denial of immunity: first, that peremptory norms of international law prevail over international rules on jurisdictional immunities; second, that customary international law recognizes an exception to immunity for serious violations of IHRL or the LOAC; and third, that customary international law recognizes an exception to immunity for torts committed by foreign armed forces on the territory of the forum state in the course of an armed conflict. The author concludes that the ICJ was correct to find that none of these arguments deprived Germany of its right under international law to immunity from the civil jurisdiction of the Italian courts.

345.22/246(Br.)

The laws of war and public opinion : an experimental study / Adam S. Chilton. - [Chicago] : The University of Chicago, May 2014. - 20 p. : tabl., diag. ; 30 cm. - (Coase-Sandor Institute for Law and Economics working paper series ; no. 687). - Photocopies. - Bibliographie : p. 19-20

Research examining whether the laws of war change state behavior has produced conflicting results, and limitations of observational studies have stalled progress on the topic. I have conducted a survey experiment to bring new evidence to the debate. I directly test whether a mechanism hypothesized to drive compliance with international law — public opinion — creates pressure to comply with the laws of war. The results provide qualified support to research suggesting that democracies may comply with the laws of war when there is the expectation of reciprocity, and demonstrate the potential of using experimental methods to study the laws of war.

345.22/247(Br.)

The role of national courts in applying international humanitarian law / Sharon Weill. - Oxford : Oxford University Press, 2014. - XVIII, p. 221 ; 24 cm. - (International law in domestic legal orders). - Bibliographie : p. 201-218. Index. - ISBN 9780199685424

Evaluates how domestic courts have interpreted and applied international humanitarian law, and shows how their interpretations can differ. Establishes a methodology to critically assess the actions of domestic courts on a scale from acting as apologists for the use of force to actively promoting and enhancing international humanitarian law. Provides a detailed analysis of several key jurisdictions as case studies: the UK, US, Canada, Italy, Israel, and Serbia, and investigates how their rulings demonstrate the approach taken by each court

345.22/243

The role of the international conference of the Great Lakes Region (ICGLR) in the implementation of international humanitarian law (IHL) : a case of Uganda / Nakitto Saidat. - In: Uganda's paper series on international humanitarian law, Vol. 1, No. 1, August 2013, p. 73-100. - Photocopies, - bibliographie : p. 97-100

345.2/965(Br.)

The role of the International Court of Justice in the enforcement of the obligation of States to Investigate and prosecute serious crimes at the national Level / Thordis Ingadottir. - In: Israel law review, Vol. 47, issue 2, July 2014, p. 285-302. - Photocopies

States have undertaken an international obligation to investigate and prosecute individuals for serious human rights violations and grave breaches of international humanitarian law. However, compliance with that obligation is poor and prosecutions at the national level remain few. The mechanism for enforcement of that obligation is also limited. This article explores the way in which the International Court of Justice (ICJ) can play, and has played, a role in this respect. The jurisprudence of the Court is analysed with regard to three matters:

(i) the obligation of states to investigate and prosecute serious crimes at the national level; (ii) national criminal jurisdiction with regard to prosecution of serious crimes, as well as immunities from that jurisdiction; and (iii) the obligation of states to cooperate in criminal matters with other jurisdictions. The Court has adjudicated on some key issues relating to national prosecutions. Some of its findings have, without doubt, enhanced the enforcement of prosecution at the national level, while others have undermined it. Recent cases before the ICJ show an increased willingness by states to use the Court as an avenue for enforcement and, at the same time, the Court has proved more willing to utilise its powers.

345.22/245(Br.)

State responsibility and the individual right to compensation before national courts / Christian Tomuschat. - Oxford : Oxford University Press, 2014. - p. 811-839. - In: The Oxford handbook of international law in armed conflict

Normally, states parties to an armed conflict settle the financial consequences of that conflict in the traditional way, if ever they reach agreement, by concluding comprehensive treaties that embrace also all the claims that their nationals may have acquired on account of the conflict. The most common form of reparation consists of lump sum payments that do not differentiate between the different groups of victims. Remedies for individuals are not available within the framework of international humanitarian law (IHL) at the international level. This chapter explores state responsibility and the individual right to compensation before national courts, in particular violations of IHL. It looks at compensation claims before the courts of the alleged wrongdoing state, as well as those claims outside the alleged wrongdoing state. It considers national reparation programmes, tort claims arising from military operations during non-international armed conflict, tort claims arising from international armed conflict, the territorial clause, jus cogens versus jurisdictional immunity, implications for public policy, and universal jurisdiction for reparation claims.

352.2/952

Ein Überblick zum UN-Menschenrechtsschutz und seinen Bezügen zum humanitäres Völkerrecht / Wolfgang S. Heinz. - In: Humanitäres Völkerrecht : Informationsschriften = Journal of international law of peace and armed conflict, Vol. 27, 3/2014, p. 113-120

Die Verbreitungsarbeitsstrategie des Deutschen Roten Kreuzes / Robert Heinsch und Katja Schöberl. - In: Humanitäres Völkerrecht : Informationsschriften = Journal of international law of peace and armed conflict, Vol. 27, 3/2014, p. 108-112

INTERNATIONAL HUMANITARIAN LAW-LAW OF OCCUPATION

Blind in their own cause : the military courts in the West Bank / Yaël Ronen. - In: Cambridge journal of international and comparative law, Vol. 2, issue 4, 2013. - Photocopies

The military courts operating in the West Bank do not ordinarily regard the criminal system they enforce as governed by the law of occupation. Their reasoning for this view reveals that they perceive themselves as quasi-domestic courts. This approach removes the guarantee of basic protection for protected persons under the law of occupation, leaving suspects and defendants hostage to potential vagaries of the military commander in enacting the security legislation. The courts' responses to this shortfall in protection are principally that in practice, many of the international standards have been incorporated into the law applied in the military courts by duplication of Israeli law, and that Israel's High Court of Justice offers means of ensuring compliance of the criminal process with international law. Both responses further reflect the courts' abdication of their role in guaranteeing legal protection under the law of occupation.

345.28/112(Br.)

INTERNATIONAL HUMANITARIAN LAW-TYPE OF ACTORS

Controlling the use of power in the shadows : challenges in the application of jus in bello to clandestine and unconventional warfare activities / Todd C. Huntley and Andrew D. Levitz. - In: Harvard national security journal, Vol. 5, issue 2, 2014, p. 461-512. - Photocopies

This Article sheds some light on only a small fraction of the use of power in the shadows, that being the application of jus in bello to a state's use of surrogates to conduct clandestine and unconventional warfare activities. It examines the status of surrogates under the law of armed conflict, including an analysis of whether surrogates are combatants entitled to the combatant's privilege or if, and under what circumstances, they lose that protection. This Article also examines when surrogates who are members of an organized armed group could be targeted with armed force. Lastly, the Article looks at the jus in bello principle that presents the greatest challenges of application to clandestine and UW activities: distinction.

345.29/215(Br.)

Cyber warriors and the jus in bello / Vijay M. Padmanabhan. - In: International law studies, Vol. 89, 2013, p. 288-308

This article analyzes the difficult legal questions raised by application of the jus in bello categories to cyber warriors. The traditional category approach to targeting and detention works best when participation is limited to traditional combatants and it is possible to distinguish on the battlefield between combatants and civilians. Both assumptions are challenged in cyber operations.

Determining the status of private military companies under international law : a quest to solve accountability issues in armed conflicts / P. R. Kalidhass. - In: Amsterdam law forum, Vol. 6, no. 2, 2014, p. 4-19. - Photocopies

Private Military Companies are one of the newest non-state actors in the international scene operating around the globe in different situations as private entities carrying out public works. But their role and responsibility is unknown in international law. To hold them accountable for any violation of legal rules during armed conflicts it is essential to determine their legal status under international law. In the absence of their recognition as a distinctive category of persons under international humanitarian law, inferences could be drawn by reference to other defined categories of persons, namely, combatants, mercenaries and civilians. Based on such inferences the present article examines accountability related issues for any contravention, by civilian-contractors, during armed conflicts.

345.29/210(Br.)

Ending impunity : bringing superiors of private military and security company personnel to justice / Kate Neilson. - In: New Zealand yearbook of international law, Vol. 9, 2011, p. 121-159. - Photocopies

This article argues that the doctrine of command responsibility, as set out in art. 28 of the Rome Statute, should be used to combat the current impunity of private military and security companies (PMSCs). The origins, form, rationales and development of the doctrine are discussed before art. 28 is explored in detail. The relationship between PMSCs and command responsibility is then examined with a focus on how art. 28 can be applied to the superiors of PMSC personnel from the contracting state or from within the PMSC itself.

344/109(Br.)

L'externalisation des activités militaires et sécuritaires : à la recherche d'une réglementation juridique appropriée / Babou Cisse. - [S.l.] : [s.n.], février 2014. - 508 p. ; 30 cm. - Thèse pour obtenir le grade de Docteur en Droit public présentée et soutenue publiquement le 12 février 2014, Droit et Santé, Université Lille 2. - Photocopies. - Bibliographie : p. 475-495

Les sociétés militaires et de sécurité privées sont des personnes morales de droit privé employant des salariés pour exécuter les missions de sécurité et de défense que peuvent leur confier des Etats, des organisations internationales ou des entités non étatiques. Cette forme particulière de production de la sécurité n'est pas entièrement appréhendée par les conventions internationales et les législations internes des Etats. De cela résulte une absence de statut juridique international de ces acteurs qui sont de plus en plus présents dans la gestion des conflits armés et dans les opérations de maintien de l'ordre. Les obligations particulières de leurs clients ne sont pas non plus déterminées. Ce défaut d'encadrement spécifique avéré ne signifie pas qu'il y ait un vide juridique dans ce secteur d'activité. Certaines règles internationales et les droits nationaux peuvent effectivement s'appliquer aux activités des SMSP et aux contractants de ces dernières. Seulement, l'efficacité que devaient avoir de telles normes face à des situations qui n'ont pas été prises en compte lors de leurs adoptions, ne saurait être acquise. D'où un processus de régulation internationale et de réglementation nationale initié depuis quelques années par les Etats mais aussi par les organisations internationales. Les sociétés elles mêmes se sont senties concernées par la production de règles encadrant leurs activités et se sont lancées dans la mise en place de code conduite. L'imperfection guette toutes ces nouvelles règles spécifiques destinées à corriger les lacunes des conventions internationales et des lois internes. Ce qui nécessite la proposition de solutions envisageables dans le but de mieux prendre en compte les intérêts des SMSP et la protection de ceux qui s'exposent aux risques que procurent les prestations privées de sécurité militaire.

345.29/211

Focusing on armed non-state actors / Andrew Clapham. - Oxford : Oxford University Press, 2014. - p. 766-810. - In: The Oxford handbook of international law in armed conflict

This chapter examines the role and obligations of armed non-state actors in armed conflict. It suggests that the traditional approach of international law which excludes armed non-state actors from its list of suitable subjects is not helpful in protecting innocent victims and creates the impression that armed groups inhabit a lawless world. It proposes a number of options that can be considered when addressing violations of international law committed by armed non-state actors. These include encouraging codes of conduct and deeds of commitment, imposition of sanctions and criminal accountability, and launching initiatives aimed at the underlying causes of the conflict

345.2/952

Non-state actors and law of armed conflict revisited : enforcing international law through domestic engagement / Anton O. Petrov. - In: Journal of conflict and security law, Vol. 19, no. 2, Summer 2014, p. 279-316

Compliance of non-State actors (NSA) constitutes a major problem of the law of armed conflict (LOAC). The reasons lie in the very structure of the law applying in non-international armed conflicts (NIAC). NSA feel disadvantaged and often do not recognize these State-made rules. A promising step is to engage NSA in some form of norm-setting. This can address the deficits of the current law of NIAC by creating a sense of ownership among NSA, and leading to a better-suited legal regime. It has been suggested to conduct this on an international level, and to grant NSA international law-making powers. This article points to significant potential downsides of such an approach. Instead, it argues, the same—or even better—results can be achieved by keeping the engagement on the domestic level and focusing on ad hoc regulation. From the outset, international law-making powers of NSA face major doctrinal difficulties. But also for practical reasons, ad hoc instruments are better suited to ensure a sense of ownership among NSA and to achieve tailored results for the specific conflict. Such

domestic processes are also more sensitive to State concerns and interests making their participation more likely which, in turn, increases chances of successful implementation of an effective legal regime. Domestic and international approaches should not be seen as opposing, as they can often complement one another. This article seeks to contribute to the on-going discourse by highlighting some currently neglected aspects.

Non-state armed groups and technology : the humanitarian tragedy at our doorstep ? / Dave Wallace and Shane Reeves. - In: The University of Miami national security and armed conflict law review, Vol. 3, 2013, p. 26-45. - Photocopies

Technological advances are altering the contemporary asymmetric conflicts between non-state armed groups and state actors. This article discusses the humanitarian consequences of these changing conflicts by first illustrating the dangers posed by non-state armed groups gaining access to advanced technologies. A subsequent examination of the increasing ability of non-state armed groups to use new technologies, such as cyber operations, to mitigate state actor advantages and the resultant risks to civilian populations follows. The article concludes that the humanitarian challenges presented by this growing intimacy between non-state armed groups and technology, whether through a potentially devastating attack or by the dramatic erosion to the principle of distinction, are immense and cannot be ignored. 345.29/213(Br.)

Private security contractors and neutral relief workers : an unlikely marriage ? / Shannon Bosch. - In: African yearbook on international humanitarian law, 2013, p. 163-195

This article seeks to ascertain whether the use of private security companies (PSC) - who in recent armed conflicts have been hired by relief workers - automatically undermines the neutrality of a relief worker's actions and results in the revocation of their IHL mandate to provide humanitarian aid. It then asks what legal limitations are placed upon the activities of PSCs who are hired by relief workers, so that they do not through their direct participation in hostilities make themselves legitimate military targets, and by extension expose the relief workers to the risk of being injured as collateral damage. At the heart of the issue is the need to assess to what extent the neutral status of relief workers is or may be compromised by the presence of PSCs. In other words, might a legitimate relief worker's actions amount to direct participation in hostilities in circumstances where his or her organisation has engaged the services of a PSC ?

Silent partners : private forces, mercenaries, and international humanitarian law in the 21st century / Steven R. Kochheiser. - In: The University of Miami national security and armed conflict law review, Vol. 2, summer 2012, p. 86-109. - Photocopies

In response to gritty accounts of firefights involving private forces like Blackwater in Iraq and Afghanistan, many legal scholars have addressed the rising use of private forces - or mercenaries - in the 21st century under international law. Remarkably, only a few have attempted to understand why these forces are so objectionable. This is not a new problem. Historically, attempts to control private forces by bringing them under international law have been utterly ineffective, such as Article 47 of Additional Protocol II to the Geneva Conventions. In Silent Partners, the author proposes utilizing the norm against mercenary use as a theoretical framework to understand at what point private forces become objectionable and then draft a provision of international humanitarian law to effectively control their use. Such a provision will encourage greater compliance with international law by these forces and reduce their negative externalities by ensuring legitimate control and attachment to a legitimate cause.

345.29/212(Br.)

Special operations forces and responsibility for surrogates' war crimes / Gregory Raymond Bart. - In: Harvard national security journal, Vol. 5, issue 2, 2014, p. 513-535. - Photocopies

This Article considers this specific issue: whether special operations forces (SOF) teams have duties under the law of war—as interpreted by war crimes jurisprudence—to investigate and

to attempt to prevent war crimes by surrogate forces. It does not address duties imposed by domestic statutes or regulations. Also, given the breadth of this topic, the Article focuses on the duties of SOF teams in the field—their tactical actions—and not those of higher, strategic, or policy-level decisionmakers. For example, consider the following scenario that might arise during an unconventional warfare mission. A SOF team deploys into a foreign country in either a permissive or non-permissive environment with the mission to accomplish U.S. military objectives through, with, or by surrogates—to train, equip, advise and assist, and even lead, in varying degrees, surrogate forces in combat. Before deploying, the team knows of general rumors that some of the surrogate groups may have committed acts that would constitute serious violations of the law of war. While deployed and providing military assistance, the team hears specific rumors that the surrogates with whom they are working might be committing war crimes. No SOF members directly participate in any war crimes. Within the context of law of war jurisprudence, what are SOF's responsibilities with respect to suspected or confirmed war crimes being committed by surrogate forces?

345.29/216(Br.)

Die völkerrechtliche Stellung der Partisanen im Kriege : unter besonderer Berücksichtigung des persönlichen Geltungsbereiches der Genfer Konventionen zum Schutze der Kriegsoffer vom 12. August 1949 / von Jürg H. Schmid. - Zürich : Polygraphischer Verlag, 1956. - XVIII, 196 p. ; 23 cm. - (Zürcher Studien zum internationalen Recht ; 23). - Bibliographie : p. XI-XV

345.29/70

345.29/70

Women and private military and security companies : one more piece for the puzzle / Catarina Prata. - Lisboa : Instituto da Defesa Nacional, 2013. - p.43-60. - In: Gender violence in armed conflicts

The first part introduces the phenomenon of Private Military and Security Companies (PMSC), to clearly understand what are we talking about when we pronounce the acronym PMSC. The second part addresses two main questions: the relationship that has been observed between PMSC employees and civilian women, on one hand; and between PMSC and women as their workers, on the other. The third part sums up the regulation attempts and clarify the role that gender has played on them. As conclusion, this chapter defends that the time has come to take into consideration the gender perspective and even further, to take gender seriously when we talk about armed conflicts, in general, and PMSC in particular.

362.8/208

INTERNATIONAL HUMANITARIAN LAW-TYPE OF CONFLICT

Belligerency recognition : past, present and future / Konstantinos Mastorodimos. - In: Connecticut journal of international law, Vol. 29, spring 2014, p. 301-326. - Photocopies

In traditional international law, the realities of internal violence have been described in different terms, depending on the level of violence, the success of the armed non-state actor (ANSA) and the interests of the parent or other states. A rebellion was a first level in which violence was relatively low, the ANSA created a little nuisance to the enemy state and there were minimal, if any, repercussions outside of the state where violence was taking place. Insurgency designated a relatively successful ANSA, possibly with some control over territory, whose actions had some consequences in the outside world. Belligerency implied a further increased level of violence and success for the ANSA and created the need for a more comprehensive corpus of legal rules to regulate the situation. This last situation is the focus of this article. The purpose of this article is to expose the past of belligerency, examine its present, explain its retreat, and reflect on whether it deserves any future or adds value to the current state of international law. It is argued that, despite its gradual demise,

belligerency recognition is still in existence and that it could be resurrected in appropriate cases.

345.27/137(Br.)

Der Bürgerkrieg und das Völkerrecht / Claus Kress. - In: Juristen Zeitung, 69 Jg., Nr. 8, April 2014, p. 365-373. - Photocopies

345.27/168(Br.)

The civilian cyber battlefield : non-state cyber operators' status under the law of armed conflict / Logan Liles. - In: North Carolina journal of international law and commercial regulation, Vol. 39, issue 4, summer 2014, p. 1091-1121. - Photocopies

Using two scenarios, one involving a hacker, the other a contractor, the article analyzes the status of both in an article 2 interstate conflict. Part II examines the current structure the LOAC employs to determine an individual's status and the preferences expressed by the law. Part III explores cyber warfare's physical and systematic nature. Part IV applies the framework of the LOAC to the two scenarios and identifies problems with such an application. Part V proposes a shift in interpretation of the LOAC in instances of cyber operations by non-State affiliated individuals to guarantee that non-State cyber operators do not exploit the gray area of unlawful combatancy. This Article concludes that States should either incorporate non-State cyber operators into their armed forces, or States should interpret "direct participation in hostilities" broadly enough to subject non-State cyber operators to the costs of taking up electronic arms.

345.29/214(Br.)

Cyber attacks : proportionality and precautions in attack / Eric Talbot Jensen. - In: International law studies, Vol. 89, 2013, p. 198-217

Malicious cyber activities are becoming more and more commonplace, including between nations. This has caused great speculation as to the rules that govern military cyber operations, particularly during armed conflict. The Tallinn Manual on the International Law Applicable to Cyber Warfare is indicative of the importance of this discussion. This article analyzes the application of the law of armed conflict principles of proportionality and precautions to cyber operations, including reference to the Tallinn Manual. In most cases, the existing law provides a clear paradigm to govern cyber activities. However, this article identifies several areas where governments and military operators might question how to apply these principles to a specific cyber operation. In these areas, greater precision is needed to provide clear guidance to those who plan, order, and conduct cyber operations. Part II of the article focuss on the constant-care standard and how it applies to all cyber operations. Part III looks at the principle of proportionality with specific focus on the idea of indirect effects. Part IV analyzes the issue of feasibility with the precautionary standards. Part V analyzes State responsibilities under the obligation to take precautions against the effects of attacks.

The cyber road ahead : merging lanes and legal challenges / Kenneth Watkin. - In: International law studies, Vol. 89, 2013, p. 472-511

This article first gives an outline of a unique aspect of the cyber domain in the context of its status as a new global commons and its prevalence within modern society. As a result there will be many stakeholders who have views that will impact on the regulation of cyber activity. Second, the analysis turns to specific legal challenges. This part looks at civilian participation in cyber conflict, consider the theoretical approaches applied when assessing cyber operations as a use of force, look at the use of the cyber domain for counter-measures short of war and address the significant potential for confusion at a foundational level regarding the use of the term "attack." Finally, the potential for successfully integrating cyber operations into a legal framework is considered by reference to efforts during the twenty-first century to regulate technologically advanced aerial warfare. Ultimately the road ahead is

identified as a challenging one, but with an attainable goal that will require flexibility in applying traditional legal principles to the cyber domain.

Cyber warfare : military cross-border computer network operations under international law / Johann-Christoph Woltag. - Cambridge [etc.] : Intersentia, 2014. - XVII, 313 p. ; 25 cm. - (International law series). - Bibliographie : p. 279-313. - ISBN 9781780682266

In the last five years the topic of cyber warfare has received much attention due to several so-called "cyber incidents" which have been qualified by many as State-sponsored cyber attacks. This book identifies rules and limits of cross-border computer network operations for which States bear the international responsibility during both peace and war. It consequently addresses questions on jus ad bellum and jus in bello in addition to State responsibility. By reference to treaty and customary international law, actual case studies (Estonia, Georgia, Stuxnet) and the Tallinn Manual, the author illustrates the applicability of current international law and argues for an obligation on the State to prevent malicious operations emanating from networks within their jurisdiction.

345.26/256

Hybride Bedrohungen / Joachim Sanden und Sascha-Dominik Bachmann. - In: Humanitäres Völkerrecht : Informationsschriften = Journal of international law of peace and armed conflict, Vol. 27, 3/2014, p. 120-128

Les interventions française et africaine au Mali au nom de la lutte armée contre le terrorisme / par Raphaël Van Steenberghe. - In: Revue générale de droit international public, Tome 118, no 2, 2014, p. 273-302

La France et certains Etats africains sont intervenus au Mali en janvier 2013 afin d'aider le gouvernement de transition malien à repousser les groupes terroristes contrôlant la partie nord de son territoire, alors que le Mali était en proie à une guerre civile et que le Conseil de sécurité des Nations Unies avait déjà adopté plusieurs résolutions au sujet de la situation malienne. Les interventions française et africaine, consenties par les autorités maliennes, n'ont fait l'objet d'aucune contestation de la part des autres Etats quant à leur légalité et ont été expressément approuvées par la plupart d'entre eux. Cet article s'interroge sur l'enseignement susceptible d'être tiré d'une telle approbation au sujet des règles tant du jus ad/contra bellum que du jus in bello. Il constate que, si le consentement des autorités maliennes constitue un fondement juridique permettant de justifier valablement chacune des interventions étrangères au regard du jus ad/contra bellum, l'objectif de lutte contre le terrorisme a joué un rôle particulièrement important dans l'approbation de ces interventions. Ce constat semble confirmer que, lorsqu'un Etat est dans une situation de conflit armé interne, l'intervention sollicitée par le gouvernement de cet Etat n'est permise que si elle vise un objectif autre que d'appuyer une partie à ce conflit au détriment du droit des peuples à disposer d'eux-mêmes. Il peut néanmoins également, voire uniquement, révéler que, dans le cas particulier où une intervention s'inscrit dans une situation ayant déjà conduit à l'adoption de résolutions par le Conseil de sécurité des Nations Unies, cette intervention, même valablement consentie, ne peut poursuivre un objectif incompatible avec les résolutions pertinentes du Conseil. Bien que déterminant dans la justification des interventions française et africaine, l'objectif de lutte contre le terrorisme n'a pas influencé l'application du jus in bello aux opérations entreprises dans le cadre de ces interventions. La lutte menée par les forces étrangères contre les groupes terroristes constituait manifestement un conflit armé au sens du droit international conformément au Protocole additionnel II aux quatre Conventions de Genève de 1949, quand bien même certaines puissances étrangères y étaient parties. Cette qualification a été expressément retenue par la France et le Mali dans leur accord relatif au statut des troupes françaises déployées en territoire malien, et au terme duquel ont également été accordées des garanties spécifiques supplémentaires à celles prévues par le Protocole, inspirées du droit des conflits armés internationaux et des droits de l'homme.

Keeping the cyber peace : international legal aspects of cyber activities in peace operations / Jann K. Kleffner and Heather A. Harrison Dinniss. - In: International law studies, Vol. 89, 2013, p. 512-535

What are the legal parameters governing peace operations with regard to ongoing cyber threats? Do peacekeepers' responsibilities extend to monitoring cyber threats? When may a peace operation be mandated to conduct cyber operations? How may peacekeepers respond to a cyber attack against them? Are there any legal constraints on a troop-contributing State conducting cyber operations outside the mission area? These are some of the pertinent questions that arise. Answering them from an international law perspective will very much depend on the specifics of the cyber threat, the precise mandate of the peace operation and the operational cyber capabilities of troop-contributing States, among other considerations. This article approaches the issue in the following manner. First, it briefly sets the general context by defining and describing contemporary peace operations. It then addresses the general law applicable to peace operations. Finally, it discusses the potential types of cyber operations and the legal challenges they pose in more detail.

The law of armed conflict's "wicked" problem : *levée en masse* in cyber warfare / David Wallace, Shane R. Reeves. - In: *International law studies*, Vol. 89, 2013, p. 646-668

The Law of Armed Conflict is often ill-suited for application in the cyber context. One particular example – trying to reconcile the concept of *levée en masse* with the "cyber conflicts between nations and ad hoc assemblages" – starkly illustrates this truth. To support this proposition this article begins with a brief discussion on the history of a *levée en masse*. An explanation of how the law of armed conflict defines and characterizes the individual battlefield status associated with *levée en masse* follows. The article then explores the unique aspects of hostilities in cyberspace and delves into the impracticality of applying the concept of *levée en masse* in the context of cyber warfare. It concludes with specific recommendations in terms of the reconceptualising of a *levée en masse* in cyber warfare and a hope that, by focusing on this nuanced provision of the law of armed conflict, a broader discussion will ensue.

The law of cyber warfare : *quo vadis* ? / Michael N. Schmitt. - In: *Stanford law and policy review*, Vol. 25, issue 2, 2014, p. 269-299. - Photocopies

Where is the law of cyberware going? This article offers thoughts on the process of normative evolution and identifies certain aspects of the law of sovereignty, the *jus ad bellum*, and the *jus in bello* which will have to acclimate to the growing threat cyberterrorists, cyberspies, cyberthieves, cyberwarriors, cyber hacktivists, and malicious hackers pose. For each, the article describes current law and indicates the probable vector of any change. Knowing where such fault lines lie should prove useful as states craft national cyberspace policies and issue rules of engagement, international organizations launch projects designed to achieve normative compatibility in cyberspace, and scholars explore the theoretical foundation for the future law of cyber warfare.

345.26/257(Br.)

Methods and means of cyber warfare / William H. Boothby. - In: *International law studies*, Vol. 89, 2013, p. 387-405

Central to the conduct of hostilities in an armed conflict are the tools and techniques with which the fight is undertaken. In non-cyber warfare, the tools, that is, the missiles, bombs, rifles, bayonets, mines, bullets and other weapons and associated equipment, are employed in ways that differ according to the military purpose that it is being sought after. These twin ideas of "military tools" and of the ways in which they are employed can be applied equally to cyber warfare. It follows that we should consider how the law that regulates, respectively, the tools or means of warfare and the ways or methods whereby those tools are used should properly be applied in the cyber context.

The military response to criminal violent extremist groups : aligning use of force presumptions with threat reality / Geoffrey S Corn and Tanweer Kaleemullah. - In: *Israel law review*, Vol. 47, issue 2, July 2014, p. 253-283. - Photocopies

While the scope of applicability of Common Article 3 to internal threats and disturbances has witnessed what is arguably a significant evolution since 1949, it is unclear whether and when this baseline humanitarian obligation - and the broader customary laws and customs of war applicable to non-international armed conflicts once this article is triggered - are applicable when a state confronts organised criminal gangs who possess a capability to engage in violence and wreak havoc that rivals, if not exceeds, that of traditional insurgent threats. Much of this uncertainty derives from the fact that the response to criminal disturbances appears to have been specifically excluded from situations triggering Common Article 3 when it was adopted in 1949. However, it is unlikely that the drafters of the Conventions at that time anticipated the nature of organised criminal gangs and the destabilising effect these groups have today in many areas of the world. The nature of this threat has resulted in the increasingly common utilisation of regular military forces to restore government control in areas in which they operate. This results in the use of force and the exercise of incapacitation powers that far exceed normal law enforcement response authority. It is therefore the thesis of this article that when the nature of these threats exceeds the normal law enforcement response authority and compels the state to resort to regular military force to restore order, international humanitarian law, or the law of armed conflict, provides the only viable legal regulatory framework for such operations. However, it is also the view of the authors that the risk of excess of authority inherent in this legal framework necessitates a carefully tailored package of rules of engagement to mitigate the risk that the effort to restore order will result in the unjustified deprivation of life, liberty and property.

345.27/136(Br.)

Organizing for cyberspace operations : selected issues / Paul Walker. - In: International law studies, Vol. 89, 2013, p. 341-361

With the establishment of United States Cyber Command, the United States dramatically raised the profile of cyberspace operations as a method of warfare, prompting other nations to follow suit and establish their own cyber operations units. As more and more states create such units, it is appropriate to examine the international law implications for how cyber operations units should be organized to conduct operations, given the unique nature of cyberspace as an operating domain. This article examines, through the prism of U.S. Department of Defense practices, three areas of the law of armed conflict with implications for the organization and execution of cyberspace operations. First, the issue of reviewing cyberspace weapons for compliance with the laws of armed conflict is examined by comparing and contrasting the practices of the services that comprise the United States armed forces. Second, the article addresses issues raised by the requirement to take precautions against the effects of attacks, specifically, the feasibility of clearly separating military objects and objectives from civilian objects in cyberspace. Finally, the article extends the discussion of precautions against the effect of cyber attacks to a State's conduct of its own cyber attacks, examining principles implicit in the interaction between a number of customary rules within the laws of armed conflict to arrive at conclusions as to how States should organize and prepare for conducting cyber attacks.

The road ahead : gaps, leaks and drips / Michael J. Glennon. - In: International law studies, Vol. 89, 2013, p. 362-386

Neither international law generally nor the law of armed conflict in particular is complete. Each contains apparent gaps, which are filled by the "freedom principle" (which permits states to act absent an established prohibition). Whether a specific gap exists must be determined case-by-case. It is unlikely that, if gaps do exist in the rules governing cyber-conflict, those gaps will soon be filled; the conditions necessary for the creation of effective international rules regulating cyber-conflict do not currently obtain. Among the most important of those conditions is attributability, which makes possible the threat of retaliation and deterrence. While the "attribution problem" remains a serious impediment to the formulation of effective international cyber-conflict rules, this barrier is mitigated by the possibility of leaks of the sort that occurred with respect to Stuxnet. The most likely future scenario is still, however, the continuation of "drip-drip" cyber-attacks that cause considerable damage.

The Syrian civil war and the Achilles' heel of the law of non-international armed conflict / Tom Ruys. - In: Stanford journal of international law, Vol. 50, issue 2, Summer 2014, p. 247-280. - Photocopies

The insistence of the Assad regime on treating members of non-state armed groups as terrorists that may receive grave sentences, and even the death penalty, upon capture may go some way in explaining the endemic disregard for the laws of war by all parties in the Syrian civil war. It is broadly recognized that the threat of the death penalty for mere participation in hostilities greatly reduces the incentives for rebel groups to comply with the law of armed conflict. The central thesis of the present contribution is that, under certain conditions, non-state armed groups must be granted combatant-like status without this being conditioned on the ad hoc consent of the de jure government. Clearly this position raises a host of questions, several of which were also raised during the 1949 Geneva Conference. If they were ultimately left unanswered at that time, the excesses of recent conflicts, such as that of Syria, stand as proof that the time is ripe to review.

345.27/139(Br.)

Territorial sovereignty and neutrality in cyberspace / Wolff Heintschel von Heinegg. - In: International law studies, Vol. 89, 2013, p. 123-156

One of the most difficult issues in cyber conflict is the application of territorial sovereignty and other geographic principles to an activity that defies the traditional notions of borders. The structure of the internet and the protocols by which it operates, including the inability to direct the path over which internet traffic travels, raise questions about the application of law of armed conflict provisions, such as the doctrine of neutrality, to cyber conflict. This paper analyzes the doctrine of neutrality in cyber conflict and argues that most provisions are still applicable to international armed conflicts but that some evolution would add clarity in the cyber age.

Terrorism and international humanitarian law / Ben Saul. - Cheltenham ; Northampton : E. Elgar, 2014. - p. 208-231. - In: Research handbook on international law and terrorism

This chapter focuses on the threshold issue when international humanitarian law (IHL) applies to violence involving terrorism or terrorist groups, in the context of international or non-international armed conflicts. It discusses the particularly complex problem of 'transnational' violence and the geographical and temporal scope of hostilities. It then considers the legal consequences of the classification of conflicts, as regards targeting, detention, substantive criminal liabilities, and criminal trial procedure. Overall the challenge of terrorism has principally impelled a clarification of existing IHL norms but without generating terrorism-specific rules or refashioning IHL's basic norms. Terrorists can be targeted for direct participation in hostilities; administratively detained where they are dangerous; and prosecuted for war crimes. Human rights law applies alongside the *lex specialis* of IHL to supplement its rules in certain areas, particularly as regards detention in non-international conflict. There is no need for any special status of 'terrorist' in IHL, which would only serve to diminish existing humanitarian protections. The chapter concludes with observations about the impact of international counter-terrorism law on the effectiveness of IHL, including its balance between military necessity and humanitarian protection.

303.6/228

Terrorism and military trials / Detlev Vagts. - Cheltenham ; Northampton : E. Elgar, 2014. - p. 271-281. - In: Research handbook on international law and terrorism

The geography of military commissions is curious. The most prominent state using military commissions is the United States (US), which is the focus of this chapter. They are also used in various dictatorial and authoritarian regimes around the world. At times military tribunals have been active in Israel, particularly in the occupied territories. Military courts were also

notoriously used by various Latin American military governments in suppressing domestic opponents. While England also established special courts for Northern Ireland (the Diplock courts) in response to (peacetime) IRA terrorism from 1973 to 2007, these courts were staffed with civilian judges and were designed only to ensure that jurors were not endangered. In general, governments are tempted to use military courts because of their perceived procedural advantages: governments may be able to exercise a greater degree of executive control over the judicial process, from the appointment of judges to the rules of procedure and evidence. However, as this chapter will show, over time both international law and domestic constitutional guarantees have increasingly imposed significant constraints on a state's freedom of action to design and utilize military trials of suspected terrorists, including because of human rights-based concerns. This chapter begins with a survey of the restrictions on military commissions imposed by international treaties and, in the case of the US, by its Constitution.

303.6/228

Terrorism and targeted killings under international law / Emily Crawford. - Cheltenham ; Northampton : E. Elgar, 2014. - p. 250-270. - In: Research handbook on international law and terrorism

Targeted killing has become part of the conventional military and security strategy of a number of states in their operations against terrorist suspects, with Israel, the US and Russia among the most notable that have openly employed such tactics. Controversy has arisen regarding whether, as the perpetrator states have asserted, such killings should be considered as part of an ongoing 'war' against terrorist organizations, thus judged according to the law on the use of force (*jus ad bellum*) and the law of armed conflict (*jus in bello* or international humanitarian law (IHL)), or whether the struggle against terrorist groups should be considered within a law enforcement framework, thus engaging international human rights law (IHRL). This chapter examines these issues.

303.6/228

Terrorism and the international law of occupation / David Kretzmer. - Cheltenham ; Northampton : E. Elgar, 2014. - p. 232-249. - In: Research handbook on international law and terrorism

Terrorist acts may be carried out in times of both peace and armed conflict. They may be committed in the sovereign territory of a state or in territory occupied by that state during an armed conflict. If we take the simplest definition of terror - acts of violence against persons not taking an active part in hostilities in an armed conflict in order to spread terror among the population - such acts are already unlawful under all domestic legal systems, as well as under military law which applies in occupied territory. This chapter is concerned not with the application of domestic law or military law to terrorism but with the norms of international law that apply to terrorism in occupied territory. Territory is regarded as occupied when, in the course of an international armed conflict, it falls under the actual authority of a hostile army. Since states may not acquire territory through use of force, the occupying power does not acquire sovereignty over the occupied territory. At the same time, as the main feature of the occupying power's authority is the inability of the legitimate government of the occupied territory to exercise governmental authority there, international law places obligations on the occupying power to fill the void on a temporary basis.

303.6/228

"Thou shall not kill" : the use of lethal force in non-international armed conflicts / David Kretzmer, Aviad Ben-Yehuda and Meirav Furth. - In: Israel law review, Vol. 47, issue 2, July 2014, p. 191-224. - Photocopies

The assumption of this article is that when a state is involved in an international armed conflict it may employ lethal force against combatants of the enemy unless they are hors de combat. Hence, even when it would be feasible to do so, it has no duty to apprehend enemy

combatants rather than use force against them. Does this same norm apply in non-international armed conflicts occurring in the territory of a single state (internal conflicts)? The writers argue that the answer is in the negative. Despite the attempt in recent years to narrow the differences between the norms that apply in non-international armed conflicts (NIACs) and international armed conflicts (IACs), there are still significant differences between the two types of armed conflict, which justify the application of different norms in this context. Common Article 3 of the Geneva Conventions refers only to humanitarian norms and does not imply that the norms relating to the conduct of hostilities in IACs apply also in NIACs. While customary international law may allow states to use lethal force in a NIAC in the actual conduct of hostilities, there is no basis for assuming that the norm that ostensibly applies in IACs relating to use of such force outside the context of hostilities applies in NIACs too. The jurisprudence of the International Criminal Tribunal for the former Yugoslavia, which is the main source for the arguments on closing the gap between IACs and NIACs, relates only to humanitarian norms and has never addressed extending the permissive IAC norms of the law of armed conflict (LOAC) to NIACs. Finally, in an internal armed conflict the state has a dual capacity: it must respect and ensure the human rights of all persons subject to its jurisdiction, and it is a party in an armed conflict with some of those persons. In such a situation, the only context in which the state may deviate from regular norms of law enforcement is the actual context of hostilities, in which application of such norms is not feasible. In other contexts, its human rights obligations prevail.

345.27/134(Br.)

INTERNATIONAL ORGANIZATION-NGO

Human rights violations by peacekeeping forces in Somalia / by Richard J. Wilson and Emily Singer Hurvitz. - In: Human rights brief, Vol. 21, issue 2, spring 2014, p. 2-8 : photogr.

Widespread sexual violence is occurring throughout South-Central Somalia, and the perpetrators of this violence are often alleged to be government security forces and military personnel from the African Union Mission for Somalia (AMISOM). Within Somalia, there is little recourse for victims of sexual violence, and human rights practitioners are looking to international options as alternative venues for seeking justice. This article uses the case of peacekeeping troops in Somalia perpetrating human rights violations to explore the liability of peacekeepers and their home states in these situations. It assumes, for purposes of analysis here, that due to their traditional immunities, the international organizations involved in providing the peacekeeping forces are not themselves accountable for human rights violations or criminal misconduct, but that issue is not explored comprehensively in this article.

"Peacekeeper babies" : an unintended legacy of United Nations peace support operations / Olivera Simic and Melanie O'Brien. - In: International peacekeeping, Vol. 21, no. 3, June 2014, p. 345-363

Time to react : the efficiency of international organizations in crisis response / Heidi Hardt. - Oxford [etc.] : Oxford University Press, 2014. - X, 252 p. : graph., tabl., diagr. ; 24 cm. - Bibliographie : p. 231-243. Index. - ISBN 9780199337118

341.215/253

NATIONAL RED CROSS AND RED CRESCENT SOCIETIES

150 ans d'action humanitaire : 15 témoins racontent / Guy Mettan.. [et al.]. - In: Votre Croix-Rouge : magazine de la Croix-Rouge genevoise, juin 2014, 72 p. : fotogr., portr. Contient notamment un reportage photos fait par Thierry Gassmann en 1988.

SN/CH/31

The power of mercy : the Chinese Red Cross Society, 1900-1937 / by Caroline Beth Reeves. - [S.l.] : [s.n.], May 1998. - 223 p. ; 30 cm. - Thesis presented for the degree of Doctor of Philosophy in the subject of History and East Asian languages, Harvard University, May 1998. - Photocopies. - Bibliographie : p. 212-223

SN/CN/12

NATURAL DISASTERS

Le tsunami numérique : gérer les catastrophes naturelles à l'heure des réseaux sociaux / Marc Hecker. - In: Etudes : revue de culture contemporaine, No 4207, juillet-août 2014, p. 9-18

PEACE

A crucial link : local peace committees and national peacebuilding / Andries Odendaal. - Washington : United States Institute of Peace, 2013. - X, 183 p. : tabl., diagr. ; 23 cm. - Bibliographie : p. 153-167. Index. - ISBN 9781601271815

172.4/263

Ghosts also die : resisting disappearance through the 'right to the truth' and the juicios por la verdad in Argentina / Sévane Garibian. - In: Journal of international criminal justice, Vol. 12, no. 3, July 2014, p. 515-538

This article attempts to provide a more complete understanding of the so-called right to the truth deriving from court-made doctrine in the human rights field, and associated with an alternative form of legal proceeding in Argentina that has no equivalent anywhere else in the world: the trial for the truth (juicio por la verdad), a procedure sui generis created in the aftermath of the military dictatorship as a reaction to both the politics of forgetting that prevailed in the 1990s and the continuing obstruction of criminal proceedings with amnesty laws that prevailed down to 2003. Protecting the right to the truth fulfils three functions: first, it reconciles amnesties with the right to judicial protection; second, it constitutes the condition for real access to justice; and third, it validates the reality of the crime. Each of these functions is associated with one of the three elements, which, together, comprise the struggle against impunity: investigation, sanction and reparation. Situated between truth commissions and classic criminal proceedings, symbolic reparation and retribution, the Argentinian trials for the truth offer a new way of conceiving both the criminal law judge's mission and the relations among law, truth, history and memory in the context of the rich debates about (post-)transitional justice.

Transitional justice / Nicolas Michel and Katherine Del Mar. - Oxford : Oxford University Press, 2014. - p. 840-883. - In: The Oxford handbook of international law in armed conflict

This chapter examines the different transitional justice mechanisms established to respond to serious international crimes that have occurred in the context of armed conflict. These transitional mechanisms include truth-seeking mechanisms such as truth commissions, commissions of inquiry, and judicial fact-finding. This chapter considers the problems that may arise in the interaction among different transitional justice mechanisms such as

protection of the rights of the accused. It also argues that transitional justice requires a coordinated approach among a plurality of mechanisms to assist a society in transitioning from a state of armed conflict in which serious international crimes were committed, to a peaceful and reconciled future.

352.2/952

PROTECTION OF CULTURAL PROPERTY

War time pains, all time pains : spoilage of cultural property in Mali / Afolasade Abidemi Adewumi. - In: Art antiquity and law, Vol. 18, issue 4, December 2013, p. 309-321. - Photocopies

This article, which is both descriptive, explores some of the issues arising from cultural heritage law, in particular as they affect destruction of cultural property in war-torn Mali. It argues that for sustainability of cultural heritage and the prevention of the loss of identity and the wiping out of a people's memory, nation States should become party to the 1954 Convention and its Protocols. It also argues that the fact that a State is party to the 1954 Convention does not guarantee the automatic application of the provisions of the 1999 Second Protocol to the Convention in the territory of that nation State. To enjoy the benefits of the Second Protocol, the State Party must first be party to the 1954 Convention and then to the Second Protocol. The underlying premise of this article is that only a near-universal ratification of the 1954 Convention and its Protocol II, coupled with efficient enforcement mechanisms at the domestic level and a historical conscience imbibed by people will guarantee sustainability of cultural heritage against hostilities during armed conflict.

363.8/214 (Br.)

PSYCHOLOGY

Head strong : how psychology is revolutionizing war / Michael D. Matthews. - Oxford [etc.] : Oxford University Press, 2014. - XXIII, 262 p. : diagr., fotogr., tabl. ; 25 cm. - Bibliographie : 233-240. Index. - ISBN 9780199916177
150/100

Narrating trauma : on the impact of collective suffering / ed. by Ron Eyerman, Jeffrey C. Alexander and Elizabeth Butler Breese. - Boulder ; London : Paradigm, 2013. - XXXV, 296 p. ; 23 cm. - (The Yale cultural sociology series). - Bibliographies. - ISBN 9781594518874

Contient notamment : A fire that doesn't burn ? : the allied bombing of Germany and the cultural politics of trauma / V. Heins and A. Langenohl. - The trauma of Kosovo in Serbian national narratives / I. Spasic. - Trauma construction and moral restriction : the ambiguity of the Holocaust for Israel / J. C. Alexander and S. M. Dromi. - Extending trauma across cultural divides : on kidnapping and solidarity in Colombia / C. Tognato
150/98

The psychology of terrorism / John Horgan. - Rev. and updated 2nd ed.. - London ; New York : Routledge, 2014. - XXII, 184 p. ; 24 cm. - (Political violence). - Bibliographie : p. 170-175. Index. - ISBN 9780415698023
303.6/141

Traumatismes de guerre : du raccommodement par l'écriture / Corinne Chaput-Le Bars ; préf. de Boris Cyrulnik. - Paris : L'Harmattan, 2014. - 254 p. ; 22 cm. - (Histoire de vie et formation). - Bibliographie : p. 227-239. Index. - ISBN 9782343021836

150/99

PUBLIC INTERNATIONAL LAW

Anticipatory self-defense in the cyber context / Terry D. Gill and Paul A. L. Ducheine. - In: International law studies, Vol. 89, 2013, p. 438-471

La coutume dans tous ses états : actes du colloque international des 15 au 17 juin 2010 à l'occasion de la célébration du 500^e anniversaire de la rédaction de la Coutume d'Auvergne, Clermont-Ferrand / Riom / contributions réunies par Jacqueline Vendrand-Voyer [et] Florent Garnier. - Paris : La mémoire du droit, 2013. - 414 p. : tabl. ; 24 cm. - (Recueil d'études). - ISBN 9782845390289

Contient notamment : Conflit de coutumes et théorie des statuts / B. Ancel. - La coutume internationale : dépassée ou toujours vivante ? / P. Bures. - Reimagining common law as a form of custom : a comparative approach between the UCC, the common law judge and la doctrine / C. Ferguson

345/662

An evaluation of the U.S. policy of "targeted killing" under international law : the case of Anwar Al-Aulaqi (part I) / Jake William Rylatt. - In: California western international law journal, vol. 44, fall 2013, p. 39-72. - Photocopies

During the past decade, the U.S. policy of conducting extraterritorial "Targeted Killings" against individuals linked with terrorist activities has been met with skepticism and scrutiny. However, while the strikes have followed transnational terrorists targeted by the United States into sovereign States such as Afghanistan, Pakistan, Yemen and Somalia, the United States has consistently denied any illegality, with reference to the "war against Al-Qaeda," and their right to self-defense in the wake of 9/11. This article evaluates the U.S. legal justifications for drone strikes with reference to the highly controversial case of Anwar Al-Aulaqi, a U.S.-Yemeni citizen killed by a Predator drone on September 30, 2011, following his identification by the United States as a senior operational leader of Al-Qaeda in the Arabian Peninsula (AQAP).

345/657(Br.)

Humanity across international law and biolaw / ed. by Britta Van Beers, Luigi Corrias and Wouter G. Werner. - Cambridge ; New York : Cambridge University Press, 2014. - XVI, 311 p. : diagr. ; 24 cm. - Index. - ISBN 9781107048188

Contient notamment : The inhuman stain : representing humanity in international criminal law / L. Corrias. - Deciding what is humane : towards a critical reading of humanity as a normative standard in international law / R. Urueña. - The protection of human dignity in research involving human body material / K. Van Assche and S. Sterckx.

345/659

Jus ad bellum and American targeted use of force to fight terrorism around the world / Anders Henriksen. - In: Journal of conflict and security law, Vol. 19, no. 2, Summer 2014, p. 211-250

Major powers and the contested evolution of a responsibility to protect / guest ed.: Philipp Rotmann, Thorsten Benner and Wolfgang Reinicke. - In: Conflict, security and development, Vol. 14, no. 4, September 2014, p. 355-564. - Bibliographies

Contient notamment : Emerging norm and rhetorical tool : Europe and a responsibility to protect / S. Brockmeier, G. Kurtz and J. Junk. - Singing the tune of sovereignty ? : India and the responsibility to protect / M. M. Jaganathan and G. Kurtz. - Multipolarity as resistance to liberal norms : Russia's position on responsibility to protect / X. Kurowska. - The two-level politics of support : US foreign policy and the responsibility to protect / J. Junk.

New frontiers in the laws of war : the UN Charter, human rights law, and contingent pacifism / Larry May. - In: Journal of transnational law and policy, Vol. 23, 2013-2014, p. 37-67. - Photocopies

This paper argues that new developments in both the jus ad bellum law of the use of force, and the jus in bello law of armed conflict, have moved international law quite close to the position of contingent pacifism. The UN Charter was meant to eliminate recourse of war as we had known it. And this continues to be the way the Charter is viewed today as a source of jus ad bellum law. In addition, there is a movement that sees that war cannot be conducted jus in bello, as we have, and still have respect for human rights. International humanitarian law has in the past largely followed the Just War tradition in regarding some wars as just even though war involves the intentional killing of humans. But that is changing with the human rights revolution that is sweeping across international law.

345/661(Br.)

Quel droit international pour le 21e siècle ? : rapport introductif et actes du Colloque international, Neuchâtel, 6-7 mai 2005 / Association des anciens étudiants de la Faculté de droit de l'Université de Neuchâtel ; organisé avec le soutien du Département fédéral des Affaires étrangères ; Yves Sandoz (éd.). - Bruxelles : Bruylant, 2007. - VIII, 176 p. ; 24 cm. - ISBN 9782802724537

345/658

Self-defensive force against cyber attacks : legal, strategic and political dimensions / Matthew C. Waxman. - In: International law studies, Vol. 89, 2013, p. 109-122

When does a cyber-attack (or threat of cyber-attack) give rise to a right of self-defense - including armed self-defense - and when should it? This essay examines these questions through three lenses: (1) a legal perspective, to examine the range of reasonable interpretations of self-defense rights as applied to cyber-attacks, and the relative merits of interpretations within that range; (2) a strategic perspective, to link a purported right of armed self-defense to long-term policy interests including security and stability; and (3) a political perspective, to consider the situational context in which government decision-makers will face these issues and predictive judgments about the reactions to cyber-crises of influential actors in the international system. It aims to show specifically how development of politics, strategy, and law will likely play out interdependently with respect to this particular threat - cyber-attacks - and to draw some conclusions about legal development in this area based on that analysis.

U.S. ad bellum : law and legitimacy in United States use of force decisions / Donald L. Potts. - In: Military law review, Vol. 219, Spring 2014, 196-246

REFUGEES-DISPLACED PERSONS

Extraterritorial immigration control : legal challenges / ed. by Bernard Ryan, Valsamis Mitsilegas. - Leiden ; Boston : M. Nijhoff, 2010. - X, 449 p. ; 25 cm. - (Immigration and asylum law and policy in Europe ; vol. 21). - Bibliographie : p. 431-445. Index. - ISBN 9789004172333

Contient notamment : Extraterritorial immigration control : what role for legal guarantees ? / B. Ryan. - The legal framework concerning the smuggling of migrants at sea under the UN protocol on the smuggling of migrants by land, sea and air / T. Obokata. - Extraterritorial migration control and human rights : preserving the responsibility of the EU and its member states / E. Brouwer. - The UK and extraterritorial immigration control : entry clearance and juxtaposed control / G. Clayton

325.3/492

International humanitarian law and *raison d'état* : the balance sheet of Kazakhstan's ratification of the Geneva Convention on refugees / Alex Danilovich, Sabina Insebayeva. - In: International journal of refugee law, Vol. 26, issue 1, March 2014, p. 112-129. - Photocopies

Post-soviet countries have been eager to accede to international humanitarian law while quite reluctant to honour the resulting obligations. The home to thousands of asylum seekers from neighbouring countries, Kazakhstan ratified the Geneva Convention on refugees in 1998. However, the Kazakhstani government regularly flouts its important provisions by denying bona fide asylum seekers refugee status and by sending applicants back to countries where they may face imprisonment, torture, and execution. This article is an attempt to explain why Kazakhstan does not always honour its obligations under international humanitarian law. It argues that maintaining good relations with influential neighbours from where refugees originate takes precedence over Kazakhstan's obligations under the Geneva Convention. Various empirical data are used to test this assumption, such as statistics on numbers of applicants extradited from Kazakhstan compiled by Amnesty International and Human Rights Watch, and qualitative data generated through in-depth interviews with UNHCR protection officers posted in the country. The time frame examined is the period between 1999, the year Kazakhstan ratified the Geneva Convention relating the Status of Refugees, and 2012. The analysis seems to uphold the assumption that Kazakhstan's *raison d'état* and resulting foreign policy priorities undermine its obligations under international humanitarian law.

325.3/106(Br.)

La protection internationale et européenne des réfugiés : la Convention de Genève du 28 juillet 1951 relative au statut des réfugiés à l'épreuve du temps / sous la dir. d'Anne-Marie Tournepiche. - Paris : Pedone, 2014. - 176 p. ; 24 cm. - (Collection droits européens). - ISBN 9782233007025

Contient notamment : La Convention de Genève du 23 juillet 1951 face aux problématiques contemporaines / S. Maier. - Convention européenne des droits de l'homme et protections internationales des réfugiés / C. Gauthier. - Le financement de la protection internationale des réfugiés / A.-M. Tournepiche. - Quel statut pour les déplacés environnementaux / M. Prieur.

325.3/491

Social policy or reparative justice ? : challenges for reparations in contexts of massive displacement and related serious human rights violations / Luis Eduardo Pérez Murcia. - In: Journal of refugee studies, Vol. 27, no. 2, June 2014, p. 191-206. - Bibliographie : p. 204-206

RELIGION

Protection of civilians during armed conflict in Islamic law / Walusimbi Abdul Hafiz. - In: Uganda's paper series on international humanitarian law, Vol. 1, No. 1, August 2013, p. 135-156. - Photocopies, - bibliographie : p.155-156

345.2/969(Br.)

The resonance of Christian political conceptions within international humanitarian law / D. Brian Dennison. - In: Uganda's paper series on international humanitarian law, Vol. 1, No. 1, August 2013, p. 157-172. - Photocopies

345.2/970(Br.)

SEA WARFARE

Counter-piracy operations and the limits of international humanitarian law / Thilo Marauhn. - Oxford ; Portland : Hart, 2014. - p. 67-77. - In: The law and practice of piracy at sea : european and international perspectives

The use of military force in the context of counter-piracy operations has given rise to the question whether the laws of war, and in particular international humanitarian law, have any role to play in these operations. In providing a simple answer to this question, this chapter can simply state : no - there is, as a matter of principle, no role to play for the laws of war in counter-piracy operations. Instead, counter-piracy operations are to be understood as law enforcement activities, to the exercise of which a different set of rules applies. The chapter, however, elaborate on the applicability of international humanitarian law, on the distinction between armed conflict and law enforcement operations, on the effects of applying either body of law to counter-piracy operations and on some conclusions from the perspective of maintaining international peace and security on the one hand and global order on the other.

347.799/152

Cyber war, cybered conflict, and the maritime domain / Peter Dombrowski and Chris C. Demchak. - In: Naval war college review, Vol. 67, no. 2, Spring 2014, p. 71-96. - Photocopies

347.799/150(Br.)

The law and practice of piracy at sea : european and international perspectives / ed. by Panos Koutrakos and Achilles Skordas. - Oxford ; Portland : Hart, 2014. - XL, 374 p. ; 25 cm. - Index. - ISBN 9781849464123

Contient notamment : The piracy provisions of the UN Convention on the Law of the sea : fit for purpose ? / R. Churchill. - Counter-piracy operations and the limits of international humanitarian law / T. Marauhn. - International law and US responses to piracy off the Coast of Somalia / G. Swiney. - Alternative approaches to piracy and armed robbery in Southeast Asian waters and off the horn of Africa : a comparative perspective / D. M. Ong.

347.799/152

Understanding naval warfare / Ian Speller. - London ; New York : Routledge, 2014. - XIV, 217 p. : tabl., diagr. ; 25 cm. - Bibliographie : p. 202-205. Index. - ISBN 9780415523455

347.799/151

TERRORISM

Counterterrorism operations, international law, and the debate over the use of lethal force / James W. Zirkle. - Chicago : Section of Administrative Law and Regulatory Practice, American Bar Association, 2014. - p. 213-229. - In: The fundamentals of counterterrorism law

This chapter provides a brief overview of some of the more significant legal issues presented by the threats of international terrorism, including the use of drones for the targeted killings of terrorist leaders. Two of the more significant areas of disagreement arise from the fact that the armed conflicts of today are primarily non-international armed conflicts (NIAC). The battlefields of today more frequently do not involve traditional forces arrayed against each other in pitched battles. Instead, civilians affiliated with terrorist groups take up arms and deliver murderous attacks across international boundaries with no regard for human life, much less state sovereignty. Because these conflicts are not state against state, the boundaries of the "battlefield" can be more difficult to ascertain. Because of the nature of NIACs, the battleground is often not neatly contained within defined state borders. This can

lead to a second point of disagreement. When lethal force is employed, should it be pursuant to international humanitarian law, or should international human rights law be applied ?

303.6/227

The global fight against terrorism and the application of international humanitarian law / Godard Busingye. - In: Uganda's paper series on international humanitarian law, Vol. 1, No. 1, August 2013, p. 123-134. - Photocopies

345.2/668(Br.)

Humanitarian action, development and terrorism / Andrej Zwitter. - Cheltenham ; Northampton : E. Elgar, 2014. - p. 315-332 : graph.. - In: Research handbook on international law and terrorism

Terrorism thrives on the suffering of people. Underdevelopment, unemployment, poor governance, and absence of the rule of law in combination with grievances are among the factors that facilitate the radicalization of people and the recruitment of new members to terrorist organizations. These conditions are being addressed by humanitarian action and development aid through the delivery of food, shelter, education, good governance training and other elements of a sustainable livelihood that people are entitled to under international human rights standards. The current aid regime, however, is in a classic Catch-22 when it comes to long-term terrorism prevention: international obligations require the delivery of humanitarian aid to anyone in need without prejudice to political affiliation, religion, or parties of a conflict. However, counterterrorism norms prohibit, under threat of prosecution, the giving of any support to terrorist groups, whether it is through material or logistical support or expert advice.

303.6/228

Research handbook on international law and terrorism / ed. by Ben Saul. - Cheltenham ; Northampton : E. Elgar, 2014. - XXXI, 797 p. : graph., tabl. ; 24 cm. - (Research handbooks in international law). - Index. - ISBN 9780857938800

Contient notamment : The definition(s) of terrorism in international law / M. Di Filippo. - The draft United Nations Comprehensive Convention on International Terrorism / A. R. Perera. - Terrorism and international humanitarian law / B. Saul. - International human rights law and terrorism : an overview / H. Duffy. - Challenges in United Nations counter-terrorism coordination / J. Cockayne. - Counter-terrorism and Pan-Africanism : from non-action to non-indifference / M. Ewi and A. Du Plessis

303.6/228

TORTURE

The prohibition of torture in exceptional circumstances / Michelle Farrell. - Cambridge ; New York : Cambridge University Press, 2013. - XVI, 277 p. ; 24 cm. - Bibliographie : p. 252-267. Index. - ISBN 9781107030794

323.2/198

Torture and moral integrity : a philosophical enquiry / by Matthew H. Kramer. - Oxford : Oxford University Press, 2014. - XV, 339 p. ; 24 cm. - Bibliographie : p. 317-325. Index. - ISBN 9780198714200

323.2/199

WOMEN-GENDER

The evolving status of conflict-related rape and other acts of sexual violence as crimes under international law / Jean de Dieu Sikulibo. - In: Humanitäres Völkerrecht : Informationsschriften = Journal of international law of peace and armed conflict, Vol. 27, 2/2014, p. 83-92

This article seeks to analyse whether wartime rape and other forms of sexual violence have gained recognition and firmly established as international crimes. Considering whether these crimes have been recently defined in international criminal law, the paper begins by underlining how this endemic conduct in war has been for too long ignored or sometimes given cursory treatment despite being inflicted for centuries as an integral aspect of warfare. This article offers a critical assessment of the contribution of international criminal tribunals and courts in the prosecution of rape and other forms of sexual violence as international crimes. The author argues that the effective prosecution of these crimes is still hindered by various challenges, despite increasing legal tools in this regard.

Fighting for gender equality : why security sector actors must combat sexual and gender-based violence / Charlotte Isaksson. - In: The Fletcher Forum of world affairs, Vol. 38:2, summer 2014, p. 49-72

Gender based crimes as "tools of war" in armed conflicts / Francisco José Leandro. - Lisboa : Instituto da Defesa Nacional, 2013. - p.148-182. - In: Gender violence in armed conflicts

For many generations of combatants, acts of sexual violence in armed conflicts were largely ignored, tolerated, blanketed, consider as a symbolic side effect, a mark of victory, and sometimes even taken as a "bonus or a compensation" for regular soldiers and mercenaries. For many years it has been perceived as essential to preserving the troops' morale. Sometimes, it was perceived as "part of the game". In fact, only in 1945 rape was recognized as an international crime, despite of the fact that the crime elements remained indeterminate until 1998. In this context women were considered property of unrestricted access. Likewise, for many generations, the international criminal law turned a blind eye to the accountability of perpetrators of sexual crimes in armed conflicts. Consequently, the purpose of this essay is to study how the International Humanitarian Law (IHL), the Law of Armed Conflicts (LOAC) and the International Criminal Law (ICL) are equipped to fight against impunity of gender-based crimes in armed conflicts each time they are perpetrated as a tool of war, while gender-based violence has recently emerged as a salient topic in the human security dimension. Recognizing that gender-based crimes in armed conflicts are neither a legal concept, nor a largely accepted and consensual designation, this study attempts to discover whether, currently, International Humanitarian Law and International Criminal Law incorporate the notion of gender-based violence as a tool of war, as a legal stand included into a larger concept of war crimes, as a constitutive act with respect to genocide and as a crime against humanity.

362.8/208

Gender based violence and international humanitarian law : steps to improve the protection of women in war / Michel Veuthey. - Lisboa : Instituto da Defesa Nacional, 2013. - p. 91-126. - In: Gender violence in armed conflicts. - Bibliographie : p. 115-126

This chapter first describes how women in war are protected by international humanitarian law: first by the general protection for all war victims, women and men, provided by the 1949 Geneva Conventions and by both 1977 Additional Protocols, and second, by some 40 provisions of these treaties that are specific protections for women. I then turns to three proposals for a better protection of women in time of armed conflict: 1) reinforce existing mechanisms of international humanitarian law (the State parties obligation to respect and ensure respect, Protecting Power, ICRC, the UN and the International Fact-Finding Commission) ; 2) make a better use of mechanisms of other legal systems (Human rights, environmental law,

international criminal law, disarmament, labor law, civil liability,...) ; 3) use remedies more creatively (civil liability claims, traditional customary mechanisms, restorative justice).

362.8/208

The International Crimes Division of Uganda and reparations for victims of sexual violence in Northern Uganda / Veronica Nakijoba. - In: Uganda's paper series on international humanitarian law, Vol. 1, No. 1, August 2013, p. 31-48. - Photocopie, - bibliographie : p. 46-48

345.2/963(Br.)

Metodologías en el estudio de la violencia sexual en el marco del conflicto armado colombiano / Lina M. Céspedes-Báez, Nina Chaparro González, Soraya Estefan Vargas. - In: Colombia internacional, 80, enero a abril de 2014, p. 19-56. - Photocopies. - bibliographie : 53-56

362.8/218(Br.)

The role of women in making and building peace in Liberia : gender sensitivity versus masculinity / Anne Theobald. - Stuttgart : ibidem, 2012. - II, 141 p. : carte, graph., diagr., tabl. ; 21 cm. - Bibliographie : p. 117-141. - ISBN 9783838203867

362.8/16

Sexual violence during war and peace : gender, power, and post-conflict justice in Peru / Jelke Boesten. - Basingstoke ; New York : Palgrave Macmillan, 2014. - XI, 231 p. ; 23 cm. - (Studies of the Americas). - Bibliographie : 207-223. Index. - ISBN 9781137383440

362.8/17

Sexual violence in the course of armed conflict : thinking beyond gender / Mahesh Menon. - In: AALCO journal of international law, Vol. 2, Issue 2, p. 189-201. - Photocopies

It is only in the recent years that prosecution and punishment of sexual violence occurring in the course of armed conflicts has received the attention of the international community. While most of this limited attention that was gathered was spent only on violence perpetrated against women, in its later years of evolution, it was acknowledged that the victims of sexual violence are not limited to any particular gender. In the background of the increasing number of reports that indicate the proliferation of sexual violence against men, this article examines the extent to which the current international legal order that penalise sexual violence perpetrated in the course of armed conflicts is neutral as to the gender of the victim. Subsumed in this analysis are the case of men and also those categories of persons who do not wish to identify themselves as belonging to either of the genders.

362.8/215(Br.)