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## AIR WARFARE

**Air and missile warfare under international humanitarian law / Yoram Dinstein.** - In: *Revue de droit militaire et de droit de la guerre = The military law and law of war review = Tijdschrift voor militair recht en oorlogsrecht = Zeitschrift für Wehrrecht und Kriegsvölkerrecht = Rivista di diritto militare e di diritto della guerra = Revista de derecho militar y de derecho de la guerra*, 51/1, 2013, p. 81-91

Rendering homage to Erwin Dahinden's incessant support for efforts aiming to clarify operational law, Yoram Dinstein outlines the Air and Missile Warfare Programme of Legal Education (AMPLE) and Erwin Dahinden's decisive role in launching that project at the Geneva Centre for Security Policy in 2010. He first describes the Air and Missile Warfare Manual (AMW Manual) produced by an international Group of Experts (under the auspices of the Program on Humanitarian Policy and Conflict Research at Harvard University) and finalized by consensus in 2009, which the AMPLE team used as a basic tool. After presenting some general observations on air and missile warfare, the lecture turns to specific issues in air and missile warfare such as the use of drones, the protection of civilians, how neutrality is an important topic in air and missile warfare, and how the Group of Expert dealt with those topics during the drafting of the AMW Manual and its Commentary.

**Operational challenges of the law on air warfare : the example of Operation Unified Protector / Marvin R. Aaron and David R. D. Nauta.** - In: *Revue de droit militaire et de droit de la guerre = The military law and law of war review = Tijdschrift voor militair recht en oorlogsrecht = Zeitschrift für Wehrrecht und Kriegsvölkerrecht = Rivista di diritto militare e di diritto della guerra = Revista de derecho militar y de derecho de la guerra*, 52/2, 2013, p. 353-377

This article addresses the operational challenges of the law on air warfare during NATO operation Unified Protector (OUP), which was aimed at protecting the Libyan people under the mandate provided by the UN Security Council. The conduct of OUP resulted in the use of force against the Gadaffi-led government of Libya. The authors argue that the Geneva Conventions and Additional Protocol I applied because of the existence of an international armed conflict, to which, among others, NATO as an international organization was a party. The mandate of the UN Security Council provided for the enforcement of an arms embargo and a No-Fly Zone. The arms embargo was (also) enforced in international airspace and waters. The conduct of OUP forces while enforcing the embargo may have been subject to the laws of armed conflict and guided by the law of neutrality, but the wording of the UN Security Council Resolutions certainly limited the permissible use of force. With regard to the No-Fly Zone there are different perspectives on civilian aircraft violating the No-Fly Zone and their status under the laws of armed conflict. The prevailing perspective is that the mere presence of a civilian aircraft in such a zone, does not render it a military objective. Although OUP raised many legal questions, the authors conclude that the conduct of OUP forces has shown that the legal complexity did not lead to violations of the law.

## ARMS

**The Arms Trade Treaty (2013) / [Stuart Casey-Maslen, Gilles Giacca and Tobias Vestner].** - Geneva : Geneva Academy of international humanitarian law and human rights, 2013. - 44 p. ; 30 cm. - (Academy Briefing ; no. 3). - Photocopies. - ISBN 9782970078647

341.67/760 (Br.)

**Chemical weapons and the International Criminal Court / by Andreas Zimmermann and Meltem Sener.** - In: *American journal of international law*, Vol. 108, no. 3, July 2014, p. 436-448

When the contracting parties to the Rome Statute establishing the International Criminal Court met in Kampala in 2010 to discuss possible amendments to the statute, the main focus was,

and has thereafter remained, on the crime of aggression. In addition to amending the statute to include the crime of aggression, however, the contracting parties amended Article 8 of the statute to include a broader range of war crimes in non-international armed conflicts over which the ICC can have jurisdiction - inter alia, by including the use of chemical weapons. The use of chemical weapons by Syrian government forces in 2013 (and perhaps subsequently) has acutely raised questions concerning the extent of the ICC's treaty-based jurisdiction, both under the unamended text of the Rome Statute or in situations where the amendment to Article 8 applies. These events have also provoked consideration concerning the Security Council's legal powers to extend the ICC's jurisdiction to certain crimes involving chemical weapons that would otherwise be beyond its subject matter jurisdiction. These questions are considered in this Note. It considers first, the basis of the now standard view that the use of chemical weapons constitutes a war crime under customary law in both international and non-international armed conflicts; second, whether despite the intentional omission of references to chemical weapons in the original Rome Statute, the ICC's treaty-based jurisdiction extends in non-international armed conflicts to the use of chemical weapons by states for which the Kampala amendment to Article 8 is not in force; and third, whether the Security Council may confer such ICC jurisdiction by way of a Security Council referral.

**How will weapons reviews address the challenges posed by new technologies ? / Bill Boothby.** - In: *Revue de droit militaire et de droit de la guerre* = The military law and law of war review = *Tijdschrift voor militair recht en oorlogsrecht* = *Zeitschrift für Wehrrecht und Kriegsvölkerrecht* = *Rivista di diritto militare e di diritto della guerra* = *Revista de derecho militar y de derecho de la guerra*, 52/1, 2013, p. 37-59

The law of weaponry does not simply prohibit or restrict the use of certain weapons, means and methods of warfare but goes on to set out rules designed to ensure that States comply. Those rules on compliance include a kind of self-policing rule in which States are required themselves to assess the legitimacy of what they plan to acquire or produce. It is the purpose of this contribution to consider a number of questions. What exactly are States obliged to assess; what are the criteria against which the assessment should be undertaken, how should the assessment criteria be applied to cyber weapons, autonomous attack capabilities, space weapons and nanotechnology and what does all of this tell us about the relevance and adaptability of modern weapons law to the technological demands of the 21st century? The author does not presume in what follows to seek to predetermine how States should interpret the rules by reference to these technologies. Rather, he seeks to set out his own understanding of the technologies concerned and of the relevant law and to explain his own views on how they interrelate.

**Just unmanned warfare : old rules for new wars ? / Jai Galliot.** - Farnham ; Burlington : Ashgate, 2015. - p. 65-93. - In: *Military robots : mapping the moral landscape*

341.67/765

**Military robots : mapping the moral landscape / Jai Galliot.** - Farnham ; Burlington : Ashgate, 2015. - VIII, 266 p. : graph. ; 24 cm. - (Military and defence ethics). - Bibliographie : p. 237-262. Index. - ISBN 9781472426628

341.67/765

**The new nuclear disorder : challenges to deterrence and strategy / Stephen J. Cimbala.** - Farnham ; Burlington : Ashgate, 2015. - XIII, 254 p. : graph., tabl., diagr. ; 25 cm. - Bibliographie : p. 237-245. Index. - ISBN 9781472455024

341.67/763

**Le traité sur le commerce des armes : genèse, analyse, enjeux, perspectives du premier instrument juridique consacré à la réglementation des transferts internationaux d'armes conventionnelles / Loïc Simonet ; [préf. de Oscar Arias Sánchez].** - Paris : Pedone, 2015. - 220 p. ; 24 cm. - Bibliographie : p. 189-204. - ISBN 9782233007407

341.67/762

**Völkerrechtliche Implikationen des Einsatzes bewaffneter Drohnen / von Julius Philipp Städele.** - Berlin : Duncker and Humblot, 2014. - 353 p. ; 24 cm. - (Schriften zum Völkerrecht ; Bd. 209). - Bibliographie : p. 328-350. Index. - ISBN 9783428145089

341.67/761

**WMD arms control in the Middle East : prospects, obstacles and options / ed. by Harald Müller and Daniel Müller.** - Farnham ; Burlington : Ashgate, 2015. - XXVII, 329 p. : tabl. ; 25 cm. - (The Ashgate plus series in international relations and politics). - Bibliographies. Index. - ISBN 9781472435934

Contient notamment : The Iran nuclear dilemma : the peaceful use of nuclear energy and the NPT's main objectives / S. H. Mousavian. - Biological and chemical weapons and the prospective disarmament process in the Middle East / J. P. Zanders. - Making peace attractive : emphasizing the benefits of a negotiated agreement between Israel and the Palestinians / C. Baumgart-Ochse.

341.67/764

## **CONFLICT-VIOLENCE AND SECURITY**

**Armed groups : the 21st century threat / Peter G. Thompson.** - Lanham [etc.] : Rowman and Littlefield, 2014. - VII, 235 p. : tabl. ; 23 cm. - Bibliographie : p. 215-227. Index. - ISBN 9781442226531

355/1053

**At all costs and in spite of all terror ? : the victory of just war / Cian O'Driscoll.** - In: Review of international studies, April 2015, 13 p.. - Photocopies

355/1054 (Br.)

**Drone wars : transforming conflict, law, and policy / ed. by Peter L. Bergen and Daniel Rothenberg.** - New York : Cambridge University Press, 2015. - XV, 478 p. : tabl., graph. ; 24 cm. - Index. - ISBN 9781107025561

355/1057

**Removing the crutch : external support and the dynamics of armed conflict / Matthew Testerman.** - In: Studies in conflict and terrorism, 2015, p. 1-14. - Photocopies

355/1052 (Br.)

**Rewriting the just war tradition : just war in classical greek political thought and practice / Cian O'Driscoll.** - In: International studies quarterly, Vol. 59, issue 1, March 2015, p. 1-10. - Photocopies. - Bibliographie : p. 8-10

355/1051 (Br.)

## **DETENTION**

### **Detention in international military operations : problems and process / Jacques Hartmann.**

- In: *Revue de droit militaire et de droit de la guerre* = *The military law and law of war review* = *Tijdschrift voor militair recht en oorlogsrecht* = *Zeitschrift für Wehrrecht und Kriegsvölkerrecht* = *Rivista di diritto militare e di diritto della guerra* = *Revista de derecho militar y de derecho de la guerra*, 52/2, 2013, p. 303-352

On 20 October 2012 the Danish Government published a document entitled the "Copenhagen Process: Principles and Guidelines". The document was the outcome of the "Copenhagen Process on the Handling of Detainees in International Military Operations", a five-year multi-stakeholder effort to develop principles and good practices on detention in international military operations. The document addresses uncertainties surrounding the basis for the detention, treatment, and transfer of detainees during international military operations. This article outlines the legal problems concerning detention and transfer of detainees in international military operations, considers the process that led to the adoption of the principles and guidelines contained in this non-legally binding document and analyses that document.

### **Do the good intentions of European human rights law really pave the road to IHL hell for civilian detainees in Occupied Territory ? / Nobuo Hayashi.** - In: *Journal of conflict and security law*, Vol. 20, no. 1, Spring 2015, p. 133-163

This article cautions against the notion that the good intentions of European human rights law necessarily undermine international humanitarian law. In *Al-Jedda*, despite some suggestions to the contrary, the European Court did not misconstrue the law of belligerent occupation. The court erred, however, in assuming that the duty of non-detention under Article 5(1) of the European Convention can only be 'displaced' by a counter-duty of security detention. Whereas the law of belligerent occupation does not impose such a counter duty, it does empower the occupation authorities to detain on security grounds, and exercising this power would frustrate observing Article 5(1) and vice versa. The norm conflict was soluble, but the would-be need to modify the scope and/or content of Article 5(1) or the law of belligerent occupation, rendered the European Court ill suited for the task. Nevertheless, the court's ruling against the UK need not mean that European occupying powers suddenly have no choice but to kill rather than detain without charge (and risk lawsuits later) when countering security threats. On the contrary, the law of belligerent occupation helps the occupiers devise *Al-Jedda*-compliant detention regimes. The judgment's repercussions are direr for the internment of prisoners of war.

### **KL : a history of the nazi concentration camps / Nikolaus Wachsmann.** - New York : Farrar Straus and Giroux, 2015. - XI, 865, [32] p. de pl. : fotogr., cartes, tabl., graph. ; 25 cm. - Bibliographie : p. 779-826. Index. - ISBN 9780374118259

400.3/171

### **Treatment of prisoners and detainees / John Sawicki.** - Farnham ; Burlington : Ashgate, 2015. - p. 271-281. - In: *The Ashgate research companion to military ethics*. - Bibliographie : p. 281

Efforts to protect prisoners of war and individuals held by combatant forces have an elaborate architecture in the global order. Yet the situation has become increasingly distorted by the rising prominence of non-state actors (illegal combatants) in conflict. This chapter addresses this gray area in three stages : first, to survey the main aspects of the law of war, especially as it illumines the topic of prisoner and detainee status, and second to parse the particular issues surrounding the application of the law on war to prisoners and detainees. Last, attention will be paid to the challenge of Fourth Generation Warfare as it impacts on these contemporary matters.

345.2/975

## ECONOMY

**L'état de l'économie 2015 / Hervé Péléraux... [et al.].** - In: *Alternatives économiques*, Hors-série no 104, février 2015. 98 p. : fotogr., graph., cartes. - Bibliographies

330/269

## ENVIRONMENT

**Guerres et paix... et écologie : les risques de militarisation durable / Ben Cramer.** - Gap : Y. Michel, 2014. - 172 p. : ill. ; 22 cm. - Bibliographie : p. 165-172. Index. - ISBN 9782364290556

363.7/158

## GEOPOLITICS

**Afghanistan : identity, society and politics since 1980 / ed. by Micheline Centlivres-Demont ; introd. by Olivier Roy.** - London ; New York : I. B. Tauris, 2015. - XXII, 316 p. : carte ; 24 cm. - Chronologie. Index. - ISBN 9781784530815

Contient notamment : What went wrong ? : humanitarianism in crisis in Afghanistan / A. Donin. - Young Afghanistani refugees in Iran : professional training, work and perspectives / K. Abbasi. - Afghanistan 2014 : another excuse for yet more disaster ? / E. Girardet.

323.13/AFG 30

**Boko haram : inside Nigeria's unholy war / Mike Smith.** - London ; New York : I. B. Tauris, 2015. - XIV, 233 p. : cartes ; 23 cm. - Bibliographie : p. 227-228. Chronologie. Index. - ISBN 9781784530747

323.11/NGA 10

**L'Égypte en révolutions / sous la dir. de Bernard Rougier et Stéphane Lacroix.** - Paris : Presses universitaires de France, 2015. - 322 p. : tabl., graph., cartes ; 22 cm. - (Proche Orient). - ISBN 9782130607854

Contient notamment : La justice égyptienne dans l'ère post-révolutionnaire / N. Brown. - Sinaï : la production du terrorisme / I. Alexandrani. - Une révolution urbaine en Égypte ? / R. Stadnicki.

323.15/EGY 2

**L'empire sans limites : pouvoir et société dans le monde russe / Laurent Chamontin ; préf. de Isabelle Facon.** - [La Tour d'Aigues] : Ed. de l'Aube, 2014. - 269 p. : carte ; 19 cm. - (Monde en cours : L'ère planétaire). - ISBN 9782815909136

323.14/RUS 35

**Guerres mystiques en Côte d'Ivoire : religion, patriotisme, violence (2002-2013) / Marie Miran-Guyon.** - Paris : Karthala, 2015. - 367 p. : fotogr., ill., cartes ; 25 cm. - (Religions contemporaines). - Bibliographie : p. 333-349. Chronologie. Index. - ISBN 9782811112165

323.11/CIV 8

**The incorporation of Crimea by the Russian Federation in the light of international law / C. Marxsen, A. Peters, M. Hartwig (eds.).** - In: *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht = Heidelberg journal of international law*, 75. Jg., H. 1/2015, 305 p. : tabl.

**Kurdistan(s) : une nation, des Etats ? / Hosham Dawod... [et al.].** - In: *Moyen-Orient : géopolitique, géoéconomie, géostratégie et sociétés du monde arabo-musulman*, No 26, avril-juin 2015, p. 15-71 : fotogr., cartes. - Chronologie  
Contient notamment : Le peuple kurde : identité nationale et divergences politiques / entretien avec M. van Bruinessen. - Irak : Daech contraint les Kurdes à revoir leurs alliances / H. Dawod. - Au delà de la "bataille de Kobané" : la société civile kurde de Syrie en sursis / J. T. Gorgas.  
**Purché ci temano / Nicola Walter Palmieri.** - [S.l.] : Wolters Kluwer, 2014. - XVI, 207 p. : fotogr., ill., carte ; 24 cm. - Bibliographie : p. 203-207. - ISBN 9788813340643

345.2/976

**Protest and its suppression in the Occupied Palestinian Territories and in Turkey / Shlomit Stein, Felix Petersen.** - In: *Humanitäres Völkerrecht : Informationsschriften = Journal of international law of peace and armed conflict*, Vol. 28, 1/2015, p. 4-12

This article provides an analysis of the legal framework and executive treatment of protest in contested social and political settings. In particular, it focuses on protest policing in the Occupied Palestinian Territories and inquiries into policing and prosecution of protest in Turkey. Both cases display extreme forms of state action against protest. Precisely because of their extreme nature, these cases shed light on the legitimate limits of state action in this respect. In short, the comparative analysis shows that problematic forms of protest control are those which utilize law in order to draw artificial lines distinguishing between legitimate and illegitimate dissent. It further illustrates the political consequences of a normalization of the use of extraordinary means to maintain public order, ultimately leading to the continuous trumping of the right to protest in favour of security interests.

**Searching for security : the rising marginalization of religious communities in Pakistan / Minority Rights Group ; Sustainable Development Policy Institute (SDPI).** - London : MRG, December 2014. - 36 p. : carte, tabl. ; 30 cm. - ISBN 9781907919534

323.13/PAK 9

**La Suisse entre l'Inde et le Pakistan : mandats de protection, bons offices et médiation, 1971-1976 / par Nicolas Rion.** - [S.l. : s.n.], 2005. - 192 p. : graph. ; 30 cm. - Mémoire de licence, Faculté des Lettres, Université de Fribourg, juillet 2005. - Bibliographie : p. 186-190

323.13/28

**Syrie : le chaos à huis clos / piloté par Gérard Pascal ; sous la dir. de Boris Martin.** - In: *Humanitaire : enjeux, pratiques, débats, Supplément*, no 40, mars 2015, 46 p. : fotogr.  
Contient notamment : La société civile syrienne, premier acteur humanitaire dans la guerre / R. Abazied. - L'humanitaire en question(s) : débat organisé le 24 mai 2014 au siège de Médecins du Monde. - Dans les profondeurs du borbier syrien / P. Harling.

**Les vampires à la fin de la guerre d'Algérie, mythe ou réalité ? : document / Gregor Mathias ; préf. de Guy Pervillé.** - Paris : Michalon, 2014. - 186 p. : cartes ; 20 cm. - Bibliographie : p. 176-183. - ISBN 9782841867561

323.15/DZA 25

## **HEALTH-MEDICINE**

**Annual report 2013 / ICRC Special Fund for the Disabled.** - Geneva : ICRC, [2014]. - 52 p. : fotogr., cartes, tabl. ; 30 cm

356/272



**Glimpses of future battlefield medicine : the proliferation of robotic surgeons and unmanned vehicles and technologies / Gary Martinic.** - In: *Journal of military and veterans' health*, Vol. 22, no. 3, 2015, p. 4-12 : fotogr.. - Photocopies. - Bibliographie : p. 10-12

356/273 (Br.)

**Special report "Health Care in Danger" 2013 : respecting and protecting health care in armed conflicts and other emergencies / International Committee of the Red Cross, External Resources Division.** - Geneva : ICRC, April 2014. - 34 p. : fotogr., tabl. ; 30 cm

356/271

## **HISTORY / BIOGRAPHY**

**1945 : la fin de la guerre, le début d'un monde nouveau / Jean-Baptiste Michel... [et al.].** - In: *Geohistoire*, No 20, avril-mai 2015, 138 p. : fotogr., cartes, ill. Contient notamment : *L'apocalypse en quatre actes / V. Kubiak.* - *Dachau : les couleurs de l'enfer / V. Saux.* - *Des bourreaux sur la route de l'exil / B. Gibiat.* - *"A Yalta, il n'y a pas eu de partage du monde" / entretien de Maurice Vaïsse.*

94/538

**[Gustave Moynier (arabe) : 1826-1910] / [François Bugnion].** - [Alger] : [Dahlab], 2014. - 95 p. : fotogr., ill. ; 18 cm. - Bibliographie : p. 87-94. Chronologie. - ISBN 9789961612957

92/318 (ARA)

**[Henry Dunant (arabe) : 1828-1910] / [Roger Durand].** - [Alger] : [Dahlab], 2014. - 94 p. : ill., fotogr. ; 18 cm. - Chronologie. - ISBN 9789961612949

92/DUN 92 (ARA)

**Vite parallele di Henry Dunant e Gustave Moynier : fondatori della Croce Rossa / Roger Durand, François Bugnion ; a cura di Paolo Vanni... [et al.] ;.** - Firenze : Emmebi, 2013. - 176 p. : fac-sim., fotogr., ill. ; 18 cm. - Traduction de deux ouvrages : "Henry Dunant : 1828-1910 / R. Durand" et "Gustave Moynier : 1826-1910 / F. Bugnion". - Bibliographies : p. 87-90 et p. 171-176. Chronologies. - ISBN 9788889999776

92/DUN 92 (ITA)

## **HUMAN RIGHTS**

**A chronic protection problem : the DPRK and the responsibility to protect / Alex J. Bellamy.** - In: *International affairs*, Vol. 91, no. 2, March 2015, p. 225-244

**Framing the issues in moral terms III : rights and right conduct / Robert E. Williams.** - Farnham ; Burlington : Ashgate, 2015. - p. 143-152. - In: *The Ashgate research companion to military ethics.* - Bibliographie : p. 152

345.2/975

**Human rights : between idealism and realism / Christian Tomuschat.** - 3rd ed.. - Oxford : Oxford University Press, 2014. - LIII, 464 p. ; 24 cm. - (The collected courses of the Academy of European Law ; Volume 13/3). - Index. - ISBN 9780199683734

345.1/551

**The rise and fall of human rights ? : searching for a narrative from the Cold War to the 9/11 era / William I. Hitchcock.** - In: *Human rights quarterly : a comparative and international journal of the social sciences, humanities, and law*, Vol. 37, no. 1, February 2015, p. 80-106

**The UN human rights due diligence policy : an effective mechanism against complicity of peacekeeping forces ? / Helmut Philipp Aust.** - In: *Journal of conflict and security law*, Vol. 20, no. 1, 61-73

## **HUMANITARIAN AID**

**Assisting uncertainty : how humanitarian aid can inadvertently prolong civil war / Neil Narang.** - In: *International studies quarterly*, Vol. 59, issue 1, March 2015, p. 184-195 : tabl., graph.. - Photocopies. - Bibliographie : p. 194-195

361/629 (Br.)

**Between samaritans and states : the political ethics of humanitarian INGOs / Jennifer C. Rubenstein.** - Oxford : Oxford University Press, 2015. - XIII, 252 p. : fotogr., diag. ; 24 cm. - Bibliographie : p. 227-246. Index. - ISBN 9780199684106

361/628

**Colis de guerre : secours alimentaire et organisations humanitaires (1914-1947) / Sébastien Farré.** - Rennes : Presses universitaires de Rennes, 2014. - 284 p., XXXII p. de fotogr. : tabl. ; 24 cm. - (Histoire). - Bibliographie : p. 255-271. Index. - ISBN 9782753534193

361/630

**Control and biopower in contemporary humanitarian aid : the case of supplementary feeding / Tom Scott-Smith.** - In: *Journal of refugee studies*, Vol. 28, no. 1, March 2015, p. 21-37. - Bibliographie : p. 36-37

**Reason, emotion, compassion : can altruism survive professionalisation in the humanitarian sector ? / Gilles Carbonnier.** - In: *Disasters : the journal of disaster studies and management*, Vol. 39, no. 2, April 2015, p. 189-207 : tabl.. - Bibliographie : p. 205-207

## **ICRC-INTERNATIONAL MOVEMENT OF THE RED CROSS AND RED CRESCENT**

**Dealing with "genocide" : the ICRC and the UN during the Nigeria-Biafra war, 1967-70 / Marie-Luce Desgrandchamps.** - In: *Journal of genocide research*, Vol. 16, no. 2-3, 2014, p. 281-297. - Photocopies

362.191/1612 (Br.)

**Fonds, médailles et prix du Mouvement international de la Croix-Rouge et du Croissant-Rouge / CICR.** - Genève : CICR, [2006]. - 15 p. : fotogr. ; 28 cm

Cette brochure, destinée aux collaborateurs et collaboratrices du CICR, vise à faciliter l'attribution et la gestion de ces distinctions et mécanismes d'aide. Une meilleure connaissance des procédures et des mécanismes d'attribution de ces distinctions, à la gestion desquelles le CICR participe, permettra de mieux orienter les demandes ou candidatures éventuelles.

362.191/1047 (FRE)

**Krisen - Delegationen - Netzwerke : globale Aktivitäten des IKRK in Afrika (1949-1965) / Sandro Brändli.** - [S.l.] : [s.n.], 2014. - 92 p. : cartes, diagr. ; 30 cm. - Masterarbeit zur Erlangung des akademischen Grades Master of Arts, Philosophischen Fakultät, Universität Zürich, 2014. - Bibliographie : p. 76-84  
362.191/1611

**De l'humanité dans l'humanitaire / Eliane Affolter.** - [S.l.] : [s.n.], [2015]. - 84 p. : fotogr., ; 15 x 21 cm  
362.191/1613

**Stratégie institutionnelle du CICR 2015-2018 : adoptée par l'Assemblée du CICR le 18 juin 2014 / CICR.** - Genève : CICR, novembre 2014. - 16 p. ; 30 cm. - (Référence)

La Stratégie institutionnelle du CICR 2015-2018 est un plan quadriennal ambitieux qui réaffirme la détermination de l'institution à améliorer la protection des victimes de conflits armés et d'autres situations de violence.

362.191/1256 (FRE Br.)

## **INTERNATIONAL CRIMINAL LAW**

**Compensation claims of individuals for violations of rules on conduct of hostilities : comment on a judgment of the District Court Bonn, Germany : LG Bonn 1 O 460/11, 11 December 2013 / Nele Achten.** - In: Humanitäres Völkerrecht : Informationsschriften = Journal of international law of peace and armed conflict, Vol. 28, 1/2015, p. 34-41

The main challenge individuals may encounter when claiming compensation for violations of international humanitarian law (IHL) is the question of the right forum. After a brief summary of judgement of the District Court in Bonn (Germany) on the compensation of individuals for an attack led by the German military in Kunduz (Afghanistan), this article will therefore address the admissibility decision of the Court and compare it with the admissibility decision of other domestic and international courts. Subsequently, the contribution will address the question whether a legal basis to enforce the right to be compensated can be found in international or in domestic law. At the end, the requirements of a secondary norm of compensation will be analysed. While for the lawfulness of an attack the ex-ante (preview) perspective is relevant, in the author's view the right of compensation should be ascertained on an ex-post (retrospective) basis.

**(II)legality of killing peacekeepers : the crime of attacking peacekeepers in the jurisprudence of international criminal tribunals / Magdalena Pacholska.** - In: Journal of international criminal justice, Vol. 13, no. 1, March 2015, p. 43-72 : tabl.

On 28 March 2013, the United Nations (UN) Security Council adopted Resolution 2089 extending the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of Congo (MONUSCO) and creating the Force Intervention Brigade (FIB) - the first-ever offensive combat unit within the structure of a peacekeeping mission. The establishment of the Brigade has raised a number of political and legal controversies, one of which is whether, and under what circumstances, attacking peacekeepers operating under robust mandates entails individual criminal responsibility under international law. The UN press release issued after the combat death of a Tanzanian FIB member, although condemnatory, did not classify the attack as criminal, implying that he may have been a lawful target. In the future, such robust peacekeeping mandates are likely to become more common, raising questions about the boundaries of international humanitarian law for 'peacekeepers', and the scope of the international criminal law prohibition on attacking them. This article addresses those questions through the jurisprudence of the ad hoc tribunals, the Special Court for Sierra Leone and the International Criminal Court. Unfortunately, existing jurisprudence fails to adequately accommodate the possibility of peacekeepers becoming parties to the conflict. This article proposes a functional approach based on participation in offensive operations.

**International criminal justice and truth commissions : from strangers to partners ? / Philippe Flory.** - In: *Journal of international criminal justice*, Vol. 13, no. 1, March 2015, p. 19-42

**Principles of international criminal law / Gerhard Werle, Florian Jessberger ; in cooperation with Julia Geneuss... [et al.].** - 3rd ed.. - Oxford : Oxford University Press, 2014. - XXXIII, 676 p. ; 25 cm. - Index. - ISBN 9780198703600  
344/647

**Rape and sexual violence as torture and genocide in the decisions of international tribunals : transjudicial networks and the development of international criminal law / Sergey Y. Marochkin, Galina A. Nelaeva.** - In: *Human right review*, Vol. 15, issue 4, December 2014, p. 473-488. - Photocopies. - Bibliographie : p. 486-488

344/648 (Br.)

## **INTERNATIONAL HUMANITARIAN LAW-GENERAL**

**The Ashgate research companion to military ethics / ed. by James Turner Johnson and Eric D. Patterson.** - Farnham ; Burlington : Ashgate, 2015. - XVII, 443 p. : diagr., graph., tabl. ; 25 cm. - (Justice, international law and global security). - Bibliographies. Index. - ISBN 9781472416285  
345.2/975

**Framing the issues in moral terms II : the Kantian perspective on jus in bello / Brian Orend.** - Farnham ; Burlington : Ashgate, 2015. - p. 131-141. - In: *The Ashgate research companion to military ethics.* - Bibliographie : p. 141

There is a Kantian perspective on the justice of conduct in war, and it constitutes a principled and vocal variant on the usual understandings offered by the just war tradition and the laws of armed conflict. Starting with Kant's own account, this chapter moves on to identify six distinct propositions which together constitute a contemporary Kantian jus in bello, and then concludes by reflecting intensively on its strengths and weaknesses. As Kant himself argued, "The greatest difficulty in the right of nations has to do precisely with right during war, it is difficult even to form a concept of this or to think of law in this lawless state without contradicting oneself" (Kant 1995b, 117).

345.2/975

**Historical evolution of laws on armed conflicts : a jurisprudential perspective from Geneva Conventions / Yubaraj Sangroula.** - [S.l.] : [s.n.], [2010]. - [13 p.] ; 30 cm. - Photocopies

Codification of laws of war is one the significant achievements of international law from the nineteenth century. The wars after then were fought with a different nature and scale. The realization of the need to limit the destructive force of war changed the momentum to codify the international war laws. The codification of international war laws in their primary condition thus emphasized the need of making distinction between 'armed forces and civilians'. The most remarkable aspect to be noted is that it linked the development of law of armed conflict with the international protection of human rights. It was the Charter of the United Nations which clearly condemned war and defined the war of aggression as a crime against international peace and humanity. But since this attempt was not so promising enough International Committee of Red Cross initiated to revise the Geneva Conventions and an additional Convention relative to the protection of civilian persons in the time of war was adopted. This article elucidates the four Geneva Conventions with their additional protocols including norms for control and restraints of war, which as such are considered helpful to protect and promote peace, and respect human rights of combatants and civilians. The basic highlights of this article is the historical events that led to the codification and development of international conventions relating to war with special focus on evolution of modern laws of armed conflict. Further it also focus on the important achievements of humanitarian laws.

345.2/973 (Br.)

**International humanitarian law / Howard M. Hensel.** - Farnham ; Burlington : Ashgate, 2015. - p. 153-167. - In: *The Ashgate research companion to military ethics.* - Bibliographie : p. 166-169

Within the context of the *jus in bello* component of the just war tradition, over the past century and a half the members of the international community have gradually developed a legal framework designed to limit the use of force in international and non-international armed conflicts. The purpose of this chapter is to examine the sources of that legal framework, which has in recent times come to be commonly known as international humanitarian law. The chapter first examines the principles that serve as the foundational source upon which international humanitarian law is based : military necessity, humanity, distinction, and proportionality. The chapter then delineates two of the other sources of international humanitarian law - conventional and customary international humanitarian law. These sources, combined with judicial opinions, the writings of various, recognized international legal authorities, and informed by the pioneering efforts by a variety of individual groups within the international community, collectively constitute the contemporary, synergistic, normative body of law designed to regulate the conduct of armed conflict across the spectrum of international and non-international violence.

345.2/975

**Das Reziprozitätsprinzip im Humanitären Völkerrecht / von Sophie Heldmann.** - Berlin : Duncker and Humblot, 2015. - 336 p. ; 24 cm. - (Schriften zum Völkerrecht ; Bd. 210). - Bibliographie : p. 310-333. Index. - ISBN 9783428144280  
345.2/974

**The strange pretensions of contemporary humanitarian law / Jeremy Rabkin.** - Lanham [etc.] : Lexington Books, 2012. - p. 41-70. - In: *Rethinking the law of armed conflict in an age of terrorism*

What's new in today's world is not the effort to persevere in attempts to restrain the violence of war. The most remarkable novelty is the notion that such restraints can be insisted upon, even when one side ignores them, and even when noncompliant fighters gain systematic advantage from their disregard of the agreed-upon standards. Four general claims will be elaborated in this chapter. First : the seeming premise of today's international humanitarian law - that this law binds the conduct of military operations, regardless of circumstances or consequences - is not the culmination of a time-honored tradition, as sometimes portrayed, but is, in fact, a recent and radical innovation. Second : the current standards were, to a large extent, the products of efforts by anti-Western governments and movements, seeking to change previously accepted standards to their own advantage. Third : advocacy organisations such as the International Red Cross, Human Rights Watch and Amnesty International have strong incentives to embrace an anti-Western view of the relevant standards, albeit one disguised as a neutral or internationalist view. Fourth : many Western governments now give credibility to such efforts, because they no longer expect to engage in actual military operations of their own.

345.26/213

**War crimes tribunals after armed conflict / Carla L. Reyes.** - Farnham ; Burlington : Ashgate, 2015. - p. 359-369. - In: *The Ashgate research companion to military ethics.* - Bibliographie : p. 368-369

Tasked with implementing the various and broad aims of international criminal justice, war crimes tribunals face unique challenges. Chief among these challenges lie basic questions of jurisdiction, applicable law, and appropriate consequences. This chapter provides an overview of war crimes tribunals and offers a framework for evaluating whether their challenges hamper their effectiveness or provide impetus for their most important contributions to international humanitarian law. The chapter begins by briefly examining the history of war crimes tribunals from Nuremberg to the present, highlighting attempts by each iteration of courts to address their predecessors' challenges. The chapter then briefly investigates the jurisprudential

contributions of war crimes tribunals to international humanitarian law, focusing on the additional humanitarian protection for women and children provided by heightened attention to sexual violence during armed conflict. Finally, it concludes with a brief assessment of the current issues facing war crimes tribunals and their implication for the future.

345.2/975

## **INTERNATIONAL HUMANITARIAN LAW-CONDUCT OF HOSTILITIES**

**Anglo-American dissent from the European law of war : a history with contemporary echoes / Jeremy Rabkin.** - In: San Diego international law journal, Vol. 16, no. 1, 2014, p. 1-72. - Photocopies

Additional Protocol I to the Geneva Conventions (1977) lays down the “basic rule” that attacks must not be directed at “civilian objects” any more than at “civilians.” Red Cross commentators and others assert that the law of war has embraced this “rule” for many centuries. In fact, the leading commentators in Britain and America disputed this rule in the Nineteenth Century and well into the Twentieth Century. They defended naval seizures of private property as a perfectly reasonable war measure, along with raids on private property of the sort exemplified by General Sherman’s Georgia campaign in the Civil War. Even European commentators, arguing for complete immunity of civilian objects in war, traced the doctrine not to remote tradition but to the mid-18th Century doctrines of Jean-Jacques Rousseau. In the hands of German interpreters, that doctrine was invoked to justify extreme brutality against “resistance” to invading armies. Even today, the “basic rule” does not serve the reasonable claims of humanity in all circumstances.

345.25/323 (Br.)

**The bombing of dual-use targets / Paul Robinson.** - Farnham ; Burlington : Ashgate, 2015. - p. 201-211. - In: The Ashgate research companion to military ethics. - Bibliographie : p. 209-211

During the Gulf War of 1990-1 and the war against Yugoslavia in 1999, air forces of the U.S-led coalitions attacked dual-use targets : infrastructure such as electrical generation and transmission systems, bridges and other transportation sites, communications facilities, and other infrastructure with both civilian and military application. Some hold that many dual-use targets should be put off-limits to attack in future conflicts due to the effect on civilians whereas others argue that attacks on dual-use facilities offer an opportunity to wage war more efficiently and humanely than by targeting only fielded military forces. This chapter summarizes the arguments made for and against more restrictive rules on targeting dual-use facilities and puts these in the context of the broader principles of *jus in bello*. To this end, it first analyzes that constitutes a dual-use target ; second, it looks at what defines a military target and makes somebody or something liable to attack ; and third, it shows how differing concepts of liability play into the debate about dual-use targets.

345.2/975

**New voices : challenging the perplexity over *jus in bello* proportionality / Joshua Andresen.** - In: European journal of legal studies, Vol. 7, issue 2, Winter 2014, p. 19-35. - Photocopies

Contrary to the common claim that *jus in bello* proportionality is an obscure and intractable principle of modern warfare, this paper shows that proportionality balancing has a central role to play in assuring efficient military operations with a minimum number of casualties. Military commanders can and should want to understand proportionality as a requirement to measure military advantage in terms of lives saved and direct their operations toward the most life-saving operations. The targeted killing context in particular highlights the advantage of making proportionality analysis a central component of military strategy in asymmetrical conflicts.

345.25/325 (Br.)



**A return to coercion : international law and new weapon technologies / Jeremy Rabkin, John Yoo.** - In: *Hofstra law review*, Vol. 42, issue 4, Summer 2014, p. 1187-1226. - Photocopies

In recent years, the U.S. has threatened air strikes against Syria and insisted on the possibility of air strikes against Iran, in both cases to deter development of weapons of mass destruction. Such threats represent a return to the idea that international law allows states to impose punitive measures by force. Most academic specialists claim that the UN Charter only authorizes force in immediate self-defense. Many commentators embrace the related doctrine that lawful force can only be exercised against the opposing military force. But there remains more logic in the older view, that international law authorizes force for a wider variety of challenges and against a wider range of legitimate targets. Since there is no global protective service, nations must use force more broadly in self-defense and greater powers must sometimes use force to resist the spread of weapons of mass destruction, to disrupt terror networks, to stop aggressive designs before they provoke all out war. There are good reasons to insist on restraints that limit loss of life among civilians, but civilian property does not have the same claims. But with today's technologies, cyber attacks or drone strikes can focus on carefully chosen civilian targets. That approach can help resolve disputes between nations with less overall destruction -- the ultimate purpose of the laws of war.

345.25/308 (Br.)

**Targeted killing / Laurie R. Blank.** - Farnham ; Burlington : Ashgate, 2015. - p. 227-243. - In: *The Ashgate research companion to military ethics.* - Bibliographie : p. 239-243

Targeted killing has become a frequently used and highly controversial tool of operational counterterrorism. This chapter analyzes the international law applicable to targeted killing, both during armed conflict and as a tool of offensive counterterrorism outside of armed conflict. In particular, this discussion highlights key legal and policy debates regarding: the authority to use lethal force, the identification of legitimate targets and enemy personnel, the consequences of civilian participation in such strikes, and the nature and parameters of the rules governing the conduct of strikes. Beyond the legal issues, the practice of targeted killing also raises significant questions regarding the appropriate measures of transparency and accountability that should be provided regarding the legal authority for strikes and the civilian harm caused.

345.2/975

**Understanding proportionality in contemporary armed conflict / Paul Gilbert.** - Farnham ; Burlington : Ashgate, 2015. - p. 319-334. - In: *The Ashgate research companion to military ethics.* - Bibliographie : p. 334

The idea that military operations should be disproportionately harmful is an essential element of just war theory, of which two versions are described. The orthodox conception rules out both the use of means for giving military advantage that are disproportionately harmful to enemy combatants and actions which are excessively costly in civilian casualties. A more recent revisionist view distinguishes the narrow proportionality of military actions against those liable to defensive harm, primarily unjust combatants, from the wide proportionality of acts that unintentionally harm innocents. These accounts are set in the context of some distinctive features of contemporary armed conflict.

345.2/975

## **INTERNATIONAL HUMANITARIAN LAW-IMPLEMENTATION**

**The challenges in the implementation of international humanitarian law : report of the workshop on 23 September 2013 in Brussels / Laura de Schryver and Nicolette Pavlovics.** - In: *Revue de droit militaire et de droit de la guerre* = *The military law and law of war review* = *Tijdschrift voor militair recht en oorlogsrecht* = *Zeitschrift für Wehrrecht und Kriegsvölkerrecht* = *Rivista di diritto militare e di diritto della guerra* = *Revista de derecho militar y de derecho de la guerra*, Vol. 52, no. 2, 2013, p. 439-448

The aim of this workshop was to provide with the right questions to ask in the questionnaire which will be prepared for the Society's 20th Congress in 2015 on the same topic. Each speaker gave a fifteen minute speech about the current challenges the implementation of IHL faces and the progress currently being made: the lacking or defective implementation ; the fact that although big progress has been made in the field of repression through the development of international criminal law, it operates very slowly and not much progress has been made in the field of reparation and compensation ; the lessons to be learned from other areas of law ; the Swiss-ICRC initiative to increase compliance with IHL which has led to a consultation process, which concentrates on the following issues: (1) a regular Meeting of States; (2) a reporting system; (3) fact-finding ; specific responsibilities for countries not directly involved in the armed conflict; the whole set of distinct issues that non-state actors present when it comes to the enforcement of IHL ; and finally the fact that respecting IHL should be a moral obligation that we have internalized and it is the state's responsibility to transfer this moral apprehension to the individual actors.

**From dissemination towards integration : an ICRC perspective / Philip Spoerri.** - In: *Revue de droit militaire et de droit de la guerre* = *The military law and law of war review* = *Tijdschrift voor militair recht en oorlogsrecht* = *Zeitschrift für Wehrrecht und Kriegsvölkerrecht* = *Rivista di diritto militare e di diritto della guerra* = *Revista de derecho militar y de derecho de la guerra*, 52/1, 2013, p. 113-122

Nowadays, a short reality check indicates that most armed forces around the world still put emphasis on teaching the law rather than creating concrete measures, means or mechanisms for its respect. In short, many soldiers are told and know that they must treat enemy captured personnel with humanity. However, what concrete actions this exactly entails is still left up to their own judgement - good or bad. In contrast, a number of armed forces around the world have gone beyond the mere teaching of the law. It is an opportunity here to share some illustrative examples of how some combat proven armed forces have innovatively complied with their obligations through the revision of their doctrine and the incorporation of measures for the respect of IHL. The article will thus proceed by looking first into doctrine before turning to education and training.

**The path to better compliance with international humanitarian law / H. E. Nicolas Lang.** - In: *Revue de droit militaire et de droit de la guerre* = *The military law and law of war review* = *Tijdschrift voor militair recht en oorlogsrecht* = *Zeitschrift für Wehrrecht und Kriegsvölkerrecht* = *Rivista di diritto militare e di diritto della guerra* = *Revista de derecho militar y de derecho de la guerra*, 51/1, 2013, p. 131-144

Following the 31st International Conference, Switzerland and the ICRC initiated a process to enable States parties to the Geneva Conventions to develop solutions to the problem of inadequate mechanisms of compliance with IHL. It will not suffice, however, for this process to merely reform existing mechanisms or to replace them. The goal must be to introduce a coherent compliance system that allows States to concern themselves regularly with IHL in general and with compliance in particular, as well as to exert influence on conflicting parties with the aim of ensuring that they respect their obligations. This article discusses the failings of the current mechanisms and analyses how, with reference to past proposals and the consultations that have taken place within the Swiss-ICRC facilitated process, a coherent and flexible compliance system could be structured and equipped.



## **INTERNATIONAL HUMANITARIAN LAW-TYPE OF ACTORS**

**Enforcing and strengthening noncombatant immunity / James Turner Johnson.** - Farnham ; Burlington : Ashgate, 2015. - p. 307-318. - In: The Ashgate research companion to military ethics. - Bibliographie : p. 317-318

While both moral discourse and international law have paid a great deal of attention to the protection of noncombatants in the way of armed conflict, particular characteristics of armed conflicts as they have developed since World War II have tended to erode both the idea of noncombatant immunity and specific efforts to protect noncombatants. This chapter examines the major contours of the treatment of noncombatant immunity in recent moral discourse and in the law of armed conflicts, then turns to the major challenges to protection of noncombatants posed by the nature of recent armed conflicts. It concludes with some reflections as to how the effort to maintain noncombatant immunity might be strengthened.

345.2/975

**How international humanitarian law treaties bind non-state armed groups / Daragh Murray.** - In: Journal of conflict and security law, Vol. 20, no. 1, Spring 2015, p. 101-131

This article examines the legal basis underpinning the application of international humanitarian law treaties to non-state armed groups. Although it is widely accepted that international humanitarian law does bind armed groups, the legal basis remains uncertain and is happily—if somewhat disbelievingly—accepted. Yet, the importance of understanding the legal basis underpinning this attribution is evident, not only in terms of legal clarity and principles such as *nullem crimen sine lege*, but also, and perhaps more significantly, as a means of facilitating the future regulation of non-state armed groups—and indeed other non-state actors—by means of international treaty law. The customary law, third-party consent and legislative/prescriptive jurisdiction theories are addressed in detail. Significantly, the third-party consent theory is rejected on the basis of the nonapplicability of the *pacta tertiis* principle to non-state actors consequent to such entities distinguished international legal personality. Rejection of the third-party consent theory overcomes a key obstacle vis-à-vis the application of international treaty law to non-state actors, removing any possible legal requirement that armed groups consent to obligations arising under international humanitarian law. The legislative jurisdiction theory is then discussed and accepted as a coherent basis for the direct application of international treaty law to non-state groups, establishing that non-state armed groups may be bound by the treaty obligations of the territorial state. Importantly, this principle may be used as a basis for the future attribution of international treaty law to non-state actors, for example, in the field of human rights.

**Missions autorisées par le Conseil de sécurité à l'heure de la R2P : au-delà du jus in bello ? / Frédéric Mégret.** - In: Revue de droit militaire et de droit de la guerre = The military law and law of war review = Tijdschrift voor militair recht en oorlogsrecht = Zeitschrift für Wehrrecht und Kriegsvölkerrecht = Rivista di diritto militare e di diritto della guerra = Revista de derecho militar y de derecho de la guerra, 52/2, 2013, p. 205-240

Les opérations autorisées par le Conseil de sécurité se réclamant d'une logique humanitaire sont une hypothèse limite pour réfléchir à l'évolution de l'application du jus in bello en conflit armé. Si l'on craint à raison qu'une prise en compte de la légitimité et de la position propre de chaque partie dans un conflit affecte la mise en œuvre du droit international humanitaire, cela n'est pas nécessairement le cas si cette application différenciée va dans le sens d'obligations accrues à la charge d'une partie. Les opérations à fondement humanitaire engagées par le Conseil de sécurité cumulent à ce titre deux spécificités : d'une part leur fondement humanitaire rend toute violation du droit humanitaire d'autant plus choquante ; d'autre part, leur caractère multilatéral et supranational leur confère plus l'aspect d'une opération de police. Dans ce cadre, il est loisible de repenser la manière dont le droit international humanitaire pourrait être appliqué de manière différenciée, le droit international des droits de l'homme considéré comme applicable, ou encore le contrôle de proportionnalité du jus ad bellum pourrait être réactive. Une telle perspective réduirait utilement le hiatus entre droit et morale,

et ne serait pas nécessairement incompatible avec l'évolution des pratiques tendant vers l'asymétrie humanitaire.

**Règles et normes internationales applicables à la fonction policière et aux forces de l'ordre / CICR.** - [3e éd.]. - Genève : CICR, janvier 2015. - 70 p. : fotogr. ; 21 cm. - (Référence). - ISBN 9782940396344

Cette brochure, qui s'adresse aux personnes exerçant des fonctions d'application des lois, résume les principaux points du manuel "Servir et protéger". Elle passe en revue les principes et règles des droits de l'homme et du droit humanitaire que doivent respecter les responsables de l'application des lois.

345.2/689-1 (2015 FRE)

**Unlawful combatants : a genealogy of the irregular fighter / Sibylle Scheipers.** - Oxford : Oxford University Press, 2015. - XIII, 269 p. ; 24 cm. - Bibliographie : p. 239-256. Index. - ISBN 9780199646111

Unlawful Combatants brings the study of irregular warfare back into the centre of war studies. The experience of recent and current wars in Afghanistan, Iraq, Libya, and Syria showed that the status and the treatment of irregular fighters is one of the most central and intricate practical problems of contemporary warfare. Yet, the current literature in strategic studies and international relations more broadly does not problematize the dichotomy between the regular and the irregular. Rather, it tends to take it for granted and even reproduces it by depicting irregular warfare as a deviation from the norm of conventional, inter-state warfare. In this context, irregular warfare is often referred to as the 'new wars' and is associated with the erosion of statehood and sovereignty more generally. This obscures the fact that irregulars such as rebels, guerrillas, insurgents and terrorist groups have a far more ambiguous relationship to the state than the dichotomy between the state and 'non-state' actors implies. They often originate from states, are supported by states and/or aspire to statehood themselves. The ambiguous relationship between irregular fighters and the state is the focus of the book. It explores how the category of the irregular fighter evolved as the conceptual opposite of the regular armed forces, and how this emergence was tied to the evolution of the nation state and its conscripted mass armies at the end of the eighteenth century. It traces the development of the dichotomy of the irregular and the regular, which found its foremost expression in the modern law of armed conflict, into the twenty-first century and provides a critique of the concept of the 'unlawful combatant' as it emerged in the framework of the 'war on terror'.

345.29/221

## **INTERNATIONAL HUMANITARIAN LAW-TYPE OF CONFLICT**

**Charting the legal geography of non-international armed conflict / Michael N. Schmitt.** - In: *Revue de droit militaire et de droit de la guerre* = *The military law and law of war review* = *Tijdschrift voor militair recht en oorlogsrecht* = *Zeitschrift für Wehrrecht und Kriegsvölkerrecht* = *Rivista di diritto militare e di diritto della guerra* = *Revista de derecho militar y de derecho de la guerra*, 52/1, 2013, p. 93-111

This article examines the geographical reach of IHL during an armed conflict between a State and a non-State organized armed group. Its purpose is to explore how location affects the applicability of the differing legal regimes. Discussion will focus predominantly on noninternational armed conflict (NIAC), for that genre of hostilities poses the greatest interpretive conundrums. It is an inquiry of momentous practical importance since IHL's range (or lack thereof) influences operational planning and mission execution, determines how civilians and civilian objects must be protected during hostilities, sets the applicable detention regime, and affords avenues for enforcement of norms that are not otherwise available.

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

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

345.26/250 (Br.)

**Non-international armed conflicts in international law / Yoram Dinstein.** - Cambridge : Cambridge University Press, 2014. - XXXI, 264 p. ; 23 cm. - Index. - ISBN 9781107633759

This dispassionate analysis of the legal implications of non-international armed conflicts explores the rules regulating the conduct of internal hostilities, as well as the consequences of intervention by foreign States, the role of the Security Council, the effects of recognition, State responsibility for wrongdoing by both Governments and insurgents, the interface with the law of human rights and the notion of war crimes. The author addresses both conceptual and specific issues, such as the complexities of 'failing' States or the recruitment and use of child soldiers. He makes use of the extensive case law of international courts and tribunals, in order to identify and set out customary international law. Much attention is also given to the contents of available treaty texts (primarily, the Geneva Conventions, Additional Protocol II and the Rome Statute of the International Criminal Court): what they contain and what they omit.

345.27/146

## **MEDIA**

**Meurtres sans frontières : mourir pour un reportage dans les endroits les plus dangereux du monde / Terry Gould.** - [Québec] : Presses de l'Université Laval, 2013. - IX, 387 p. : portr. ; 23 cm. - ISBN 9782763794679

070/111

**The violence of the image : photography and international conflict / ed. by Liam Kennedy and Caitlin Patrick.** - London ; New York : I.B. Tauris, 2014. - XIII, 274 p., [16] p. de fotogr. ; 23 cm. - (International library of visual culture ; 15). - Bibliographie : p. 256-271. Index. - ISBN 9781780767895

Contient notamment : *Dispelling the myth of invisibility : photography and the Algerian civil war / J. McGonale.* - *Watching war evolve : photojournalism and new forms of violence / R. Hariman.* - *Photo-reportage of the Libyan conflict / S. Allan.* - *Witnessing precarity : photojournalism, women's/human/rights and the war in Afghanistan / W. Kozol.*

070/112

## **MISSING PERSONS**

**The disappeared and invisible : revealing the enduring impact of enforced disappearance on women / Polly Dewhirst and Amrita Kapur.** - New York : International Center for Transitional Justice, March 2015. - IX, 44 p. : fotogr., tabl. ; 30 cm. - (Gender justice). - Photocopies. - Bibliographie : p. 39-44

332/23 (Br.)

## **NATIONAL RED CROSS AND RED CRESCENT SOCIETIES**

**The power of humanity : 100 years of Australian Red Cross 1914-2014 / Melanie Oppenheimer.** - Sydney [etc.] : HarperCollins, 2014. - VIII, 327 p. : fotogr., ill., tabl. ; 28 cm. - Index. - ISBN 9780732294854

SN/AU 17

## **PUBLIC INTERNATIONAL LAW**

**The applicability of international law standards of the sanctions of the Security Council / Adil Sahban.** - In: *Annuaire de La Haye de droit international = Hague Yearbook of international law*, Vol. 26, 2013, p. 239-315

This article aims at defining economic sanctions generally, before presenting the international law standards applicable to the ones adopted by the Security Council. Two preliminary assessments can be made. Firstly, economic sanctions constitute a relatively homogeneous notion. Secondly, the predominant conception of the law of economic sanctions adheres to a low level of legal constraint, especially if compared with other areas of international law such as the law of armed conflict. This predominant view is based on a debatable conception of the powers of the Council, which is itself premised on a maximalist conception of the notion of international community. It remains true that the recent debate on "smart sanction" has resulted in increasing significantly the level of protection of fundamental rights, but the understanding that is presented in this piece is that this debate has focused on due process guarantees applicable to individual sanctions while an ambiguous stance remains towards embargos. This practically results in implicitly validating the idea that embargos are not regulated by legal standards, and that the evolution of the practice of the Council is only a welcome exercise of its discretionary powers rather than the recognition of preexisting legal obligations. This article takes the view that strict legal standards apply to economic sanctions under the UN Charter, the Rome Statute, the Genocide Convention, and several decisions of the ICJ. It proposes an approach based on guiding principles to ensure that sanctions respect jus cogens prohibitions and remain effective at the same time. On the institutional side, it underlines that the evolutionary reading of the UN Charter that has led to conferring new powers to the Council has been a selective one, since no similar approach has been followed concerning the ICJ and UN technical agencies. Lastly, it underlines the progress made at the European level in the protection of fundamental rights and suggests an extension of the same logic of inter-institutional cooperation beyond European borders.

**The meaning of "force" and the boundaries of the jus ad bellum : are "minimal" uses of force excluded from UN Charter article 2(4) / by Tom Ruys.** - In: *American journal of international law*, Vol. 108, no. 2, April 2014, p. 159-210

The idea that Article 2(4) UN Charter is subject to a gravity or 'de minimis' threshold, and that small-scale forcible acts remain outside its scope, appears to be gaining ground in recent years. This is illustrated by the finding of the Independent International Fact-Finding Mission on the Conflict in Georgia that Article 2(4) allegedly does not cover targeted killings of single individuals, forcible abductions of individual persons, or the interception of a single aircraft.

The question arises whether the acceptance of a gravity threshold does not risk opening Pandora's box by enabling States to rely on various 'grounds precluding wrongfulness' to justify small-scale forcible actions. Against this background, the aim of the present contribution is to take a fresh look at the notion of the 'force' and the conceptual difficulties surrounding it, and to shed further light on the way Article 2(4) UN Charter operates in different settings.

## **REFUGEES-DISPLACED PERSONS**

**The African contribution to the protection of internally displaced persons : a commentary on the 2009 Kampala Convention / Moetsi Duchatellier and Catherine Phuong.** - Cheltenham ; Northampton : E. Elgar, 2014. - p. 650-667. - In: Research handbook on international law and migration

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**The guiding principles on internal displacement and the search for a universal framework of protection for internally displaced persons / Walter Kälin.** - Cheltenham ; Northampton : E. Elgar, 2014. - p. 612-633. - In: Research handbook on international law and migration

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**International humanitarian law and the protection of internally displaced persons / Stephane Ojeda.** - Cheltenham ; Northampton : E. Elgar, 2014. - p. 634-649. - In: Research handbook on international law and migration

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**Protection of internally displaced persons : national and international responsibilities / Roberta Cohen.** - Cheltenham ; Northampton : E. Elgar, 2014. - p. 589-611. - In: Research handbook on international law and migration

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**Research handbook on international law and migration / ed. by Vincent Chetail and Céline Bauloz.** - Cheltenham ; Northampton : E. Elgar, 2014. - XIV, 692 p. ; 25 cm. - (Research handbooks in international law). - Index. - ISBN 9780857930040  
Contient notamment : The principle of non-refoulement in international refugee law / R. M. M. Wallace. - Protection of internally displaced persons : national and international responsibilities / R. Cohen. - International humanitarian law and the protection of internally displaced persons / S. Ojeda.

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## **RELIGION**

**La planète jihadiste / par Yann Mens.** - In: Alternatives internationales : le monde est l'affaire de tous, No 66, mars 2015, p. 27-39 : fotogr.

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## **SEA WARFARE**

**Private military and security companies and counter-piracy : a comparison of (national) legislation on the use of armed guards on board of merchant ships / Tassilo Singer.** - In: Humanitäres Völkerrecht : Informationsschriften = Journal of international law of peace and armed conflict, Vol. 28, 1/2015, p. 13-23

## TERRORISM

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## TORTURE

**From calculated cruelty to casual violence : the United Nations War Crimes Commission and the prosecution of torture and ill-treatment / Lutz Oette.** - In: Criminal law forum, Vol. 25, issue 1-2, June 2014, p. 291-321. - Photocopies  
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**Mainstreaming torture : ethical approaches in the Post-9/11 United States / Rebecca Gordon.** - Oxford [etc.] : Oxford University Press, 2014. - X, 214 p. : tabl., graph. ; 25 cm. - Index. - ISBN 9780199336432  
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## WOMEN-GENDER

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**No place to turn : violence against women in the Iraq conflict / Miriam Puttick.** - London : Minority Rights Group International : Ceasefire Centre for Civilian Rights, February 2015. - 39 p. : graph., photogr. ; 30 cm. - ISBN 9781907919565  
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**Sexual violence against men in armed conflicts : insights from International Criminal Tribunal for former Yugoslavia and the War Crimes Chamber of the State Court of Bosnia and Herzegovina / Ioannis P. Tzivaras.** - In: Annuaire de La Haye de droit international = Hague Yearbook of international law, Vol. 26, 2013, p. 57-81

Sexual violence constitutes a set of offences under international law, particularly after the establishment of the ad hoc International Criminal Tribunals and the permanent International Criminal Court. Through the practice and jurisprudence of the courts, was demonstrated that victims of sexual violence during international or internal armed conflicts are mainly women. Nonetheless, there were many cases where sexual violence focused on men. The Former Yugoslavian war was the breeding ground for adjudicating cases concerning sexual violence against men, along with the inclusion of those cases under the jurisdiction of ICTY and further

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of the War Crimes Chamber of the State Court of Bosnia and Herzegovina. This paper examines how sexual violence against men has been adjudicated before the courts, with particular emphasis on the actual data which was deposited before them.