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AIR WARFARE

Drone operations : a jurislogue / G. S. Sachdeva ; introd. by Vinod Patney. - New Delhi : KW Publishers : Centre for Air Power Studies, 2015. - XIV, 202 p.. - Index. - ISBN 9789383649440

341.226/71

ARMS

Asleep at the switch ? : how killer robots become a force multiplier of military necessity / Ian Kerr and Katie Szilagyi. - Cheltenham ; Northampton : E. Elgar, 2016. - p. 333-366. - In: Robot law. - Photocopies

341.67/790 (Br.)

"Friends of humans" : an argument for developing autonomous weapons systems / Christopher P. Toscano. - In: Journal of national security law and policy,, Vol. 8, no. 1, 2015, p. 189-246. - Photocopies

The article calls for a refocused debate on the use of autonomous weapons systems (AWSs) in the military. For decades, technological development has enabled militaries to progressively decrease collateral damage. The article argues that AWS development is the inevitable next step for military technology: it offers the possibility of massively decreasing military costs and virtually eliminating collateral damage. Instead of making combat less civilized, AWSs may be better attuned to chivalric and humane norms. AWSs do not require self-defense, nor are they programmed with human emotion or flaw. The article posits that criticisms levelled against AWS technology stem from misunderstandings about robotic automation. Through programming, humans delegate specific tasks and choices to machines, which affords them limited independence within a carefully designed web of practical constraints and legal restrictions. This activity "loop", which a robot may carry out independently, is always capable of being altered by humans. However, the author argues that this loop will eventually allow AWSs to perceive, analyze, and act with greater speed and accuracy - and more perfect adherence to the laws of armed conflict - than humans are naturally able. If states actually endeavor to reduce collateral damage, the article concludes, they must pursue the development of AWS technology. [Summary by students at the University of Toronto, Faculty of Law (IHRP)]

341.67/789 (Br.)

Is Johnny Five alive or did it short circuit ? : can and should an artificially intelligent machine be held accountable in war or is it merely a weapon ? / Aaron Gevers. - In: Rutgers journal of law and public policy,, Vol. 12, issue 3, Spring 2015, p. 384-425. - Photocopies

This article examines the legality of using artificially intelligent (AI) machines in war. The discussion begins by introducing a fictive robot named "Johnny Five." After receiving orders, Johnny malfunctions and murders an entire village. The article then argues that this scenario, while horrifying, is highly unlikely. Further, it is posited that similar AI robots will soon be militarily necessary in order to reduce collateral damage. Strong AI (i.e., "true" AI), which is held here to be fundamentally different from robotic automation, is both feasible and likely in the near future. Various theories of AI development and testing are explored. Ultimately, the article argues that once AI exists allowing robots to think and act like humans, they should be

treated like humans. It is conjectured that AI will eventually be identical to human intelligence. Thus, AI robots will be able to comply with the international humanitarian law (IHL) principles of military necessity, distinction, proportionality and humanity. Notwithstanding the improbability of such an event, the article explains that if a robot were to infringe IHL, the robot itself and its commanding officer should be held liable, with the possible addition of the robot's manufacturer. [Summary by students at the University of Toronto, Faculty of Law (IHRP)]

341.67/788 (Br.)

Legal dimensions of arms control agreements : an introductory overview / by Bakhtiyar Tuzmukhamedov. - In: *Recueil des cours : Académie de droit international de la Haye = Collected courses of the Hague academy of international law*,, T. 377, 2015, p. 319-467

This a general introductory course which is intended to acquaint a student with regulation of arms control and disarmament processes, specificity of development of regulatory norms, and with negotiating bodies and other fora where those norms are deliberated and crafted.

CHILDREN

Ayuda humanitaria a los niños europeos víctimas de la Primera y Segunda Guerra Mundial / Lurdes Cortès Braña. - Barcelona : Universitat Pompeu Fabra, 2016. - XXV, 569 p. : tabl. ; 25 cm. - (Tesi doctoral UPF). - Thèse, Institut universitari d'història Jaume Vicens, Universitat Pompeu Fabra, 2016, - Bibliographie : p. 546-569

362.7/416

The child in ICC proceedings / Helen Beckmann-Hamzei. - Cambridge [etc.] : Intersentia, 2015. - XIII, 293 p. ; 24 cm. - (School of human rights research series ; vol. 70). - Bibliographie : p. 235-274. - ISBN 9781780683393

International law and state practice mirrors the recognition of children's particular need for protection during peacetime, but in situations in which international crimes are being committed the prosecution of international crimes committed against children before international courts and tribunals is also well embedded. While international prosecutions are thus in line with the overall development of protecting children from the consequences of armed conflict and large scale violence, the involvement of the child in international criminal proceedings also gives rise to new questions which relate to the procedural involvement of the child. As child participation in the proceedings before the International Criminal Court (ICC) constitutes a matter of fact, one may raise the question whether such participation is a welcome development. This study examines the procedural implications of child participation and thereby intends to contribute legal views and perspectives to the underlying debate on the adequacy of child participation in ICC proceedings. The study concludes with ten recommendations that underline the call.

362.7/415

Child soldiers, executive functions, and culpability / Tyler Fagan, William Hirstein and Katrina Sifferd. - In: *International criminal law review*, Vol. 16, issue 2, 2016, p. 258-286
Is targeting naked child soldiers a war crime ? / Joanna Nicholson. - In: *International criminal law review*,, Vol. 16, issue 1, 2016, p. 134-157

International law prohibits the recruitment and use of children under the age of fifteen to participate actively in hostilities. Such child soldiers constitute military targets under

international humanitarian law (IHL), and the prevailing view is that they may be targeted in the same way as their adult counterparts. Although there may be moral or pragmatic reasons for avoiding targeting child soldiers if possible, there is no obligation under international law to treat them differently from an adult fighter.

The Security Council working group on children and armed conflict : a legal appraisal of its application and development of international legal standards / Marjolein Vlieks. - In: *Human rights and international legal discourse*, Vol. 9, no. 2, 2015, p. 242-276 : tabl.

In 2005, the Security Council established the Security Council Working Group on Children and Armed Conflict in order to help implement its policy to ensure the application of international legal standards for the protection of children in armed conflict. The Working Group makes recommendations that enable the Council to take action if necessary. It is therefore relevant to consider these recommendations from a legal perspective. This paper addresses the question whether the Working Group should be regarded as a policy mechanism at the disposal of the Security Council, which utilises the language of the law for peace-related purposes, or rather as a semi-legal body which engages with and applies international law and which should thus be taken into account as a body that may influence the development of law regarding children in armed conflict. For that purpose, the paper focuses on how the Working Group engages with international law relevant to children in armed conflict. This results in a legal appraisal of the Working Group's application and development of the international legal standards protective of children in armed conflict situations.

The state of the world's children 2015 : executive summary : reimagine the future : innovation for every child / UNICEF. - New York : UNICEF, November 2014. - IV, 116 p. : fotogr., tabl. ; 21 x 28 cm. - (The state of the world's children). - ISBN 9789280647808

Réf. ORG 2-d

Transnational and generational justice : children involved in armed conflicts / Noëlle Quéniwet. - Cham [etc.] : Springer, 2015. - p. 55-81. - In: *Current issues in transnational justice : towards a more holistic approach.* - Bibliographie : p. 77-81. - Photocopies

362.7/418 (Br.)

Violence against children in humanitarian settings : a literature review of population-based approaches / Lindsay Stark, Debbie Landis. - In: *Social science & medicine*, Vol. 152, 2016, p. 125-137 : diagr.. - Photocopies. - Bibliographie : p. 136-137

362.7/417 (Br.)

CIVILIANS

Particularized protection : UNSC mandates and the protection of civilians in armed conflict / Anastasia Shesterinina and Brian L. Job. - In: *International peacekeeping*, Vol. 23, no. 2, April 2016, p. 240-273 : diagr., tabl.. - Bibliographie : p. 269-273

CONFLICT-VIOLENCE AND SECURITY

Binary bullets : the ethics of cyberwarfare / ed. by Fritz Allhoff, Adam Henschke and Bradley Jay Strawser. - Oxford : Oxford University Press, 2016. - XVIII, 296 p. : tabl., diagr. ; 24 cm. - Bibliographies. Index. - ISBN 9780190221072

Contient notamment : Emerging norms for cyberwarfare / G. R. Lucas. - The emergence of international legal norms for cyberconflict / M. N. Schmitt and L. Wihul. - Beyond Tallinn : the code of the cyberwarrior ? / M. Beard. - Cyber perfidy, ruse, and deception / H. M. Roff

355/1085

Borderless wars : civil military disorder and legal uncertainty / Antonia Chayes. - Cambridge : Cambridge University Press, 2015. - XI, 204 p. : tabl. ; 22 cm. - Index. - ISBN 9781107521506

355/1082

Collateral damage : a candid history of a peculiar form of death / Frederik Rosén. - London : Hurst, 2016. - XI, 219 p. ; 22 cm. - (Critical war studies series). - Index. - ISBN 9781849044073

355/1068

A darkling plain : stories of conflict and humanity during war / Kristen Renwick Monroe, with Chloe Lampros-Monroe, Jonah Robnett Pellecchia. - New York : Cambridge University Press, 2015. - XI, 312 p. : tabl. ; 23 cm. - Bibliographie : p. 299-303. Index. - ISBN 9781107690172

355/1079

Diviser pour tuer : les régimes génocidaires et leurs hommes de main / Abram de Swaan ; trad. du néerlandais par Bertrand Abraham. - [Paris] : Seuil, 2016. - 354 p. ; 22 cm. - (Liber). - Titre original : Compartimenten van vernietiging. - Bibliographie : p. 325-348. Index. - ISBN 9782021185607

355/1083

Future war / Christopher Coker ; [with a foreword by H. R. McMaster]. - Cambridge ; Malden : Polity, 2015. - X, 248 p. ; 22 cm. - Bibliographie : p. 212-233. Index. - ISBN 9781509502325

355/1081

Génocides : une mémoire en partage / sous la dir. de Catalina Sagarra Martin. - [Paris] : Hermann ; [Québec] : Presses de l'Université Laval, 2015. - VIII, 202 p. : fotogr. ; 23 cm. - Bibliographies. - ISBN 9782705673512

Contient notamment : Porter la mémoire d'Auschwitz : traces et ombres du génocide dans l'art contemporain / P. Bernard-Nouraud. - Le mémoricide du génocide des Vendéens / H. Piralian-Simonyan. - La transmission de la mémoire du génocide dans le contexte culturel et politique rwandais / L. Nkusi.

355/1086

Interview with Emanuele Castano / by Mariya Nikolova. - In: International review of the Red Cross, Vol. 96, No. 895/896, Autumn/Winter 2014, p. 697-705 : fotogr.

Penser la guerre au futur / sous la dir. de Richard Garon ; [préf. Gaston Côté]. - [Québec] : Presses de l'Université Laval, 2016. - XV, 270 p. : tabl., diagr. ; 23 cm. - Bibliographies. - ISBN 9782763724331

Contient notamment : De quoi s'agit-il ? : guerre, conflit, intervention / R. Garon. - Du soldat antique au supersoldat de l'âge géopolitique posthéroïque, le modèle occidental de la guerre entre achille et iron man / S. Munger. - La guerre comme principe du politique / S. Kash

355/1084

Prescription drones : on the techno-biopolitical regimes of contemporary "ethical killing" / Elke Schwarz. - In: Security dialogue,, Vol. 47, no. 1, February 2016, p. 59-75. - Bibliographie : p. 72-75

War from the ground up : twenty-first-century combat as politics / Emile Simpson. - London : Hurst, 2015. - X, 285 p. : cartes, fotogr., diagr. ; 22 cm. - (Crises in world politics). - Index. - ISBN 9781849046640

355/1080

DETENTION

Between humanization and humanitarization ? : detention in armed conflicts and the European Convention on Human Rights / Matthias Lippold. - In: Zeitschrift für ausländisches öffentliches Recht und Völkerrecht = Heidelberg journal of international law,, 76. Jg., H. 1/2016, p. 53-95

This article analyzes two recent cases on the legality of security detentions in armed conflicts under the European Convention on Human Rights (ECHR). It will proceed as follows: First, it will identify competing interpretations of international humanitarian law and their implications for the way in which the relationship between international humanitarian law and human rights law can be approached. Second, the paper will analyze the decisions of both the High Court of Justice and the Court of Appeal in *Serdar Mohammed*, and of the European Court of Human Rights in *Hassan*. Third, the article will compare the approaches and analyze to what extent a reconciliation is possible. It will be demonstrated that the decisions in fact are to a great extent reconcilable. The article will conclude that the interpretations by the English courts and by the European Court of Human Rights are to commend, in particular because of a commonality they share: the awareness that legal orders cannot be treated as if they would stand in isolation from each other, and that their interrelationship can be properly assessed without merging them.

Detention in armed conflicts : proceedings of the 15th Bruges Colloquium, 16-17 October 2014 = La détention en conflit armé : actes du 15e Colloque de Bruges, 16-17 octobre 2014 / CICR, Collège d'Europe. - In: Collegium,, No 45, automne 2015, 204 p.

Session 1 : Deprivation of liberty in international armed conflict. - Session 2 : Deprivation of liberty in non-international armed conflict. - Session 3 : Detention operations abroad. - Session 4 : Transfers from one authority to another.

400/159

Detention in non-international armed conflict / Lawrence Hill-Cawthorne. - Oxford : Oxford University Press, 2016. - XXVIII, 275 p. ; 24 cm. - (Oxford monographs in international humanitarian and criminal law). - Bibliographie : p. 245-268. Index. - ISBN 9780198749929

International law has long differentiated between international and non-international armed conflicts, traditionally regulating the former far more comprehensively than the latter. This is

particularly stark in the case of detention, where the law of non-international armed conflict contains no rules on who may be detained, what processes must be provided to review their detention, and when they must be released. Given that non-international armed conflicts are now the most common form of conflict, this is especially worrying, and the consequences of this have been seen in the detention practices of states such as the US and UK in Iraq and Afghanistan. This book provides a comprehensive examination of the procedural rules that apply to detention in non-international armed conflict, with the focus on preventive security detention, or 'internment'. All relevant areas of international law, most notably international humanitarian law and international human rights law, are analysed in detail and the interaction between them explored. The book gives an original account of the relationship between the relevant rules of IHL and IHRL, which is firmly grounded in general international law scholarship, treating the issue as a matter of treaty interpretation. With that in mind, and with reference to State practice in specific non-international armed conflicts - including those in Sri Lanka, Colombia, Nepal, Afghanistan, and Iraq - it is demonstrated that the customary and treaty obligations of States under human rights law continue, absent derogation, to apply to detention in non-international armed conflicts. The practical operation of those rules is then explored in detail. The volume ends with a set of concrete proposals for developing the law in this area, in a manner that builds upon, rather than replaces, the existing obligations of States and non-State armed groups.

400/160

Digérer la défaite : récits de captivité des prisonniers de guerre français de la Seconde Guerre mondiale. 1940-1953 / Laurent Quinton ; préf. de Michèle Touret. - Rennes : Presses Universitaires de Rennes, 2014. - IV, 355 p. : tabl., graph. ; 24 cm. - (Histoire). - Bibliographie : p. 339-346. Index. - ISBN 9782753528819

400.2/363

ECONOMY

Economic sanctions under international law : unilateralism, multilateralism, legitimacy, and consequences / Ali Z. Marossi, Marisa R. Bassett ed.. - The Hague [etc.] : T.M.C Asser Press, 2015. - XVII, 249 p. : diagr. ; 24 cm. - Bibliographies. Index. - ISBN 9789462650503

Contient notamment : Increasing the cost of rape : using targeted sanctions to deter sexual violence in armed conflict / N. M. Nabti. - Jus ad bellum economicum and jus in bello economico : the limits of economic sanctions under the paradigm of international humanitarian law / N. Milaninia. - Economic sanctions leading to human rights violations constructing legal argument / K. Simonen.

330/270

Jus ad bellum economicum and jus in bello economico : the limits of economic sanctions under the paradigm of international humanitarian law / Nema Milaninia. - The Hague : T.M.C. Asser Press, 2015. - p. 95-124. - In: Economic sanctions under international law : unilateralism, multilateralism, legitimacy, and consequences. - Bibliographie : p. 122-124

This chapter argues that economic sanctions – including sanctions imposed outside of the armed conflict context – should be regulated by the principles underlying international humanitarian law (IHL). It considers the challenges associated with applying other sources of law, namely international human rights law and the law on countermeasures, to economic sanctions and the benefits of viewing sanctions through IHL. The chapter then describes what limits would regulate economic sanctions when borrowing IHL principles. In doing so, the chapter constructs two general categories of rules: jus ad bellum economicum – or the

principles concerning when economic sanctions can be used – and *jus in bello economico* – or the principles concerning limits governing sanctions programs.

330/270

ENVIRONMENT

Climate justice and corporate responsibility : taking human rights seriously in climate actions and projects / Damilola S. Olawuyi. - In: *Journal of energy & natural resources law*, Vol. 34, no. 1, 2016, p. 27-44. - Photocopies

363.7/170 (Br.)

GEOPOLITICS

The Boko Haram paradox : ethnicity, religion, and historical memory in pursuit of a caliphate / Zacharias P. Pieri and Jacob Zenn. - In: *African security*, Vol. 9, no. 1, 2016, p. 66-88 : carte. - Photocopies

323.11/NGA 5

The battle for Algeria : sovereignty, health care, and humanitarianism / Jennifer Johnson. - Philadelphia : University of Pennsylvania Press, 2016. - XIII, 270 p. : fotogr. ; 24 cm. - (Pennsylvania studies in human rights). - Bibliographie : p. 243-259. Index. - ISBN 9780812247718

323.15/DZA 27

The crisis in Iraq / Louise Redvers... [et al.]. - In: *Humanitarian exchange*, No. 65, November 2015, p. 4-25 : fotogr., graph., tabl., carte
Contient notamment : *Sectarianism and humanitarian security : is acceptance working in Iraq ? / B. Mikail, L. Reilly and R. Vazquez Llorente.* - *Designing safer livelihoods programmes in Iraq / R. Sider.* - *Connecting humanitarian actors and displaced communities : the IDP call centre in Iraq / G. Woods and S. Mace.* - *Unleashing the multi-purpose power of cash / S. Jarbawi*

Dynamics of one-sided violence in the civil war in Northern Uganda / Margit Bussmann. - In: *Civil wars*, Vol. 17, no. 4, December 2015, p. 465-484 : tabl., graph.

Egypt after the Spring : revolt and reaction / ed. by Emile Hokayem with Hebatalla Taha. - In: *Adelphi*, 453-454, January 2016, 222 p. : graph.. - Index

A great perhaps ? : Colombia : conflict and convergence / Dickie Davis... [et al.]. - London : Hurst, 2016. - XXXVIII, 229 p. : tabl., graph., cartes ; 23 cm. - Index. - ISBN 9781849046282

323.12/COL 19

Hiding violence to deal with the state : criminal pacts in El Salvador and Medellin / José Miguel Cruz, Angélica Durán- Martínez. - In: *Journal of peace research*, Vol. 53, no. 2, March 2016, p. 197-210. - Bibliographie : p. 208-210. - Photocopies

323.12/31

Islamic state : rewriting history / Michael Griffin. - London : Pluto press, 2016. - XXIII, 176 p. : cartes ; 20 cm. - Index. Chronologie. - ISBN 9780745336510

323.15/39

Le monde arabe : regards géopolitiques / Béatrice Giblin et Yves Lacoste (dir.). - In: Hérodote : revue de géographie et de géopolitique,, No 160-161, 1er-2e trimestre 2016, 435 p. : cartes, tabl.. - Bibliographies
Contient notamment : Syrie : de la révolution laïque et démocratique à Daech / F. Balanche. - Géopolitique du Yémen à l'aube du XXIe siècle / D. Rigoulet-Roze. - Les réfugiés au Liban, entre accueil et déracinement / L. Bucciatti-Barakat.

Nigeria : a new history of a turbulent century / Richard Bourne. - London : Zed Books, 2015. - XXII, 320 p. : carte ; 21 cm. - Bibliographie : p. 299-308. Index. - ISBN 9781780329062

323.11/NGA 13

North Africa in transition : the struggle for democracies and institutions / ed. by Ben Fishman. - In: Adelphi,, 452, November 2015, 154 p. : tabl., graph.. - Index

La Russie : entre peurs et défis / Jean Radvanyi, Marlène Laruelle. - Paris : A. Colin, 2016. - 236 p. : cartes, graph., tabl. ; 22 cm. - (Perspectives géopolitiques). - Index. - ISBN 9782200612726

323.14/RUS 36

HEALTH-MEDICINE

Les activités santé au service des victimes des conflits armés et autres situations de violence / CICR. - Genève : Comité international de la Croix-Rouge, janvier 2016. - 11 p. : fotogr. ; 21 cm. - (En bref)

356/286 (FRE Br.)

Medical humanitarianism : ethnographies of practice / ed. by Sharon Abramowitz and Catherine Panter-Brick ; foreword by Peter Piot. - Philadelphia : University of Pennsylvania Press, 2015. - X, 274 p. : tabl. ; 24 cm. - (Pennsylvania studies in human rights). - Bibliographies. Index. - ISBN 9780812247329

356/289

HISTORY / BIOGRAPHY

Evian et le drame de la Grande Guerre : 500.000 civils rapatriés = Evian and the tragedy of the Great War : 5000,000 civilian repatriates. - Milan : Silvana Editoriale, [2014]. - 93 p. : fotogr., fac-sim., ill. ; 28 cm. - ISBN 9788836627752

94/548

Gustave Ador : fondateur et patron de l'Agence des prisonniers de guerre 1914-1918 / Roger Durand. - In: Cahiers de Genève humanitaire,, No 7, 19 février 2015, p. 40-52 : fotogr., fac-sim.

92/334 (Br.)

Gustave Ador : géant de l' humanitaire : protestant à l'écoute de son temps / Marie Bron. - In: Cahiers de Genève humanitaire,, No 9, 19 décembre 2015, 19 p. : ill., fac-sim.

92/335 (Br.)

La propagande radiophonique nazie / Muriel Favre ; préf. par Henry Rousso. - Bry-sur-Marne : INA, 2014. - 158 p. : tabl., carte ; 20 cm. - (Médias histoire). - Bibliographie : p. 143-149. Index. - ISBN 9782869382190

94/549

The two Viennas : Second World War oral history / Christine P. Tanner. - [S.l.] : CPT oral history, 2015. - 150 p. : fotogr., fac-sim. ; 27 cm. - Bibliographie : p. 147-150. - ISBN 9780956977618

94/546

Voir la Grande Guerre : un autre récit, 1914-2014 / Annette Becker ; [postface de Pierre Bergounioux]. - Paris : A. Colin, 2014. - 253 p. : fotogr., ill. ; 25 cm. - Index. - ISBN 9782200287573

94/547

HUMAN RIGHTS

Extraterritorial derogations from human rights treaties in armed conflict / Marco Milanovic. - Oxford : Oxford University Press, 2016. - p. 55-88. - In: The frontiers of human rights : extraterritoriality and its challenges

This chapter examines one specific question: whether states are allowed to derogate from human rights treaties for situations which take place outside their territories, especially in armed conflict. Can, for instance, the United Kingdom derogate from the European Convention on Human Rights (ECHR) or the International Covenant on Civil and Political Rights (ICCPR) for events that take place in Afghanistan and involve its armed forces deployed there, to the extent that the ECHR and the ICCPR apply in Afghanistan? The wider the geographical scope of human rights treaties, the more relevant the question of extraterritorial derogations. Such derogations might start looking increasingly appealing to states, especially those who have initially miscalculated in arguing that the treaties do not apply at all, and avoided derogating in the fear that doing so would count as an admission that the treaties do apply. Derogations have the potential of bringing both clarity and flexibility to the applicable legal framework, especially in situations of armed conflict and with regard to possible interactions between human rights and international humanitarian law (IHL). Contrary to the dicta in some of the decisions of the House of Lords and the UK Supreme Court, the article argues that extraterritorial derogations are not only permissible, but may even be necessary and desirable, as part of price worth paying for the treaties' extensive and effective application outside states' boundaries. It also

elaborates on the relationship between derogations and the various different manifestations of the *lex specialis* principle.

345.1/637

The frontiers of human rights : extraterritoriality and its challenges / ed. by Nehal Bhuta. - Oxford : Oxford University Press, 2016. - XX, 233 p. ; 24 cm. - (The collected courses of the academy of European law ; vol. 24/1). - Index. - ISBN 9780198769279
Contient notamment : The frontiers of extraterritoriality : human rights law as global law / N. Bhuta. - Piracy, international law and human rights / T. Treves and C. Pitea. - A human rights approach to extraterritorial environmental protection ? : an assessment / J. E. Viñuales.

345.1/637

HUMANITARIAN AID

“Rahmatan lil-’alamin” (A mercy to all creation) : Islamic voices in the debate on humanitarian principles / Abdulfatah Said Mohamed and Ronald Ofteringer. - In: *International review of the Red Cross*, Vol. 97, no. 897/8, Spring/Summer 2015, p. 371-394

This article documents the work of Islamic charities and NGOs from diverse backgrounds to develop sets of principles guiding their humanitarian and charitable work, in the framework of the dialogue and cooperation among Islamic NGOs and charities as well as between Islamic and Western humanitarian agencies. The authors look at draft documents that resulted from these processes, and the way these relate to the core principles of humanitarian action. They further follow how the dialogue and cooperation between humanitarian organizations from different backgrounds and origins has influenced the orientation of this debate on humanitarian principles from theory and identity to concrete and shared challenges and concerns.

A matter of principle(s): The legal effect of impartiality and neutrality on States as humanitarian actors / Kubo Macák. - In: *International review of the Red Cross* Vol. 97, no. 897/8, Spring/Summer 2015, p. 157-181

This article examines the legal nature of the principles of impartiality and neutrality of humanitarian action, focusing on States as humanitarian actors. It argues that international law does not provide a general legal basis for the universal applicability of these principles, contrary to a common interpretation of the International Court of Justice's 1986 judgment in the Nicaragua case. Nevertheless, impartiality and neutrality may have a significant legal effect on the conduct of States. They may be directly binding on States through the operation of Security Council resolutions drafted in mandatory language. In addition, they may have indirect effect due to the States' obligation to respect humanitarian organizations' adherence to the principles. On the basis of this argument, the article pleads for increased conceptual clarity and, in turn, effectiveness of humanitarian action.

Accepting assistance in the aftermath of disasters : standards for states under international law / Stefanie Jansen-Wilhelm. - Cambridge [etc.] : Intersentia, 2015. - XVI, 246 p. ; 24 cm. - (School of human rights research series ; 69). - Bibliographie : p. 221-237. Index. - ISBN 9781780683294

361/653

The emergence of humanitarian intervention : ideas and practice from the nineteenth century to the present / ed. by Fabian Klose. - Cambridge : Cambridge University Press, 2016. - IX, 364 p. : tabl. ; 24 cm. - (Human rights in history). - Index. - ISBN 9781107075511
Contient notamment : Humanitarianism and human rights : a troubled rapport / M. Geyer. - Non-state actors' humanitarian operations in the aftermath of the First World War : the case of the near east relief / D. Rodogno. - From the protection of sovereignty to humanitarian intervention ? Traditions and developments of United Nations peacekeeping in the twentieth century / J. E. Schulte. - Humanitarian interventions, past and present / A. Thompson.

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Faith and impartiality in humanitarian response : lessons from Lebanese evangelical churches providing food aid / Kathryn Kraft. - In: *International review of the Red Cross*, Vol. 97, no. 897/8, Spring/Summer 2015, p. 395-421 :

This case study of a network of evangelical churches in Lebanon, based on data collected during an evaluation in 2014, presents a critique of common understandings about the humanitarian principle of impartiality, and questions assumptions about the compatibility between religious fervour and humanitarian values. Churches attempting to respect impartiality while implementing a food aid project for Syrian refugees have sought to mitigate potential problems through relationship-building and promotion of human dignity in order to ensure needs-responsiveness. Though many Lebanese Evangelical Christians do continue to engage in evangelistic activity, they benefit from strong community ties and demonstrate a high level of sensitivity to their beneficiaries' urgent needs as well as their sense of dignity.

Faith inspiration in a secular world : an Islamic perspective on humanitarian principles / Lucy V. Salek. - In: *International review of the Red Cross*, Vol. 97, no. 897/8, Spring/Summer 2015, p. 345-370 : diagr.

In recent years, there has been more and more interaction and engagement between “faith-based” organizations (FBOs) and secular humanitarian organizations. While humanitarian organizations operate under the humanitarian principles of humanity, neutrality, impartiality and independence, it is often believed that faith-based organizations cannot be neutral or impartial due to their religious identity and agenda. Drawing on the research of Islamic Relief Worldwide, this article looks critically at connections that can be drawn between Islamic religious principles and those upheld as key to secular humanitarian action. The article outlines the Islamic maqasid al-Shari’ah framework as an example of how religious-based approaches can provide a basis for humanitarian action that is both relevant to Islamic communities and complementary to humanitarian principles.

From Fundamental Principles to individual action : making the Principles come alive to promote a culture of non-violence and peace / Katrien Beeckman. - In: *International review of the Red Cross*, Vol. 97, no. 897/8, Spring/Summer 2015 p. 263-293 : Tabl.

This paper focuses on the individual perspective, as opposed to the institutional or operational one, towards the Fundamental Principles and their underpinning humanitarian values. It demonstrates the added value of this perspective, which goes beyond addressing challenges regarding the Fundamental Principles' understanding and application. By making the Principles and values come alive in peoples' behaviour, the individual perspective also enables Red Cross and Red Crescent staff and volunteers to inspire a change of mindset and behaviour towards a culture of non-violence and peace. Two tools created to this purpose, as well as their impact, are presented: (i) the Seven Skills for Seven Principles (747) framework, which unpacks the high-level Principles into more concrete and tangible components, values and intra- and interpersonal skills; and (ii) the Youth as Agents of Behavioural Change (YABC) initiative, which, using a non-cognitive learning approach, fosters a personal connection towards the Principles and increases participants' ability to role-model them.

From remote control to remote management, and onwards to remote encouragement ? : the evolution of MSF's operational models in Somalia and Afghanistan / Michiel Hofman and Andre Heller Pérache. - In: *International review of the Red Cross*, Vol. 96, No. 895/896, Autumn/Winter 2014, p. 1177-1191

This Opinion Note continues the discussion started in Antonio Donini and Daniel Maxwell's "From Face-to-Face to Face-to-Screen: Remote Management, Effectiveness and Accountability of Humanitarian Action in Insecure Environments", published previously in the Review, by exposing the realities of Médecins Sans Frontières' (MSF) struggle with the issue of remote management. By reviewing MSF's experience with remote management in Somalia and Afghanistan, the authors explore how operational compromise evolves over time, based on specific contextual factors, and highlight the challenges that this form of compromised action poses to MSF's identity and principles.

Human rights and states of emergency : humanitarians and governmentality / J. Paul Narkunas. - In: *Culture, theory and critique*, Vol. 56, issue 2, July 2015, p. 208-227. - Bibliographie : p. 226-227. - Photocopies

361/658 (Br.)

Humanitarian assistance and state sovereignty in international law : towards a comprehensive framework / Emilie Ellen Kujit. - Cambridge : Intersentia, [2015]. - XIX, 625 p. : tabl. ; 24 cm. - (School of human rights research series ; vol. 76). - Doctoral thesis, Leiden University, 2015. - Bibliographie : p. 569-616. Index. - ISBN 9781780683669

The world is currently witnessing a steady influx of humanitarian crises. The result of these crises is an immediate and large-scale need for food, water, shelter and medicine: in other words, the provision of humanitarian assistance. Whereas the need for such assistance may be ascertainable, its provision is not without legal and political challenges, and deprivation of aid is unfortunately all too common. Looking at these challenges and circumstances, several issues can be discerned regarding the legal framework governing the provision of humanitarian assistance. This book aims to systematically address these challenges, with an overarching approach to the provision of humanitarian assistance. Part I sets out the boundaries of the existing framework and addresses the relevant concepts pertaining to the delivery of emergency aid. Part II assesses the currently existing rights of the affected persons and duties of the affected state in the delivery of humanitarian assistance, whereas Part III addresses enforcement possibilities in the absence of (sufficient) provision by the affected state. Lastly, recommendations are provided to ensure the protection of those who need it most.

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Humanitarian diplomacy and principled humanitarian action : speech given by Peter Maurer, President of The International Committee of the Red Cross, Maison de la Paix, Geneva, 2 October 2014. - In: *International review of the Red Cross*, Vol. 97, no. 897/8, Spring/Summer 2015, p. 445-452

This speech was given by the President of the International Committee of the Red Cross, Peter Maurer, on 2 October 2014 at the Maison de la Paix in Geneva during a conference organized by the Graduate Institute of International and Development Studies. Maurer recalled the continued relevance and importance of the humanitarian principles and warned that a lack of common understanding, as well as politicized uses of the principles, jeopardizes the scope and scale of humanitarian action. The speech launched the ICRC's Second Research and Debate Cycle on Principles Guiding Humanitarian Action. Throughout 2015 - the year of the 50th anniversary of the adoption of the Fundamental Principles of the Red Cross and Red Movement (the Movement) and of the 32nd International Conference of the Movement, and leading to the World Humanitarian Summit in 2016 - the Research and Debate Cycle has gathered key actors in the humanitarian field during public events and high-level conferences. These events have

encouraged substantive discussions on the principles among experts from the Movement, the humanitarian, governmental and academic fields, and other informed participants.

Humanitarian innovation / Kim Scriven... [et al.]. - In: *Humanitarian exchange*, No. 66, April 2016, p. 4-25 : fotogr., tabl.

Contient notamment : Separating the "good" failure from the "bad" : three success criteria for innovation / A. Obrecht. - Addressing the "doctrine gap" : professionalising the use of information communication technologies in humanitarian action / N. A. Raymond and C. S. Harrity. - Innovating for access : the role of technology in monitoring aid in highly insecure environments / R. Dette and J. Steets. - Conducting simulated field visits for insecure locations in Somalia / M. Zikusooka, Z. Nezir Hassan, A. Donnelly and R. Mose. - Innovating in an ongoing armed conflict : the Mine Action applications (MAApps) project in Ukraine / K. Kisakeni Sorensen. - Mapping for resilience : crowd-sourced mapping in crises / E. Gilmour. - 3D printing humanitarian supplies in the field / E. James and L. James

Humanitarian intervention in Syria : is crisis response and limited contingency operations the solutions ? / William D. Hood. - In: *Military law review*, Vol. 223, issue 3, 2015, p. 610-628

Interview with Mr Ma Qiang : former executive vice-president of the Shanghai branch of the Chinese Red Cross / by Vincent Bernard and Wen Zhou. - In: *International review of the Red Cross*, Vol. 97, no. 897/8, Spring/Summer 2015, p. 29-44 : fotogr.

In this issue, the Review wanted to give a voice to different perspectives on the principles guiding humanitarian action. The Chinese Red Cross is an interesting example of a member of the International Red Cross and Red Crescent Movement operating according not only to the seven Fundamental Principles of the Movement, but also to three additional values (or "spirits"), namely humanity, fraternity and dedication. Whereas the Fundamental Principles serve as institutional rules and provide operational guidance, the three spirits serve as an ideology for members of the Chinese Red Cross. In addition, over the last few years, the Chinese Red Cross has become more and more involved in disaster response operations abroad (for instance, in the response to Typhoon Haiyan in the Philippines in 2013 and the earthquake in Nepal in 2015), as well as in China. It is expected that Chinese disaster response organizations will be increasingly involved in future international crises. The Review spoke to Mr Ma Qiang, former Executive Vice-President of the Shanghai branch of the Chinese Red Cross, the oldest Red Cross branch in China, to find out more about how he sees the evolution of the humanitarian sector and the challenges to principled humanitarian action in today's world.

Is neutral humanitarian action permissible under Islamic law ? / Modh Hisham Mohd Kamal. - In: *International review of the Red Cross*, Vol. 97, no. 897/8, Spring/Summer 2015, p. 423-431

In this Opinion Note, Modh Hisham Mohd Kamal examines neutral humanitarian action during armed conflicts from an Islamic perspective. By analyzing the Qur'an and the Sunnah, he finds that it is permissible to recognize a neutral third party. Moreover, Modh Hisham Mohd Kamal considers *siyasa al-Shar'iyyah* and *maqasid al-Shari'ah* and finds that neutrality leads to the protection of lives and dignity and is thus compatible with the two concepts. He concludes that neutrality is permissible from the Islamic perspective.

Legislating against humanitarian principles : a case study on the humanitarian implications of Australian counterterrorism legislation / Phoebe Wynn-Pope, Yvette Zegenhagen and Fauve Kurnadi. - In: *International review of the Red Cross*, Vol. 97, no. 897/8, Spring/Summer 2015, p. 235-261

The humanitarian principles - humanity, neutrality, impartiality and independence - have come to characterize effective humanitarian action, particularly in situations of armed conflict, and have provided a framework for the broader humanitarian system. Modern counterterrorism

responses are posing significant challenges to these principles and the feasibility of conducting principled humanitarian assistance and protection activities. This article explores the origins of the principles, the history behind their development, and their contemporary contribution to humanitarian action. The article then discusses some of the ways in which the principles are threatened, both by practice and by law, in the Australian context, and finally makes suggestions as to how the principles can be reclaimed and protected for the future of effective, impartial humanitarian action.

The need to help : the domestic arts of international humanitarianism / Liisa H. Malkki. - Durham ; London : Duke University Press, 2015. - X, 270 p. ; 23 cm. - Bibliographie : p. 235-266. Index. - ISBN 9780822359326

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Romancing principles and human rights : are humanitarian principles salvageable ? / Stuart Gordon and Antonio Donini. - In: *International review of the Red Cross* Vol. 97, no. 897/8, Spring/Summer 2015, p. 77-109

"Classical" or "Dunantist" humanitarianism has traditionally been constructed around the core principles of neutrality (not taking sides) and impartiality (provision of assistance with no regard to ethnicity, religion, race or any other consideration, and proportional to need), plus the operational imperative (rather than a formal principle) to seek the consent of the belligerent parties. These principles, whilst never unchallenged, have dominated the contemporary discourse of humanitarianism and have been synonymous with or at least reflections of a presumed essential, enduring and universal set of humanitarian values. This paper offers a more dynamic and changing vision of the content of humanitarian action. It maps the origins and content of the "new humanitarian" critique of the humanitarian sector and principles and argues that this has both misrepresented the ethical content of neutrality and obscured what amount to significant operational adaptations that leave traditional humanitarianism well prepared for the contemporary operating environment.

Saving lives and staying alive : humanitarian security in the age of risk management / Michaël Neuman, Fabrice Weissman (ed.). - London : Hurst, 2016. - XXI, 179 p. : cartes, tabl., graph. ; 22 cm. - Index. - ISBN 9781849046510

Contient notamment : Violence against aid workers : the meaning of measuring / F. Weissman. - Humanitarian security manuals : neutralising the human factor in humanitarian action / M. J. Beerli and F. Weissman. - Qabassin, Syria : security issues and practices in an MSF mission in the land of jihad / J. Soussan

361/657

Unpacking the principle of humanity : tensions and implications / Larissa Fast. - In: *International review of the Red Cross* Vol. 97, no. 897/8, Spring/Summer 2015, p. 111-131

Humanity is at once the most universally and uncritically accepted humanitarian principle. It is not, however, without controversy. This article defines the principle of humanity and then explores its inherent tensions, related to universality and particularism, inclusion and exclusion, and equality and inequality. The article concludes with a call to operationalize and concretize humanity through three sets of transformative practices and everyday actions. Together these embody the relational nature of humanity, and suggest ways forward in reforming humanitarianism.

Volunteers and responsibility for risk-taking : changing interpretations of the charter of Médecins Sans Frontières / Caroline Abu Sa'da and Xavier Crombe. - In: *International review of the Red Cross* Vol. 97, no. 897/8, Spring/Summer 2015, p. 133-155

The Charter of Médecins Sans Frontières (MSF), the guiding document for all of the organization's members, states in the final paragraph that volunteers "understand the risks and dangers of the missions they carry out". Through a review of the different periods in the history of MSF, this article analyzes the changing interpretations that the organization's successive leaders have given to this reference to the acceptance of risk by individuals. The professionalization and expansion of MSF, coupled with its diversifying volunteer base and the changing international environment, have required constant renegotiation of the balance between institutional and individual responsibility for the dangers faced in the field. No doubt this process is far from over.

ICRC-INTERNATIONAL MOVEMENT OF THE RED CROSS AND RED CRESCENT

Applying the humanitarian principles : reflecting on the experience of the International Committee of the Red Cross / Jérémie Labbé and Pascal Daudin. - In: *International review of the Red Cross*, Vol. 97, no. 897/8, Spring/Summer 2015, p. 183-210

Applying the humanitarian principles of humanity, impartiality, neutrality and independence in a relevant manner in concrete operational settings is a constant challenge for humanitarian organizations. Bound by this set of norms, the International Committee of the Red Cross (ICRC) has incrementally developed over the years a rational framework that allows its leadership and staff on the ground to act according to these principles while developing adapted solutions and pragmatic approaches. This article begins by describing the history and development of the humanitarian principles; it then explains how the strategic choices of the ICRC are informed by these principles, and what the consequences are for the organization's capacity to act in favour of victims of armed conflicts.

Humanitarian principles put to the test : challenges to humanitarian action during decolonization / Andrew Thompson. - In: *International review of the Red Cross*, Vol. 97, no. 897/8, Spring/Summer 2015, p. 45-76

This article examines the meaning and purpose of the Fundamental Principles of the Red Cross and Red Crescent Movement during and after decolonization. This was a period when the character of conflict experienced far-reaching changes, when the limitations of international humanitarian law were sharply exposed, and when humanitarian organizations of all kinds - the International Committee of the Red Cross included - redefined their missions and mandates. The Fundamental Principles were caught up in these processes; subject to a resurgent State sovereignty, they were both animated and constrained by the geopolitical forces of the era. The article pays particular attention to the politicization of the Principles in the contexts of colonial counter-insurgency, political detention and transfers of power.

Memorandum : the ICRC's privilege of non-disclosure of confidential information / [International Committee of the Red Cross]. - In: *International review of the Red Cross*, Vol. 97, no. 897/8, Spring/Summer 2015, p. 433-444

Proceedings of a judicial, quasi-judicial, public inquiry, fact-finding or similar nature, in which confidential communications of the International Committee of the Red Cross (ICRC) risk being disclosed, raise important challenges for the ICRC's capacity to carry out its internationally recognized mandate. In order to carry out that mandate and fully assume its operational role in the protection and assistance of victims of armed conflict and other situations of violence, confidentiality is an essential tool that allows the ICRC to build the necessary trust to secure access, open channels of communication, influence change and ensure the security of its staff. The purpose of this Memorandum is to, first, provide the rationale for and broad practical context of confidentiality as the ICRC's working method; second, outline the legal sources on

which the ICRC bases its requests that national and other authorities protect the confidentiality of its communications from public disclosure and from being used in legal proceedings; and third, set out the scope of application of the ICRC's evidentiary privilege regarding confidential information.

A porous humanitarian shield : the laws of war, the Red Cross, and the killing of civilians / Margit Bussmann, Gerald Schneider. - In: *The review of international organizations*,, 4 September 2015, [23] p. : tabl. graph.. - Photocopies. - Bibliographie : p. 21-23

An important literature examines the attempts by the international community in inducing or coercing conflict parties in civil wars to refrain from committing atrocities against the civilian population. We examine in this article whether a non-governmental actor, the distinctively neutral and independent International Committee of the Red Cross, whose mission includes the promotion of humanitarian law and the protection of the civilian population, has such a restraining effect on the conflict parties. Our results suggest that the more time has passed since the ratification of the relevant Geneva Conventions and Protocols, the larger is the risk of civilian victimization. We cannot find evidence that the ICRC's presence in conflict zones and the seminars it conducts to spread humanitarian law make a crucial difference. Case studies of Bosnia and Darfur indicate that shaming strategies and thus a relatively unusual instrument for the traditionally neutral actor did not abate the killings; the statistical evidence in the form of Granger causality tests rather show that the killing and harming precedes the naming and shaming.

362.191/1618 (Br.)

Tools to do the job : the ICRC's legal status, privileges and immunities / Els Debuf. - In: *International review of the Red Cross*, Vol. 97, no. 897/8, Spring/Summer 2015, p. 319-344
The International Committee of the Red Cross (ICRC) enjoys a specific legal status and specific privileges and immunities under both international and domestic law. They enable the ICRC to effectively carry out its mandate, and to do so in full conformity with its Fundamental Principles and standard working modalities. This article clarifies the ICRC's particular legal status and explains the rationale, scope and legal sources of its privileges and immunities.

Walking the walk : evidence of principles in action from Red Cross and Red Crescent National Societies / Amelia B. Kyazze. - In: *International review of the Red Cross*, Vol.97, no. 897/8, Spring/Summer 2015, p. 211-233 : fotogr., photogr.

Using evidence from nine different National Societies, this essay illustrates how the Fundamental Principles of the Red Cross and Red Crescent Movement are practically applied in today's diverse contexts. The research has found that the Principles are not just abstract concepts but are in fact practical tools for initiating and implementing a range of programmes, particularly in difficult situations. The Fundamental Principles are useful for increasing access in both conflict and peaceful situations. Strong leadership is an important factor to ensure that the Principles are applied, particularly when neutrality is challenged. Lastly, all seven Principles work together and give additional strength to programmes when working as part of the Movement.

INTERNATIONAL CRIMINAL LAW

The characterization of armed conflict in the jurisprudence of the ICC / Anthony Cullen. - Oxford : Oxford University Press, 2015. - p. 762-777. - In: *The law and practice of the International Criminal Court*

The existence of armed conflict is the most fundamental prerequisite for the exercise of jurisdiction over war crimes. This chapter probes the characterization of armed conflict in the case-law of the ICC. It shows that the ICC has relied heavily on the jurisprudence of the ICTY concerning the conceptualization of non-international armed conflict (e.g. Tadic) and

internationalization of prima facie internal armed conflict based on the overall control test. It argues that maintaining the integrity of armed conflict as a concept of international humanitarian law is one of the greatest longer-term challenges facing the Court.

344/672

Charging war crimes : policy and prognosis from a military perspective / Michael A. Newton. - Oxford : Oxford University Press, 2015. - p. 732-761. - In: *The law and practice of the International Criminal Court*

The Rome Statute was designed to largely align criminal norms with actual state practice based on the realities of warfare. Article 8 embodied notable new refinements (e.g. in relation to disproportionate attack under Article 8(2)(b)(iv)), but did so against a backdrop of pragmatic military practice. This chapter dissects the structure of war crimes under Rome Statute to demonstrate this deliberate intention of Article 8 and then describes the correlative considerations related to charging practices for the maturing institution, including command responsibility. When properly understood and applied in light of the Elements of Crimes, the Court's charging decisions with respect to war crimes ought to reflect the paradox that its operative provisions are at once revolutionary yet broadly reflective of the actual practice of warfare.

344/672

Command responsibility under Article 28 of the Rome Statute / Alejandro Kiss. - Oxford : Oxford University Press, 2015. - p. 608-648. - In: *The law and practice of the International Criminal Court*

This chapter discusses the concept of command responsibility under Article 28 of the ICC Statute. This doctrine evolved against the need to rethink the existing concepts of ordinary criminal law in a manner that would address cases of individuals in high positions of authority responsible for mass criminality. There is a plethora of literature and jurisprudence, particularly since the experiences of the ad hoc tribunals, dealing with the most contentious aspects of command responsibility, but many aspects remain unclear. This chapter addresses issues which involve the most significant practical consequences, including the superior-subordinate relationship and the requirement of effective control, the duties imposed on commanders and superiors, the role of causation, and the mental element.

344/672

Debate : the role of international criminal justice in fostering compliance with international humanitarian law / Chris Jenks and Guido Acquaviva. - In: *International review of the Red Cross*, Vol. 96, No. 895/896, Autumn/Winter 2014, p. 775-794

The Review invited two practitioners to share their perspectives on the concrete effects of international criminal justice on fostering compliance with international humanitarian law. Chris Jenks questions the "general deterrence" role of international criminal justice, contending that the influence of complicated and often prolonged judicial proceedings on the ultimate behaviour of military commanders and soldiers is limited. Guido Acquaviva agrees that "general deterrence", if interpreted narrowly, is the wrong lens through which to be looking at international criminal justice. However, he disagrees that judicial decisions are not considered by military commanders, and argues that it is not the individual role of each court or tribunal that matters; rather, it is their overall contribution to an ever more comprehensive system of accountability that can ultimately foster better compliance with international humanitarian law.

Jus in bello futura ignotus : the United States, the International Criminal Court, and the uncertain future of the law of armed conflict / James T. Hill. - In: *Military law review*, Vol. 223, issue 3, 2015, p. 672-725

Law, justice and a potential security gap : the "organization" requirement in international humanitarian law and international criminal law / Rogier Bartels and Katharine Fortin. - In: Journal of conflict and security law, Vol. 21, no. 1, Spring 2016, p. 29-48

INTERNATIONAL HUMANITARIAN LAW-GENERAL

Hommage à Jean Pictet = Tribute to Jean Pictet = Homenaje a Jean Pictet : par le concours de droit international humanitaire Jean-Pictet / sur une idée de Christophe Lanord ; sous la dir. de Julia Grignon ; coord. par Jérôme Massé. - [Genève] : Schulthess ; Montréal : éd. Yvon Blais, 2016. - L, 640 p. : fac-sim., graph. ; 23 cm. - Bibliographies. - ISBN 9783725585953

Ce livre se veut un vibrant hommage à Jean Pictet et à l'héritage impérissable qu'il laisse derrière lui. On y trouve les textes de 50 contributeurs qui travaillent aujourd'hui dans le domaine du droit international humanitaire, après avoir participé à un titre ou à un autre au Concours. Provenant de la plume d'universitaires et de praticiens actifs, les contributions proposées reflètent, dans une grande variété de perspectives, les nombreuses thématiques qui animent aujourd'hui les acteurs du droit international humanitaire. Elles sont réunies en sept chapitres qui abordent tour à tour : Jean Pictet : la Croix-Rouge, le droit humanitaire, l'homme; le Concours Jean-Pictet vu par d'anciens participants; l'empreinte de Jean Pictet sur le droit international humanitaire contemporain; le droit international humanitaire dans une perspective historique; les enjeux actuels du droit international humanitaire; les interactions entre le droit international humanitaire et d'autres corpus juridiques; et le droit international humanitaire dans la pratique. Cette collection d'articles en français, en anglais et en espagnol s'inscrit dans le grand mouvement en faveur de la mobilisation et de la diffusion de cette branche du droit.

345.2/993

Die völkerrechtliche Klassifizierung bewaffneter Konflikte : Konflikttypen, Abgrenzungen sowie Rechtsfolgen und deren Auswirkungen auf die Planung und Durchführung militärischer Operationen / Karl Edlinger. - Frankfurt am Main [etc.] : P. Lang, 2016. - 304 p. ; 21 cm. - (Völkerrecht Europrecht und internationales Wirtschaftsrecht ; Bd. 22). - Bibliographie : p. 279-304. - ISBN 9783631669518

345.2/992

INTERNATIONAL HUMANITARIAN LAW-CONDUCT OF HOSTILITIES

The conduct of hostilities under the law of international armed conflict / Yoram Dinstein. - 3rd. ed.. - Cambridge : Cambridge University Press, 2016. - XXXIV, 358 p. ; 23 cm. - Index. - ISBN 9781107544185

Focusing on recent issues arising in the course of hostilities between States, this textbook explores the dividing line between lawful and unlawful combatants, the meaning of war crimes and command responsibility, the range of prohibited weapons, the distinction between combatants and civilians, the parameters of targeting and proportionality, the loss of protection from attack (including 'direct participation in hostilities') and special protection (granted, pre-eminently, to the environment and to cultural property). In a completely revised and updated text, the author expertly covers the key principles and includes important new issues, including the use of autonomous weapons and the complexities of urban warfare.

345.25/213 (2016)

Humanity considerations cannot reduce war's hazards alone : revitalizing the concept of military necessity / Yishai Beer. - In: *European journal of international law = Journal européen de droit international*, Vol. 26, no. 4, November 2015, p. 801-828

The exercise of brute force by militaries, though common, reflects professional incompetency. A well-trained military has an inherent interest in enhancing its operational effectiveness and constraining unnecessary brutality. The law of armed conflict, however, generally ignores the constraining effect of the necessity principle, originally intended to allow only the minimally necessary use of force on the battlefield. Consequently, the prevailing law places the burden of restricting the exercise of brute military force upon humanitarian considerations (and the specific norms derived from them). Humanity alone, however, cannot deliver the goods and substantially reduce war's hazards. This article challenges the current dichotomy between the two pillars - mistakenly assumed to be polar opposites - of the law of armed conflict: necessity and humanity. It calls for the transformation of the military's self-imposed professional constraining standards into a revised legal standard of necessity. Though the necessity principle justifies the mere use of lethal force, it should not only facilitate wielding the military sword but also function simultaneously as a shield, protecting combatants and non-combatants alike from excessive brutality. The suggested transformation would bind and restrain the prospective exercisers of excessive force, political and military alike, and restrict the potential damage that might be caused both intentionally (to combatants) and collaterally (to non-combatants). The combined effect of the current changes in war's pattern and the law of armed conflict, in the military and social thinking of recent decades, and the new strategies available due to the development of new military technologies have all created a new war environment - one that may be ready to leverage the constraining potential of military professionalism into a binding legal standard and norms.

Illegally evading attribution ? : Russia's use of unmarked troops in Crimea and international humanitarian law / Ines Gillich. - In: *Vanderbilt journal of transnational law*, Vol. 48, issue 1, p. 1191-1223. - Photocopies
345.25/337 (Br.)

Preferring one's own civilians : may soldiers endanger enemy civilians more than they would endanger their state's civilians ? / Iddo Porat and Ziv Bohrer. - In: *The George Washington international law review*, Vol. 47, no. 1, p. 99-158. - Photocopies

345.25/336 (Br.)

INTERNATIONAL HUMANITARIAN LAW-IMPLEMENTATION

Applicable law : jus ad bellum, jus in bello, and the legacy of the UN Compensation Commission / Veijo Heiskanen and Nicolas Leroux. - Oxford [etc.] : Oxford University Press, 2015. - p. 51-80. - In: *War reparations and the UN Compensation Commission : designing compensation after conflict.* - Photocopies

United Nations (UN) Security Council (UNSC) resolution 687 (1991) affirms Iraq's liability for the invasion and occupation of Kuwait, and empowers the UN Compensation Commission (UNCC) to decide claims arising from that liability. Resolution 687 (1991) does not stipulate whether the UNCC was remitted to apply jus in bello, the law of armed conflict, or jus ad bellum, the law of peace. The decisions of the UNCC Governing Council also fail to clarify which body of law is being applied in their decisions. This article argues that the law applied by the Governing Council appears, almost exclusively, to be jus ad bellum. Yet several claims arose in

circumstances that should have arguably situated them within the purview of *jus in bello*. Thus, Iraq may have been assigned liability for more offences, and afforded fewer defenses, than would reasonably apply under *jus in bello*. The article asserts that this stems from implicit assumptions made by the UNCC about Iraq's liability in connection with its invasion and occupation of Kuwait. [Summary by students at the University of Toronto, Faculty of Law (IHRP)]

345.22/276 (Br.)

Belgium's Interministerial Commission for Humanitarian Law : playing a key role in the implementation and promotion of IHL / Frédéric Casier and Alix Janssens. - In: *International review of the Red Cross*, Vol. 96, No. 895/896, Autumn/Winter 2014, p. 1075-1091

The Belgian Interministerial Commission for Humanitarian Law was created in 1987 for the purpose of identifying and coordinating national measures for implementing the Geneva Conventions of 1949 and their Additional Protocols of 1977, which Belgium had just ratified. In the first part of this article, the authors describe the Commission's background, composition, missions and structure. They then explain how, through its work, the Commission helps incorporate the rules of international humanitarian law into domestic law, disseminate these rules and promote compliance with them. In the final part of the article, the authors highlight the key factors underpinning the Commission's success in achieving its missions.

Bugsplat : US standing rules of engagement, international humanitarian law, military necessity and noncombatant immunity / Neta C. Crawford. - Washington : Georgetown University Press, 2013. - p. 231-249 : graph.. - In: *Just war, authority, tradition and practice.* - Photocopies

This article examines how the United States (US) military's organizational level processes shape, enable, and constrain its actions on the ground. These processes are especially relevant with regards to noncombatant immunity and civilian protection. The article shows how the *jus in bello* considerations of discrimination and proportionality are institutionalized in the US rules of engagement and standard operating procedures. These considerations shape targeting decisions by dictating the intensity, duration, and magnitude of force to be used, as well as permissible degrees of collateral damage. This article also explores the tension between the prohibition on harming civilians and the exceptions created for military necessity, arguing that the US generally views military necessity as the overriding principle. In light of this prioritization, the article questions what moral responsibility is owed for the incidental and unintended killing of noncombatants, both at the organizational level and on the ground. Also discussed is how the use of algorithms and operations has diffused moral responsibility. The article highlights the importance of critically examining the impact these processes have on the ground in order to recognize military processes that function as imperfect moral agents. [Summary by students at the University of Toronto, Faculty of Law (IHRP)]

345.22/279 (Br.)

Building respect for IHL through national courts / Sharon Weill. - In: *International review of the Red Cross*, Vol. 96, No. 895/896, Autumn/Winter 2014, p. 859-879

Respect for international humanitarian law (IHL) comes in many forms, one of which is through the practice of domestic courts in addressing IHL-related cases. This article takes a closer look at the structural conditions necessary for the effective enforcement of IHL by domestic courts, elaborates on the spectrum of options that are available to national judges when faced with IHL-related cases, and describes the functional roles of courts in adopting a particular posture. It is demonstrated that even if the structural conditions are fulfilled, this will not necessarily result in the normative application of the law. It appears that national judges are in the process of defining their own roles as independent organs for overseeing the State's acts during armed conflicts. In that regard, the article outlines a few suggestions for future research on the

choices courts make and the conditions necessary for them to effectively handle IHL-related cases.

Common Article 1 to the Geneva Conventions and the obligation to prevent international humanitarian law violations / Knut Dörmann and Jose Serralvo. - In: *International review of the Red Cross*, Vol. 96, No. 895/896, Autumn/Winter 2014, p. 707-736

Common Article 1 to the four Geneva Conventions lays down an obligation to respect and ensure respect for the Conventions in all circumstances. This paper focuses on the second part of this obligation, in particular on the responsibility of third States not involved in a given armed conflict to take action in order to safeguard compliance with the Geneva Conventions by the parties to the conflict. It concludes that third States have an international legal obligation not only to avoid encouraging international humanitarian law violations committed by others, but also to take measures to put an end to on-going violations and to actively prevent their occurrence.

The Conference of High Contracting Parties to the Fourth Geneva Convention of 17 December 2014 and the duty to ensure respect for international humanitarian law / Matthias Lanz, Emilie Max and Oliver Hoehne. - In: *International review of the Red Cross*, Vol. 96, No. 895/896, Autumn/Winter 2014, p. 1115-1133

While international humanitarian law envisages the possibility of holding formal thematic discussions, only United Nations General Assembly resolutions prompted the depositary of the Geneva Conventions to consult the High Contracting Parties on the opportuneness of conflict-specific conferences. Recalling the precedents of 1999 and 2001 - convened on the basis of the support expressed by the States Parties during related consultations - this article focuses on the Conference of High Contracting Parties to the Fourth Geneva Convention of 17 December 2014, which is likewise related to the Israeli-Palestinian conflict. The result of the conference consists of a declaration reflecting the willingness of the States Parties to further implement Article 1 common to the four Geneva Conventions.

Converting treaties into tactics on military operations / Andrew J. Carswell. - In: *International review of the Red Cross*, Vol. 96, No. 895/896, Autumn/Winter 2014, p. 919-942

Despite widespread State acceptance of the international law governing military use of force across the spectrum of operations, the humanitarian reality in today's armed conflicts and other situations of violence worldwide is troubling. The structure and incentives of armed forces dictate the need to more systematically integrate that law into operational practice. However, treaty and customary international law is not easily translated into coherent operational guidance and rules of engagement (RoE), a problem that is exacerbated by differences of language and perspective between the armed forces and neutral humanitarian actors with a stake in the law's implementation. The author examines the operative language of RoE with a view to facilitating the work of accurately integrating relevant law of armed conflict and human rights law norms. The analysis highlights three crucial debates surrounding the use of military force and their practical consequences for operations: the dividing line between the conduct of hostilities and law enforcement frameworks, the definition of membership in an organized armed group for the purpose of lethal targeting, and the debate surrounding civilian direct participation in hostilities and the consequent loss of protection against direct attack.

Direct participation : law school clinics and international humanitarian law / Laurie R. Blank and David Kaye. - In: *International review of the Red Cross*, Vol. 96, No. 895/896, Autumn/Winter 2014, p. 943-968

Law school clinics focused on international humanitarian law (IHL) enable students to participate directly in the development and application of IHL through concrete "real world" work - from training to research and fact-finding, litigation to high-level advocacy, and many spaces in between. These opportunities do far more than just contribute to these students'

development as effective, reflective lawyers, certainly a key goal of any clinical environment. Clinical IHL work also matches clinical pedagogy with cutting-edge issues in armed conflict to deepen students' law school experiences and enables them to engage in the IHL goals of promotion, implementation and enforcement.

Drones : a proposal for new policy inclusive of independent judicial oversight / Milena Sterio. - In: *Wake Forest journal of law and policy*, Vol. 5, no. 2, 2015, p. 469-511. - Photocopies

This article argues that the United States (US) must develop a transparent and comprehensive policy on their use of drones across national borders. The US conducts lethal drone strikes in “traditional theaters of war”, but also CIA-operated strikes against suspected terrorists located in countries which are not at war with the US. The covert nature of these operations precludes experts and the public from assessing the legality of the US drone program under domestic and international law. The existing US drone policy sheds little light on the government’s decision-making process for determining the identity of appropriate targets, and insulates the government from judicial oversight. This unnecessarily prioritizes security over transparency. To properly hold the US executive accountable, independent judicial oversight is needed. Many experts advocate for an adversarial “drone court”, composed of federal judges and operating *ex parte*. The author suggests that a drone court could provide independent judicial oversight over targeting decisions before a lethal strike by evaluating the imminence of the threat posed by a specific target, whether a lethal strike is necessary in response, and ensuring decisions to use lethal force are reached pursuant to clear, well-defined targeting practices. [Summary by students at the University of Toronto, Faculty of Law (IHRP)].

345.22/278 (Br.)

Ensuring national compliance with IHL : the role and impact of national IHL committees / Cristina Pellandini. - In: *International review of the Red Cross*, Vol. 96, No. 895/896, Autumn/Winter 2014, p. 1043-1048

Cristina Pellandini considers the role of national international humanitarian law (IHL) committees in this introduction to the three following articles on the work and track record of the national IHL committees of Belgium, Peru and Mexico.

The International Committee of the Red Cross and the promotion of international humanitarian law : looking back, looking forward / Marion Harroff-Tavel. - In: *International review of the Red Cross*, Vol. 96, No. 895/896, Autumn/Winter 2014, p. 817-857

In a globalizing world marked by geopolitical upheaval, unprecedented threats to human security, new forms of violence and technological revolutions, particularly in the area of information technology, it is no simple task to raise awareness of international humanitarian law (IHL) applicable to armed conflict and ensure that warring parties comply with this body of law. This article traces the history of the International Committee of the Red Cross's (ICRC) work in promoting IHL from 1864 to the present, juxtaposing this history with important events in international relations and with the organization's (sometimes traumatizing) experiences that ultimately gave rise to innovative programmes. The article summarizes lively debates that took place at the ICRC around such topics as the place of ethics in the promotion of IHL, respect for cultural diversity in the various methods used to promote this body of law, and how much attention should be devoted to youth - as well as the most effective way to do so. The author concludes by sharing her personal views on the best way to promote IHL in the future by drawing on the lessons of the past.

International law and armed conflict in dark times : a call for engagement / Naz K. Modirzadeh. - In: *International review of the Red Cross*, Vol. 96, No. 895/896, Autumn/Winter 2014, p. 737-749

This Opinion Note highlights the international humanitarian law (IHL) provisions mandating dissemination of the Geneva Conventions and the Additional Protocols to the civilian

population. In referencing three dilemmas concerning contemporary challenges to international law in armed conflict and how each of those dilemmas may result in a "breaking point" or a "turning point", the author argues that it is vitally important not only for armed forces but also for the general public to learn - and actively engage with - IHL both during war and in (relative) peacetime.

Le jugement du Tribunal correctionnel d'Anvers dans l'affaire dite "Sharia 4 Belgium" et l'article 141bis du Code pénal belge / Vaios Koutroulis. - Paris : L'Harmattan, 2015. - p. 85-103. - In: *Les combattants européens en Syrie.* - (Comité international des pénalistes francophones : journées)

303.6/234

The legal obligation to record civilian casualties of armed conflict / Susan Breau, Rachel Joyce. - [S.l.] : Oxford Research Group, June 2011. - 35 p. : tabl. ; 30 cm. - Discussion paper. - Photocopies. - Bibliographie : p. 33-34

The Oxford Research Group's (ORG) Recording of Casualties of Armed Conflict (RCAC) Programme has concluded a research project on identifying the international legal obligation to record civilian casualties of armed conflict. As a result of extensive research into international customary humanitarian law and the treaties that embody obligations for states in International Humanitarian Law and International Human Rights Law, the research team has identified the elements of the international legal obligation. The various sources of law drawn upon to identify this right include the Geneva Conventions; the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the European Convention on Human Rights, and other human rights instruments; reports and statements of the United Nations; case law of the European Court of Human Rights and the Inter-American Court of Human Rights; and the principles of customary international law. When placed in the context of casualty recording, the principles spread amongst these instruments and sources come together naturally to form a binding obligation on states. The findings of this report indicate that a move towards establishing a systematic mechanism of casualty recording in all theatres of armed conflict is necessary and required by law.

345.22/177 (Br.)

Off target : selection, precaution, and proportionality in the DoD Manual / Adil Ahmad Haque. - In: *International law studies*, Vol. 92, 2016, p. 31-84. - Photocopies

The United States Department of Defense Law of War Manual misrepresents customary international law governing target selection, precautions in attack and proportionality. Contrary to the Manual's assertions, attackers with a choice of targets for obtaining a similar military advantage must select the target that endangers the fewest civilians; often must avoid harming civilians even at some additional risk to themselves or to their mission; and must refrain from attack if the expected harm to civilians – including to civilians forced to serve as human shields – would be excessive in relation to the anticipated military advantage.

345.22/275 (Br.)

Peru's National Committee for the study and implementation of international humanitarian law / Tania Elizabeth Arzapalo Villón. - In: *International review of the Red Cross*, Vol. 96, No. 895/896, Autumn/Winter 2014, p. 1061-1073

Implementation of international humanitarian law (IHL) in national legislation is necessary to promote compliance with IHL in the event of an armed conflict. Owing to its consultative and interdepartmental nature, the National Committee for the Study and Implementation of International Humanitarian Law (CONADIH) plays a strategic role in promoting its implementation in Peru. To fulfil that role more effectively, CONADIH was strengthened during a structural internal reform of the Peruvian Ministry of Justice and Human Rights (MINJUS),

where its presidency lies. Two of the crucial steps to that end were that the presidency fell under a higher authority within the Ministry and the creation of a governing body with decision-making powers regarding IHL and international human rights law, thus leading to the incorporation of IHL into a broad range of public policies.

Prevention in practice : teaching IHL in US legal academia / Kate Jastram and Anne Quintin. - In: *International review of the Red Cross*, Vol. 96, No. 895/896, Autumn/Winter 2014, p. 987-1027 : graph.

This paper assesses the evolution of teaching international humanitarian law (IHL) in law schools in the United States since 2007, analyzes progress made in overcoming challenges to more effective integration of IHL content in law school curricula, and provides a measure of the contribution of promotional initiatives and strategies undertaken by the International Committee of the Red Cross (ICRC) to this effort. The findings and recommendations should serve to support law faculty and law schools in the US and elsewhere, as well as the ICRC, in expanding opportunities for teaching and scholarship, and in encouraging law students and professors to pursue their interest in this field.

Special agreements as a means of enhancing compliance with IHL in non-international armed conflicts : an inquiry into the governing legal regime / Ezequiel Heffes and Marcos D. Kotlik. - In: *International review of the Red Cross*, Vol. 96, No. 895/896, Autumn/Winter 2014, p. 1195-1224

Common Article 3 to the four Geneva Conventions encourages the parties to a non international armed conflict to bring into force international humanitarian law provisions through the conclusion of special agreements. Since armed groups are ever more frequent participants in contemporary armed conflicts, the relevance of those agreements as means to enhance compliance with IHL has grown as well. The decision-making process of special agreements recognizes that all the parties to the conflict participate in the clarification and expansion of the applicable rights and obligations in a way that is consistent with the principle of equality of belligerents. This provides incentives for armed groups to respect the IHL rules they have themselves negotiated. However, even upon the conclusion of such agreements, it remains unclear which legal regime governs them. This paper will argue that special agreements are governed by international law instead of domestic law or a *sui generis* legal regime.

Towards effective military training in international humanitarian law / Elizabeth Stubbins Bates. - In: *International review of the Red Cross*, Vol. 96, No. 895/896, Autumn/Winter 2014, p. 795-816

The obligation to train troops in international humanitarian law (IHL) is simply stated and its implementation delegated to State discretion. This reflects a past assumption that mere dissemination of IHL would be an effective contribution to the prevention of violations. Academic literature has evolved so that dissemination alone is now known to be insufficient for compliance, while the ICRC's integration model emphasizes the relevance of IHL to all aspects of military decision-making. A separate process, the ICRC/Government of Switzerland Initiative on Strengthening Compliance with IHL, is still in its consultative stages at the time of writing, but may result in voluntary State reporting and/or thematic discussions at meetings of States. This article synthesizes academic and practitioner insights on effective IHL training, and suggests a collaborative rubric for informative, standardized reporting on IHL training. Such a rubric could enable States and researchers to share best practice and future innovations on IHL training, using a streamlined, cost-effective tool.

The work of Mexico's Interministerial Committee on international humanitarian law / Mariana Salazar Albornoz. - In: *International review of the Red Cross*, Vol. 96, No. 895/896, Autumn/Winter 2014, p. 1049-1059

In the six years since it was created, the Comisión Intersecretarial de Derecho Internacional Humanitario de México, Mexico's Interministerial Committee on International Humanitarian Law, has become one of the region's most active national bodies for the implementation of international humanitarian law (IHL). Its achievements are the result of the efforts of the federal executive branch agencies that form and participate in the Committee, as well as of the support that the International Committee of the Red Cross and the Mexican Red Cross have provided to facilitate its work. In this article, the author describes the structure and operation of the Committee, as well as the activities it has carried out in fulfilling its mandate to disseminate and promote respect for IHL rules, principles and institutions and further the national implementation of IHL.

INTERNATIONAL HUMANITARIAN LAW-LAW OF OCCUPATION

The righting of the law of occupation / Aeyal Gross. - Oxford : Oxford University Press, 2016. - p. 21-54. - In: *The frontiers of human rights : extraterritoriality and its challenges*

Advocates for applying international human rights law (IHRL) in occupied territories in addition to international humanitarian law (IHL) suggest that doing so would advance the welfare of the occupied people as well as a legal culture of compliance. This chapter, however, argues that the application of IHRL in occupied territories may in fact lead to a radical transformation in the law of occupation because of the conceptual differences that exist between IHL and IHRL. This transformation is not necessarily to the benefit of protected persons living under occupation. The chapter includes discussion of case-law of the International Court of Justice, the Israeli High Court of Justice and the European Court of Human Rights.

345.1/637

INTERNATIONAL HUMANITARIAN LAW-TYPE OF ACTORS

Armed non-state actors in international humanitarian and human rights law : foundation and framework of obligations, and rules on accountability / Konstantinos Mastorodimos. - Farnham ; Burlington : Ashgate, 2016. - LVIII, 241 p. ; 25 cm. - Bibliographie : p. 209-230. Index. - ISBN 9781472456168

The accountability of armed non-state actors is a neglected field of international law, overtaken by the regimes of state responsibility and individual criminal accountability as well as fears of legitimacy. Yet armed non-state actors are important players in the international arena and their activities have significant repercussions. This book focuses on their obligations and accountability when they do not function as state agents, regardless of the existence or extent of accountability of their individual members. The author claims that their distinct features lead to their classification into three different types: de facto entities, armed non-state actors in control of territory, and common article 3 armed non-state actors. The mechanisms that trigger the applicability of humanitarian and human rights law regimes are examined in detail as well as the framework of obligations. In both cases, the author argues that armed non-state actors should not be treated as entering international law and process exclusively through the state. The study concludes by focusing on their accountability in international humanitarian and human rights law and, more specifically, to the rules of attribution, remedies and reparations for violations of their primary obligations.

345.29/231

Behaviour in war : the place of law, moral inquiry and self-identity / Dale Stephens. - In: *International review of the Red Cross*, Vol. 96, No. 895/896, Autumn/Winter 2014, p. 751-773

Daniel Munoz-Rojas and Jean-Jacques Fresard's study "The Roots of Behaviour in War" (RBW Study), which came out in 2004, provided very useful insight into how compliance with international humanitarian law may be better ensured. In essence, it emphasized the role of "the law" and associated enforcement mechanisms in achieving optimal results. Emphasis on "persuasion" regarding the values underpinning the law was identified as having a possibly corrosive effect and was to be de-emphasized, if not avoided. Such conclusions raise serious questions. The study's reliance on neutral normativity of "the law" can be overstated. The issue may be less one of checking aberrant behaviour under the law and more one of ensuring that unnecessary harm is curtailed within the law. The assumptions made by the RBW Study concerning the efficacy of the law are too narrow in their avoidance of the moral and ethical questioning that can accompany legal interpretative approaches. The role of identity and professional culture offers an effective means of ensuring restraint under the law. This article argues that the RBW Study has not stood the test of time and that operational developments have transcended the conclusions made in the study.

Des combattants qui n'en sont pas vraiment : les Européens partis se battre en Syrie et en Irak vu par le droit international humanitaire / Christophe Deprez et Isaline Wittorski. - Paris : L'Harmattan, 2015. - p. 43-84. - In: *Les combattants européens en Syrie.* - (Comité international des pénalités francophones : journées)

303.6/234

Contemplating the true nature of the notion of "responsibility" in responsible command / Geoffrey S. Corn. - In: *International review of the Red Cross*, Vol. 96, No. 895/896, Autumn/Winter 2014, p. 901-917

Operating under responsible command is an essential requirement to qualify as a lawful combatant, and is also central to the doctrine of command responsibility. This reveals the inextricable link between the role of the commander and the effective implementation of the international humanitarian law (IHL). Understanding this linkage is vital to ensuring that commanders and other military leaders fulfil their obligation to prepare subordinates to navigate the chaos of mortal combat within the legal and by implication moral framework that IHL provides. Few commanders would question the proposition that responsible commanders prepare their military units to effectively perform their combat missions. However, operational effectiveness is only one aspect of developing a "responsible" command. Because this term is grounded in the expectation of IHL compliance, a truly responsible command exists only when the unit is prepared to execute its operational mission in a manner that fully complies with IHL obligations. This broader conception of a disciplined and effective military unit reflects the true nature of the concept of responsible command, as only military units built on this conception of discipline advance the complementary objectives of military effectiveness and humanitarian respect. Accordingly, the requirement that lawful combatants operate under responsible command is an admonition to all military leaders that truly effective military units are those capable of executing their missions with maximum operational effect within the framework of humanitarian constraint that defines the limits of justifiable violence during armed conflict.

The legitimization strategy of the Taliban's code of conduct : through the one-way mirror / Yoshinobu Nagamine. - Basingstoke ; New York : Palgrave Macmillan, 2015. - XXII, 293 p. : tabl., diagr. ; 24 cm. - Bibliographie : 257-284. Index. - ISBN 9781137537164

The Afghan Taliban are often judged against international norms; what is, however, less known is that they have produced their own set of norms designed to guide their conduct. In this insightful study, Yoshinobu Nagamine examines the Taliban's internal code of conduct, the

Layeha. He analyses the Layeha in comparison with Islamic law and international humanitarian law and conducts interviews with Taliban members to understand how they interpret and refer to the Layeha. The results of these interviews give readers and insider's view of the legitimization strategy of the Taliban leadership.

345.29/232

The rights and responsibilities of armed non-state actors : the legal landscape and issues surrounding engagement / Andrew Clapham. - Genève : Académie de droits humains, February 2010. - 45 p.. - Photocopies

This paper looks at the international obligations that bind rebel groups in the context of international humanitarian law, international human rights law and international criminal law. The focus is on rebel groups and how to engage with them with regard to norms aimed at the protection of civilians. A number of suggestions are floated in the context of a wider project, aimed at improving respect for such norms by generating a greater sense of ownership over the standards and the monitoring processes.

345.2/441 (Br.)

The search for status : charting the contours of combatant status in the age of ISIS / R. Aubrey Davis. - In: *Military law review*, Vol. 223, issue 3, 2015, p. 556-609 : graph.

INTERNATIONAL HUMANITARIAN LAW-TYPE OF CONFLICT

The ethics of insurgency : a brief overview / Michael L. Gross. - In: *Journal of military ethics*, Vol. 14, no. 3-4, October-December 2015, p. 248-271. - Contient également les réponses faite à l'article de M. Gross par George R. Lucas, David Whetham et Valerie Morkevicius. - Bibliographies

Are all forms of guerilla warfare apprehensible? Or can there be such a thing as just guerilla warfare? If so, what would be the reasonable requirements we would make of guerillas in order to consider them just? The remarks below, based on my new book *The Ethics of Insurgency; A Critical Guide to Just Guerilla Warfare* (Cambridge University Press, 2015), summarize my attempts to answer those questions, discussing such issues as legitimate authority, just cause, and compliance with the laws of armed conflict, including the use of human shields and 'soft-war' tactics such as cyber warfare. Three commentators thereafter delve into some of the most central critical questions and objections, to which I subsequently reply.

The law of cyber targeting / Michael N. Schmitt. - In: *Naval war college review*, Vol. 68, no. 2, Spring 2015, p. 11-29. - Photocopies

Cyber activities have become a reality in contemporary warfare. This article examines how international humanitarian law (IHL) may feasibly and effectively govern these activities, arguing that its interpretation must adapt in order to do so. Informed by the Tallinn Manual, the article focuses on IHL norms as they can be applied to cyber operations. Specifics about cyber operations in Estonia, Georgia, and Iran are also included. Wide acceptance for the application of IHL to cyber operations in warfare is complicated by disagreements about whether cyber attacks alone meet the criteria to qualify as international or non-international armed conflicts (IAC/NIAC). While cyber attacks between two or more states may constitute an IAC, cyber exchanges alone are far less likely to meet the criteria for NIACs. Whether such operations are subject to the prohibitions on attacking civilians and civilian objects is also unclear. This is complicated due to the fact that dual-use technology is common in numerous

countries. The articles also examines application of the rule of proportionality and the requirement to take precautions in attack when conducting cyber operations. [Summary by students at the University of Toronto, Faculty of Law (IHRP)].

345.26/280 (Br.)

The Lieber Code and the regulation of civil war in international law / Dapo Akande and Lawrence Hill Cawthorne. - In: *Columbia journal of transnational law*,, Vol. 53, no. 3, 2015, p. 638-651. - Photocopies

The Lieber Code was a general codification of the laws of war that was also intended to regulate the conduct of armed forces during the American Civil War. It presented a novel assumption: that the laws of war in international armed conflicts (IAC) should apply in a non-international armed conflict (NIAC). Since the Lieber Code, however, international humanitarian law (IHL) has developed into a bipartite scheme. With the Geneva Conventions of 1949 and subsequent treaties, the applications of IHL were reformed. The legal category of “war” - easily manipulated by states - was replaced with the factual criteria of “armed conflict”. The existence of the relevant factual criteria meant that IHL applied automatically, so states lost their control over that determination. As a result, states refused to apply IHL in its entirety to NIAC, and have repeatedly rejected the harmonization of IHL in treaties drafted since the Lieber Code. The authors then offer various rationales for states’ reluctance to harmonize the rules of IHL in IAC and NIAC, including states’ fears of limiting their rights in domestic conflicts; that more regulation in NIAC would legitimize armed opposition groups; and that legitimization of armed militants might “internationalize” conflicts, by encouraging more frequent intervention by other states. [Summary by students at the University of Toronto, Faculty of Law (IHRP)]

345.27/148 (Br.)

INTERNATIONAL ORGANIZATION-NGO

Building respect for the rule of law in violent contexts : the Office of the High Commissioner for Human Rights' experience and approach / Annyssa Bellal. - In: *International review of the Red Cross*,, Vol. 96, No. 895/896, Autumn/Winter 2014, p. 881-900

How does the Office of the High Commissioner for Human Rights (OHCHR) discharge its mandate of “promoting and protecting the effective enjoyment by all of all civil, cultural, economic, political and social rights”, especially in armed conflicts and other situations of violence? What are its concrete responsibilities, and how does it work to generate respect for the rule of law on the ground? This article aims to provide an overview of OHCHR's activities, and point to some of the challenges associated with its work to generate respect for the rule of law, in particular in violent contexts. It begins with an overview of the unique mandate of OHCHR and situates it within the broader United Nations human rights machinery. It then gives an account of OHCHR's experience and approach in building respect for the rule of law, including in armed conflicts and post-conflict situations, outlining how this informs OHCHR's field setup. Finally, the article summarizes the main challenges that OHCHR faces in the discharge of its mandate. It highlights the need for more concerted action on the part of human rights/humanitarian protection organizations on the ground, despite differences in mandates and constituencies.

Coming clean on neutrality and independence : the need to assess the application of humanitarian principles / Ed Schenkenberg van Mierop. - In: *International review of the Red Cross*, Vol. 97, no. 897/8, Spring/Summer 2015, p. 295-318

Neutrality and independence continue to be part of the four core humanitarian principles, in addition to humanity and impartiality. Promoting these principles needs to go hand in hand with efforts to apply and implement them. Applying neutrality and independence is a considerable undertaking. This article explains the various aspects of these two principles that

are crucial for understanding and applying them. The author suggests that these aspects should be taken into account in assessing whether humanitarian organizations are managing to uphold the principles. In turn, these assessments will enable humanitarian organizations and other stakeholders in humanitarian action to understand what the opportunities and obstacles are in applying independence and neutrality.

Promoting respect for IHL by NGOs : the case of ALMA - Association for the promotion of IHL / Ido Rosenzweig. - In: *International review of the Red Cross*, Vol. 96, No. 895/896, Autumn/Winter 2014, p. 1029-1042

ALMA - Association for the Promotion of International Humanitarian Law is an Israeli-originated non-governmental organization. ALMA was established with the prime objective of promoting knowledge, understanding and discussion of IHL. For that purpose, it has established several projects aimed at different audiences and with different goals. Since its establishment in March 2010, ALMA has managed to make its way to the front line through cooperation and dedication. This article provides an overview of ALMA's goals and projects, as well as its challenges and future aspirations in the quest to generate respect for international humanitarian law.

MEDIA

Fighting, worrying and sharing : operation "protective edge" as the first WhatsApp war / Vered Malka, Yaron Ariel and Ruth Avidar. - In: *Media, war and conflict*, Vol. 8, no. 3, December 2015, p. 329-344 : tabl., graph.. - Bibliographie : p. 341-344

Images d'armées : un siècle de cinéma et de photographie militaires 1915-2015 / sous la dir. de Sébastien Denis et Xavier Sené. - Paris : CNRS [Ivry-sur-Seine] : Ministère de la Défense : ECPAD, 2015. - 279 p. : fotogr., ill., cartes ; 28 cm. - Bibliographie : p. 265-269. Index. - ISBN 9782271085993

070/119

Les organisations humanitaires internationale[s] et la radiophonie : le cas du CICR, (1960-1980) / Vincent Beney. - [S.l.] : [s.n.], 2015-2016. - 25 p. : fotogr. ; 30 cm. - Réalisé dans le cadre du séminaire : Histoire contemporaine. La politique au bout des ondes : de la radio de service public aux radios communautaires : histoire d'un media au XXe siècle. - Bibliographie : p. 17-20. - Photocopies

070/117 (Br.)

La protección del periodista : el caso de Siria / Isabel García García. - In: *Revista española de derecho militar*, 103, 2015, p. 93-121 : tabl., ill.. - Bibliographie : p. 118-121
The war correspondent / Greg McLaughlin. - fully updated 2nd ed.. - London : Pluto press, 2016. - X, 267 p. ; 22 cm. - Bibliographie : p. 245-258. Index. - ISBN 9780745333182

070/118

MISSING PERSONS

La mémoire des disparitions en Argentine : l'histoire politique du Nunca Más / Emilio Crenzel ; trad. de Guadalupe Deza, rév. par Baptiste Gillier. - Paris : L'Harmattan, 2016. - 246 p. ; 22 cm. - (La philosophie en commun). - Titre original : *La historia política del Nunca Más.* - Bibliographie : p. 227-246. - ISBN 9782343086835

332/82

NATIONAL RED CROSS AND RED CRESCENT SOCIETIES

Australian Red Cross leadership in the promotion of international humanitarian law / Tim McCormack. - In: *International review of the Red Cross*, Vol. 96, No. 895/896, Autumn/Winter 2014, p. 969-986

In this Opinion Note, Tim McCormack highlights the Australian experience of setting up and developing an IHL programme domestically as an example of how IHL can be disseminated and promoted at the national level. The Australian experience is a great success story and can serve as an example for others seeking to do the same.

Wars, laws + humanity : New Zealand's engagement with international humanitarian law / [ed. by Marnie Lloyd]. - In: *IHL Magazine*, October 2015, 40 p. : fotogr., fac.-sim.

SN/NZ/14

PEACE

La fabrique de la paix : acteurs, processus, mémoires / sous la dir. de Antoine Coppolani, Charles-Philippe David et Jean-François Thomas. - [Paris] : Hermann ; [Québec] : Presses de l'Université Laval, 2015. - XV, 348 p. : fotogr., ill., carte ; 23 cm. - (Politique étrangère et sécurité). - ISBN 9782705673529

Contient notamment : Le respect de l'honneur national comme condition d'une paix durable / M. Khatcherian. - La paix : un concept essentiellement contesté ? / O. Tinland. - Promouvoir la tolérance et la paix / D. Chevalier. - Le Musée de l'espoir ou la paix exposée : quelle muséohistoire des conflits ? / C. Heimberg. - "Pacifier" au XXI^e siècle ? : la "longue guerre" des américains / S. Taillat

172.4/278

The fog of the peace : a memoir of international peacekeeping in the 21th century / Jean-Marie Guéhenno. - Washington, D.C. : Brookings Institution Press, 2015. - XVII, 331 p. ; 24 cm. - Index. - ISBN 9780815726364

172.4/279

Invitation to peace studies / Houston Wood. - New York ; Oxford : Oxford University Press, 2016. - IX, 294 p. : fotogr., tabl., diagr. ; 24 cm. - Bibliographie : p. 269-284. Index. - ISBN 9780190217136

172.4/275

Preventing deadly conflict / I. William Zartman. - Cambridge ; Malden : Polity, 2015. - VIII, 243 p. : carte ; 21 cm. - (War and conflict in the modern world). - Bibliographie : p. 206-229. Index. - ISBN 9780745686929

172.4/277

Quelle connerie la guerre ! : anthologie illustrée d'écrits sur la tolérance, le pacifisme et la fraternité universelle / textes choisis par Jean-Pol Baras et Denis Lefebvre ; avec la collab. de Plantu et de la Fondation Henri La Fontaine. - Paris : [Omnibus], 2016. - 287 p. : ill., fac.-sim. ; 25 cm. - Index. - ISBN 9782258133495

172.4/276

PROTECTION OF CULTURAL PROPERTY

Destruction of cultural heritage in Northern Mali : a crime against humanity ? / Sebastián Green Martínez. - In: *Journal of international criminal justice*,, Vol. 13, no. 5, December 2015, p. 1073-1097

This article analyses the attacks against moderate Muslim populations allegedly perpetrated in Mali after January 2012 by the group Ansar Dine. In January 2013 the Office of the Prosecutor (OTP) of the International Criminal Court (ICC) discarded the investigation of crimes against humanity in favour of pursuing war crimes allegations. This article critically assesses the factual elements and the OTP decision and concludes that there is, in fact, a reasonable basis to believe that crimes against humanity were committed by the aforementioned group and that the destruction of shrines, tombs and mosques in Timbuktu could be considered a crime against humanity of persecution under the ICC Statute.

PUBLIC INTERNATIONAL LAW

The future of restrictivist scholarship on the use of force / Jörg Kammerhofer... [et al.]. - In: *Leiden journal of international law*,, Vol. 29, no. 1, March 2016, p. 13-112

Contient notamment : Restrictivist reasoning on the rationae personae dimension of armed attacks in the post 9/11 world / A. de Hoogh. - The law of self-defence and the new argumentative landscape on the expansionists' side / R. van Steenberghe. - Customary constraints on the use of force : article 51 with an American accent / W. C. Banks and E. J. Criddle.

Killing by drone : towards uneasy reconciliation with the values of a liberal state / Tom Farer and Frederic Bernard. - In: *Human rights quarterly : a comparative and international journal of the social sciences, humanities, and law*,, Vol. 38, no. 1, February 2016, p. 108-133

The limits of force / by Christine Gray. - In: *Recueil des cours : Académie de droit international de la Haye = Collected courses of the Hague academy of international law*,, T. 376, 2014, p. 93-197. - Bibliographie : p. 195-197

The modern practice of intervention by invitation in Africa and its implications for the prohibition of the use of force / Erika de Wet. - In: *European journal of international law = Journal européen de droit international*,, Vol. 26, no. 4, November 2015, p. 979-998

Peremptory international law : jus cogens : a general inventory / Robert Kolb. - Oxford ; Portland : Hart, 2015. - XVII, 148 p. ; 25 cm. - Bibliographie : p. 130-137. Index. - ISBN 9781782257271

345/695

The Stuxnet attack : a new form of warfare and the (in)applicability of current international law / Jordan Peagler. - In: *Arizona journal of international and comparative law*,, Vol. 31, no. 2, 2014, p. 399-434. - Photocopies

This article examines the threats presented by cyber warfare and the applicability of current international law to cyberattacks. The Stuxnet Attack on Iran's nuclear facility in Natanz in 2010 is its central focus. The main question is whether this cyberattack constituted a "use of force" within the meaning of Article 2 of the United Nations (UN) Charter, and thus engaged the retaliatory measures legally available to Iran. While the term "force" is often viewed as necessarily meaning armed violence, this article notes that force has additionally been interpreted to mean coercion and interference. Cyberattacks can be understood as falling within this broader conception of force as inclusive of interference. However, for this inclusion to gain international recognition, the UN will need to modernize its construal of the UN Charter to account for the different technical characteristics and actors involved in cyberattacks. Due to the political difficulty of passing an international treaty to regulate cyber warfare, this article suggests that Iran request an international convention to address the Stuxnet Attack. Such a meeting would serve as a much-needed starting point for negotiations on the inclusion of cyber warfare within existing international laws. [Summary by students at the University of Toronto, Faculty of Law (IHRP)]

345/696 (Br.)

Weathering the storm : legality and legal implications of the Saudi-led military intervention in Yemen / Tom Ruys and Luca Ferro. - In: *International and comparative law quarterly*, Vol. 65, part 1, January 2016, p. 61-98

REFUGEES-DISPLACED PERSONS

Activités en faveur des migrants / CICR. - Genève : CICR, janvier 2016. - 8 p. : fotogr. ; 21 cm. - (En bref)

325.3/504 (FRE Br.)

Pragmatism, moral responsibility or policy change : the Syrian refugee crisis and selective humanitarianism in the Turkish refugee regime / Umut Korkut. - In: *Comparative migration studies*, Vol. 4, no. 2, 2016, p. 1-20. - Bibliographie : p. 19-20. - Photocopies

325.3/511 (Br.)

Syria, cost-sharing, and the responsibility to protect refugees / E. Tendayi Achiume. - In: *Minnesota law review*, Vol. 100, issue 2, Dec. 2015, p. 687-762. - Photocopies

325.3/512 (Br.)

World migration report 2015 : migrants and cities : new partnerships to manage mobility / International Organization for Migration. - Geneva : IOM, 2015. - XXI, 202 p. : fotogr., cartes, diagr., tabl., graph. ; 28 cm. - Bibliographies. - ISBN 9789290687092

Réf. GEO 2-v

RELIGION

Guerre et religion / sous la dir. de Jean Baechler. - Paris : Hermann, 2016. - 353 p. : ill. ; 26 cm. - (L'Homme et la guerre). - ISBN 9782705691585

281/70

The ISIS apocalypse : the history, strategy, and doomsday vision of the Islamic State / William McCants. - New York : St. Martin's Press, September 2015. - XI, 242 p. ; 24 cm. - Index. - ISBN 9781250080905

297/161

Petit lexique des guerres de religion d'hier et d'aujourd'hui / Odon Vallet. - nouv. éd.. - [Paris] : Albin Michel, 2016. - 167 p. ; 18 cm. - (Espaces libres ; 260). - ISBN 9782226320407

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SEA WARFARE

The international law of the sea / Donald R. Rothwell and Tim Stephen. - 2nd ed.. - Oxford ; Portland : Hart, 2016. - XLVIII, 553 p. : cartes, tabl., graph. ; 25 cm. - Bibliographies. Index. - ISBN 9781782256847

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Blood year : Islamic state and the failures of the war on terror / David Kilcullen. - London : Hurst, 2016. - XI, 288 p. : cartes ; 20 cm. - Index. - ISBN 9781849045551

303.6/239

Dans le piège de la guerre insurrectionnelle : l'Occident à l'épreuve du communisme hier, de l'islamisme aujourd'hui / Marc Lemaire. - Paris : L'Harmattan, 2016. - 293 p. : tabl. ; 24 cm. - ISBN 9782343081496

303.6/237

Fatwas et caricatures : la stratégie de l'islamisme / Lina Murr Nehmé. - Paris : Salvator, 2015. - 222 p. : photogr., dessins, fac-sim. ; 24 cm. - ISBN 9782706713309

303.6/238

Islamist terrorism in Europe : a history / Petter Nesser. - London : Hurst, 2015. - XIV, 371 p. ; 22 cm. - Index. - ISBN 9781849044059

303.6/236

Paroles armées : comprendre et combattre la propagande terroriste / Philippe-Joseph Salazar. - Paris : Lemieux, 2015. - 262 p. ; 17 cm. - ISBN 9782373440294

303.6/235

Right to self-defense, attribution and the non-state actor : birth of the "unable or unwilling" standard ? / Paulina Starski. - In: *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht = Heidelberg journal of international law*, 75. Jahrgang, H. 3/2015, p. 455-501

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Gender and dealing with the past / Sandra Rubli, Elisabeth Baumgartner. - In: *Essential*, 01/2014, 31 p. : diagr.

362.8/248 (Br.)

The lost women of Iraq : family-based violence during armed conflict / Miriam Puttick ; Minority Rights Group. - London : Ceasefire Centre for Civilian Rights : Minority Rights Group, 2015. - 39 p. : graph., tabl. ; 30 cm. - ISBN 9781907919701

362.8/245

Rape, silence and denial / Olivera Simic. - New York : Routledge, 2016. - p. 102-120. - In: *Transitional justice and reconciliation : lessons from the Balkans.* - Bibliographie : p. 117-120. - Photocopies

362.8/246 (Br.)

"Unwilling cocoons" : Boko Haram's war against women / Temitope B. Oriola. - In: *Studies in conflict & terrorism*, 2016, 60 p. : tabl., cartes, graph.. - Photocopies

362.8/249 (Br.)

Women in conflict and peace / ed. Jenny Hedström, Thiyumi Senaratha; contrib. Rosalie Arcala Hall... [et al.]. - Stockholm : International Institute for Democracy and Electoral Assistance, 2015. - 168 p. : tabl. ; 25 cm. - Bibliographies. - ISBN 9789176710142

362.8/251