

BIBLIOGRAPHY

3rd issue 2024

International Humanitarian Law

New acquisitions on international humanitarian law,
classified by subjects, at the International Committee
of the Red Cross Library



ICRC

Table of Content

TABLE OF CONTENT	2
INTRODUCTION	4
I. General issues	6
II. Types of conflicts	8
III. Armed forces / Non-state armed groups	10
IV. Multinational forces	11
V. Private actors	12
VI. Protection of persons	13
VII. Protection of objects.....	16
VIII. Detention, internment, treatment and judicial guarantees	18
IX. Law of occupation.....	19
X. Conduct of hostilities	21
XI. Weapons.....	24
XII. Implementation.....	25
XIII. International human rights law.....	28
XIV. International criminal law	30
XV. Contemporary challenges	32
XVI. Countries/Regions	34
<i>AFGHANISTAN.....</i>	<i>34</i>
<i>ALBANIA</i>	<i>34</i>
<i>AUSTRALIA.....</i>	<i>34</i>
<i>BALTIC COUNTRIES.....</i>	<i>34</i>
<i>BANGLADESH</i>	<i>35</i>
<i>BELGIUM</i>	<i>35</i>
<i>BOSNIA AND HERZEGOVINA</i>	<i>35</i>
<i>CHECHNYA.....</i>	<i>35</i>
<i>CHINA</i>	<i>35</i>
<i>COLOMBIA.....</i>	<i>35</i>
<i>DEMOCRATIC REPUBLIC OF THE CONGO.....</i>	<i>36</i>
<i>DENMARK</i>	<i>36</i>
<i>ETHIOPIA</i>	<i>36</i>
<i>EUROPE</i>	<i>36</i>
<i>GAZA.....</i>	<i>36</i>
<i>GERMANY.....</i>	<i>37</i>
<i>GREECE.....</i>	<i>37</i>

GUATEMALA	37
HUNGARY.....	37
IRAN	37
IRAQ	38
ISRAEL	38
ITALY	39
JAPAN.....	39
LITHUANIA	39
MORROCO	39
NAGORNY KARABAKH.....	40
NORWAY	40
PALESTINE	40
POLAND	41
RUSSIAN FEDERATION	41
SAUDIA ARABIA.....	43
SOUTH AFRICA	43
SOUTH KOREA	43
SUDAN.....	43
SYRIA.....	43
TURKEY.....	44
UGANDA	44
UKRAINE	44
UNITED KINGDOM.....	47
UNITED STATES	47
VIET NAM	48
WESTERN SAHARA	48
YEMEN	49

ALL WITH ABSTRACTS.....	50
--------------------------------	-----------

Introduction

The International Committee of the Red Cross Library

The International Committee of the Red Cross (ICRC) endeavours to prevent suffering by promoting and strengthening international humanitarian law (IHL) and universal humanitarian principles. The ICRC Library in Geneva contributes to this mission by maintaining an extensive collection of IHL documents to help ICRC colleagues in their work. While the Library was set up primarily to serve ICRC staff members, it also takes on its own share of IHL-promotion work with the general public.

To this end, the Library holds a wide collection of specific IHL documents that can be consulted by the public: preparatory documents, reports, records and minutes of Diplomatic Conferences where the main IHL treaties were adopted; records of Red Cross and Red Crescent Movement conferences, during which many IHL matters are discussed; every issue of the International Review of the Red Cross since it was founded; all ICRC publications; rare documents published in the period between the founding of ICRC and the end of the First World War and charting the influence of Dunant's ideas; and a unique collection of legislation and case law implementing IHL at domestic level.

The Library also acquires as many external IHL publications as possible, with those produced in English and French being the priority. Each journal article, chapter, book, working paper, report etc. is catalogued separately, making the Library's online catalogue (<https://library.icrc.org>) one of the most exhaustive resources for IHL research.

The Library is open to the public from Monday to Friday (9 am to 1 pm).

Origin and purpose of the IHL bibliography

The bibliography was first produced at the request of field communication delegates, who were in charge of encouraging universities to offer IHL courses and of assisting professors who taught this subject. The delegates needed a tool they could give their contacts to help them develop or update their IHL knowledge.

Given their needs, it was decided to classify the documents so readers could pinpoint what they needed, access the documents easily and use abstracts to decide whether or not to read a document in full.

It quickly emerged that the bibliography was also helpful to other researchers, students and legal professionals working in the field of IHL. The Library therefore decided to make the bibliography accessible to the general public.

In short, the bibliography can be useful for developing and strengthening IHL knowledge, helping ICRC delegations, National Societies, schools, universities, research centres etc. to build up their library's IHL collection, and keeping track of topical IHL issues being tackled by academics. It is also useful for authors in the process of writing articles, books and theses and legal professionals who work on IHL on a daily basis to see what has been written on a specific IHL subject.

How to use the IHL Bibliography

Part I: Multiple entries for readers who only need to check specific subjects

The first part is tailored for such readers, with 15 IHL categories that have been identified in conjunction with ICRC legal and communication advisers. An additional “Countries/Regions” category has been added for a regional approach. Each article, book and chapter is classified under every relevant category. This enables readers to swiftly identify references of interest without trawling through the whole bibliography. To avoid making the document too long, this first part only provides bibliographic references. For the abstract, please refer to the second part of the bibliography

Part II: All entries with abstract for readers who need it all

Rather than going through the first part and coming across repeated references, readers can skip to the second part where all the documents are listed alphabetically (by title), together with an abstract. The abstract is either that produced by the author or the publisher, where provided, or is drawn up by the IHL reference librarian responsible for the bibliography.

Access to document

Whenever an article is electronically available in full text, a link allows you to access the document directly. Links followed by a * are restricted to subscribers or otherwise limited to ICRC staff. All documents are available for loan at the ICRC Library. In case your local library cannot provide you with some of the documents, requests for copies or scans (in a reasonable amount) can be sent to library@icrc.org

Chronology

This bibliography is based on the acquisitions made by the ICRC Library over the past four months. The Library strives to acquire relevant articles and books as soon as they become available.

Contents

The bibliography lists writings on IHL subjects (e.g. articles, monographs, chapters, reports and working papers) in English and French, with the addition of writings in German and Spanish since 2022.

Sources

The ICRC Library monitors a wide range of sources, including all 80 journals to which the Library subscribes, bibliographical databases, legal databases, legal publishers' catalogues, legal research centres and non-governmental organizations. It also receives suggestions from the ICRC legal advisers.

Disclaimer

Acquisitions are made by the Library and do not necessarily reflect the opinions of the ICRC.

Subscription and feedback

Please send your request for subscription or feedback to library@icrc.org with the subject heading “IHL bibliography subscription/feedback”.

I. General issues

(General catch-all category, Customary Law, Religion, Development of law, Scope, Multiple subjects monographies)

The blockade and the making of modern food aid in the era of the two world wars

Elisabeth Piller. In: The international history review, vol. 46, issue 4, 2024, p. 551-567
<https://doi.org/10.1080/07075332.2024.2356877>

The effect of Russia's invasion of Ukraine on non-human animals : international humanitarian law perspectives

Saba Pipia. In: Israel law review : a journal of human rights, public and international law, vol. 57, no. 2, July 2024, p. 265-287
<https://doi.org/10.1017/S0021223724000086>

From treaties to tweets : the (in)formality of war termination

Laurie R. Blank and Daphné Richemond-Barak. In: Journal of national security law and policy, vol. 14, no. 3, 2024, p. 339-358
https://jnslp.com/wp-content/uploads/2024/06/From_Treaties_to_Tweets_The_InFormality_of_War_Termination.pdf

In pursuit of a treaty's soul : a study of the object and purpose of the Fourth Geneva Convention

Kubo Mačák and Ellen Policinski. In: International and comparative law quarterly, vol. 73, issue 2, April 2024, p. 385-415
<https://doi.org/10.1017/S0020589324000113>

Internal legitimacy as a benchmark criterion for the inclusion of NSAGs in the making of IHL

Pauline Charlotte Janssens. In: The military law and the law of war review, vol. 62, no. 1, 2024, p. 2-30
<https://doi.org/10.4337/mlwr.2024.01.01> *

International humanitarian law and the challenges of contemporary armed conflicts : building a culture of compliance for IHL to protect humanity in today's and future conflicts

ICRC. - Geneva : ICRC, September 2024. - 84 p.
<https://library.icrc.org/library/docs/DOC/icrc-4810-002.pdf>

Leçons contemporaines de droit international humanitaire

sous la direction de Julian Fernandez et Emre Öktem. - Paris : A. Pedone, 2024. - 238 p.

Making and shaping the law of armed conflict

ed. by Sandesh Sivakumaran and Christian R. Burne. - Oxford : Oxford University Press, 2024. - XXIV, 368 p.
<https://doi.org/10.1093/oso/9780197775134.001.0001> *

Neutrality, non-belligerency, and permanent neutrality according to recent practice and doctrinal views

Natalino Ronzitti. In: Journal of conflict and security law, vol. 29, no. 1, Spring 2024, p. 55-71
<https://doi.org/10.1093/jcsl/krae001> *

El rol del Comité Internacional de la Cruz Roja en la implementación y desarrollo del derecho internacional humanitario en Colombia

Mónica Vanessa Angarita López. - In: Desafíos del derecho internacional humanitario en Colombia: aspectos filosóficos, hermenéuticos, constitucionales y ambientales. - Bogotá : Universidad Externado de Colombia, 2022. - p. 147-216

<https://bdigital.uexternado.edu.co/entities/publication/de045176-e94b-43d2-9920-29410892c627>

Settler empire and the United States : Francis Lieber on the laws of war

Helen M. Kinsella. In: American political science review, vol. 117, issue 2, May 2023, p. 629-642

<https://doi.org/10.1017/S0003055422000569>

Storm and sack : British sieges, violence and the laws of war in the Napoleonic era, 1799–1815

Gavin Daly. - Cambridge : Cambridge University Press, 2022. - IX, 316 p.

Strengthening IHL compliance : the conduct of hostilities, the protection of essential services and humanitarian assistance in contemporary armed conflict

International Institute of Humanitarian Law ; ed. Marco Pedrazzi ; associated ed. Edoardo Gimigliano. - Milano : Franco Angeli, 2024. - 239 p.

<https://iihl.org/round-table/46th-round-table-on-current-issues-of-international-humanitarian-law/>

II. Types of conflicts

(Qualification of conflict, international and non-international armed conflict, asymmetric, cyber, urban, naval and aerial warfare...)

Arbitrary withholding of consent to humanitarian relief in non-international armed conflict : legal regulations and consequences

by Vijitha Veerakatty. - Leiden ; Boston : Brill Nijhoff, 2024. - XI, 363 p.

https://doi.org/10.1163/9789004689343_002

Characterization of the violence between Türkiye and the PKK

Şehmus Kurtuluş. In: Leiden journal of international law, vol. 37, no. 1, March 2024, p. 274-293

<https://doi.org/10.1017/S0922156523000456>

Filmer des écrans : la légitimation des frappes de drones par le droit international humanitaire

Vaios Koutroulis et Samuel Longuet. In: Revue belge de droit international = Belgian review of international law = Belgisch tijdschrift voor internationaal recht, vol. 54, 2021/1-2, p. 125-160

<https://www.grip.org/filmer-des-ecrans-la-legitimation-des-frappes-de-drones-par-le-droit-international-humanitaire-revue-belge-de-droit-international/>

Geneva, we have a problem : internationalisation of armed conflicts through indirect intervention remains a dead letter

Miloš Hrnjaz and Mina Radončić. In: Israel law review : a journal of human rights, public and international law, vol. 57, no. 1, March 2024, p. 102-134

<https://doi.org/10.1017/S0021223723000079>

A giant leap for humankind : bridging space law and international humanitarian law

Steven van de Put and Anne-Rixt E Siemensma. In: The military law and the law of war review, Vol. 62, no. 1, 2024, p. 31-57

<https://doi.org/10.4337/mlwr.2024.01.02> *

Hybrid warfare under international law

Stuart Casey-Maslen. - Oxford : Hart, 2024. - XX, 211 p.

The legal status and targeting of hacker groups in the Russia-Ukraine cyber conflict

Giacomo Biggio. In: Journal of international humanitarian legal studies, vol. 15, issue 1, April 2024, p. 142-182

<https://doi.org/10.1163/18781527-bja100078>

Legal technologies : conceptualizing the legacy of the 1923 Hague Rules of Aerial Warfare

Christiane Wilke and Helyeh Doughty. In: Leiden journal of international law, vol. 37, no. 1, March 2024, p. 88-110

<https://doi.org/10.1017/S0922156523000493>

Maritime security law in hybrid warfare

edited by Alexander Lott. - Boston : Brill Nijhoff, 2024. - XXV, 396 p.

<https://brill.com/edcollbook/title/70930> *

Mind the gap(s) : the need to resolve uncertainties in the international law of cyber warfare

Shiran Shahaf. In: Virginia journal of international law, vol. 63, no. 2, 2023, p. 209-249
https://static1.squarespace.com/static/5foa3654a47d231c00ccd14f/t/64de652a840a2656b966d595/1692296491068/Vol_63.2_Article_Shahaf.pdf

The Montreux Convention and the ongoing armed conflict between Russia and Ukraine

Magne Frostad. - In: Maritime security law in hybrid warfare. - Boston : Brill, 2024. - p. 312–352
https://doi.org/10.1163/9789004707993_013 *

Naval blockade of Ukraine's Black Sea ports in the light of international law

Dariusz Rafał Bugajski. - In: Maritime security law in hybrid warfare. - Boston : Brill, 2024. - p. 287-311
https://doi.org/10.1163/9789004707993_012 *

Rethinking cyber warfare : the international relations of digital disruption

R. David Edelman. - Oxford : Oxford University Press, 2024. - X, 401 p.

Social network analysis and counterterrorism : a double-edged sword for international humanitarian law

Michael Moncrieff, Pavle Kilibarda, Gloria Gaggioli. In: Journal of conflict and security law, vol. 29, no. 1, Spring 2024, p. 165-183
<https://doi.org/10.1093/jcsl/krae002>

To blockade or not to blockade ? : the legal status of Russia's suspension of shipping in the sea of Azov

Shani Friedman. In: Israel law review : a journal of human rights, public and international law, Vol. 57, no. 2, July 2024, p. 247-264
<https://doi.org/10.1017/S0021223723000183>

III. Armed forces / Non-state armed groups

(Combatant status, compliance with IHL, etc.)

The case for attempted perfidy : an “attempt” to enhance deterrent value

Geoffrey Corn. In: Journal of national security law and policy, vol. 13, no. 3, 2023, p. 401-447

https://jnslp.com/wp-content/uploads/2023/06/The_Case_for_Attempted_Perfidy.pdf

Characterization of the violence between Türkiye and the PKK

Şehmus Kurtuluş. In: Leiden journal of international law, vol. 37, no. 1, March 2024, p. 274-293

<https://doi.org/10.1017/S0922156523000456>

The distinction dilemma : why it is time for the U.S. to embrace a more logical approach to combatant qualification

Geoffrey S. Corn. In: Texas international law journal, vol. 58, no. 3, Summer 2023, p. 49-70

<https://heinonline.org/HOL/P?h=hein.journals/tlj58&i=305> *

From words to deeds : a study of armed non-state actors’ practice and interpretation of international humanitarian and human rights norms : Al-Qaeda

[by the American University in Cairo research team]. - [London] : UK Research and Innovation, September 2022. - 63 p.

https://words2deeds.org/wp-content/uploads/2022/09/Al-Qaeda_Case-Study.pdf

From words to deeds : a study of armed non-state actors’ practice and interpretation of international humanitarian and human rights norms : research and policy conclusions

Annyssa Bellal, Pascal Bongard, Ezequiel Heffes. - [London] : UK Research and Innovation, September 2022. - 46 p.

https://words2deeds.org/wp-content/uploads/2022/09/Words2Deeds_comparative-study.pdf

From words to deeds : a study of armed non-state actors’ practice and interpretation of international humanitarian and human rights norms : the Islamic State Group

[by the American University in Cairo research team]. - [London] : UK Research and Innovation, September 2022. - 66 p.

https://words2deeds.org/wp-content/uploads/2022/09/ISG_Case-Study.pdf

Internal legitimacy as a benchmark criterion for the inclusion of NSAGs in the making of IHL

Pauline Charlotte Janssens. In: The military law and the law of war review, vol. 62, no. 1, 2024, p. 2-30

<https://doi.org/10.4337/mlwr.2024.01.01> *

The legal status and targeting of hacker groups in the Russia-Ukraine cyber conflict

Giacomo Biggio. In: Journal of international humanitarian legal studies, vol. 15, issue 1, April 2024, p. 142-182

<https://doi.org/10.1163/18781527-bja10078>

Military training in international humanitarian law : how IHL can influence conduct in war

Andrew M. Bell. - Geneva : ICRC, October 2024. - 23 p.

<https://library.icrc.org/library/docs/DOC/icrc-4789-002.pdf>

Occupation : treachery, treason and Ukraine's war in the shadows

Kenneth Watkin. In: Texas international law journal, vol. 58, no. 3, Summer 2023, p. 1-32

<https://ssrn.com/abstract=4699180>

Social network analysis and counterterrorism : a double-edged sword for international humanitarian law

Michael Moncrieff, Pavle Kilibarda, Gloria Gaggioli. In: Journal of conflict and security law, vol. 29, no. 1, Spring 2024, p. 165-183

<https://doi.org/10.1093/jcsl/krae002>

Teaching terrorists : how United States counterterrorism law violates international humanitarian law

Scott Graber. In: The Yale journal of international law, vol. 48, no. 1, Spring 2023, p. 153-175

<https://heinonline.org/HOL/P?h=hein.journals/yjil48&i=175> *

IV. Multinational forces

The protection of civilians in peacekeeping operations : a legal obligation

Tamer Morris. - Boston : Brill Nijhoff, 2024. - VII, 276 p.

V. Private actors

Between a rock and a hard place ? : ICT companies, armed conflict, and international law

Arturo J. Carrillo. In: Fordham international law journal, vol. 46, issue 1, 2022, p. 59-125

<https://ir.lawnet.fordham.edu/ilj/vol46/iss1/2/>

Environmental obligations of business entities during armed conflicts

Sâ Benjamin Traoré and Ezéchiél Amani Cirimwami. In: International review of the Red Cross, Vol. 106, no. 925, 2024, p. 393-423

<https://library.icrc.org/library/docs/DOC/irrc-925-traore.pdf>

Future proofing U.S. laws for war crimes investigations in the digital era

Rebecca J. Hamilton. In: Georgia law review, vol. 57, no. 4, 2023, p. 1505-1550

<https://digitalcommons.law.uga.edu/glr/vol57/iss4/2/>

Occupying powers, obligations of prevention and private actors in occupied territory : a theoretical inquiry under the law of occupation

Marco Longobardo. In: Texas international law journal, vol. 58, no. 3, Summer 2023, p. 71-98

<https://heinonline.org/HOL/P?h=hein.journals/tlj58&i=327> *

Private businesses and armed conflict : an introduction to relevant rules of international humanitarian law

Matt Pollard. - Geneva : ICRC, November 2024. - 35 p.

<https://library.icrc.org/library/docs/DOC/icrc-4829-002.pdf>

VI. Protection of persons

(Women, children, journalists, medical personnel, humanitarian assistance, responsibility to protect, displaced persons, humanitarian workers, ...)

Arbitrary withholding of consent to humanitarian relief in non-international armed conflict : legal regulations and consequences

by Vijitha Veerakatty. - Leiden ; Boston : Brill Nijhoff, 2024. - XI, 363 p.

https://doi.org/10.1163/9789004689343_002

The blockade and the making of modern food aid in the era of the two world wars

Elisabeth Piller. In: The international history review, vol. 46, issue 4, 2024, p. 551-567

<https://doi.org/10.1080/07075332.2024.2356877>

Child soldiers and peace agreements

Sean Molloy. In: International and comparative law quarterly, vol. 73, issue 1, January 2024, p. 103-134

<https://doi.org/10.1017/S0020589323000544> *

The forgotten sexual and gender-based violence of the Vietnam-American war : is justice too late for Vietnamese victims and survivors ?

by Madison P. Bingle. In: Human rights brief, vol. 26, issue 2, 2023, p. 42-55

<https://digitalcommons.wcl.american.edu/hrbrief/vol26/iss2/1/>

From female morality to human dignity : an evolutive interpretation of “honour” under article 27(2) of the Fourth Geneva Convention

Rachele Marconi. In: International and comparative law quarterly, vol. 73, issue 2, April 2024, p. 527-542

<https://doi.org/10.1017/S0020589324000101>

A hostage city : hunger, disease, and inhumanity in Russian-occupied Mariupol

Anastasiya Donets and Alexandre Prezanti. In: Texas international law journal, vol. 58, no. 3, Summer 2023, p. 99-118

<https://heinonline.org/HOL/P?h=hein.journals/tlj58&i=355> *

The importance of accounting for the dead in migration

Cate E. Bird and Austin Shangraw. In: Journal on migration and human security, Vol. 12, no. 3, 2024, p. 310-320

<https://doi.org/10.1177/23315024241256633>

In pursuit of a treaty's soul : a study of the object and purpose of the Fourth Geneva Convention

Kubo Mačák and Ellen Policinski. In: International and comparative law quarterly, vol. 73, issue 2, April 2024, p. 385-415

<https://doi.org/10.1017/S0020589324000113>

Incidentality of the civilian harm in international humanitarian law and its contra legem antonyms in recent discourses on the laws of war

Luigi Daniele. In: Journal of conflict and security law, vol. 29, no. 1, Spring 2024, p. 21-54

<https://doi.org/10.1093/jcs/lkrae004>

The interaction between the obligation to warn and other rules of IHL

Sara (S) Benabbass, Marten (M.C.) Zwanenburg. In: Journal of international humanitarian legal studies, vol. 15, issue 1, April 2024, p. 52-82

<https://doi.org/10.1163/18781527-bja10084> *

International humanitarian law handbook for humanitarians and health professionals

Australian Red Cross. - [Canberra] : Australian Red Cross, 2024. - 53 p.

<https://www.redcross.org.au/globalassets/cms/ihl/ihl-handbook-for-humanitarians-and-health-professionals.pdf>

Is all mental harm equal ? : the importance of discussing civilian war trauma from a socio-economic legal framework's perspective

Solon Solomon and Ya'akov M. Bayer. In: Nordic journal of international law, vol. 94, issue 4, December 2023, p. 528-547

<https://doi.org/10.1163/15718107-bja10061>

Keeping the lights on and the taps running : protecting and facilitating safer access for essential service providers in armed conflict : executive summary

Norwegian Red Cross, ICRC. - [Oslo] : [Norwegian Red Cross], 2024. - 19 p.

<https://library.icrc.org/library/docs/DOC/icrc-4818.01-002.pdf>

Legal frameworks governing emblems, signs and symbols connected with the protection of healthcare providers

Swiss Institute of Comparative Law. - [Lausanne] : Swiss Institute of Comparative Law, 2023. - 51 p.

<https://www.isdc.ch/media/2529/22-105-e-emblems-report-final.pdf>

Legal technologies : conceptualizing the legacy of the 1923 Hague Rules of Aerial Warfare

Christiane Wilke and Helyeh Doutaghi. In: Leiden journal of international law, vol. 37, no. 1, March 2024, p. 88-110

<https://doi.org/10.1017/S0922156523000493>

Neutrality as a contested concept in international humanitarian law : Red Cross men in the South African War, 1899-1902

Lia Brazil. In: Humanity : an international journal of human rights, humanitarianism, and development, Vol. 14, no. 3, Winter 2023, p. 405-419

<https://dx.doi.org/10.1353/hum.2023.a924870> *

The protection of civilians in peacekeeping operations : a legal obligation

Tamer Morris. - Boston : Brill Nijhoff, 2024. - VII, 276 p.

Protection of LGBTQIA+ rights in armed conflict : how (and whether) to 'queer' the crime against humanity of persecution in international criminal law

Aneta Peretko. In: Leiden journal of international law, vol. 37, no. 1, March 2024, p. 251-273

<https://doi.org/10.1017/S0922156523000523>

Queering the humanitarian principles of neutrality and impartiality : implications for humanitarian action, IHL effectiveness and gender justice

Anna Chernova. In: International review of the Red Cross, Vol. 106, no. 925, 2024, p. 192-222

<https://library.icrc.org/library/docs/DOC/irrc-925-chernova.pdf>

Le régime international de protection des personnes handicapées dans le contexte des conflits armés

Philippe Lagrange et Florian Aumond. - In: Handicap et conflits armés. - [Clermont-Ferrand] : Université Clermont Auvergne, Novembre 2021. - p. 105-126

<https://library.ext.icrc.org/library/docs/RESTRICTEDACCESS/60288.pdf> *

Reporting from war zones : how does international humanitarian law protect journalists ?

Natia Kalandarishvili-Mueller. In: The Asian yearbook of human rights and humanitarian law, vol. 8 (2024), p. 461-479

Russia's systematic program of coerced adoption and fostering of Ukraine's children

Nathaniel A. Raymond, Oona A. Hathaway, Caitlin N. Howarth... [et al.]. - New Haven : Humanitarian Research Lab at Yale School of Public Health, 3 December 2024. - 81 p.

<https://files-profile.medicine.yale.edu/documents/5444c3da-1285-489e-926a-b6d5cfb699a2>

Russia's war crimes in Ukraine as a tool of war

Agnieszka Bińczyk-Missala. - In: The Russian-Ukrainian conflict and war crimes: challenges for documentation and international prosecution. - Abingdon : Routledge, 2025. - p. 116-128

<http://dx.doi.org/10.4324/9781003493785-9>

Strengthening IHL compliance : the conduct of hostilities, the protection of essential services and humanitarian assistance in contemporary armed conflict

International Institute of Humanitarian Law ; ed. Marco Pedrazzi ; associated ed. Edoardo Gimigliano. - Milano : Franco Angeli, 2024. - 239 p.

<https://iihl.org/round-table/46th-round-table-on-current-issues-of-international-humanitarian-law/>

Unpacking the burgeoning challenge of environmental protection and the right to food in the context of armed conflict : research brief

Junli Lim and Erica Harper. - Geneva : Geneva Academy of international humanitarian law and human rights ; Rosa Luxemburg Stiftung, April 2024. - 29 p.

<https://www.geneva-academy.ch/joomlatools-files/docman-files/Unpacking%20the%20Burgeoning%20Challenge%20of%20Environmental%20Protection.pdf>

What blocked the UN's response to the earthquakes in Northwest Syria ? : reflections on a humanitarian system premised on government consent

Rebecca Barber. In: Journal of international humanitarian legal studies, vol. 15, issue 1, April 2024, p. 83-114

<https://doi.org/10.1163/18781527-bja10082>

VII. Protection of objects

(Environment, cultural property, water, medical mission, emblem, etc.)

The 2003 Intangible Cultural Heritage Convention in armed conflict : an integrated reading of obligations towards culture in conflict

Ashrutha Rai. In: Leiden journal of international law, vol. 37, no. 1, March 2024, p. 167-190

<https://doi.org/10.1017/S0922156523000572>

Addressing environmental damages in contexts of armed conflict through transitional justice in Colombia

Andrea Camacho Rincón and Germán Parra Gallego. In: International review of the Red Cross, Vol. 106, no. 925, 2024, p. 424-449

<https://library.icrc.org/library/docs/DOC/irrc-925-rincon.pdf>

The effect of Russia's invasion of Ukraine on non-human animals : international humanitarian law perspectives

Saba Pipia. In: Israel law review : a journal of human rights, public and international law, vol. 57, no. 2, July 2024, p. 265-287

<https://doi.org/10.1017/S0021223724000086>

Environmental damage in Ukraine as environmental war crime under the Rome Statute : the Kakhovka Dam breach in context

Shah Maruf. In: Journal of international criminal justice, vol. 22, no. 1, March 2024, p. 99-126

<https://doi.org/10.1093/jicj/mqae004> *

Environmental obligations of business entities during armed conflicts

Sâ Benjamin Traoré and Ezéchiel Amani Cirimwami. In: International review of the Red Cross, Vol. 106, no. 925, 2024, p. 393-423

<https://library.icrc.org/library/docs/DOC/irrc-925-traore.pdf>

Intentional destruction of cultural heritage of humankind as a war crime : which effectiveness for the current legal framework?

Francesca Sironi De Gregorio. - In: Intentional destruction of cultural heritage and the law: a research companion. - New York : Routledge, 2025. - p. 291-310

The international responsibility of a belligerent State in the event of transboundary environmental damage

Ivon Mingashang and Christian Tshiamala Banungana. In: International review of the Red Cross, Vol. 106, no. 925, 2024, p. 469-496

<https://library.icrc.org/library/docs/DOC/irrc-925-mingashang.pdf>

Keeping the lights on and the taps running : protecting and facilitating safer access for essential service providers in armed conflict : executive summary

Norwegian Red Cross, ICRC. - [Oslo] : [Norwegian Red Cross], 2024. - 19 p.

<https://library.icrc.org/library/docs/DOC/icrc-4818.01-002.pdf>

Legal frameworks governing emblems, signs and symbols connected with the protection of healthcare providers

Swiss Institute of Comparative Law. - [Lausanne] : Swiss Institute of Comparative Law, 2023. - 51 p.

<https://www.isdc.ch/media/2529/22-105-e-emblems-report-final.pdf>

Navigating legal frontiers : climate change, environmental protection and armed conflict

Stavros-Evdokimos Pantazopoulos. In: International review of the Red Cross, Vol. 106, no. 925, 2024, p. 366-392

<https://library.icrc.org/library/docs/DOC/irrc-925-pantazopoulos.pdf>

Of date palms and dialogue : enhancing the protection of the natural environment under international humanitarian law and Islamic law

Ahmed Al-Dawoody and Kelisiana Thynne. In: International review of the Red Cross, Vol. 106, no. 925, 2024, p. 350-365

<https://library.icrc.org/library/docs/DOC/irrc-925-aldawoody.pdf>

Prospects of environmental liability before the International Criminal Court : a case study on the international armed conflict between Russia and Ukraine

Lakmali Bhagya Manamperi. In: The Asian yearbook of human rights and humanitarian law, vol. 8 (2024), p. 407-430

The protection of critical undersea infrastructure within and beyond the limits of the territorial sea under the jus ad bellum and jus in bello

Alexander Lott. - In: Maritime security law in hybrid warfare. - Boston : Brill, 2024. - p. 125-154

https://doi.org/10.1163/9789004707993_007 *

The protection of essential services from attack in times of armed conflict

Chris De Cock. In: Swiss review of international and European law = Schweizerische Zeitschrift für internationales und europäisches Recht = Revue suisse de droit international et européen, vol. 34, no. 3, 2024, p. 315-334

<https://heinonline.org/HOL/P?h=hein.journals/sriel34&i=327> *

The protection of the natural environment in armed conflicts and agent-based modelling

Mais Qandeel. In: International review of the Red Cross, Vol. 106, no. 925, 2024, p. 450-468

<https://library.icrc.org/library/docs/DOC/irrc-925-qandeel.pdf>

Sanctioning cultural war crimes : from the 1954 Hague Convention to national legislations

Lorenzo De Poli and Alberta Fabbriotti. - In: Intentional destruction of cultural heritage and the law: a research companion. - New York : Routledge, 2025. - p. 44-56

Strengthening IHL compliance : the conduct of hostilities, the protection of essential services and humanitarian assistance in contemporary armed conflict

International Institute of Humanitarian Law ; ed. Marco Pedrazzi ; associated ed. Edoardo Gimigliano. - Milano : Franco Angeli, 2024. - 239 p.

<https://iihl.org/round-table/46th-round-table-on-current-issues-of-international-humanitarian-law/>

Unpacking the burgeoning challenge of environmental protection and the right to food in the context of armed conflict : research brief

Junli Lim and Erica Harper. - Geneva : Geneva Academy of international humanitarian law and human rights ; Rosa Luxemburg Stiftung, April 2024. - 29 p.

<https://www.geneva-academy.ch/joomlatools-files/docman-files/Unpacking%20the%20Burgeoning%20Challenge%20of%20Environmental%20Protection.pdf>

VIII. Detention, internment, treatment and judicial guarantees

Australia's forgotten soldiers in the empire, 1939-1947 : prisoners of war, international diplomacy and Australian foreign policy

Lee Ripon. - Cham : Springer, 2024. - XVIII, 348 p.

Detention and its alternatives under international law

Lorna McGregor. - Oxford : Oxford University Press, 2023. - XXIV, 264 p.

From Russian infiltration operations to the lex ferenda of belligerent occupation : how to protect biometrics and privacy in occupied territories ?

Yang Liu. In: The military law and the law of war review, vol. 62, no. 1, 2024, p. 89-113

<https://doi.org/10.4337/mlwr.2024.01.04> *

Protection of biometric private life under the European Convention on Human Rights and the law of armed conflict

Rigmor Argren. In: The military law and the law of war review, vol. 62, no. 1, 2024, p. 61-88

<https://doi.org/10.4337/mlwr.2024.01.04> *

Russia's war crimes in Ukraine as a tool of war

Agnieszka Bienczyk-Missala. - In: The Russian-Ukrainian conflict and war crimes: challenges for documentation and international prosecution. - Abingdon : Routledge, 2025. - p. 116-128

<http://dx.doi.org/10.4324/9781003493785-9>

IX. Law of occupation

Covid-19 en territoire palestinien occupé : étude de la légalité de certaines décisions d'Israël au regard de ses obligations internationales en matière de santé : analyse sous l'angle de l'interaction entre le droit international humanitaire et le droit international des droits humains

Kheda Djanaralieva. In: Revue belge de droit international = Belgian review of international law = Belgisch tijdschrift voor internationaal recht, vol. 54, 2021/1-2, p. 275-311

<http://hdl.handle.net/2013/ULB-DIPOT:oai:dipot.ulb.ac.be:2013/366611>

From Russian infiltration operations to the lex ferenda of belligerent occupation : how to protect biometrics and privacy in occupied territories ?

Yang Liu. In: The military law and the law of war review, vol. 62, no. 1, 2024, p. 89-113

<https://doi.org/10.4337/mlwr.2024.01.04> *

A hostage city : hunger, disease, and inhumanity in Russian-occupied Mariupol

Anastasiya Donets and Alexandre Prezanti. In: Texas international law journal, vol. 58, no. 3, Summer 2023, p. 99-118

<https://heinonline.org/HOL/P?h=hein.journals/tlj58&i=355> *

The legal case for Palestine : a critical assessment

Steven E. Zipperstein. - New York : Routledge, 2025. - XVII, 442 p.

Legal perspectives on the role of the notion of “denazification” in the Russian invasion of Ukraine under jus contra bellum and jus in bello

Marco Longobardo. In: Revue belge de droit international = Belgian review of international law = Belgisch tijdschrift voor internationaal recht, vol. 54, 2021/1-2, p. 209-235

<https://heinonline.org/HOL/P?h=hein.journals/belgeint54&i=209> *

« Nécessité fait loi » : Fauda et l'effacement du droit international en territoire palestinien

François Dubuisson. In: Revue belge de droit international = Belgian review of international law = Belgisch tijdschrift voor internationaal recht, vol. 54, 2021/1-2, p. 71-100

<https://heinonline.org/HOL/P?h=hein.journals/belgeint54&i=71> *

Occupation : treachery, treason and Ukraine's war in the shadows

Kenneth Watkin. In: Texas international law journal, vol. 58, no. 3, Summer 2023, p. 1-32

<https://ssrn.com/abstract=4699180>

Occupying powers, obligations of prevention and private actors in occupied territory : a theoretical inquiry under the law of occupation

Marco Longobardo. In: Texas international law journal, vol. 58, no. 3, Summer 2023, p. 71-98

<https://heinonline.org/HOL/P?h=hein.journals/tlj58&i=327> *

Prolonged occupation : at the vanishing point of the jus ad bellum/jus in bello distinction

Ardi Imseis. In: Texas international law journal, vol. 58, no. 3, Summer 2023, p. 33-48

<https://law.queensu.ca/sites/lawwww/files/img/Prolonged%20Occupation.pdf>

Schrödinger's occupation : West Jerusalem 1948-1949

Yaël Ronen. In: Texas international law journal, vol. 58, no. 3, Summer 2023, p. 119-146
<https://heinonline.org/HOL/P?h=hein.journals/tlj58&i=376> *

X. Conduct of hostilities

(Distinction, proportionality, precautions, prohibited methods)

The case for attempted perfidy : an “attempt” to enhance deterrent value

Geoffrey Corn. In: Journal of national security law and policy, vol. 13, no. 3, 2023, p. 401-447

https://jnsplp.com/wp-content/uploads/2023/06/The_Case_for_Attempted_Perfidy.pdf

The distinction dilemma : why it is time for the U.S. to embrace a more logical approach to combatant qualification

Geoffrey S. Corn. In: Texas international law journal, vol. 58, no. 3, Summer 2023, p. 49-70

<https://heinonline.org/HOL/P?h=hein.journals/tlj58&i=305> *

Environmental damage in Ukraine as environmental war crime under the Rome Statute : the Kakhovka Dam breach in context

Shah Maruf. In: Journal of international criminal justice, vol. 22, no. 1, March 2024, p. 99-126

<https://doi.org/10.1093/jicj/mqae004> *

Filmer des écrans : la légitimation des frappes de drones par le droit international humanitaire

Vaios Koutroulis et Samuel Longuet. In: Revue belge de droit international = Belgian review of international law = Belgisch tijdschrift voor internationaal recht, vol. 54, 2021/1-2, p. 125-160

<https://www.grip.org/filmer-des-ecrans-la-legitimation-des-frappes-de-drones-par-le-droit-international-humanitaire-revue-belge-de-droit-international/>

A giant leap for humankind : bridging space law and international humanitarian law

Steven van de Put and Anne-Rixt E Siemensma. In: The military law and the law of war review, Vol. 62, no. 1, 2024, p. 31-57

<https://doi.org/10.4337/mlwr.2024.01.02> *

Incidentality of the civilian harm in international humanitarian law and its contra legem antonyms in recent discourses on the laws of war

Luigi Daniele. In: Journal of conflict and security law, vol. 29, no. 1, Spring 2024, p. 21-54

<https://doi.org/10.1093/jcsl/krae004>

The interaction between the obligation to warn and other rules of IHL

Sara (S.) Benabbass, Marten (M.C.) Zwanenburg. In: Journal of international humanitarian legal studies, vol. 15, issue 1, April 2024, p. 52-82

<https://doi.org/10.1163/18781527-bja10084> *

Lawfully using autonomous weapon technologies

Jonathan Kwik. - The Hague : Asser Press, 2024. - XV, 413 p. +

The legal status and targeting of hacker groups in the Russia-Ukraine cyber conflict

Giacomo Biggio. In: Journal of international humanitarian legal studies, vol. 15, issue 1, April 2024, p. 142-182

<https://doi.org/10.1163/18781527-bja10078>

Legal technologies : conceptualizing the legacy of the 1923 Hague Rules of Aerial Warfare

Christiane Wilke and Helyeh Doughty. In: Leiden journal of international law, vol. 37, no. 1, March 2024, p. 88-110

<https://doi.org/10.1017/S0922156523000493>

Of date palms and dialogue : enhancing the protection of the natural environment under international humanitarian law and Islamic law

Ahmed Al-Dawoody and Kelisiana Thynne. In: International review of the Red Cross, Vol. 106, no. 925, 2024, p. 350-365

<https://library.icrc.org/library/docs/DOC/irrc-925-aldawoody.pdf>

The protection of critical undersea infrastructure within and beyond the limits of the territorial sea under the jus ad bellum and jus in bello

Alexander Lott. - In: Maritime security law in hybrid warfare. - Boston : Brill, 2024. - p. 125-154

https://doi.org/10.1163/9789004707993_007 *

The protection of essential services from attack in times of armed conflict

Chris De Cock. In: Swiss review of international and European law = Schweizerische Zeitschrift für internationales und europäisches Recht = Revue suisse de droit international et européen, vol. 34, no. 3, 2024, p. 315-334

<https://heinonline.org/HOL/P?h=hein.journals/sriel34&i=327> *

Regulatory choices at the advent of gig warfare

Mark Klamburg. In: Journal of international humanitarian legal studies, vol. 15, issue 1, April 2024, p. 115-141

<https://doi.org/10.1163/18781527-bja10088>

Report of the legal review panel on the Amnesty International press release concerning Ukrainian fighting tactics of 4 August 2022

[Emanuela-Chiara Gillard, Kevin Jon Heller, Eric Talbot Jensen, Marko Milanovic, Marco Sassòli]. - [S.l.] : [s.n.], 2023. - 18 p.

<https://www.amnesty.org/en/documents/org60/6731/2023/en/>

Rethinking cyber warfare : the international relations of digital disruption

R. David Edelman. - Oxford : Oxford University Press, 2024. - X, 401 p.

Russia's war crimes in Ukraine as a tool of war

Agnieszka Bienczyk-Missala. - In: The Russian-Ukrainian conflict and war crimes: challenges for documentation and international prosecution. - Abingdon : Routledge, 2025. - p. 116-128

<http://dx.doi.org/10.4324/9781003493785-9>

Strengthening IHL compliance : the conduct of hostilities, the protection of essential services and humanitarian assistance in contemporary armed conflict

International Institute of Humanitarian Law ; ed. Marco Pedrazzi ; associated ed. Edoardo Gimigliano. - Milano : Franco Angeli, 2024. - 239 p.

<https://iihl.org/round-table/46th-round-table-on-current-issues-of-international-humanitarian-law/>

Ukraine and violations of international humanitarian law : a critical analysis of the Amnesty International report

Agnieszka Szpak. In: Journal of international humanitarian legal studies, vol. 15, issue 1, April 2024, p. 1-22

<https://doi.org/10.1163/18781527-bja10093> *

Use of force in hybrid naval warfare contexts : applicability of the law enforcement or conduct of hostilities rules ?

Anna Petrig. - In: Maritime security law in hybrid warfare. - Boston : Brill, 2024. - p. 86-121

https://doi.org/10.1163/9789004707993_006

XI. Weapons

Artificial intelligence and international humanitarian law in the work of the parties to the Conventional Weapons Convention : lethal autonomous weapons

Agnieszka Szpak. - In: Artificial intelligence and international human rights law : developing standards for a changing world. - Cheltenham ; Northampton : E. Elgar, 2024. - p. 278-293
<https://doi.org/10.4337/9781035337934.00023>

Can autonomous weapon systems be seized ? : interactions with the law of prize and war booty

Brendan Walker-Munro. In: Journal of conflict and security law, vol. 29, no. 1, Spring 2024, p. 143-163
<https://doi.org/10.1093/jcsl/krado16>

The concept of “the human” in the critique of autonomous weapons

Kevin Jon Heller. In: Harvard national security journal, vol. 15, issue 1, 2023, p. 1-76
<https://harvardnsj.org/2023/12/15/the-concept-of-the-human-in-the-critique-of-autonomous-weapons/>

Fighting machines : autonomous weapons and human dignity

Dan Saxon. - Philadelphia : University of Pennsylvania Press, 2022. - 250 p.

A functional approach to the legal review of autonomous weapon systems

Damian Copeland. - Leiden : Brill, 2025. - 266 p.
<https://brill.com/display/title/70788> *

International humanitarian law and the challenges of contemporary armed conflicts : building a culture of compliance for IHL to protect humanity in today's and future conflicts

ICRC. - Geneva : ICRC, September 2024. - 84 p.
<https://library.icrc.org/library/docs/DOC/icrc-4810-002.pdf>

Lawfully using autonomous weapon technologies

Jonathan Kwik. - The Hague : Asser Press, 2024. - XV, 413 p. +

Maturing autonomous cyber weapons systems : implications for international cybersecurity

Caitríona Heintz. - In: The Oxford Handbook of Cyber Security. - Oxford : Oxford University Press, 2021. - p. 702-722
<https://library.ext.icrc.org/library/docs/RESTRICTEDACCESS/60232.pdf> *

Regulatory choices at the advent of gig warfare

Mark Klamberg. In: Journal of international humanitarian legal studies, vol. 15, issue 1, April 2024, p. 115-141
<https://doi.org/10.1163/18781527-bja10088>

XII. Implementation

(ICRC, protecting powers, fact finding commission, other means of preventing violations and controlling respect for IHL, state responsibility)

Fabricated legality : the role of legal advisers in the commission of international crimes

Lavinia Parsi. In: Journal of international criminal justice, vol. 22, no. 1, March 2024, p. 19-42

<https://doi.org/10.1093/jicj/mqae017> *

Filmer des écrans : la légitimation des frappes de drones par le droit international humanitaire

Vaios Koutroulis et Samuel Longuet. In: Revue belge de droit international = Belgian review of international law = Belgisch tijdschrift voor internationaal recht, vol. 54, 2021/1-2, p. 125-160

<https://www.grip.org/filmer-des-ecrans-la-legitimation-des-frappes-de-drones-par-le-droit-international-humanitaire-revue-belge-de-droit-international/>

The forgotten sexual and gender-based violence of the Vietnam-American war : is justice too late for Vietnamese victims and survivors ?

by Madison P. Bingle. In: Human rights brief, vol. 26, issue 2, 2023, p. 42-55

<https://digitalcommons.wcl.american.edu/hrbrief/vol26/iss2/1/>

From words to deeds : a study of armed non-state actors' practice and interpretation of international humanitarian and human rights norms : Al-Qaeda

[by the American University in Cairo research team]. - [London] : UK Research and Innovation, September 2022. - 63 p.

https://words2deeds.org/wp-content/uploads/2022/09/Al-Qaeda_Case-Study.pdf

From words to deeds : a study of armed non-state actors' practice and interpretation of international humanitarian and human rights norms : research and policy conclusions

Annyssa Bellal, Pascal Bongard, Ezequiel Heffes. - [London] : UK Research and Innovation, September 2022. - 46 p.

https://words2deeds.org/wp-content/uploads/2022/09/Words2Deeds_comparative-study.pdf

From words to deeds : a study of armed non-state actors' practice and interpretation of international humanitarian and human rights norms : the Islamic State Group

[by the American University in Cairo research team]. - [London] : UK Research and Innovation, September 2022. - 66 p.

https://words2deeds.org/wp-content/uploads/2022/09/ISG_Case-Study.pdf

A functional approach to the legal review of autonomous weapon systems

Damian Copeland. - Leiden : Brill, 2025. - 266 p.

<https://brill.com/display/title/70788> *

Geneva, we have a problem : internationalisation of armed conflicts through indirect intervention remains a dead letter

Miloš Hrnjaz and Mina Radončić. In: Israel law review : a journal of human rights, public and international law, vol. 57, no. 1, March 2024, p. 102-134

<https://doi.org/10.1017/S0021223723000079>

Global atrocity justice constellations

ed. by Andy Aydın-Aitchison, Mirza Buljubašić, Kjersti Lohne, Vasilka Sancin and Camilo Tamayo Gomez. In: International criminal law review, vol. 24, issues 5-6, November 2024, p. 569-788

<https://brill.com/view/journals/icla/24/5-6/icla.24.issue-5-6.xml> *

Global initiative to galvanise political commitment to international humanitarian law

ICRC. - Geneva : ICRC, November 2024. - 13 p.

<https://library.icrc.org/library/docs/DOC/icrc-4847-002.pdf>

Hybrid warfare under international law

Stuart Casey-Maslen. - Oxford : Hart, 2024. - XX, 211 p.

International humanitarian law and the challenges of contemporary armed conflicts : building a culture of compliance for IHL to protect humanity in today's and future conflicts

ICRC. - Geneva : ICRC, September 2024. - 84 p.

<https://library.icrc.org/library/docs/DOC/icrc-4810-002.pdf>

International humanitarian law handbook for humanitarians and health professionals

Australian Red Cross. - [Canberra] : Australian Red Cross, 2024. - 53 p.

<https://www.redcross.org.au/globalassets/cms/ihl/ihl-handbook-for-humanitarians-and-health-professionals.pdf>

The international responsibility of a belligerent State in the event of transboundary environmental damage

Ivon Mingashang and Christian Tshiamala Banungana. In: International review of the Red Cross, Vol. 106, no. 925, 2024, p. 469-496

<https://library.icrc.org/library/docs/DOC/irrc-925-mingashang.pdf>

Making and shaping the law of armed conflict

ed. by Sandesh Sivakumaran and Christian R. Burne. - Oxford : Oxford University Press, 2024. - XXIV, 368 p.

<https://doi.org/10.1093/oso/9780197775134.001.0001> *

Military training in international humanitarian law : how IHL can influence conduct in war

Andrew M. Bell. - Geneva : ICRC, October 2024. - 23 p.

<https://library.icrc.org/library/docs/DOC/icrc-4789-002.pdf>

« Nécessité fait loi » : Fauda et l'effacement du droit international en territoire palestinien

François Dubuisson. In: Revue belge de droit international = Belgian review of international law = Belgisch tijdschrift voor internationaal recht, vol. 54, 2021/1-2, p. 71-100

<https://heinonline.org/HOL/P?h=hein.journals/belgeint54&i=71> *

Report of the legal review panel on the Amnesty International press release concerning Ukrainian fighting tactics of 4 August 2022

[Emanuela-Chiara Gillard, Kevin Jon Heller, Eric Talbot Jensen, Marko Milanovic, Marco Sassòli]. - [S.l.] : [s.n.], 2023. - 18 p.

<https://www.amnesty.org/en/documents/org60/6731/2023/en/>

El rol del Comité Internacional de la Cruz Roja en la implementación y desarrollo del derecho internacional humanitario en Colombia

Mónica Vanessa Angarita López. - In: Desafíos del derecho internacional humanitario en Colombia: aspectos filosóficos, hermenéuticos, constitucionales y ambientales. - Bogotá : Universidad Externado de Colombia, 2022. - p. 147-216

<https://bdigital.uexternado.edu.co/entities/publication/de045176-e94b-43d2-9920-29410892c627>

The Rome Statute and Islamic law : a comparative analysis with special reference to Saudia Arabia

Majed Handi Alsolami. - Leiden : Brill, 2024. - XIV, 346 p.

<https://doi.org/10.1163/9789004711730> *

The Russian-Ukrainian conflict and war crimes : challenges for documentation and international prosecution

edited by Patrycja Grzebyk and Dominika Uczkiewicz. - New York : Routledge, 2025. - XXVII, 323 p.

<https://doi.org/10.4324/9781003493785>

Russia's war crimes in Ukraine as a tool of war

Agnieszka Bienczyk-Missala. - In: The Russian-Ukrainian conflict and war crimes: challenges for documentation and international prosecution. - Abingdon : Routledge, 2025. - p. 116-128

<http://dx.doi.org/10.4324/9781003493785-9>

Sanctioning cultural war crimes : from the 1954 Hague Convention to national legislations

Lorenzo De Poli and Alberta Fabbriotti. - In: Intentional destruction of cultural heritage and the law: a research companion. - New York : Routledge, 2025. - p. 44-56

Teaching terrorists : how United States counterterrorism law violates international humanitarian law

Scott Graber. In: The Yale journal of international law, vol. 48, no. 1, Spring 2023, p. 153-175

<https://heinonline.org/HOL/P?h=hein.journals/yjil48&i=175> *

Ukraine and violations of international humanitarian law : a critical analysis of the Amnesty International report

Agnieszka Szpak. In: Journal of international humanitarian legal studies, vol. 15, issue 1, April 2024, p. 1-22

<https://doi.org/10.1163/18781527-bja10093> *

War crimes in Russia's invasion of Ukraine : the Soviet legacy and the wellsprings of Moscow's disregard of international humanitarian law

Mark Kramer. - In: The Russian-Ukrainian conflict and war crimes: challenges for documentation and international prosecution. - Abingdon : Routledge, 2025. - p. 3-37

<http://dx.doi.org/10.4324/9781003493785-2>

XIII. International human rights law

(Relationship with IHL, application in situations of armed conflict and other situations of violence, extraterritoriality, human rights bodies,...)

L'arrêt Hanan c. Allemagne : qu'en est-il de l'établissement de la juridiction extraterritoriale au sens de l'article 1 de la Convention EDH en cas de frappes aériennes ?

Maïté Bol. In: Revue belge de droit international = Belgian review of international law = Belgisch tijdschrift voor internationaal recht, vol. 54, 2021/1-2, p. 349-393
<https://heinonline.org/HOL/P?h=hein.journals/belgeint54&i=349> *

Between a rock and a hard place ? : ICT companies, armed conflict, and international law

Arturo J. Carrillo. In: Fordham international law journal, vol. 46, issue 1, 2022, p. 59-125
<https://ir.lawnet.fordham.edu/ilj/vol46/iss1/2/>

Covid-19 en territoire palestinien occupé : étude de la légalité de certaines décisions d'Israël au regard de ses obligations internationales en matière de santé : analyse sous l'angle de l'interaction entre le droit international humanitaire et le droit international des droits humains

Kheda Djanaralieva. In: Revue belge de droit international = Belgian review of international law = Belgisch tijdschrift voor internationaal recht, vol. 54, 2021/1-2, p. 275-311
<http://hdl.handle.net/2013/ULB-DIPOT:oai:dipot.ulb.ac.be:2013/366611>

Detention and its alternatives under international law

Lorna McGregor. - Oxford : Oxford University Press, 2023. - XXIV, 264 p.

From Russian infiltration operations to the lex ferenda of belligerent occupation : how to protect biometrics and privacy in occupied territories ?

Yang Liu. In: The military law and the law of war review, vol. 62, no. 1, 2024, p. 89-113
<https://doi.org/10.4337/mlwr.2024.01.04> *

The importance of accounting for the dead in migration

Cate E. Bird and Austin Shangraw. In: Journal on migration and human security, Vol. 12, no. 3, 2024, p. 310-320
<https://doi.org/10.1177/23315024241256633>

Protection of biometric private life under the European Convention on Human Rights and the law of armed conflict

Rigmor Argren. In: The military law and the law of war review, vol. 62, no. 1, 2024, p. 61-88
<https://doi.org/10.4337/mlwr.2024.01.04> *

Le régime international de protection des personnes handicapées dans le contexte des conflits armés

Philippe Lagrange et Florian Aumond. - In: Handicap et conflits armés. - [Clermont-Ferrand] : Université Clermont Auvergne, Novembre 2021. - p. 105-126
<https://library.ext.icrc.org/library/docs/RESTRICTEDACCESS/60288.pdf> *

Reporting from war zones : how does international humanitarian law protect journalists ?

Natia Kalandarishvili-Mueller. In: The Asian yearbook of human rights and humanitarian law, vol. 8 (2024), p. 461-479

Unpacking the burgeoning challenge of environmental protection and the right to food in the context of armed conflict : research brief

Junli Lim and Erica Harper. - Geneva : Geneva Academy of international humanitarian law and human rights ; Rosa Luxemburg Stiftung, April 2024. - 29 p.

<https://www.geneva-academy.ch/joomlatools-files/docman-files/Unpacking%20the%20Burgeoning%20Challenge%20of%20Environmental%20Protection.pdf>

Use of force in hybrid naval warfare contexts : applicability of the law enforcement or conduct of hostilities rules ?

Anna Petrig. - In: Maritime security law in hybrid warfare. - Boston : Brill, 2024. - p. 86-121

https://doi.org/10.1163/9789004707993_006

War crimes in Russia's invasion of Ukraine : the Soviet legacy and the wellsprings of Moscow's disregard of international humanitarian law

Mark Kramer. - In: The Russian-Ukrainian conflict and war crimes: challenges for documentation and international prosecution. - Abingdon : Routledge, 2025. - p. 3-37

<http://dx.doi.org/10.4324/9781003493785-2>

XIV. International criminal law

Addressing environmental damages in contexts of armed conflict through transitional justice in Colombia

Andrea Camacho Rincón and Germán Parra Gallego. In: International review of the Red Cross, Vol. 106, no. 925, 2024, p. 424-449

<https://library.icrc.org/library/docs/DOC/irrc-925-rincon.pdf>

The case for attempted perfidy : an “attempt” to enhance deterrent value

Geoffrey Corn. In: Journal of national security law and policy, vol. 13, no. 3, 2023, p. 401-447

https://jnsplp.com/wp-content/uploads/2023/06/The_Case_for_Attempted_Perfidy.pdf

The concept of “the human” in the critique of autonomous weapons

Kevin Jon Heller. In: Harvard national security journal, vol. 15, issue 1, 2023, p. 1-76

<https://harvardnsj.org/2023/12/15/the-concept-of-the-human-in-the-critique-of-autonomous-weapons/>

Environmental damage in Ukraine as environmental war crime under the Rome Statute : the Kakhovka Dam breach in context

Shah Maruf. In: Journal of international criminal justice, vol. 22, no. 1, March 2024, p. 99-126

<https://doi.org/10.1093/jicj/mqae004> *

Fabricated legality : the role of legal advisers in the commission of international crimes

Lavinia Parsi. In: Journal of international criminal justice, vol. 22, no. 1, March 2024, p. 19-42

<https://doi.org/10.1093/jicj/mqae017> *

Future proofing U.S. laws for war crimes investigations in the digital era

Rebecca J. Hamilton. In: Georgia law review, vol. 57, no. 4, 2023, p. 1505-1550

<https://digitalcommons.law.uga.edu/glr/vol57/iss4/2/>

Global atrocity justice constellations

ed. by Andy Aydın-Aitchison, Mirza Buljubašić, Kjersti Lohne, Vasilka Sancin and Camilo Tamayo Gomez. In: International criminal law review, vol. 24, issues 5-6, November 2024, p. 569-788

<https://brill.com/view/journals/icla/24/5-6/icla.24.issue-5-6.xml> *

A hostage city : hunger, disease, and inhumanity in Russian-occupied Mariupol

Anastasiya Donets and Alexandre Prezanti. In: Texas international law journal, vol. 58, no. 3, Summer 2023, p. 99-118

<https://heinonline.org/HOL/P?h=hein.journals/tlj58&i=355>

Intentional destruction of cultural heritage and the law : a research companion

edited by Alberta Fabbriotti. - New York : Routledge, 2025. - XXV, 451 p.

Intentional destruction of cultural heritage of humankind as a war crime : which effectiveness for the current legal framework?

Francesca Sironi De Gregorio. - In: Intentional destruction of cultural heritage and the law: a research companion. - New York : Routledge, 2025. - p. 291-310

Law reports of the Australian war crimes trials 1945-1951, Volume I : reports of the trials Morotai, Wewak, Labuan and Darwin

edited by Tim McCormack and Narrelle Morris. - Boston : Brill Nijhoff, 2024. - XXVII, 768 p.

Prospects of environmental liability before the International Criminal Court : a case study on the international armed conflict between Russia and Ukraine

Lakmali Bhagya Manamperi. In: The Asian yearbook of human rights and humanitarian law, vol. 8 (2024), p. 407-430

Protection of LGBTQIA+ rights in armed conflict : how (and whether) to ‘queer’ the crime against humanity of persecution in international criminal law

Aneta Peretko. In: Leiden journal of international law, vol. 37, no. 1, March 2024, p. 251-273

<https://doi.org/10.1017/S0922156523000523>

Reporting from war zones : how does international humanitarian law protect journalists ?

Natia Kalandarishvili-Mueller. In: The Asian yearbook of human rights and humanitarian law, vol. 8 (2024), p. 461-479

The Rome Statute and Islamic law : a comparative analysis with special reference to Saudia Arabia

Majed Handi Alsolami. - Leiden : Brill, 2024. - XIV, 346 p.

<https://doi.org/10.1163/9789004711730> *

The Russian-Ukrainian conflict and war crimes : challenges for documentation and international prosecution

edited by Patrycja Grzebyk and Dominika Uczkiewicz. - New York : Routledge, 2025. - XXVII, 323 p.

<https://doi.org/10.4324/9781003493785>

Russia’s systematic program of coerced adoption and fostering of Ukraine’s children

Nathaniel A. Raymond, Oona A. Hathaway, Caitlin N. Howarth... [et al.]. - New Haven : Humanitarian Research Lab at Yale School of Public Health, 3 December 2024. - 81 p.

<https://files-profile.medicine.yale.edu/documents/5444c3da-1285-489e-926a-b6d5cfb699a2>

Sanctioning cultural war crimes : from the 1954 Hague Convention to national legislations

Lorenzo De Poli and Alberta Fabbriotti. - In: Intentional destruction of cultural heritage and the law: a research companion. - New York : Routledge, 2025. - p. 44-56

XV. Contemporary challenges

(Terrorism, DPH, cyber warfare, asymmetric war, etc.)

Artificial intelligence and international humanitarian law in the work of the parties to the Conventional Weapons Convention : lethal autonomous weapons

Agnieszka Szpak. - In: Artificial intelligence and international human rights law : developing standards for a changing world. - Cheltenham ; Northampton : E. Elgar, 2024. - p. 278-293

<https://doi.org/10.4337/9781035337934.00023>

Can autonomous weapon systems be seized ? : interactions with the law of prize and war booty

Brendan Walker-Munro. In: Journal of conflict and security law, vol. 29, no. 1, Spring 2024, p. 143-163

<https://doi.org/10.1093/jcsl/krado16>

The concept of “the human” in the critique of autonomous weapons

Kevin Jon Heller. In: Harvard national security journal, vol. 15, issue 1, 2023, p. 1-76

<https://harvardnsj.org/2023/12/15/the-concept-of-the-human-in-the-critique-of-autonomous-weapons/>

Fighting machines : autonomous weapons and human dignity

Dan Saxon. - Philadelphia : University of Pennsylvania Press, 2022. - 250 p.

A functional approach to the legal review of autonomous weapon systems

Damian Copeland. - Leiden : Brill, 2025. - 266 p.

<https://brill.com/display/title/70788> *

Incidentality of the civilian harm in international humanitarian law and its contra legem antonyms in recent discourses on the laws of war

Luigi Daniele. In: Journal of conflict and security law, vol. 29, no. 1, Spring 2024, p. 21-54

<https://doi.org/10.1093/jcsl/krae004>

International humanitarian law and the challenges of contemporary armed conflicts : building a culture of compliance for IHL to protect humanity in today's and future conflicts

ICRC. - Geneva : ICRC, September 2024. - 84 p.

<https://library.icrc.org/library/docs/DOC/icrc-4810-002.pdf>

Legal frameworks governing emblems, signs and symbols connected with the protection of healthcare providers

Swiss Institute of Comparative Law. - [Lausanne] : Swiss Institute of Comparative Law, 2023. - 51 p.

<https://www.isdc.ch/media/2529/22-105-e-emblems-report-final.pdf>

Maturing autonomous cyber weapons systems : implications for international cybersecurity

Caitríona Heintz. - In: The Oxford Handbook of Cyber Security. - Oxford : Oxford University Press, 2021. - p. 702-722

<https://library.ext.icrc.org/library/docs/RESTRICTEDACCESS/60232.pdf> *

Mind the gap(s) : the need to resolve uncertainties in the international law of cyber warfare

Shiran Shahaf. In: Virginia journal of international law, vol. 63, no. 2, 2023, p. 209-249
https://static1.squarespace.com/static/5f0a3654a47d231c00ccd14f/t/64de652a840a2656b966d595/1692296491068/Vol_63.2_Article_Shahaf.pdf

Regulatory choices at the advent of gig warfare

Mark Klamberg. In: Journal of international humanitarian legal studies, vol. 15, issue 1, April 2024, p. 115-141
<https://doi.org/10.1163/18781527-bja10088>

Rethinking cyber warfare : the international relations of digital disruption

R. David Edelman. - Oxford : Oxford University Press, 2024. - X, 401 p.

XVI. Countries/Regions

AFGHANISTAN

L'arrêt Hanan c. Allemagne : qu'en est-il de l'établissement de la juridiction extraterritoriale au sens de l'article 1 de la Convention EDH en cas de frappes aériennes ?

Maïté Bol. In: Revue belge de droit international = Belgian review of international law = Belgisch tijdschrift voor internationaal recht, vol. 54, 2021/1-2, p. 349-393

<https://heinonline.org/HOL/P?h=hein.journals/belgeint54&i=349> *

Military training in international humanitarian law : how IHL can influence conduct in war

Andrew M. Bell. - Geneva : ICRC, October 2024. - 23 p.

<https://library.icrc.org/library/docs/DOC/icrc-4789-002.pdf>

Queering the humanitarian principles of neutrality and impartiality : implications for humanitarian action, IHL effectiveness and gender justice

Anna Chernova. In: International review of the Red Cross, Vol. 106, no. 925, 2024, p. 192-222

<https://library.icrc.org/library/docs/DOC/irrc-925-chernova.pdf>

The Russian-Ukrainian conflict and war crimes : challenges for documentation and international prosecution

edited by Patrycja Grzebyk and Dominika Uczkiewicz. - New York : Routledge, 2025. - XXVII, 323 p.

<https://doi.org/10.4324/9781003493785>

ALBANIA

Global atrocity justice constellations

ed. by Andy Aydın-Aitchison, Mirza Buljubašić, Kjersti Lohne, Vasilka Sancin and Camilo Tamayo Gomez. In: International criminal law review, vol. 24, issues 5-6, November 2024, p. 569-788

<https://brill.com/view/journals/icla/24/5-6/icla.24.issue-5-6.xml> *

AUSTRALIA

Australia's forgotten soldiers in the empire, 1939-1947 : prisoners of war, international diplomacy and Australian foreign policy

Lee Ripon. - Cham : Springer, 2024. - XVIII, 348 p.

Law reports of the Australian war crimes trials 1945-1951, Volume I : reports of the trials Morotai, Wewak, Labuan and Darwin

edited by Tim McCormack and Narrelle Morris. - Boston : Brill Nijhoff, 2024. - XXVII, 768 p.

BALTIC COUNTRIES

Maritime security law in hybrid warfare

edited by Alexander Lott. - Boston : Brill Nijhoff, 2024. - XXV, 396 p.

<https://brill.com/edcollbook/title/70930> *

BANGLADESH**Global atrocity justice constellations**

ed. by Andy Aydın-Aitchison, Mirza Buljubašić, Kjersti Lohne, Vasilka Sancin and Camilo Tamayo Gomez. In: International criminal law review, vol. 24, issues 5-6, November 2024, p. 569-788

<https://brill.com/view/journals/icla/24/5-6/icla.24.issue-5-6.xml> *

BELGIUM**The blockade and the making of modern food aid in the era of the two world wars**

Elisabeth Piller. In: The international history review, vol. 46, issue 4, 2024, p. 551-567

<https://doi.org/10.1080/07075332.2024.2356877>

BOSNIA AND HERZEGOVINA**Global atrocity justice constellations**

ed. by Andy Aydın-Aitchison, Mirza Buljubašić, Kjersti Lohne, Vasilka Sancin and Camilo Tamayo Gomez. In: International criminal law review, vol. 24, issues 5-6, November 2024, p. 569-788

<https://brill.com/view/journals/icla/24/5-6/icla.24.issue-5-6.xml> *

CHECHNYA**War crimes in Russia's invasion of Ukraine : the Soviet legacy and the wellsprings of Moscow's disregard of international humanitarian law**

Mark Kramer. - In: The Russian-Ukrainian conflict and war crimes: challenges for documentation and international prosecution. - Abingdon : Routledge, 2025. - p. 3-37

<http://dx.doi.org/10.4324/9781003493785-2>

CHINA**Hybrid warfare under international law**

Stuart Casey-Maslen. - Oxford : Hart, 2024. - XX, 211 p.

Maritime security law in hybrid warfare

edited by Alexander Lott. - Boston : Brill Nijhoff, 2024. - XXV, 396 p.

<https://brill.com/edcollbook/title/70930> *

COLOMBIA**Addressing environmental damages in contexts of armed conflict through transitional justice in Colombia**

Andrea Camacho Rincón and Germán Parra Gallego. In: International review of the Red Cross, Vol. 106, no. 925, 2024, p. 424-449

<https://library.icrc.org/library/docs/DOC/irrc-925-rincon.pdf>

Global atrocity justice constellations

ed. by Andy Aydın-Aitchison, Mirza Buljubašić, Kjersti Lohne, Vasilka Sancin and Camilo Tamayo Gomez. In: International criminal law review, vol. 24, issues 5-6, November 2024, p. 569-788

<https://brill.com/view/journals/icla/24/5-6/icla.24.issue-5-6.xml> *

El rol del Comité Internacional de la Cruz Roja en la implementación y desarrollo del derecho internacional humanitario en Colombia

Mónica Vanessa Angarita López. - In: Desafíos del derecho internacional humanitario en Colombia: aspectos filosóficos, hermenéuticos, constitucionales y ambientales. - Bogotá : Universidad Externado de Colombia, 2022. - p. 147-216

<https://bdigital.uexternado.edu.co/entities/publication/de045176-e94b-43d2-9920-29410892c627>

DEMOCRATIC REPUBLIC OF THE CONGO

Geneva, we have a problem : internationalisation of armed conflicts through indirect intervention remains a dead letter

Miloš Hrnjaz and Mina Radončić. In: Israel law review : a journal of human rights, public and international law, vol. 57, no. 1, March 2024, p. 102-134

<https://doi.org/10.1017/S0021223723000079>

DENMARK

The protection of critical undersea infrastructure within and beyond the limits of the territorial sea under the jus ad bellum and jus in bello

Alexander Lott. - In: Maritime security law in hybrid warfare. - Boston : Brill, 2024. - p. 125-154

https://doi.org/10.1163/9789004707993_007 *

ETHIOPIA

Keeping the lights on and the taps running : protecting and facilitating safer access for essential service providers in armed conflict : executive summary

Norwegian Red Cross, ICRC. - [Oslo] : [Norwegian Red Cross], 2024. - 19 p.

<https://library.icrc.org/library/docs/DOC/icrc-4818.01-002.pdf>

EUROPE

The blockade and the making of modern food aid in the era of the two world wars

Elisabeth Piller. In: The international history review, vol. 46, issue 4, 2024, p. 551-567

<https://doi.org/10.1080/07075332.2024.2356877>

Storm and sack : British sieges, violence and the laws of war in the Napoleonic era, 1799–1815

Gavin Daly. - Cambridge : Cambridge University Press, 2022. - IX, 316 p.

GAZA

Incidentality of the civilian harm in international humanitarian law and its contra legem antonyms in recent discourses on the laws of war

Luigi Daniele. In: Journal of conflict and security law, vol. 29, no. 1, Spring 2024, p. 21-54

<https://doi.org/10.1093/jcsl/krae004>

Keeping the lights on and the taps running : protecting and facilitating safer access for essential service providers in armed conflict : executive summary

Norwegian Red Cross, ICRC. - [Oslo] : [Norwegian Red Cross], 2024. - 19 p.

<https://library.icrc.org/library/docs/DOC/icrc-4818.01-002.pdf>

GERMANY

L'arrêt Hanan c. Allemagne : qu'en est-il de l'établissement de la juridiction extraterritoriale au sens de l'article 1 de la Convention EDH en cas de frappes aériennes ?

Maïté Bol. In: Revue belge de droit international = Belgian review of international law = Belgisch tijdschrift voor internationaal recht, vol. 54, 2021/1-2, p. 349-393

<https://heinonline.org/HOL/P?h=hein.journals/belgeint54&i=349> *

Fabricated legality : the role of legal advisers in the commission of international crimes

Lavinia Parsi. In: Journal of international criminal justice, vol. 22, no. 1, March 2024, p. 19-42

<https://doi.org/10.1093/jicj/mqae017> *

The Russian-Ukrainian conflict and war crimes : challenges for documentation and international prosecution

edited by Patrycja Grzebyk and Dominika Uczkiewicz. - New York : Routledge, 2025. - XXVII, 323 p.

<https://doi.org/10.4324/9781003493785>

GREECE

The blockade and the making of modern food aid in the era of the two world wars

Elisabeth Piller. In: The international history review, vol. 46, issue 4, 2024, p. 551-567

<https://doi.org/10.1080/07075332.2024.2356877>

GUATEMALA

Global atrocity justice constellations

ed. by Andy Aydın-Aitchison, Mirza Buljubašić, Kjersti Lohne, Vasilka Sancin and Camilo Tamayo Gomez. In: International criminal law review, vol. 24, issues 5-6, November 2024, p. 569-788

<https://brill.com/view/journals/icla/24/5-6/icla.24.issue-5-6.xml> *

HUNGARY

Global atrocity justice constellations

ed. by Andy Aydın-Aitchison, Mirza Buljubašić, Kjersti Lohne, Vasilka Sancin and Camilo Tamayo Gomez. In: International criminal law review, vol. 24, issues 5-6, November 2024, p. 569-788

<https://brill.com/view/journals/icla/24/5-6/icla.24.issue-5-6.xml> *

IRAN

Hybrid warfare under international law

Stuart Casey-Maslen. - Oxford : Hart, 2024. - XX, 211 p.

IRAQ

From words to deeds : a study of armed non-state actors' practice and interpretation of international humanitarian and human rights norms : the Islamic State Group

[by the American University in Cairo research team]. - [London] : UK Research and Innovation, September 2022. - 66 p.

https://words2deeds.org/wp-content/uploads/2022/09/ISG_Case-Study.pdf

Keeping the lights on and the taps running : protecting and facilitating safer access for essential service providers in armed conflict : executive summary

Norwegian Red Cross, ICRC. - [Oslo] : [Norwegian Red Cross], 2024. - 19 p.

<https://library.icrc.org/library/docs/DOC/icrc-4818.01-002.pdf>

Military training in international humanitarian law : how IHL can influence conduct in war

Andrew M. Bell. - Geneva : ICRC, October 2024. - 23 p.

<https://library.icrc.org/library/docs/DOC/icrc-4789-002.pdf>

The Russian-Ukrainian conflict and war crimes : challenges for documentation and international prosecution

edited by Patrycja Grzebyk and Dominika Uczkiewicz. - New York : Routledge, 2025. - XXVII, 323 p.

<https://doi.org/10.4324/9781003493785>

ISRAEL

Covid-19 en territoire palestinien occupé : étude de la légalité de certaines décisions d'Israël au regard de ses obligations internationales en matière de santé : analyse sous l'angle de l'interaction entre le droit international humanitaire et le droit international des droits humains

Kheda Djanaralieva. In: Revue belge de droit international = Belgian review of international law = Belgisch tijdschrift voor internationaal recht, vol. 54, 2021/1-2, p. 275-311

<http://hdl.handle.net/2013/ULB-DIPOT:oai:dipot.ulb.ac.be:2013/366611>

Fabricated legality : the role of legal advisers in the commission of international crimes

Lavinia Parsi. In: Journal of international criminal justice, vol. 22, no. 1, March 2024, p. 19-42

<https://doi.org/10.1093/jicj/mqae017> *

Hybrid warfare under international law

Stuart Casey-Maslen. - Oxford : Hart, 2024. - XX, 211 p.

Is all mental harm equal ? : the importance of discussing civilian war trauma from a socio-economic legal framework's perspective

Solon Solomon and Ya'akov M. Bayer. In: Nordic journal of international law, vol. 94, issue 4, December 2023, p. 528-547

<https://doi.org/10.1163/15718107-bja10061>

The legal case for Palestine : a critical assessment

Steven E. Zipperstein. - New York : Routledge, 2025. - XVII, 442 p.

« Nécessité fait loi » : Fauda et l'effacement du droit international en territoire palestinien

François Dubuisson. In: Revue belge de droit international = Belgian review of international law = Belgisch tijdschrift voor internationaal recht, vol. 54, 2021/1-2, p. 71-100

<https://heinonline.org/HOL/P?h=hein.journals/belgeint54&i=71> *

Prolonged occupation : at the vanishing point of the jus ad bellum/jus in bello distinction

Ardi Imseis. In: Texas international law journal, vol. 58, no. 3, Summer 2023, p. 33-48

<https://law.queensu.ca/sites/lawwww/files/img/Prolonged%20Occupation.pdf>

Schrödinger's occupation : West Jerusalem 1948-1949

Yaël Ronen. In: Texas international law journal, vol. 58, no. 3, Summer 2023, p. 119-146

<https://heinonline.org/HOL/P?h=hein.journals/tlj58&i=376> *

ITALY

Global atrocity justice constellations

ed. by Andy Aydın-Aitchison, Mirza Buljubašić, Kjersti Lohne, Vasilka Sancin and Camilo Tamayo Gomez. In: International criminal law review, vol. 24, issues 5-6, November 2024, p. 569-788

<https://brill.com/view/journals/icla/24/5-6/icla.24.issue-5-6.xml> *

Sanctioning cultural war crimes : from the 1954 Hague Convention to national legislations

Lorenzo De Poli and Alberta Fabbriotti. - In: Intentional destruction of cultural heritage and the law: a research companion. - New York : Routledge, 2025. - p. 44-56

JAPAN

Law reports of the Australian war crimes trials 1945-1951, Volume I : reports of the trials Morotai, Wewak, Labuan and Darwin

edited by Tim McCormack and Narrelle Morris. - Boston : Brill Nijhoff, 2024. - XXVII, 768 p.

Maritime security law in hybrid warfare

edited by Alexander Lott. - Boston : Brill Nijhoff, 2024. - XXV, 396 p.

<https://brill.com/edcollbook/title/70930> *

LITHUANIA

Global atrocity justice constellations

ed. by Andy Aydın-Aitchison, Mirza Buljubašić, Kjersti Lohne, Vasilka Sancin and Camilo Tamayo Gomez. In: International criminal law review, vol. 24, issues 5-6, November 2024, p. 569-788

<https://brill.com/view/journals/icla/24/5-6/icla.24.issue-5-6.xml> *

MOROCCO

Prolonged occupation : at the vanishing point of the jus ad bellum/jus in bello distinction

Ardi Imseis. In: Texas international law journal, vol. 58, no. 3, Summer 2023, p. 33-48

<https://law.queensu.ca/sites/lawwww/files/img/Prolonged%20Occupation.pdf>

NAGORNY KARABAKH

Geneva, we have a problem : internationalisation of armed conflicts through indirect intervention remains a dead letter

Miloš Hrnjaz and Mina Radončić. In: Israel law review : a journal of human rights, public and international law, vol. 57, no. 1, March 2024, p. 102-134

<https://doi.org/10.1017/S0021223723000079>

NORWAY

Global atrocity justice constellations

ed. by Andy Aydın-Aitchison, Mirza Buljubašić, Kjersti Lohne, Vasilka Sancin and Camilo Tamayo Gomez. In: International criminal law review, vol. 24, issues 5-6, November 2024, p. 569-788

<https://brill.com/view/journals/icla/24/5-6/icla.24.issue-5-6.xml> *

The protection of critical undersea infrastructure within and beyond the limits of the territorial sea under the jus ad bellum and jus in bello

Alexander Lott. - In: Maritime security law in hybrid warfare. - Boston : Brill, 2024. - p. 125-154

https://doi.org/10.1163/9789004707993_007 *

PALESTINE

Covid-19 en territoire palestinien occupé : étude de la légalité de certaines décisions d'Israël au regard de ses obligations internationales en matière de santé : analyse sous l'angle de l'interaction entre le droit international humanitaire et le droit international des droits humains

Kheda Djanaralieva. In: Revue belge de droit international = Belgian review of international law = Belgisch tijdschrift voor internationaal recht, vol. 54, 2021/1-2, p. 275-311

<http://hdl.handle.net/2013/ULB-DIPOT:oai:dipot.ulb.ac.be:2013/366611>

The legal case for Palestine : a critical assessment

Steven E. Zipperstein. - New York : Routledge, 2025. - XVII, 442 p.

« Nécessité fait loi » : Fauda et l'effacement du droit international en territoire palestinien

François Dubuisson. In: Revue belge de droit international = Belgian review of international law = Belgisch tijdschrift voor internationaal recht, vol. 54, 2021/1-2, p. 71-100

<https://heinonline.org/HOL/P?h=hein.journals/belgeint54&i=71> *

Prolonged occupation : at the vanishing point of the jus ad bellum/jus in bello distinction

Ardi Imseis. In: Texas international law journal, vol. 58, no. 3, Summer 2023, p. 33-48

<https://law.queensu.ca/sites/lawwww/files/img/Prolonged%20Occupation.pdf>

Schrödinger's occupation : West Jerusalem 1948-1949

Yaël Ronen. In: Texas international law journal, vol. 58, no. 3, Summer 2023, p. 119-146

<https://heinonline.org/HOL/P?h=hein.journals/tlj58&i=376> *

POLAND

The Russian-Ukrainian conflict and war crimes : challenges for documentation and international prosecution

edited by Patrycja Grzebyk and Dominika Uczkiewicz. - New York : Routledge, 2025. - XXVII, 323 p.

<https://doi.org/10.4324/9781003493785>

RUSSIAN FEDERATION

Between a rock and a hard place ? : ICT companies, armed conflict, and international law

Arturo J. Carrillo. In: Fordham international law journal, vol. 46, issue 1, 2022, p. 59-125

<https://ir.lawnet.fordham.edu/ilj/vol46/iss1/2/>

The effect of Russia's invasion of Ukraine on non-human animals : international humanitarian law perspectives

Saba Pipia. In: Israel law review : a journal of human rights, public and international law, vol. 57, no. 2, July 2024, p. 265-287

<https://doi.org/10.1017/S0021223724000086>

Environmental damage in Ukraine as environmental war crime under the Rome Statute : the Kakhovka Dam breach in context

Shah Maruf. In: Journal of international criminal justice, vol. 22, no. 1, March 2024, p. 99-126

<https://doi.org/10.1093/jicj/mgae004> *

From Russian infiltration operations to the lex ferenda of belligerent occupation : how to protect biometrics and privacy in occupied territories ?

Yang Liu. In: The military law and the law of war review, vol. 62, no. 1, 2024, p. 89-113

<https://doi.org/10.4337/mlwr.2024.01.04> *

A hostage city : hunger, disease, and inhumanity in Russian-occupied Mariupol

Anastasiya Donets and Alexandre Prezanti. In: Texas international law journal, vol. 58, no. 3, Summer 2023, p. 99-118

<https://heinonline.org/HOL/P?h=hein.journals/tlj58&i=355> *

Hybrid warfare under international law

Stuart Casey-Maslen. - Oxford : Hart, 2024. - XX, 211 p.

Legal perspectives on the role of the notion of “denazification” in the Russian invasion of Ukraine under jus contra bellum and jus in bello

Marco Longobardo. In: Revue belge de droit international = Belgian review of international law = Belgisch tijdschrift voor internationaal recht, vol. 54, 2021/1-2, p. 209-235

<https://heinonline.org/HOL/P?h=hein.journals/belgeint54&i=209> *

The legal status and targeting of hacker groups in the Russia-Ukraine cyber conflict

Giacomo Biggio. In: Journal of international humanitarian legal studies, vol. 15, issue 1, April 2024, p. 142-182

<https://doi.org/10.1163/18781527-bja10078>

Maritime security law in hybrid warfare

edited by Alexander Lott. - Boston : Brill Nijhoff, 2024. - XXV, 396 p.

<https://brill.com/edcollbook/title/70930> *

The Montreux Convention and the ongoing armed conflict between Russia and Ukraine

Magne Frostad. - In: Maritime security law in hybrid warfare. - Boston : Brill, 2024. - p. 312–352

https://doi.org/10.1163/9789004707993_013 *

Naval blockade of Ukraine's Black Sea ports in the light of international law

Dariusz Rafał Bugajski. - In: Maritime security law in hybrid warfare. - Boston : Brill, 2024. - p. 287–311

https://doi.org/10.1163/9789004707993_012 *

Neutrality, non-belligerency, and permanent neutrality according to recent practice and doctrinal views

Natalino Ronzitti. In: Journal of conflict and security law, vol. 29, no. 1, Spring 2024, p. 55–71

<https://doi.org/10.1093/jcsl/krae001> *

Occupation : treachery, treason and Ukraine's war in the shadows

Kenneth Watkin. In: Texas international law journal, vol. 58, no. 3, Summer 2023, p. 1–32

<https://ssrn.com/abstract=4699180>

Prospects of environmental liability before the International Criminal Court : a case study on the international armed conflict between Russia and Ukraine

Lakmali Bhagya Manamperi. In: The Asian yearbook of human rights and humanitarian law, vol. 8 (2024), p. 407–430

The Russian-Ukrainian conflict and war crimes : challenges for documentation and international prosecution

edited by Patrycja Grzebyk and Dominika Uczkiewicz. - New York : Routledge, 2025. - XXVII, 323 p.

<https://doi.org/10.4324/9781003493785>

Russia's systematic program of coerced adoption and fostering of Ukraine's children

Nathaniel A. Raymond, Oona A. Hathaway, Caitlin N. Howarth... [et al.]. - New Haven : Humanitarian Research Lab at Yale School of Public Health, 3 December 2024. - 81 p.

<https://files-profile.medicine.yale.edu/documents/5444c3da-1285-489e-926a-b6d5cfb699a2>

Russia's war crimes in Ukraine as a tool of war

Agnieszka Bienczyk-Missala. - In: The Russian-Ukrainian conflict and war crimes: challenges for documentation and international prosecution. - Abingdon : Routledge, 2025. - p. 116–128

<http://dx.doi.org/10.4324/9781003493785-9>

To blockade or not to blockade ? : the legal status of Russia's suspension of shipping in the sea of Azov

Shani Friedman. In: Israel law review : a journal of human rights, public and international law, Vol. 57, no. 2, July 2024, p. 247–264

<https://doi.org/10.1017/S0021223723000183>

Ukraine and violations of international humanitarian law : a critical analysis of the Amnesty International report

Agnieszka Szpak. In: Journal of international humanitarian legal studies, vol. 15, issue 1, April 2024, p. 1-22

<https://doi.org/10.1163/18781527-bja10093> *

War crimes in Russia's invasion of Ukraine : the Soviet legacy and the wellsprings of Moscow's disregard of international humanitarian law

Mark Kramer. - In: The Russian-Ukrainian conflict and war crimes: challenges for documentation and international prosecution. - Abingdon : Routledge, 2025. - p. 3-37

<http://dx.doi.org/10.4324/9781003493785-2>

SAUDIA ARABIA

The Rome Statute and Islamic law : a comparative analysis with special reference to Saudia Arabia

Majed Handi Alsolami. - Leiden : Brill, 2024. - XIV, 346 p.

<https://doi.org/10.1163/9789004711730> *

SOUTH AFRICA

Neutrality as a contested concept in international humanitarian law : Red Cross men in the South African War, 1899-1902

Lia Brazil. In: Humanity : an international journal of human rights, humanitarianism, and development, Vol. 14, no. 3, Winter 2023, p. 405-419

<https://dx.doi.org/10.1353/hum.2023.a924870> *

SOUTH KOREA

The forgotten sexual and gender-based violence of the Vietnam-American war : is justice too late for Vietnamese victims and survivors ?

by Madison P. Bingle. In: Human rights brief, vol. 26, issue 2, 2023, p. 42-55

<https://digitalcommons.wcl.american.edu/hrbrief/vol26/iss2/1/>

SUDAN

Keeping the lights on and the taps running : protecting and facilitating safer access for essential service providers in armed conflict : executive summary

Norwegian Red Cross, ICRC. - [Oslo] : [Norwegian Red Cross], 2024. - 19 p.

<https://library.icrc.org/library/docs/DOC/icrc-4818.01-002.pdf>

SYRIA

From words to deeds : a study of armed non-state actors' practice and interpretation of international humanitarian and human rights norms : the Islamic State Group

[by the American University in Cairo research team]. - [London] : UK Research and Innovation, September 2022. - 66 p.

https://words2deeds.org/wp-content/uploads/2022/09/ISG_Case-Study.pdf

Keeping the lights on and the taps running : protecting and facilitating safer access for essential service providers in armed conflict : executive summary

Norwegian Red Cross, ICRC. - [Oslo] : [Norwegian Red Cross], 2024. - 19 p.

<https://library.icrc.org/library/docs/DOC/icrc-4818.01-002.pdf>

Prolonged occupation : at the vanishing point of the jus ad bellum/jus in bello distinction

Ardi Imseis. In: Texas international law journal, vol. 58, no. 3, Summer 2023, p. 33-48
<https://law.queensu.ca/sites/lawwww/files/img/Prolonged%20Occupation.pdf>

What blocked the UN's response to the earthquakes in Northwest Syria ? : reflections on a humanitarian system premised on government consent

Rebecca Barber. In: Journal of international humanitarian legal studies, vol. 15, issue 1, April 2024, p. 83-114
<https://doi.org/10.1163/18781527-bja10082>

TURKEY

Characterization of the violence between Türkiye and the PKK

Şehmus Kurtuluş. In: Leiden journal of international law, vol. 37, no. 1, March 2024, p. 274-293
<https://doi.org/10.1017/S0922156523000456>

The Montreux Convention and the ongoing armed conflict between Russia and Ukraine

Magne Frostad. - In: Maritime security law in hybrid warfare. - Boston : Brill, 2024. - p. 312-352
https://doi.org/10.1163/9789004707993_013 *

What blocked the UN's response to the earthquakes in Northwest Syria ? : reflections on a humanitarian system premised on government consent

Rebecca Barber. In: Journal of international humanitarian legal studies, vol. 15, issue 1, April 2024, p. 83-114
<https://doi.org/10.1163/18781527-bja10082>

UGANDA

Global atrocity justice constellations

ed. by Andy Aydın-Aitchison, Mirza Buljubašić, Kjersti Lohne, Vasilka Sancin and Camilo Tamayo Gomez. In: International criminal law review, vol. 24, issues 5-6, November 2024, p. 569-788
<https://brill.com/view/journals/icla/24/5-6/icla.24.issue-5-6.xml> *

UKRAINE

Between a rock and a hard place ? : ICT companies, armed conflict, and international law

Arturo J. Carrillo. In: Fordham international law journal, vol. 46, issue 1, 2022, p. 59-125
<https://ir.lawnet.fordham.edu/ilj/vol46/iss1/2/>

The effect of Russia's invasion of Ukraine on non-human animals : international humanitarian law perspectives

Saba Pipia. In: Israel law review : a journal of human rights, public and international law, vol. 57, no. 2, July 2024, p. 265-287
<https://doi.org/10.1017/S0021223724000086>

Environmental damage in Ukraine as environmental war crime under the Rome Statute : the Kakhovka Dam breach in context

Shah Maruf. In: Journal of international criminal justice, vol. 22, no. 1, March 2024, p. 99-126

<https://doi.org/10.1093/jicj/mqae004> *

From Russian infiltration operations to the lex ferenda of belligerent occupation : how to protect biometrics and privacy in occupied territories ?

Yang Liu. In: The military law and the law of war review, vol. 62, no. 1, 2024, p. 89-113

<https://doi.org/10.4337/mlwr.2024.01.04> *

Geneva, we have a problem : internationalisation of armed conflicts through indirect intervention remains a dead letter

Miloš Hrnjaz and Mina Radončić. In: Israel law review : a journal of human rights, public and international law, vol. 57, no. 1, March 2024, p. 102-134

<https://doi.org/10.1017/S0021223723000079>

Global atrocity justice constellations

ed. by Andy Aydın-Aitchison, Mirza Buljubašić, Kjersti Lohne, Vasilka Sancin and Camilo Tamayo Gomez. In: International criminal law review, vol. 24, issues 5-6, November 2024, p. 569-788

<https://brill.com/view/journals/icla/24/5-6/icla.24.issue-5-6.xml> *

A hostage city : hunger, disease, and inhumanity in Russian-occupied Mariupol

Anastasiya Donets and Alexandre Prezanti. In: Texas international law journal, vol. 58, no. 3, Summer 2023, p. 99-118

<https://heinonline.org/HOL/P?h=hein.journals/tlj58&i=355> *

Incidentality of the civilian harm in international humanitarian law and its contra legem antonyms in recent discourses on the laws of war

Luigi Daniele. In: Journal of conflict and security law, vol. 29, no. 1, Spring 2024, p. 21-54

<https://doi.org/10.1093/jcsl/krae004>

Keeping the lights on and the taps running : protecting and facilitating safer access for essential service providers in armed conflict : executive summary

Norwegian Red Cross, ICRC. - [Oslo] : [Norwegian Red Cross], 2024. - 19 p.

<https://library.icrc.org/library/docs/DOC/icrc-4818.01-002.pdf>

Leçons contemporaines de droit international humanitaire

sous la direction de Julian Fernandez et Emre Öktem. - Paris : A. Pedone, 2024. - 238 p.

Legal perspectives on the role of the notion of “denazification” in the Russian invasion of Ukraine under jus contra bellum and jus in bello

Marco Longobardo. In: Revue belge de droit international = Belgian review of international law = Belgisch tijdschrift voor internationaal recht, vol. 54, 2021/1-2, p. 209-235

<https://heinonline.org/HOL/P?h=hein.journals/belgeint54&i=209> *

The legal status and targeting of hacker groups in the Russia-Ukraine cyber conflict

Giacomo Biggio. In: Journal of international humanitarian legal studies, vol. 15, issue 1, April 2024, p. 142-182

<https://doi.org/10.1163/18781527-bja10078>

Maritime security law in hybrid warfare

edited by Alexander Lott. - Boston : Brill Nijhoff, 2024. - XXV, 396 p.

<https://brill.com/edcollbook/title/70930> *

The Montreux Convention and the ongoing armed conflict between Russia and Ukraine

Magne Frostad. - In: Maritime security law in hybrid warfare. - Boston : Brill, 2024. - p. 312–352

https://doi.org/10.1163/9789004707993_013 *

Naval blockade of Ukraine's Black Sea ports in the light of international law

Dariusz Rafał Bugajski. - In: Maritime security law in hybrid warfare. - Boston : Brill, 2024. - p. 287–311

https://doi.org/10.1163/9789004707993_012 *

Neutrality, non-belligerency, and permanent neutrality according to recent practice and doctrinal views

Natalino Ronzitti. In: Journal of conflict and security law, vol. 29, no. 1, Spring 2024, p. 55–71

<https://doi.org/10.1093/jcsl/krae001> *

Occupation : treachery, treason and Ukraine's war in the shadows

Kenneth Watkin. In: Texas international law journal, vol. 58, no. 3, Summer 2023, p. 1–32

<https://ssrn.com/abstract=4699180>

Prospects of environmental liability before the International Criminal Court : a case study on the international armed conflict between Russia and Ukraine

Lakmali Bhagya Manamperi. In: The Asian yearbook of human rights and humanitarian law, vol. 8 (2024), p. 407–430

The protection of critical undersea infrastructure within and beyond the limits of the territorial sea under the jus ad bellum and jus in bello

Alexander Lott. - In: Maritime security law in hybrid warfare. - Boston : Brill, 2024. - p. 125–154

https://doi.org/10.1163/9789004707993_007 *

Queering the humanitarian principles of neutrality and impartiality : implications for humanitarian action, IHL effectiveness and gender justice

Anna Chernova. In: International review of the Red Cross, Vol. 106, no. 925, 2024, p. 192–222

<https://library.icrc.org/library/docs/DOC/irrc-925-chernova.pdf>

Report of the legal review panel on the Amnesty International press release concerning Ukrainian fighting tactics of 4 August 2022

[Emanuela-Chiara Gillard, Kevin Jon Heller, Eric Talbot Jensen, Marko Milanovic, Marco Sassòli]. - [S.l.] : [s.n.], 2023. - 18 p.

<https://www.amnesty.org/en/documents/org60/6731/2023/en/>

The Russian-Ukrainian conflict and war crimes : challenges for documentation and international prosecution

edited by Patrycja Grzebyk and Dominika Uczkiewicz. - New York : Routledge, 2025. - XXVII, 323 p.

<https://doi.org/10.4324/9781003493785>

Russia's systematic program of coerced adoption and fostering of Ukraine's children

Nathaniel A. Raymond, Oona A. Hathaway, Caitlin N. Howarth... [et al.]. - New Haven : Humanitarian Research Lab at Yale School of Public Health, 3 December 2024. - 81 p.

<https://files-profile.medicine.yale.edu/documents/5444c3da-1285-489e-926a-b6d5cfb699a2>

Russia's war crimes in Ukraine as a tool of war

Agnieszka Bienczyk-Missala. - In: The Russian-Ukrainian conflict and war crimes: challenges for documentation and international prosecution. - Abingdon : Routledge, 2025. - p. 116-128

<http://dx.doi.org/10.4324/9781003493785-9>

To blockade or not to blockade ? : the legal status of Russia's suspension of shipping in the sea of Azov

Shani Friedman. In: Israel law review : a journal of human rights, public and international law, Vol. 57, no. 2, July 2024, p. 247-264

<https://doi.org/10.1017/S0021223723000183>

Ukraine and violations of international humanitarian law : a critical analysis of the Amnesty International report

Agnieszka Szpak. In: Journal of international humanitarian legal studies, vol. 15, issue 1, April 2024, p. 1-22

<https://doi.org/10.1163/18781527-bja10093> *

War crimes in Russia's invasion of Ukraine : the Soviet legacy and the wellsprings of Moscow's disregard of international humanitarian law

Mark Kramer. - In: The Russian-Ukrainian conflict and war crimes: challenges for documentation and international prosecution. - Abingdon : Routledge, 2025. - p. 3-37

<http://dx.doi.org/10.4324/9781003493785-2>

UNITED KINGDOM

Neutrality as a contested concept in international humanitarian law : Red Cross men in the South African War, 1899-1902

Lia Brazil. In: Humanity : an international journal of human rights, humanitarianism, and development, Vol. 14, no. 3, Winter 2023, p. 405-419

<https://dx.doi.org/10.1353/hum.2023.a924870> *

The Russian-Ukrainian conflict and war crimes : challenges for documentation and international prosecution

edited by Patrycja Grzebyk and Dominika Uczkiewicz. - New York : Routledge, 2025. - XXVII, 323 p.

<https://doi.org/10.4324/9781003493785>

UNITED STATES

The distinction dilemma : why it is time for the U.S. to embrace a more logical approach to combatant qualification

Geoffrey S. Corn. In: Texas international law journal, vol. 58, no. 3, Summer 2023, p. 49-70

<https://heinonline.org/HOL/P?h=hein.journals/tlj58&i=305> *

Fabricated legality : the role of legal advisers in the commission of international crimes

Lavinia Parsi. In: Journal of international criminal justice, vol. 22, no. 1, March 2024, p. 19-42

<https://doi.org/10.1093/jicj/mqae017> *

The forgotten sexual and gender-based violence of the Vietnam-American war : is justice too late for Vietnamese victims and survivors ?

by Madison P. Bingle. In: Human rights brief, vol. 26, issue 2, 2023, p. 42-55

<https://digitalcommons.wcl.american.edu/hrbrief/vol26/iss2/1/>

Future proofing U.S. laws for war crimes investigations in the digital era

Rebecca J. Hamilton. In: Georgia law review, vol. 57, no. 4, 2023, p. 1505-1550

<https://digitalcommons.law.uga.edu/glr/vol57/iss4/2/>

Global atrocity justice constellations

ed. by Andy Aydın-Aitchison, Mirza Buljubašić, Kjersti Lohne, Vasilka Sancin and Camilo Tamayo Gomez. In: International criminal law review, vol. 24, issues 5-6, November 2024, p. 569-788

<https://brill.com/view/journals/icla/24/5-6/icla.24.issue-5-6.xml> *

The importance of accounting for the dead in migration

Cate E. Bird and Austin Shangraw. In: Journal on migration and human security, Vol. 12, no. 3, 2024, p. 310-320

<https://doi.org/10.1177/23315024241256633>

Military training in international humanitarian law : how IHL can influence conduct in war

Andrew M. Bell. - Geneva : ICRC, October 2024. - 23 p.

<https://library.icrc.org/library/docs/DOC/icrc-4789-002.pdf>

Settler empire and the United States : Francis Lieber on the laws of war

Helen M. Kinsella. In: American political science review, vol. 117, issue 2, May 2023, p. 629-642

<https://doi.org/10.1017/S0003055422000569>

Teaching terrorists : how United States counterterrorism law violates international humanitarian law

Scott Graber. In: The Yale journal of international law, vol. 48, no. 1, Spring 2023, p. 153-175

<https://heinonline.org/HOL/P?h=hein.journals/yjil48&i=175> *

VIET NAM

The forgotten sexual and gender-based violence of the Vietnam-American war : is justice too late for Vietnamese victims and survivors ?

by Madison P. Bingle. In: Human rights brief, vol. 26, issue 2, 2023, p. 42-55

<https://digitalcommons.wcl.american.edu/hrbrief/vol26/iss2/1/>

WESTERN SAHARA

Prolonged occupation : at the vanishing point of the jus ad bellum/jus in bello distinction

Ardi Imseis. In: Texas international law journal, vol. 58, no. 3, Summer 2023, p. 33-48

<https://law.queensu.ca/sites/lawwww/files/img/Prolonged%20Occupation.pdf>

YEMEN

Geneva, we have a problem : internationalisation of armed conflicts through indirect intervention remains a dead letter

Miloš Hrnjaz and Mina Radončić. In: Israel law review : a journal of human rights, public and international law, vol. 57, no. 1, March 2024, p. 102-134

<https://doi.org/10.1017/S0021223723000079>

Keeping the lights on and the taps running : protecting and facilitating safer access for essential service providers in armed conflict : executive summary

Norwegian Red Cross, ICRC. - [Oslo] : [Norwegian Red Cross], 2024. - 19 p.

<https://library.icrc.org/library/docs/DOC/icrc-4818.01-002.pdf>

Queering the humanitarian principles of neutrality and impartiality : implications for humanitarian action, IHL effectiveness and gender justice

Anna Chernova. In: International review of the Red Cross, Vol. 106, no. 925, 2024, p. 192-222

<https://library.icrc.org/library/docs/DOC/irrc-925-chernova.pdf>

All with Abstracts

The 2003 Intangible Cultural Heritage Convention in armed conflict : an integrated reading of obligations towards culture in conflict

Ashrutha Rai. In: *Leiden journal of international law*, vol. 37, no. 1, March 2024, p. 167-190

International law today recognizes that cultural heritage includes not only tangible but also intangible cultural heritage, encompassing traditions, customs, practices, and beliefs. While protections for tangible cultural heritage have existed since at least the nineteenth century, only relatively recently has the law gone beyond piecemeal human rights protections and extended direct and specific treaty protections to intangible cultural heritage through the 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage. The push for this Convention was linked with broader discontent within the Global south at the prioritization of Eurocentric ‘monumentalism’ in international cultural heritage law. Nevertheless, in situations of armed conflict, the emphasis reverts to protection of tangible cultural heritage as international humanitarian law does not go beyond general civilian protections to directly address the protection of intangible cultural heritage in conflict. While the 2003 Convention provides for emergency assistance, its broadly-worded terms do not indicate the shape its other obligations would take in armed conflict or the manner in which they would interact with rules governing the conduct of hostilities. This article examines, first, the degree and extent to which the 2003 Convention’s various obligations in relation to safeguarding intangible cultural heritage circumvent de-prioritization and continue to apply in conflict; and second, the manner in which they can be integrated with rules of international humanitarian law to better protect intangible cultural heritage during active hostilities.

<https://doi.org/10.1017/S0922156523000572>

Addressing environmental damages in contexts of armed conflict through transitional justice in Colombia

Andrea Camacho Rincón and Germán Parra Gallego. In: *International review of the Red Cross*, Vol. 106, no. 925, 2024, p. 424-449

It is unquestionable that Colombian armed conflicts have had adverse impacts on the natural environment in the country. Current transitional justice mechanisms offer an opportunity to recognize harm and responsibility, establish restorative sanctions and reparations and adopt public policies for the recovery of ecosystems and prevention of further damage. This article focuses on how transitional justice mechanisms, especially the Special Jurisdiction for Peace, have addressed the effects of armed conflicts on the natural environment. Specifically, it analyzes the criminal characterization of environmental degradation, the question of whether amnesties and pardons could be granted for such conducts, precautionary measures and the implementation of restorative sanctions related to the environment. It presents some challenges regarding the preservation of the natural environment due to the persistence of armed conflicts after the 2016 Peace Accord between the government and the FARC-EP guerrillas, and the sustainability of reparations for victims and prevention of further damage. It also sustains that the developments of current transitional justice mechanisms may have significant influence on ongoing and future peace negotiations with other armed groups and the processes for establishing responsibility for environmental damages.

<https://library.icrc.org/library/docs/DOC/irrc-925-rincon.pdf>

Arbitrary withholding of consent to humanitarian relief in non-international armed conflict : legal regulations and consequences

by Vijitha Veerakatty. - Leiden ; Boston : Brill Nijhoff, 2024. - XI, 363 p.

How to legally assess the situation when humanitarian actors in non-international armed conflicts are arbitrarily denied access to the affected civilian population? The book answers this question from the perspective of the five main actors involved in humanitarian relief in non-international

armed conflicts: the affected State, non-State armed groups, humanitarian actors, non-belligerent States and the affected civilian population. It examines the legal regulations and consequences for each of these actors. In doing so, the book not only draws attention to existing legal gaps and challenges, but also encourages readers to rethink outdated legal concepts and discuss new approaches.

https://doi.org/10.1163/9789004689343_002

L'arrêt Hanan c. Allemagne : qu'en est-il de l'établissement de la juridiction extraterritoriale au sens de l'article 1 de la Convention EDH en cas de frappes aériennes ?

Maïté Bol. In: *Revue belge de droit international = Belgian review of international law = Belgisch tijdschrift voor internationaal recht*, vol. 54, 2021/1-2, p. 349-393

Cet article vise à examiner l'approche de la juridiction extraterritoriale adoptée par la Cour européenne des droits de l'homme dans l'arrêt Hanan c. Allemagne rendu le 16 février 2021 par la Grande chambre. L'affaire Hanan porte sur une frappe aérienne ordonnée par un colonel des forces allemandes de la Force internationale d'assistance à la sécurité (FIAS) dans la région de Kunduz en Afghanistan et à l'enquête allemande qui en a découlé. Dans cet arrêt, la Cour a conclu à l'existence d'un lien juridictionnel entre l'Allemagne et les victimes en raison non pas de l'acte matériel, à savoir la frappe aérienne à l'origine de l'enquête, mais de l'existence de trois « circonstances propres » au cas d'espèce au regard du volet procédural de l'article 2 de la Convention européenne des droits de l'homme (Convention EDH) ; sans pour autant conclure à sa violation. Partant, la Cour a rompu avec son approche juridictionnelle traditionnelle en ne vérifiant pas si l'une des deux exceptions principales à l'approche territoriale de la juridiction s'appliquait, contrairement au raisonnement tenu dans sa jurisprudence antérieure. Dans un premier temps, cette contribution examine, par le biais d'une analyse de l'interprétation de la notion de juridiction de la Cour, les motifs et les limites de l'application extraterritoriale de la Convention EDH au regard de l'article 1^{er} à raison d'actes instantanés qui demeurent en suspens depuis l'affaire Bankovic et autres c. Belgique et autres. Dans un second temps et au moyen d'une analyse de cet arrêt, cette étude revient sur les apports et plus spécifiquement les failles de l'approche qu'adopte la Cour en s'appuyant sur le volet procédural de l'article 2 pour établir la juridiction de l'Allemagne. En outre, cette contribution fournit une solution alternative aboutissant au même résultat et ce en adoptant la même approche de la juridiction que celle appliquée par la Cour dans l'affaire Al-Skeini et autres c. Royaume-Uni; une approche davantage cohérente sur la forme et faisant naître de l'usage instantané de la force par un agent de l'État couplé à l'exercice de prérogatives de puissance publique un lien juridictionnel extraterritorial.

<https://heinonline.org/HOL/P?h=hein.journals/belgeint54&i=349> *

Artificial intelligence and international humanitarian law in the work of the parties to the Conventional Weapons Convention : lethal autonomous weapons

Agnieszka Szpak. - In: *Artificial intelligence and international human rights law : developing standards for a changing world.* - Cheltenham ; Northampton : E. Elgar, 2024. - p. 278-293

Discussions about the use of military AI have been taking place under the Convention on Certain Conventional Weapons (CCW), which restricts the use of some types of weapons. The research goal of this chapter is to examine the key aspects or themes that are reflected or appear in the works of the CCW states parties related to artificial intelligence and international humanitarian law under the umbrella of lethal autonomous weapons systems (LAWS). The chapter will concentrate on the 11 'Guiding Principles affirmed by the Group of Governmental Experts [GGE] on Emerging Technologies in the Area of Lethal Autonomous Weapons System', and through this lens will try to reflect upon CCW states parties and then GGE works. The author will interpret each Guiding Principle by referring to the CCW conference/GGE materials with occasional references to the relevant literature. In this way a complex picture of various international humanitarian law challenges/risks will be depicted.

<https://doi.org/10.4337/9781035337934.00023>

Australia's forgotten soldiers in the empire, 1939-1947 : prisoners of war, international diplomacy and Australian foreign policy

Lee Ripon. - Cham : Springer, 2024. - XVIII, 348 p.

This book explores how Australia managed the prisoner of war issue throughout the Second World War and the immediate post-war period. It examines how the Australian government responded to the captivity of thousands of Australians in Italy and the detention of an even greater number of Italians in Australia. The war, it finds, created a series of diplomatic and political challenges for belligerent governments, including Australia. The author contends that Australia's response was guided not only by other pragmatic considerations such as reciprocity, the practicalities of war and, importantly, national interest. The Australian government was not the only one to manage its prisoner of war policy in this way. By exploring the Australian government's relationship with Britain as part of the British Empire, this book clarifies under what circumstances and to what extent Australia sought to assert a level of independence in pursuing its national interest, even when that approach did not align with British policy.

Between a rock and a hard place ? : ICT companies, armed conflict, and international law

Arturo J. Carrillo. In: Fordham international law journal, vol. 46, issue 1, 2022, p. 59-125

What is an information, communication and technology ("ICT") company to do when operating in the midst of an international armed conflict like the one raging in Ukraine? How should tech company executives respond to urgent government demands—often conflicting—to propagate or censor online content arising in the context of war, including disinformation? And what of their requests to access the personal data or communications of users, ostensibly to safeguard security but nonetheless presenting the potential for abuse? Governments make difficult demands of ICT companies by seeking to impose heavy restrictions on the free flow of information and data privacy via the latter's digital and social media platforms and mobile networks. This obligates the companies to devise new practices and policies to respond to those demands and the exigent circumstances that create them. To assist in that process, this Article maps the contours of the frameworks under international law— international humanitarian and human rights law, primarily—that exist to guide company executives and other stakeholders who seek to follow a principled pathway to addressing such challenges. To that end, the Article first demarcates the respective scopes of application for international humanitarian and human rights law; it then analyzes the normative interplay between those two bodies of law using real and hypothetical examples drawn from the international armed conflict between Ukraine and Russia. By delving into the IHL-IHRL nexus and its function in the context of international armed conflict, the Article facilitates the constructive consideration of international legal norms by private sector actors and other non-governmental stakeholders invested in propagating the principle of humanity in this most difficult of settings.

<https://ir.lawnet.fordham.edu/ilj/vol46/iss1/2/>

The blockade and the making of modern food aid in the era of the two world wars

Elisabeth Piller. In: The international history review, vol. 46, issue 4, 2024, p. 551-567

Today, when we hear of besieged cities like Mariupol in Ukraine or Aleppo in Syria, we expect that 'humanitarian corridors' will be opened to bring food and medical supplies to civilians in need. But where does this expectation and practice come from? This article traces its origins to the blockades of the First and Second World War. In both wars, the Allied naval blockade was seen as depriving millions of civilians in enemy and enemy-controlled territory of vital supplies, thus provoking a profound humanitarian response. By examining the debate and practice of trans-blockade relief, the article demonstrates its impact in creating a new sense of humanitarian possibility and expectation. Although trans-blockade relief was the exception in both wars (in Belgium after 1914 and in Greece after 1941), it demonstrated that large-scale food aid was possible even in total war. Decades before the Geneva Conventions placed limits on the blockade-induced starvation of civilians, humanitarians had developed detailed operational procedures to deal with the problem. These are tangible, if often neglected, products of the blockade in the era of the world wars.

<https://doi.org/10.1080/07075332.2024.2356877>

Can autonomous weapon systems be seized ? : interactions with the law of prize and war booty

Brendan Walker-Munro. In: *Journal of conflict and security law*, vol. 29, no. 1, Spring 2024, p. 143-163

The military has often been used as a proving ground for advances in technology. With the advent of machine learning, algorithms and artificial intelligence, there has been a slew of scholarship around the legal and ethical challenges of applying those technologies to the military. Nowhere has the debate been fiercer than in examining whether international law is resilient enough to impose individual and State responsibility for the misuse of these autonomous weapon systems (AWSs). However, by introducing increasing levels of electronic and digital components into weapon systems, States are also introducing opportunities for adversaries to hack, suborn or take over AWSs in a manner unthinkable compared to conventional weaponry. Yet, no academic discussion has considered how the law of prize and war booty might apply to AWSs that are captured in such a way. This article seeks to address this gap.

<https://doi.org/10.1093/jcsl/krado16>

The case for attempted perfidy : an “attempt” to enhance deterrent value

Geoffrey Corn. In: *Journal of national security law and policy*, vol. 13, no. 3, 2023, p. 401-447

Mitigating the risk of deliberate attacks against civilians and other individuals protected by international humanitarian law is among the most fundamental objectives of international legal regulation of armed conflicts. Central to this risk mitigation is the categorical prohibition against deliberately attacking civilians and other protected individuals (unless and for such time as they directly participate in hostilities). Facilitating this protection necessitates combatants, and other members of organized armed groups, distinguish themselves from the civilian population—at a bare minimum when engaged in hostilities. However, this incentive to distinguish oneself from civilians and other protected persons is insufficient alone to meaningfully contribute to the protective effect of distinction. The international law violation of perfidy—generally synonymous with treachery—is often considered a sufficient alternative to penalize feigning protected status. Corn states that this alternative is insufficient because of the result nature of perfidy. He asserts that this complementary effect can be enhanced by placing greater emphasis on the impermissibility of perfidious/treacherous conduct, which in turn can be achieved by recognizing an inchoate form of this violation of humanitarian law as unlawful.

https://jnspl.com/wp-content/uploads/2023/06/The_Case_for_Attempted_Perdidy.pdf

Characterization of the violence between Türkiye and the PKK

Şehmus Kurtuluş. In: *Leiden journal of international law*, vol. 37, no. 1, March 2024, p. 274-293

This article addresses the question of whether the violence between Türkiye and the Kurdistan Worker's Party (PKK) constitutes an armed conflict within the meaning of international humanitarian law. The article first explains the different non-international armed conflict descriptions provided by (i) the ICTY's famous Tadić decision, (ii) Additional Protocol II, and (iii) the Rome Statute of the ICC and discusses the different applicability thresholds set by these sources. After noting that the terrorist nature of the acts of violence in a situation will not prevent them from being characterized as an armed conflict and that the application of the international humanitarian law norms would not in fact affect the legal status of the PKK, this article examines whether Türkiye's struggle against the PKK could be classified as an armed conflict subject to international humanitarian law norms.

<https://doi.org/10.1017/S0922156523000456>

Child soldiers and peace agreements

Sean Molloy. In: *International and comparative law quarterly*, vol. 73, issue 1, January 2024, p. 103-134

For societies transitioning from conflict to peace, the phenomenon of child soldiers poses significant challenges. These include quandaries associated with assisting in the reintegration of serving child soldiers, determining how to prevent future recruitment of child soldiers, and

pursuing accountability of those who utilize child soldiers. In addition, questions are also raised as to whether and how child soldiers responsible for crimes committed during conflict are to be held to account. While no one mechanism or response can adequately and sufficiently address the multifaceted issues that arise, peace agreements, as foundational documents that serve as the blueprint for peacebuilding and the post-conflict State, can make a useful contribution to some or all of them. Drawing on all references to child soldiers in 77 peace agreements signed between 1990 and 2022, this article examines the ways in which peace agreements address the issue of child soldiers.

<https://doi.org/10.1017/S0020589323000544> *

The concept of “the human” in the critique of autonomous weapons

Kevin Jon Heller. In: Harvard national security journal, vol. 15, issue 1, 2023, p. 1-76

The idea that using “killer robots” in armed conflict is unacceptable because they are not human is at the heart of nearly every critique of autonomous weapons. Some of those critiques are deontological, such as the claim that the decision to use lethal force requires a combatant to suffer psychologically and risk sacrifice, which is impossible for machines. Other critiques are consequentialist, such as the claim that autonomous weapons will never be able to comply with international humanitarian law (IHL) because machines lack human understanding and the ability to feel compassion. This article challenges anthropocentric critiques of AWS. Such critiques, whether deontological or consequentialist, are uniformly based on a very specific concept of “the human” who goes to war: namely, someone who perceives the world accurately, understands rationally, is impervious to negative emotions, and reliably translates thought into action. That idealized individual, however, does not exist; decades of psychological research make clear that cognitive and social biases, negative emotions, and physiological limitations profoundly distort human decision-making—particularly when humans find themselves in dangerous and uncertain situations like combat. Given those flaws, and in light of rapid improvement in sensor and AI technology, it is only a matter of time until autonomous weapons are able to comply with IHL better than human soldiers ever have or ever will.

<https://harvardnsj.org/2023/12/15/the-concept-of-the-human-in-the-critique-of-autonomous-weapons/>

Covid-19 en territoire palestinien occupé : étude de la légalité de certaines décisions d’Israël au regard de ses obligations internationales en matière de santé : analyse sous l’angle de l’interaction entre le droit international humanitaire et le droit international des droits humains

Kheda Djanaralieva. In: Revue belge de droit international = Belgian review of international law = Belgisch tijdschrift voor internationaal recht, vol. 54, 2021/1-2, p. 275-311

La présente étude porte sur le respect par Israël, en tant que puissance occupante, de certaines de ses obligations en matière de santé en territoire palestinien occupé durant la pandémie de la Covid-19. Tant le droit international humanitaire que le droit international des droits humains s’appliquant en territoire occupé, c’est l’interaction entre ces régimes qui guidera l’interprétation des obligations à charge d’Israël ainsi que les conséquences que leur potentielle violation emporterait. Afin d’examiner cette interaction le plus concrètement possible, deux décisions d’Israël seront analysées : (1) le refus d’intégrer la population palestinienne dans la campagne de vaccination israélienne, et (2) la fermeture de l’organisation non gouvernementale palestinienne Health Work Committees. Ces deux décisions violant le droit à la santé des Palestiniens, nous examinerons l’étendue de la responsabilité internationale d’Israël ainsi que les (im)possibilités de la mise en œuvre de ladite responsabilité

<http://hdl.handle.net/2013/ULB-DIPOT:oai:dipot.ulb.ac.be:2013/366611>

Detention and its alternatives under international law

Lorna McGregor. - Oxford : Oxford University Press, 2023. - XXIV, 264 p.

Detention and Its Alternatives under International Law analyses the current state of the international law on detention and its alternatives as part of national laws and policies on armed conflict, counterterrorism, criminal justice, mental health, migration, public health, and social care. The book starts from the premise that, in theory, international law provides a clear framework for ensuring the exceptionality of detention by either characterising detention as

inherently arbitrary or as a measure of last resort. However, through the study of major forms of detention, the book identifies common critiques stemming from the perception that international law prioritises procedural safeguards leaving the international law on the substantive legality, necessity, and proportionality of detention and its alternatives underdeveloped. The book identifies common shortcomings in how international law attends to structural inequality and discrimination; the breadth of accepted grounds for detention; the level of scrutiny applied to the evidence supporting decisions to detain, particularly risk determinations; and the availability, human rights compatibility, and proportionality of alternatives to detention, which can be net-widening tools. In all chapters, the book analyses the impact of new and emerging digital technologies on detention and its alternatives. Without seeking to conflate different forms of detention, the book proposes key pathways to securing the exceptionality of detention including by foregrounding human rights in the underlying policies which traditionally employ detention as a tool and preventing the emergence of alternative regimes falling just short of detention.

The distinction dilemma : why it is time for the U.S. to embrace a more logical approach to combatant qualification

Geoffrey S. Corn. In: Texas international law journal, vol. 58, no. 3, Summer 2023, p. 49-70

A “mandatory minimum” passive distinction principle would protect belligerent forces from being denied prisoner of war (PW) status and the accordant combatant immunity. This might also extend to non-international armed conflicts as a policy-based incentive for limiting criminal liability for participation in hostilities; and a mandatory minimum that provides a logical accommodation between the realities of warfare and the imperative of civilian risk mitigation. This article will explain the logic of this mandatory minimum and how it aligns with the nature of contemporary armed conflicts and the imperative to enhance civilian protection through passive distinction. It will trace the evolution of combatant status and immunity and explain why the United States perceived Additional Protocol I to the Geneva Conventions (AP I) as dangerous to civilian protection. It will then consider how the realities of contemporary armed conflicts suggest that embracing-and enforcing-a passive distinction mandatory minimum derived from AP I is a logical compromise between operational realities and civilian protection.

<https://heinonline.org/HOL/P?h=hein.journals/tlj58&i=305>

The effect of Russia’s invasion of Ukraine on non-human animals : international humanitarian law perspectives

Saba Pipia. In: Israel law review : a journal of human rights, public and international law, vol. 57, no. 2, July 2024, p. 265-287

Since Russia’s full-scale aggression against Ukraine, there have been thousands of instances of civilian casualties, damage to the natural environment and cultural property, destruction of buildings and infrastructure, blockading of ports, siege, capturing installations containing dangerous forces, and other consequences that accompany hostilities. In addition to the fatalities related to humans (civilians and combatants alike) and their property or environment, the war in Ukraine has also accounted for non-human tolls – namely, the destruction of animals or damage to their habitats. The primary objective of this article is to study three patterns of animal suffering documented during Russia’s invasion of Ukraine: (i) targeting zoos and killing zoo animals; (ii) extermination of the Black Sea dolphin population; and (iii) eating pigeons or other pets in besieged localities, and to analyse these patterns in the light of applicable rules of international humanitarian law (IHL). The idea of this research is to underline that war can have a significant effect on various categories of animals, and Russia’s invasion of Ukraine is just another example of this. The article also discusses how, and the extent to which international law can provide protection for animals in armed conflict, and whether there are any gaps in the applicable IHL rules related to the protection of animals.

<https://doi.org/10.1017/S0021223724000086>

Environmental damage in Ukraine as environmental war crime under the Rome Statute : the Kakhovka Dam breach in context

Shah Maruf. In: *Journal of international criminal justice*, vol. 22, no. 1, March 2024, p. 99-126

The Russian invasion of Ukraine has caused irreparable damage to the natural environment. Despite being a topic of wide discussion, an analysis of whether the attacks causing such damage can be tried at the International Criminal Court (ICC) as an environmental war crime (EWC) under Article 8(2)(b)(iv) of the Rome Statute remained grossly inadequate. Even after the Kakhovka Dam destruction in June 2023, the most significant incident of environmental damage since the war started, no comprehensive analysis of the incident from an EWC perspective was made. The present article fills this void and thoroughly analyses whether the dam breach can qualify as an EWC under Article 8(2)(b)(iv), the most ecocentric provision in the entire international criminal law (ICL) framework. After providing an overview of the environmental damage caused and a synopsis of the EWC, this article applies the EWC provision to the incident and discusses the prospects and the challenges of characterizing it as an EWC. This article suggests that Russia's intentional attack on the dam can be a potential case of EWC under Article 8(2)(b)(iv) as it caused 'widespread, long-term and severe' environmental damage in contrast to little military advantage — which was arguably known to Russia. At the same time, however, the article identifies some challenges that the ICC Prosecutor may face in proving the case, like determining the 'attack' question, satisfying the 'long-term' damage criterion, and establishing the mental elements, particularly the 'knowledge' element. It also briefly discusses the broader implications of the assessment and the identified challenges. The article concludes that the challenges can be surmounted and, in any case, bringing such a charge will offer the ICC an avenue to clarify the existing uncertainties surrounding Article 8(2)(b)(iv), which will ensure legal certainty and help ensuring environmental justice through the ICL regime in future.

<https://doi.org/10.1093/jicj/mqae004> *

Environmental obligations of business entities during armed conflicts

Sâ Benjamin Traoré and Ezéchiél Amani Cirimwami. In: *International review of the Red Cross*, Vol. 106, no. 925, 2024, p. 393-423

International humanitarian law (IHL) does not address business entities, except in situations where they directly participate in hostilities, and there is no reference to business actors in the International Committee of the Red Cross's recent Guidelines on the Protection of the Natural Environment in Armed Conflict. Yet, there has been an increasing reaffirmation of specific "duties", "obligations" or "responsibilities" imposed on private companies operating in conflict zones. For instance, the UN Guiding Principles on Business and Human Rights suggest that business entities should respect IHL rules in addition to human rights during armed conflicts, and the third revised draft of the international legally binding instrument on transnational corporations and other business enterprises refers to IHL as an interpretative framework of human rights obligations of States and businesses. The International Law Commission's 2022 Draft Principles on the Protection of the Environment during Armed Conflicts are even more specific, providing that corporations should exercise due diligence concerning the protection of the environment when acting in conflict-affected areas. However, these references to IHL as applicable to business activities remain vague and lack elaboration. This paper intends to close this gap by clarifying whether and, if so, the extent to which IHL imposes environmental obligations upon private companies in conflict situations. It submits that business entities bear environmental duties during armed conflicts deriving from IHL rules and other complementary sources of international law. The paper further discusses the content of the obligation of business entities not to harm the environment as well as their due diligence obligation.

<https://library.icrc.org/library/docs/DOC/irrc-925-traore.pdf>

Fabricated legality : the role of legal advisers in the commission of international crimes

Lavinia Parsi. In: *Journal of international criminal justice*, vol. 22, no. 1, March 2024, p. 19-42

In the wake of the increased regulation of armed conflicts, legal interpretation by government lawyers has become crucial in shaping state policies, particularly during times of war. This article explores the scenarios where state policies that have been positively sanctioned by legal professionals potentially amount to international crimes, raising questions of accountability. By examining historical and contemporary instances, the article explores if and to what extent government legal advisers may be considered accomplices in such crimes. It suggests that their responsibility could be framed within the mode of liability of aiding and abetting, as outlined in Article 25(3)© of the Rome Statute. Additionally, the article addresses alternative modes of liability specified under Article 25(3)(a) and 25(3)(d). It finally expands to the further consequences of legal advice on the liability of the principal perpetrator, questioning whether the latter may invoke a defence of mistake of law or a breach of the principle of legality. In an attempt to embrace the revolutionary potential of international criminal law, this article aims to make legal interpretation itself the object of scrutiny, through the lenses of international criminal responsibility.

<https://doi.org/10.1093/jicj/mqae017> *

Fighting machines : autonomous weapons and human dignity

Dan Saxon. - Philadelphia : University of Pennsylvania Press, 2022. - 250 p.

Lethal autonomous weapons are weapon systems that can select and destroy targets without intervention by a human operator. *Fighting Machines* explores the relationship between lethal autonomous weapons (LAWS), the concept of human dignity, and international law. Much of this analysis speaks to three fundamental and related problems: When a LAWS takes a human life, is that killing a violation of human dignity? Can states and non-state actors use LAWS in accordance with international law? And are there certain responsibilities of human decision-making during wartime that we should not delegate to machines? In the book, Dan Saxon argues that the use of LAWS to take human life constitutes a violation of human dignity. Rather than concentrating on the victims of the use of lethal force, Saxon instead focuses on the technology and relevant legal principles and rules to advance several propositions. First, as LAWS operate at increasingly greater speeds, their use will undermine the opportunities for, and the value of, human reasoning and judgment. Second, by transferring responsibility for reasoning and judgment about the use of lethal force to computer software, the use of LAWS violates the dignity of the soldiers, commanders, and law enforcement officers who historically have made such decisions, and, therefore, breaches international law. Third, weapon designs that facilitate teamwork between humans and autonomous systems are necessary to ensure that humans and LAWS can operate interdependently so that individuals can fulfil their obligations under international law—including the preservation of their own dignity—and ensure that human reasoning and judgment are available for cognitive functions better suited to humans than machines.

Filmer des écrans : la légitimation des frappes de drones par le droit international humanitaire

Vaios Koutroulis et Samuel Longuet. In: *Revue belge de droit international = Belgian review of international law = Belgisch tijdschrift voor internationaal recht*, vol. 54, 2021/1-2, p. 125-160

Les drones armés ont joué un rôle important dans les opérations antiterroristes et contre-insurrectionnelles des deux dernières décennies. Ils sont donc de plus en plus présents dans les œuvres représentant ces opérations au cinéma et à la télévision, notamment dans les films *Good Kill* (2014) et *Eye in the Sky* (2015) ainsi que dans la saison 4 de la série *Homeland* (2014). Cette contribution procède à l'analyse critique des discours tant juridiques que politiques qui sont portés dans ces trois œuvres. Concernant les discours juridiques, les œuvres analysées réservent une certaine place aux règles de droit international, en particulier à celles du droit international humanitaire. Toutefois, en faisant systématiquement du droit international humanitaire l'unique cadre de référence des opérations d'éliminations ciblées qui sont contées, ces œuvres participent à la diffusion de la doctrine juridique contestable et contestée de la « guerre globale contre le

terrorisme ». Quant à la dimension plus politique, il est démontré que même les œuvres qui adoptent une position de critique des politiques d'éliminations ciblées au moyen de drones partagent les postulats de certains discours les soutenant et contribuent ainsi à produire une représentation qui normalise le recours aux drones armés. En effet, si certaines œuvres remettent en cause l'efficacité politique et stratégique des éliminations ciblées, elles ne se départent pas d'une certaine vision impérialiste des relations internationales et de certains postulats militaristes sur l'efficacité opérationnelle des drones armés.

<https://www.grip.org/filmer-des-ecrans-la-legitimation-des-frappes-de-drones-par-le-droit-international-humanitaire-revue-belge-de-droit-international/>

The forgotten sexual and gender-based violence of the Vietnam-American war : is justice too late for Vietnamese victims and survivors ?

by **Madison P. Bingle**. In: Human rights brief, vol. 26, issue 2, 2023, p. 42-55

The Vietnam-American War ended nearly fifty years ago. However, the atrocities committed during the war have had a devastating impact on the lives of persons involved long after the conflicts' end. A particularly marginalized group within survivors and victims of the Vietnam-American War is Vietnamese women who experienced sexual and gender-based violence. And given the specific tactics of warfare employed during this war, including the use of poisonous herbicide, the sexual and gender-based violence inflicted on women spans far beyond customary forms of sexual violence during conflict—it has also led to reproductive violence that has most affected Vietnamese women. This Article argues that the time for justice for the Vietnamese people, and particularly for Vietnamese victims and survivors of sexual and gender-based violence, is now. While the Vietnamese government previously resisted reconciling with the numerous atrocities committed during the war, more recently, it has signaled its willingness to acknowledge the “barbarous” atrocities committed during the war that have led to insufferable pain by its population. The Vietnamese government's shift in tone has opened the door for the offending states—namely the United States and South Korea—to grapple with their brutal military history in Vietnam. This Article further asserts that under international humanitarian law and international customary law, the United States and South Korea committed grave offenses of the Geneva Conventions and international customary law. Thus, the United States and South Korea have a residual obligation to rectify their past atrocities

<https://digitalcommons.wcl.american.edu/hrbrief/vol26/iss2/1/>

From female morality to human dignity : an evolutive interpretation of “honour” under article 27(2) of the Fourth Geneva Convention

Rachele Marconi. In: International and comparative law quarterly, vol. 73, issue 2, April 2024, p. 527-542

This article suggests a new interpretative framework for Article 27(2) of the Fourth Geneva Convention, which prohibits sexual violence against women in armed conflict. One specific aspect of this norm is particularly controversial: the notion of ‘honour’ has often been criticised as an obsolete concept linked to an outdated view of female morality. In the absence of a definition of the term, this article examines whether the gendered limitations of the norm can be overcome and the extent to which an evolutive interpretation of the concept is feasible. It argues that the concept of ‘honour’ can be treated as a generic term that is subject to evolutive interpretation, allowing for a renewed and gender-sensitive understanding to be developed, aligned with the concept of human dignity.

<https://doi.org/10.1017/S0020589324000101>

From Russian infiltration operations to the lex ferenda of belligerent occupation : how to protect biometrics and privacy in occupied territories ?

Yang Liu. In: The military law and the law of war review, vol. 62, no. 1, 2024, p. 89-113

This article begins by analysing Russian infiltration operations and the collection and use of Ukrainian inhabitants' biometric information. It finds that whereas the Russian infiltration operations constitute a clear violation of the law of belligerent occupation, the collection of personal and biometric information is unlikely to constitute a separate and independent violation. This article argues that the current law of belligerent occupation is unsatisfactory and fails to

provide sufficient protection for inhabitants. It compares six different ways to further develop the laws of belligerent occupation to enhance the protection of inhabitants' biometric data and privacy interests. This article concludes that the best approach is to recognize biometric data as private property under the *lex ferenda* of belligerent occupation.

<https://doi.org/10.4337/mlwr.2024.01.04> *

From treaties to tweets : the (in)formality of war termination

Laurie R. Blank and Daphné Richemond-Barak. In: *Journal of national security law and policy*, vol. 14, no. 3, 2024, p. 339-358

The phenomenon of never-ending wars – wars that peter out and recur, without any firm conclusion – has left scholars wondering about its root causes. Scattered explanations point to the erosion of sovereignty, an expanding law of war, technological advances, a strategic equilibrium that favors war over peace, and the ambiguity of constitutional and international legal definitions. We argue that the shift from peace settlements to informal unilateral declarations announcing the end of war—from treaties to tweets—has contributed to conflicts simmering with varying degrees of intensity. Building on international relations literature and nascent, but mostly law-of-war focused international legal scholarship, we analyze the increasingly informal nature of war termination and international law's limited treatment of the end of war. We argue that an injection of formality in war termination would minimize prolonged, often low-threshold conflicts that blur the boundaries between war and peace and undermine the international order.

https://jnsllp.com/wp-content/uploads/2024/06/From_Treaties_to_Tweets_The_InFormality_of_War_Termination.pdf

From words to deeds : a study of armed non-state actors' practice and interpretation of international humanitarian and human rights norms : Al-Qaeda

[by the American University in Cairo research team]. - [London] : UK Research and Innovation, September 2022. - 63 p.

This case study has been conducted as part of the research project 'From Words to Deeds: A research Study of Armed Non-State Actors' Practice and Interpretation of International Humanitarian and Human Rights Norms', which aims at providing tools for an effective engagement of armed non-State actors to improve humanitarian protection. Due to the rejectionist position taken by al-Qaeda towards the international global order and its claim to exclusive reliance on Islamic law, the research team has decided to focus its legal analysis on Islamic laws of war. Considering the fluidity and diversity of views in Islamic law, examined in Section 4 on applicable law, the case study offers an overview of some of the key al Qaeda documents, highlighting the group's ideological positions on the norms examined and contrasting them with the classical jurisprudential tradition and some mainstream Muslim institutions and scholars such as al-Azhar, Wahbah al-Zuhayli and Yusuf al-Qaradawi. Reference is also sometimes made to the Cairo Declaration on Human Rights in Islam, an international legal document arrived at under the auspices of the Organisation of Islamic Cooperation (OIC).

https://words2deeds.org/wp-content/uploads/2022/09/Al-Qaeda_Case-Study.pdf

From words to deeds : a study of armed non-state actors' practice and interpretation of international humanitarian and human rights norms : research and policy conclusions

Annyssa Bellal, Pascal Bongard, Ezequiel Heffes. - [London] : UK Research and Innovation, September 2022. - 46 p.

This document presents the summary conclusions of a two-year research project on the practice and interpretation of armed non-State actors (ANSAs) with respect to ten key international humanitarian norms. ANSAs are key players in most armed conflicts and directly impact civilian populations. Yet, while it is undisputed that they are bound by international humanitarian law (IHL), what ANSAs say about IHL rules and how they act upon them have remained insufficiently explored. The research project seeks to fill this significant gap. It does so through a comparative analysis of case studies (Al Qaeda [AQ]), the Alliance des Patriotes pour un Congo libre et souverain [APCLS], the Islamic State group [ISg], the Fuerzas Armadas Revolucionarias de Colombia – Ejército del Pueblo [FARC-EP], Hezbollah, the Karen National Union/Karen

National Liberation Army [KNU/KNLA], the Moro Islamic Liberation Front/Bangsamoro Islamic Armed Forces [MILF/BIAF], the Mouvement National de Libération de l’Azawad [MNLA], the Syrian Democratic Forces/Autonomous Administration of North-East Syria [SDF/AANES] and the Taliban) and examining more than 500 documents produced by ANSAs stored on the online database www.theirwords.org. The study aims to shed light on the perspective of ANSAs with respect to core humanitarian norms and on factors that influence their behaviour on the battlefield. It also suggests certain explanations as to why the commitments made by certain ANSAs are—or are not—complied with by their members. To put it differently, this research addresses to what extent ANSAs’ words actually correspond to their deeds. The present document first examines the context of the research and explains the methodology chosen to implement the project. Subsequently, a comparative analysis evaluates and compares, for each norm, the practice and interpretation of the various ANSAs studied in the research. Finally, the conclusions of the research are drawn and policy recommendations for future action offered.

https://words2deeds.org/wp-content/uploads/2022/09/Words2Deeds_comparative-study.pdf

From words to deeds : a study of armed non-state actors’ practice and interpretation of international humanitarian and human rights norms : the Islamic State Group

[by the American University in Cairo research team]. - [London] : UK Research and Innovation, September 2022. - 66 p.

This case study has been conducted as part of the research project as part of the research project ‘From Words to Deeds: A research Study of Armed Non-State Actors’ Practice and Interpretation of International Humanitarian and Human Rights Norms’, which aims at providing tools for an effective engagement of armed non-State actors to improve humanitarian protection. Because the research project aims to offer an analysis of ANSAs’ claims about law and the legitimacy of their actions, and due to the rejectionist position taken by the Islamic State group (ISg) towards the international global order, including international law, the research team has decided to focus its legal analysis on Islamic laws of war. Considering the fluidity and diversity of views in Islamic law, examined in Section 4 on applicable law, the case study offers an overview of ISg’s ideological positions on the norms examined and contrasts them with the classical jurisprudential tradition and mainstream Muslim institutions and scholars.

https://words2deeds.org/wp-content/uploads/2022/09/ISG_Case-Study.pdf

A functional approach to the legal review of autonomous weapon systems

Damian Copeland. - Leiden : Brill, 2025. - 266 p.

Autonomous Weapon Systems (AWS) are no longer limited to science fiction. Conflicts in the Ukraine and Gaza demonstrate an increased trend toward the use of autonomy in the use of force in armed conflict. This book analyses the art 36 legal review obligation and assesses how states can determine the legality of AWS. It proposes a new ‘functional’ approach to legal review that considers both weapons law and targeting rules engaged by the autonomous functionality.

<https://brill.com/display/title/70788> *

Future proofing U.S. laws for war crimes investigations in the digital era

Rebecca J. Hamilton. In: Georgia law review, vol. 57, no. 4, 2023, p. 1505-1550

Advances in information technology have irrevocably changed the nature of war crimes investigations. The pursuit of accountability for the most serious crimes of concern to the international community now invariably requires access to digital evidence. The global reach of platforms like Facebook, YouTube, and Twitter means that much of that digital evidence is held by U.S. social media companies, and access to it is subject to the U.S. Stored Communications Act. This is the first Article to look at the legal landscape facing international investigators seeking access to digital evidence regarding genocide, war crimes, crimes against humanity, and aggression. It analyzes *Republic of Gambia v. Facebook (Meta)*, the first case to seek digital evidence from a U.S. social media company for an international proceeding on genocide. And it draws on material gleaned from background interviews with international investigators seeking digital evidence held by U.S. social media companies in relation to atrocities in Myanmar and

Ukraine. This reveals two key problems facing international investigators. First, and in contrast to their counterparts in domestic criminal investigations, the Stored Communications Act provides no pathway through which international investigators can overcome the prohibition on disclosure of private digital evidence. Second, the ability of international investigators to access quasi-public digital evidence, and/or digital evidence that was public but has been removed by a social media company, is at the discretion of the ! social media company. A significant risk emerging from this arrangement is that evidence disclosure decisions are not made in a consistent and principled manner, but are instead driven by the self-interest of a few U.S. corporations, creating disparate outcomes across victim groups. The Article recommends two, non-exclusive, reforms that could be undertaken in the short term to advance principled disclosure decisions for accountability, while ensuring privacy protections and data security. It also urges U.S. social media companies to develop and publish their own interim guidelines on how they make evidence disclosure decisions, with a presumption in favor of disclosing removed public and quasipublic evidence needed for the pursuit of accountability for the international crimes of genocide, war crimes, crimes against humanity, and aggression. The Article concludes by pointing to the need for a long-term incremental process of research, reform, and review to future-proof U.S. law for war crimes accountability in the digital era.

<https://digitalcommons.law.uga.edu/glr/vol57/iss4/2/>

Geneva, we have a problem : internationalisation of armed conflicts through indirect intervention remains a dead letter

Miloš Hrnjaz and Mina Radončić. In: *Israel law review : a journal of human rights, public and international law*, vol. 57, no. 1, March 2024, p. 102-134

The article seeks to raise awareness about the non-application of the norms of international humanitarian law (IHL) of international armed conflicts in situations of so-called internationalised armed conflicts – namely, when a non-state armed group (NSAG) that is engaged in an armed conflict against the territorial state enjoys a degree of support from another state. Debates in academic circles and international case law have focused largely on the appropriate test and threshold for establishing the relationship between the NSAG and the supporting state. Practice, however, shows that regardless of the legal test, the foreign state support to the NSAG in a (or an initially) non-international armed conflict is so politically charged that it leads to a complete non-application of the law of international armed conflict by the relevant actors. The article demonstrates its conceptual findings through four case studies: the armed conflicts in Donbas, Nagorno-Karabakh, Democratic Republic of the Congo, and Yemen. Regardless of strong indications of foreign state support to the NSAG in these armed conflicts, no relevant actors applied the IHL norms of international armed conflict. The article provides broader suggestions on the possible avenues for remedying the issue.

<https://doi.org/10.1017/S0021223723000079>

A giant leap for humankind : bridging space law and international humanitarian law

Steven van de Put and Anne-Rixt E Siemensma. In: *The military law and the law of war review*, Vol. 62, no. 1, 2024, p. 31-57

As more parties have started to recognize the military potential of outer space, the idea of an armed conflict in outer space has become more than a theoretical possibility. Several states have conducted tests with anti-satellite weapons, NATO has officially recognized space as a military domain, and several states have started to develop specific military space capabilities. Such developments have also highlighted the consideration for a relevant legal framework for the conduct of hostilities in outer space. As a starting point, the conduct of hostilities would be governed by international humanitarian law concerning the substantive actions of parties when engaged in armed conflict. However, the specific location of these hostilities also leads to the relevance of space law, consisting of the particular obligations states have agreed upon for all conduct in outer space. Relying upon these two bodies of law, this article explores how international law might govern many of these activities. In doing so, this article aims to challenge the traditionally advanced *lex specialis* argument. It does so by arguing that, unlike what is typically assumed, space law does not necessarily present a conflict with international humanitarian law. Progressing from this central thesis, it advances the notion that this relationship might be best considered through systematic integration. Ultimately, it is argued that

only in this way can the specific nature of the space domain be offered the required legal protection.

<https://doi.org/10.4337/mlwr.2024.01.02> *

Global atrocity justice constellations

ed. by Andy Aydın-Aitchison, Mirza Buljubašić, Kjersti Lohne, Vasilka Sancin and Camilo Tamayo Gomez. In: *International criminal law review*, vol. 24, issues 5-6, November 2024, p. 569-788

This special issue features a constellation of 13 papers that were developed through cooperation of scholars engaged in an EU COST Action (CA18228, The Action). Collectively, they respond to the dominant focus on international criminal courts and tribunals (ICTS) in atrocity justice scholarship, and provide insights into developments across the world in addressing core international crimes. By reversing the gaze to start from states, they seek to decentre the ICTS as elements in a busy constellation populated by diverse nodes. As a first step on that path, Action members set out to collect data on domestic law, policy and institutions in relation to atrocity justice in a range of countries; on the relationship between the state and ICTS; and on civil society organisations active in relation to atrocity justice. In 2020, in Sarajevo, a data collection instrument was developed for this purpose. Using the Action network, calls for data were circulated around scholars in the field, encompassing different disciplines across law and social science. Data was published in two stages, ultimately covering 23 countries in Africa, the Americas, Asia and Europe. After the publication of data, Action members and other contributors were invited to submit papers exploring, explaining, or expanding on, the data. Working papers were presented in a workshop hosted at the University of Oslo Faculty of Law in February 2024. While the selection of papers is a sub-set from the larger survey, it still covers a diversity of regions, atrocity experiences, and relationships with ICTS past and present.

<https://brill.com/view/journals/icla/24/5-6/icla.24.issue-5-6.xml> *

Global initiative to galvanise political commitment to international humanitarian law

ICRC. - Geneva : ICRC, November 2024. - 13 p.

International humanitarian law (IHL) is a robust body of law. However, despite the global consensus underpinning the Geneva Conventions, compliance with even the most basic norms is shockingly insufficient in warzones across the world today. Today's conflicts show, in appalling and devastating ways, that IHL faces enormous challenges to provide effective and meaningful protection for people in armed conflicts. It is the ICRC's conviction that that this trend can and must be reversed. The global initiative to galvanize political commitment to international humanitarian law, launched by Brazil, China, France, Jordan, Kazakhstan, South Africa and the ICRC, seeks to make a contribution on the path towards reversing the downward spiral of disrespect for IHL and despair. The objectives of this initiative are, first, to make IHL a political priority, at global, regional and domestic levels; secondly to re-centre the debate about armed conflicts on the urgent need to set higher expectations by the international community to parties to conflict for the universal, uniform and faithful application of IHL; and third, to start a process to discuss challenges on specific IHL topics, such as prevention of violations or conduct of hostilities rules, in order to make clear recommendations to address them.

<https://library.icrc.org/library/docs/DOC/icrc-4847-002.pdf>

A hostage city : hunger, disease, and inhumanity in Russian-occupied Mariupol

Anastasiya Donets and Alexandre Prezanti. In: *Texas international law journal*, vol. 58, no. 3, Summer 2023, p. 99-118

This Article is based on 22 in-person interviews with survivors of Mariupol's siege and occupation, 31 media interviews given by Mariupol residents, reports by international and non-governmental organizations, and open-source investigations. This information is analyzed using the framework of international humanitarian law ("IHL") and the Rome Statute of the International Criminal Court ("ICC Statute"). The authors conclude that there is a reasonable basis to believe that between March and October 2022, Russia systematically violated its IHL

obligations as an occupying power, and that its forces committed multiple war crimes as defined by ICC Statute and jurisprudence.

<https://heinonline.org/HOL/P?h=hein.journals/tlj58&i=355>

Hybrid warfare under international law

Stuart Casey-Maslen. - Oxford : Hart, 2024. - XX, 211 p.

This book addresses the regulation of hybrid warfare under relevant branches of international law, beginning with the law on inter-state use of force (*jus ad bellum*). The book looks at law enforcement action in response to hybrid warfare, both on land and on the high seas. It then addresses the extent to which forms of hybrid warfare comply with or violate the law of armed conflict before addressing hybrid warfare from the perspective of international counterterrorism law. It goes on to tackle the constraints applied to hybrid warfare under international human rights law, and looks at how hybrid warfare could be constrained under disarmament law. The final two chapters look at accountability for the conduct of hybrid warfare, concluding with the question: can we move towards a less fragmented set of international legal rules that will govern hybrid warfare in the future?

The importance of accounting for the dead in migration

Cate E. Bird and Austin Shangraw. In: *Journal on migration and human security*, Vol. 12, no. 3, 2024, p. 310-320

This article highlights the importance of accounting for the dead in migration contexts, from international humanitarian law (IHL), international human rights law (IHRL), and forensic perspectives. Starting by reviewing obligations under IHL and IHRL for the processes of accounting, the article discusses forensic action and the role that accounting can play to protect the dead and clarify the fate and whereabouts of the missing for their families. Considering the complexity of missing and deceased migrant cases, this problem must be approached from several complementary angles, including States codifying international legal obligations related to accounting for the dead in domestic legal or policy frameworks; developing national mechanisms to collect, centralize, and report disaggregated information on migrant deaths; addressing migrant deaths from a public health perspective; pursuing identification efforts including participating in transnational coordination mechanisms; developing strong partnerships with civil society actors; and coupling accounting initiatives with policies that promote the search for missing migrants.

<https://doi.org/10.1177/23315024241256633>

In pursuit of a treaty's soul : a study of the object and purpose of the Fourth Geneva Convention

Kubo Mačák and Ellen Policinski. In: *International and comparative law quarterly*, vol. 73, issue 2, April 2024, p. 385-415

The Geneva Convention relative to the Protection of Civilian Persons in Time of War provides a practical and effective framework for the protection of civilians in international armed conflicts that has retained its relevance for 75 years since its adoption. As with all treaties, its 'object and purpose' has a concrete impact on how its terms are interpreted, giving insights into the ordinary meaning of the text and allowing the aim of the Convention to be fully realized. This article asks and answers a series of questions to elucidate the role of the object and purpose in treaty interpretation and how to identify the object and purpose of a given treaty before focusing on the specificities of international humanitarian law treaties. On that basis, it determines that the overall 'object and purpose' of the Convention is to protect civilians during armed conflict, including in circumstances where they are subject to permissible measures of control and security. The article then demonstrates how that 'object and purpose' assists with the resolution of specific, well-known interpretive dilemmas including the determination of protected status under the Convention and the application of provisions premised on the existence of a Protecting Power.

<https://doi.org/10.1017/S0020589324000113>

Incidentality of the civilian harm in international humanitarian law and its contra legem antonyms in recent discourses on the laws of war

Luigi Daniele. In: Journal of conflict and security law, vol. 29, no. 1, Spring 2024, p. 21-54

This article develops an interpretative effort to clarify the meaning of the notion of incidentality of the civilian harm in international humanitarian law (IHL), with particular concern to the role of this concept as normative cornerstone for a systematic reading, and coherent implementation, of the law of targeting. The article begins with a critical analysis of recent discourses on the laws of war, focusing on the emergence and growth of contra legem uses of the concept of ‘collateral damage’. These discourses revolve around proportionality in attacks, commonly re-translating this rule by removing incidentality as legal qualifier of the civilian harm susceptible of proportionality assessments. The article shows that proportionality misconceptions neglecting incidentality have become so common and accepted as to be often confused with structural features of IHL. On the contrary, the analysis highlights the collisions between these conceptions, on the one hand, and IHL targeting prescriptions, their interplay and protective functions, on the other, unveiling how the former result in promoting unlimited expansions of the entity of civilian harm that can be object of proportionality assessments, even when this civilian harm constitutes the largely preponderant, main anticipated result of a given attack. Within a background of unequal relativization of international humanitarian law (IHL) parameters, minimalist understandings of incidentality have also been the basis of questionable orientations about attacks on residential tower buildings, reproducing exponential ‘militarizations’ of civilian objects (and at times of the protected persons therein) for proximity with lawful targets. Cumulatively, these discourses and scholarly orientations contributing to depriving proportionality of its incidentality requirement continue to produce dramatic consequences for civilian protection worldwide and provide aggressive military powers with arguments functional to circumvent the prohibitions of disproportionate and indiscriminate attacks. Against these tendencies, it is proposed that the notion of incidentality of the civilian harm, in homage to letter, object, and protective purpose of IHL, and understood with the interpretative help of mens rea categories, should be strictly construed and urgently re-centralized by laws of war scholars as a fundamental *conditio sine qua non* for proportionality assessments and as main dividing line between the operative spheres of distinction and proportionality.

<https://doi.org/10.1093/jcsl/krae004>

Intentional destruction of cultural heritage and the law : a research companion

edited by Alberta Fabbriotti. - New York : Routledge, 2025. - XXV, 451 p.

The world has been shocked by the destruction of world cultural heritage sites over the past two decades, as seen in widely disseminated videos depicting events such as the demolition of the Buddhas of Bamiyan and the ancient Syrian city of Palmyra. These acts are perhaps the clearest and most glaring examples of what is meant by the ‘Intentional Destruction of the Cultural Heritage of Humankind’ (IDCHH). The book explores in detail the remedies against IDCHH available under international law. These remedies are defined as all the lawful responses provided for both by customary law and by the special responsibility regimes created under the many substantive areas of international law. The examination includes UNESCO instruments and UN measures for the maintenance of international peace, mechanisms for the protection of human rights and those for the protection of investments, and international criminal justice outcomes through the decisions of the Permanent Criminal Court. Thus, the book explores avenues for response such as appeals to international courts, peacekeeping operations and referrals to the criminal legislation of States, in addition to reparations. The concept of the Cultural Heritage of Humankind implies that IDCHH harms all States and all peoples and human groupings in the world, not only the State or people on whose territory the cultural property is located. The book identifies the international law avenues for subjects not directly injured by IDCHH to obtain its cessation and reparation.

Intentional destruction of cultural heritage of humankind as a war crime : which effectiveness for the current legal framework?

Francesca Sironi De Gregorio. - In: *Intentional destruction of cultural heritage and the law: a research companion.* - New York : Routledge, 2025. - p. 291-310

The necessity to provide protection for cultural heritage sites during armed conflicts and accountability for the perpetrators of crimes against cultural heritage led to the development of a framework that could be considered quite strong. The focal point of this work is to provide an analysis of the legal framework governing the international war crime of intentional destruction of cultural heritage of humankind (IDCHH) to assess the actual level of cultural heritage protection (CHP) accorded by international criminal law. To reach the goal, after a necessary preliminary but accurate examination of the customary international provisions governing IDCHH in wartime and the most relevant international humanitarian law norms, the case law of international criminal tribunals on point will be analysed with a view to understanding the similarities and differences in the approach taken by different institutions and the way forward. Some of the major drawbacks of the current framework are then identified, including the lack in the Rome Statute of a difference between cultural property in general and cultural heritage and the military necessity exception, both elements that might potentially endanger the primary objective of international criminal law itself: the avoidance of impunity.

The interaction between the obligation to warn and other rules of IHL

Sara (S) Benabbass, Marten (M.C.) Zwanenburg. In: *Journal of international humanitarian legal studies*, vol. 15, issue 1, April 2024, p. 52-82

The obligation to give effective advance warning of an attack which may affect the civilian population is one of the precautions in attack parties to an armed conflict must take under IHL. Recent practice has shown this duty may interact with other rules of IHL. This article discusses this interaction. It focuses on warnings that spread terror, that may be used as a ruse or that lead to displacement of civilians, cases in which warnings arguably breach the principle of distinction, and cases in which warnings lead to human shields. The article concludes that in some cases the object and purpose of IHL may provide guidance in navigating the tension between the obligation to warn and another rule of IHL. It also concludes that the intention with which a warning is given may be decisive for distinguishing between a warning as required under IHL and as a violation of IHL.

<https://doi.org/10.1163/18781527-bja10084> *

Internal legitimacy as a benchmark criterion for the inclusion of NSAGs in the making of IHL

Pauline Charlotte Janssens. In: *The military law and the law of war review*, vol. 62, no. 1, 2024, p. 2-30

Currently, non-state armed groups (NSAGs) are bound by customary international humanitarian law (IHL) without their consent or inclusion in its making. On the one hand, NSAGs' inclusion in law-making would make IHL more adapted to situations of rebel governance, the capabilities of NSAGs, and could result in a compliance pull vis-à-vis NSAGs. On the other hand, such inclusion might be undesirable, unreasonable, and unfeasible. Nevertheless, all arguments pro and contra NSAGs' inclusion do not necessarily apply to all types of NSAGs. However, scholarship lacks a convincing criterion to decide which NSAGs could participate in the formation of customary IHL. This article attempts to provide such a criterion by approaching the discussion in a non-state-centered manner and puts those most affected by armed conflict at the center: communities under rebel governance. It proposes a more holistic interpretation of the practice-criterion for custom-making in combination with the criterion of internal legitimacy to decide which NSAGs to include in customary IHL's making. Internal legitimacy is generated when communities consent and support rebel governance in a non-coerced manner, motivated by performance-based and symbolic catalysts for legitimacy. This article elaborates on what is understood by the notions of procedural fairness and non-coerced community consent and support; and how it answers the concerns about delegitimizing national governments, legalizing armed struggle, and the detrimental impact of NSAGs' practice on the substantive protection offered by IHL.

<https://doi.org/10.4337/mlwr.2024.01.01> *

International humanitarian law and the challenges of contemporary armed conflicts : building a culture of compliance for IHL to protect humanity in today's and future conflicts

ICRC. - Geneva : ICRC, September 2024. - 84 p.

In this report on international humanitarian law (IHL) and the challenges of contemporary armed conflicts, the International Committee of the Red Cross (ICRC) sets out its views on some of the most pressing humanitarian and legal issues in warfare. The ICRC has submitted a report like this one – the Challenges Report – to every International Conference of the Red Cross and Red Crescent since 2003. The International Conference, which takes place every four years, brings together all the States and all components of the Red Cross and Red Crescent Movement. The Challenges Report provides an overview of some of the challenges for IHL posed by contemporary armed conflicts, and outlines current or prospective ICRC action, positions, and areas of interest. The 2024 Challenges Report focuses on: nuclear weapons – grey zones and hybrid warfare – protection of people in the hands of adversaries – conduct of hostilities – new technologies of warfare – humanitarian action – building a culture of compliance with IHL.

<https://library.icrc.org/library/docs/DOC/icrc-4810-002.pdf>

International humanitarian law handbook for humanitarians and health professionals

Australian Red Cross. - [Canberra] : Australian Red Cross, 2024. - 53 p.

This handbook summarises the key principles, protections, and prohibitions in IHL that are relevant to humanitarians, health professionals, and humanitarian action in situations where IHL applies. Australian Red Cross has prepared this handbook to contribute to a greater knowledge of IHL among Australian humanitarians and health professionals, enabling them to better leverage these laws for humanitarian purposes.

<https://www.redcross.org.au/globalassets/cms/ihl/ihl-handbook-for-humanitarians-and-health-professionals.pdf>

The international responsibility of a belligerent State in the event of transboundary environmental damage

Ivon Mingashang and Christian Tshiamala Banungana. In: International review of the Red Cross, Vol. 106, no. 925, 2024, p. 469-496

The outbreak and continuation of armed hostilities can sometimes cause harm to bordering States not directly involved in the hostilities. This has occurred in many military operations conducted during the last few decades. The scope of the provisions relating to the protection of the environment during armed conflict appears to be strictly limited to the territory in which the operations are taking place. It is therefore important to determine the extent to which a belligerent State at the origin of acts that have had devastating consequences on the territory of one or more States not involved in the conflict can be held internationally responsible for those acts based on the principle of international liability for injurious consequences arising out of acts not prohibited by international law, which is still under discussion. The argument put forward in this article is based on the hypothesis that this principle is at least implicitly recognized when it comes to environmental damage caused in the context of an armed conflict. In our view, this is grounded both in the principle of the inviolability of neutral States and in the no-harm principle, whereby a State cannot use its territory in a way that is harmful to other States not involved in the armed conflict. These principles are based on the notions of fault and risk.

<https://library.icrc.org/library/docs/DOC/irrc-925-mingashang.pdf>

Is all mental harm equal ? : the importance of discussing civilian war trauma from a socio-economic legal framework's perspective

Solon Solomon and Ya'akov M. Bayer. In: Nordic journal of international law, vol. 94, issue 4, December 2023, p. 528-547

In recent years, international law scholars have discussed how civilian mental harm in warfare should also form part of the jus in bello proportionality principle and be balanced to the anticipated military advantage. Yet, these scholars have not proceeded one step further to

examine whether socio-economic parameters shaping the individual's personality, such as education, family ties or the level of income, should be also taken into account as varying variables in this balancing task. This is particularly important given that the particular parameters are tied to the socio-economics rights discourse and the relevant minimal living standards notion developed there. Based on a study we conducted, the article explores whether civilian mental harm should be affected by socio-economic parameters and what this means for the wider role socio-economic rights can play in armed conflicts as well as for the reading of jus in bello along Marxist terms.

<https://doi.org/10.1163/15718107-bja10061>

Keeping the lights on and the taps running : protecting and facilitating safer access for essential service providers in armed conflict : executive summary

Norwegian Red Cross, ICRC. - [Oslo] : [Norwegian Red Cross], 2024. - 19 p.

This is the executive summary of a report in which the Norwegian Red Cross and ICRC examine the crucial role of the personnel who operate, maintain, and repair electricity, water and sanitation infrastructure during armed conflict in urban contexts and review the Movement's operational experience in facilitating safer access for them in Gaza, Syria and Ukraine, among other. Emphasizing the protection of and support to essential service providers as a vital element of humanitarian action, the report gives practical recommendations to humanitarian actors, political authorities and donors, as well as essential service providers themselves.

<https://library.icrc.org/library/docs/DOC/icrc-4818.01-002.pdf>

Law reports of the Australian war crimes trials 1945-1951, Volume I : reports of the trials Morotai, Wewak, Labuan and Darwin

edited by Tim McCormack and Narrelle Morris. - Boston : Brill Nijhoff, 2024. - XXVii, 768 p.

This is the first volume of a new 5-volume reference work which rectifies a lamentable gap in access to rich war crimes trial jurisprudence from the post-World War II era. The 5 volumes will compile a comprehensive and systematic collection of Law Reports of the 300 trials by Australian Military Courts held between 1945 and 1951. Those trials were held in eight locations and reports of the trials are grouped according to location. To introduce each trial location, a contextual essay provides background analysis explaining why the particular trials were conducted in that location. This first volume includes reports for each of the 46 trials conducted in Morotai, Wewak, Labuan and Darwin in 1945-46. Given the lack of written reasons for judgment, these law reports draw extensively on the trial transcripts, including a description of prosecution and defence arguments, relevant legal issues, judgments and sentences.

Lawfully using autonomous weapon technologies

Jonathan Kwik. - The Hague : Asser Press, 2024. - XV, 413 p. +

This monograph provides a practical and operational perspective to the question of how to lawfully employ autonomous weapon systems (AWS) from the point-of-view of the technology's end-users: field commanders. While there is international consensus that targeting rules such as proportionality and precautions must be respected when using AWS, there is legal and practical ambiguity as to how to translate this normative commitment into practice. How are commanders in the field, when guns are already blazing, expected to exercise command-and-control when ordering AWS-attacks, and ensure that their targeting obligations remain fulfilled? The book discusses how commanders can use existing targeting frameworks to ensure that their use of AWS remains in compliance with the rules governing the conduct of hostilities. It invites the reader to step into the shoes of the military commander with all the operational pressure and uncertainty inherent to this position, and explores amongst others: - How to maintain control of AWS throughout a targeting cycle; - How to make informed and reasoned deployment decisions by analysing information related to the technical parameters of the AWS, the characteristics of the operational environment, and enemy countermeasures; - Under which circumstances AWS may not be used under targeting rules, such as indiscriminate attack, proportionality and the duty to cancel/suspend; - What extra precautionary measures unique to AWS technology can and should be employed; - When it is militarily desirable to employ AWS over other alternatives; and - Under what circumstances criminal liability may be attributed for AWS-related harm. It offers both

academic and practical outputs: new legal and doctrinal insights on the technology that is useful for future legal developments, and workable recommendations and efficient flowcharts that can be adopted by commanders, military organisations or policymakers to ensure IHL-compliant deployment of AWS.

Leçons contemporaines de droit international humanitaire

sous la direction de **Julian Fernandez et Emre Öktem**. - Paris : A. Pedone, 2024. - 238 p.

Cet ouvrage fait entendre la voix des universitaires dans un contexte de remise en cause des normes censées contenir la violence inhérente à la guerre. À partir de différentes questions choisies, les contributions réunies reviennent sur les principaux enjeux de qualifications et d'application du droit international humanitaire. Elles interrogent aussi l'articulation de ce corpus juridique avec d'autres ensembles du droit international public. La valeur normative et le potentiel performatif du jus in bello sont rappelés avec force, sans pour autant que les difficultés du terrain ne soient négligées. Un ouvrage essentiel pour ceux qui veulent mieux comprendre la place du droit dans les conflits en Ukraine, à Gaza et ailleurs.

The legal case for Palestine : a critical assessment

Steven E. Zipperstein. - New York : Routledge, 2025. - XVII, 442 p.

This book critically analyzes the Palestinian legal arguments against Israeli occupation and in favor of Palestinian statehood. For the past two decades, Palestinians have chosen to pursue their claims against the Israeli occupation through litigation at the international courts. It is therefore appropriate, the author contends, to analyze the merits of the Palestinian legal claims separately from their political claims. To do so, the book comprises five parts: Part I addresses the role of international law in the conflict as well as Palestinian legal framing and lawfare. Part II recounts the relevant legal history, including the crucial legal implications of the Oslo Accords. Part III analyzes Palestinian legal claims regarding the West Bank and the Gaza Strip. Part IV assesses the Palestinian legal case for statehood. Part V analyzes Palestinian legal claims regarding Jerusalem. Ultimately, it is argued that the Palestinian legal case is weak even though the two-state solution continues to represent the most viable long-term political outcome to the conflict. Moreover, the author suggests that Palestinian leaders have repeatedly opted for conflict perpetuation through lawfare and violence, rather than conflict resolution through negotiation.

Legal frameworks governing emblems, signs and symbols connected with the protection of healthcare providers

Swiss Institute of Comparative Law. - [Lausanne] : Swiss Institute of Comparative Law, 2023. - 51 p.

The report is compiled by the Swiss Institute of Comparative Law (SICL) at the request of the Federal Department of Foreign Affairs (FDFA). It is part of FDFA's broader effort to assist the International Committee of the Red Cross (ICRC) to (i) discover the degree to which the rules governing the red cross, red crescent and red crystal emblems, as set forth in the Geneva Conventions and the Additional Protocols (distinctive emblems), have been incorporated into domestic law and practice, and (ii) gain further insight into both the existence of, and legal framework(s) governing, commonly-used symbols of healthcare (other than the distinctive emblems) in a country, regional or international setting. The SICL report surveys the rules and practices of twenty-three countries – of disparate geographical profiles and with different experiences with armed conflict – on commonly-used symbols of healthcare (including the distinctive emblems). The countries covered are Australia, Brazil, Canada, Colombia, Democratic Republic of the Congo, Egypt, El Salvador, France, Germany, India, Iraq, Lebanon, Lithuania, Mexico, Philippines, Poland, South Africa, Spain, Sweden, United Kingdom, United States, Yemen.

<https://www.isdc.ch/media/2529/22-105-e-emblems-report-final.pdf>

Legal perspectives on the role of the notion of “denazification” in the Russian invasion of Ukraine under jus contra bellum and jus in bello

Marco Longobardo. In: *Revue belge de droit international = Belgian review of international law = Belgisch tijdschrift voor internationaal recht*, vol. 54, 2021/1-2, p. 209-235

This article explores the role of the notion of «denazification» in the international legal discourse pertaining to jus contra bellum and jus in bello in relation to the 2022 Russian aggression against Ukraine. Although the use of this notion has potential legal affects to the application of international law, in the instant case, the denazification argument is insufficient to render the Russian invasion a lawful military operation. To reach this conclusion, the article offers a brief outline of the references to denazification in the Russian legal discourse pertaining to the invasion of Ukraine. Then, the article explores its relevance for jus contra bellum in relation to genocide prevention and struggle against racist regimes. Finally, the article analyses the potential impact of denazification discourse on jus in bello, with specific references to the extent to which it can be used to justify the alteration of the law in force in an occupied territory beyond what it is normally allowed by the law of occupation.

<https://heinonline.org/HOL/P?h=hein.journals/belgeint54&i=209> *

The legal status and targeting of hacker groups in the Russia-Ukraine cyber conflict

Giacomo Biggio. In: *Journal of international humanitarian legal studies*, vol. 15, issue 1, April 2024, p. 142-182

The armed conflict between Russia and Ukraine has been characterized by a considerable number of cyber operations by States and non-State actors in support to either party to the conflict. One year since the Russian invasion of Ukraine, the ‘Russia-Ukraine cyber conflict’ offers valuable insights for estimating the effectiveness of International Humanitarian Law in regulating the status and the conduct of individuals engaging in cyberspace operations during wartime. By discussing the status of hackers groups and individuals who have conducted cyber operations in support of Ukraine, this Article claims that the relevance of the concept of combatancy is diminished in the cyber domain, and that the notion of direct participation in hostilities must be adapted to the specific features of cyberspace. Furthermore, the article focuses on the issues relating to the targeting of individual who directly participate in hostilities by conducting cyber operations in support of Ukraine. By doing so, the Article argues that cyber direct participants place themselves at an increased risk of being attacked, even though the Russian armed forces are limited in their targeting decisions by the principles of proportionality and precaution.

<https://doi.org/10.1163/18781527-bja10078>

Legal technologies : conceptualizing the legacy of the 1923 Hague Rules of Aerial Warfare

Christiane Wilke and Helyeh Doutaghi. In: *Leiden journal of international law*, vol. 37, no. 1, March 2024, p. 88-110

Many contemporary armed conflicts are shaped by the reliance on airstrikes using traditional fighter planes or remotely piloted drones. As accounts of civilian casualties from airstrikes abound, the ethics and legality of individual airstrikes and broader targeting practices remain contested. Yet these concerns and debates are not new. In fact, a key attempt to regulate aerial warfare was made 100 years ago. In this article, we approach the regulation of aerial warfare through an examination of the 1923 Hague Draft Rules of Aerial Warfare and the contemporary scholarly discussion of these rules. While the Draft Rules have never been converted into a treaty, they embody logics of thinking about civilians, technologies of aerial warfare, and targeting that are still resonating in contemporary discussions of aerial warfare. This article argues for a contextualized understanding of the Draft Rules as an attempt to adapt International Humanitarian Law (IHL) to the new technological realities while maintaining distinctions between different kinds of spaces and non-combatants. We argue that the Draft Rules prefigure later debates about the legality of aerial bombing by tacitly operating with a narrow understanding of the civilian and by offering a range of excuses and justifications for bombing civilians.

<https://doi.org/10.1017/S0922156523000493>

Making and shaping the law of armed conflict

ed. by Sandesh Sivakumaran and Christian R. Burne. - Oxford : Oxford University Press, 2024. - XXIV, 368 p.

This volume explores the making and shaping of the law of armed conflict. A variety of aspects of law-making and shaping are analyzed, from identification of a rule of customary international humanitarian law to questions of treaty interpretation and from whether and how to regulate a “new” situation to whether a treaty rule continues to bind the parties. Issues of making and shaping the law underlie almost every contentious legal issue, from whether an intended practice is covered by an existing rule of conventional or customary international humanitarian law to the weight to be given to interpretations of particular actors. Despite the importance of questions of making and shaping the law, there are relatively few in-depth treatments of the subject. The volume explores the fundamental materials of the law of armed conflict, actors and influences, spaces, and questions of unmaking.

<https://doi.org/10.1093/oso/978019775134.001.0001> *

Maritime security law in hybrid warfare

edited by Alexander Lott. - Boston : Brill Nijhoff, 2024. - XXV, 396 p.

The recrudescence of great power competition at sea raises several legal problems. Maritime Security Law in Hybrid Warfare brings together authors from various fields of international law to address such challenges in the legal intersection between naval war, military activities, maritime law enforcement, and hybrid warfare. This book explores the means for increasing legal resilience against the emerging trend of weaponization of commercial ships, underwater cables and pipelines, lawfare, and migration by hybrid adversaries.

<https://brill.com/edcollbook/title/70930> *

Maturing autonomous cyber weapons systems : implications for international cybersecurity

Caitríona Heintz. - In: The Oxford Handbook of Cyber Security. - Oxford : Oxford University Press, 2021. - p. 702-722

This chapter identifies significant policy and military intersections between the evolving international cybersecurity and autonomous weapons systems (AWS) policy regimes that should receive deeper policy attention. So far, within policy discussions on lethal autonomous weapons systems (LAWS), there seems to have been less focus on related cyber implications compared with other policy questions. This is mirrored within the international cybersecurity policy community where AWS, maturing autonomous cyber technologies, and component technologies like artificial intelligence (AI) have not yet garnered extensive attention publicly. So far, most of the focus on AWS has centred on physical platforms for land, sea, air, space, and undersea, and not the cyber domain. Discussions surrounding AWS have generally been held under the rubric of the Convention on Conventional Weapons (CCW). Nevertheless, threat assessment reports and analysts are highlighting this subject more frequently. This chapter addresses these gaps by first unpacking the nature of so-called AWS and then highlighting a number of potential arms race considerations as well as consequences of the widespread adoption of autonomous technologies for warfare. It then proposes a framework to deal with the impact of autonomy on international security policies—namely strengthening technical safeguards and addressing the policy implications for international cyber stability. Lastly, the chapter argues for a need to ensure norm coherence and careful analysis of the implications arising from either banning or legitimizing maturing autonomous capabilities for international cybersecurity and AWS regimes.

<https://library.ext.icrc.org/library/docs/RESTRICTEDACCESS/60232.pdf> *

Military training in international humanitarian law : how IHL can influence conduct in war

Andrew M. Bell. - Geneva : ICRC, October 2024. - 23 p.

This report examines how training in IHL and related norms of restraint (collectively labelled as “IHL norms” in this report) can shape combatant attitudes and, ultimately, military conduct. The findings presented here show that efforts to promote IHL norms among combatants – through

training and other means of norm socialization – can shift combatant attitudes and generate measurable effects in increasing adherence to IHL. However, the survey results also provide greater context for improving the success of training in IHL, notably highlighting the countervailing influence of force protection and military advantage values that also shape combatant attitudes towards restraint. Such evidence is vital for understanding whether – and how – IHL and related norms can improve protection outcomes for civilians in war.

<https://library.icrc.org/library/docs/DOC/icrc-4789-002.pdf>

Mind the gap(s) : the need to resolve uncertainties in the international law of cyber warfare

Shiran Shahaf. In: Virginia journal of international law, vol. 63, no. 2, 2023, p. 209-249

Emerging evidence demonstrates the growing significance of cyber operations in the context of armed conflicts and aggression. Despite increasing concerns of the international community, no specialised international legal regime has been developed to govern and control these operations. Instead, the law of armed conflict (LOAC) is applied to cyber operations that are conducted during armed conflicts. While the implementation of LOAC to evaluate the legality of cyber operations is important and valuable, this branch of law has not yet developed enough to resolve several core legal issues that are at the heart of cyber operations. These legal uncertainties, gaps and unsettled issues, have been referred to in the literature as “grey zones.” Existing studies questioned whether clarifying these grey zones is desirable, given the uniqueness and sensitivities of cyber operations. This Article first identifies and analyses the main grey zones in the application of LOAC on cyber operations. It then focuses on the question of whether these gaps and uncertainties should be clarified, placing this Article in a growing conversation about legal cynicism and the politicization of international law. In particular, it argues that these gaps contribute to the marginalization of international law and frustrate its role in guiding human behaviour during armed conflicts.

https://static1.squarespace.com/static/5foa3654a47d231c00cccd14f/t/64de652a840a2656b966d595/1692296491068/Vol_63.2_Article_Shahaf.pdf

The Montreux Convention and the ongoing armed conflict between Russia and Ukraine

Magne Frostad. - In: Maritime security law in hybrid warfare. - Boston : Brill, 2024. - p. 312–352

This paper considers the geography and history of the Turkish Straits, before it addresses certain aspects of the 1936 Convention regarding the Regime of the Straits; what constitutes a merchant vessel and a vessel of war, the regulation of peacetime transit of vessels of war, and the regulation of their transit during times of war. Also, some of the classical questions in relation to this convention are addressed, like whether Turkey may close the Straits to Russian vessels of war, and whether the transportation by Russian owned or flagged merchant vessels of military equipment from Syria to Russian(-held) ports in the Black Sea is in violation of the convention. The paper then considers the regulation of amendment and denouncement of the convention, before it looks ahead at the future. It recognizes the presumed need to clarify some of the contentious issues under the convention and addresses some of the ways that Turkey may seek to circumnavigate the limitations of the convention.

https://doi.org/10.1163/9789004707993_013 *

Naval blockade of Ukraine’s Black Sea ports in the light of international law

Dariusz Rafał Bugajski. - In: Maritime security law in hybrid warfare. - Boston : Brill, 2024. - p. 287-311

The current armed conflict caused by direct Russian military aggression against Ukraine and hybrid actions emphasize the importance of shipping and seaports for neutral States and belligerents. One of the most effective means of warfare used initially was a prohibition of navigation in the north-western Black Sea. In this context, the question is if Russia’s right to employ a naval blockade or war zone outweigh the rights of neutral States to trade with a belligerent? The meaning of the term ‘naval blockade’ encompasses the interception by sea of the approaches to the coasts or ports of an enemy with the purpose of cutting off all their overseas communications. War zones are a method of warfare if they are used to warn merchant and

neutral shipping of the hazards inherent in conflict at sea. Russia's official declaration of the 'special military operation' aimed at obscuring the true nature of the ongoing full-scale, unprovoked war against Ukraine. A naval blockade is a method of naval warfare, but it is not legal under the *jus ad bellum*. Therefore, by declaring and enforcing the blockade, Russia would have been compelled to acknowledge its engagement in unprovoked military aggression.

https://doi.org/10.1163/9789004707993_012 *

Navigating legal frontiers : climate change, environmental protection and armed conflict

Stavros-Evdokimos Pantazopoulos. In: *International review of the Red Cross*, Vol. 106, no. 925, 2024, p. 366-392

The relationship between armed conflict, the environment and climate change is intricate and challenging to define. While international humanitarian law (IHL) includes some environmental protections, it did not anticipate the connection to climate change. Climate change can act as a risk multiplier, intensifying negative socio-economic impacts, and conflict-related environmental damage may contribute to climate change. Bridging these fields is crucial, and to this end, this article seeks to interpret IHL considering evolving understandings of armed conflict effects and progress under international environmental law (IEL). The article illustrates how existing norms can address climate change impacts in warfare, and explores how relevant IEL provisions, such as the Paris Agreement and the harm prevention principle, could be applied during armed conflicts to achieve similar goals.

<https://library.icrc.org/library/docs/DOC/irrc-925-pantazopoulos.pdf>

« Nécessité fait loi » : Fauda et l'effacement du droit international en territoire palestinien

François Dubuisson. In: *Revue belge de droit international = Belgian review of international law = Belgisch tijdschrift voor internationaal recht*, vol. 54, 2021/1-2, p. 71-100

Cette contribution analyse la série israélienne Fauda sous l'angle de la représentation de l'occupation des territoires palestiniens, et de la place donnée à cet égard au droit international. Il est montré que la série s'inscrit dans un discours purement sécuritaire, qui escamote l'application du droit international et s'abstient d'une quelconque référence aux problématiques juridiques que peuvent soulever les actions d'une armée d'occupation, ne laissant en définitive la place qu'à une approche fondée strictement sur les exigences des nécessités militaires. Fauda se caractérise par l'absence de toute contextualisation des opérations du commando au centre du récit, ignorant qu'elle se place dans le cadre d'une occupation, ce qui se traduit par l'invisibilisation des règles applicables des droits humains et de droit international humanitaire, la seule logique animant la conduite des membres du commando israélien étant celle de la « nécessité » d'action face aux menaces que font peser les terroristes palestiniens envers la sécurité d'Israël et de sa population. La série dresse enfin un portrait de la société palestinienne qui tend à estomper la différence devant être faite entre « combattants » et « civils », contribuant à justifier le recours par les forces israéliennes à la violence indiscriminée.

<https://heinonline.org/HOL/P?h=hein.journals/belgeint54&i=71>

Neutrality as a contested concept in international humanitarian law : Red Cross men in the South African War, 1899-1902

Lia Brazil. In: *Humanity : an international journal of human rights, humanitarianism, and development*, Vol. 14, no. 3, Winter 2023, p. 405-419

This article explores contestations over what constituted medical personnel, hospitals, and ambulances during the South African War (1899 – 1902). It shows that Boer fighters and British soldiers held differing conceptions of what constituted medical 'neutrality' and the meaning of the 1864 Geneva Convention. Analysing their contests over 'neutrality', it shows their diverse legal understandings were influenced by pre-existing medical cultures, the nature of guerrilla conflict, and British portrayals of the Boers as 'uncivilised' and so outside the realm of international law. These contests shaped the provision of medical relief on the ground in South Africa and generated international legal changes which echoed through later warfare.

<https://dx.doi.org/10.1353/hum.2023.a924870> *

Neutrality, non-belligerency, and permanent neutrality according to recent practice and doctrinal views

Natalino Ronzitti. In: *Journal of conflict and security law*, vol. 29, no. 1, Spring 2024, p. 55-71

The conflict between the Russian Federation and Ukraine has again raised the problem of neutrality in the light of the massive shipment by Western States of military assets to Ukraine and the restrictive measures (sanctions) against the Russian Federation. The resolutions by the UN General Assembly and the qualification of the Russian Federation as an aggressor have induced to consider the relationship between neutrality and the UN Charter. This article examines the problem of neutrality according to recent practice and argues that neutrality is still alive, notwithstanding its transformation from its origin. The notion of non-belligerency is also in conformity with international law. Neutrality is no longer an institution of *jus in bello* but belongs to *jus ad bellum* and the principle of equality of belligerents should not be applied, except for those rules that have purely humanitarian nature. Permanent neutrality is still a valid institution as the practice shows. Lastly, this article deals with neutrality and non-international conflicts, concluding that the recognition of belligerency, that is the mechanism allowing the application of neutrality to this category of conflict, is almost obsolete.

<https://doi.org/10.1093/jcsl/krae001> *

Occupation : treachery, treason and Ukraine's war in the shadows

Kenneth Watkin. In: *Texas international law journal*, vol. 58, no. 3, Summer 2023, p. 1-32

This article exposes the complex and often uncertain international legal environment within which the occupier and occupied must operate. It does so by addressing the status of occupied Ukraine, identifies the formalistic approach initially applied by the international community to the conflict and considers where it stands after Russia's attempts to annex Ukrainian territory. Then the paper looks at the status of the occupied and occupier concerning governance, the maintenance of law and order, dealing with security threats, as well as obligations required of the occupied population towards an occupying power. The analysis then considers what constitutes treacherous and perfidious conduct, its scope and how it is dealt with under international humanitarian law. A review of Ukraine's role in supporting the organized resistance is followed by consideration of Russia's failure to comply with its international obligations and widescale allegations of war crimes. Finally, the paper looks at Ukraine's actions, particularly in respect of its approach towards Ukrainian public officials serving in occupied territory, and reported attacks against collaborators.

<https://ssrn.com/abstract=4699180>

Occupying powers, obligations of prevention and private actors in occupied territory : a theoretical inquiry under the law of occupation

Marco Longobardo. In: *Texas international law journal*, vol. 58, no. 3, Summer 2023, p. 71-98

This article explores the duties of occupying powers in relation to the activities of private actors in occupied territory. It is argued that under international law, occupying powers are bound by obligations of prevention pertaining to private actors' activities that might be in conflict with rules of international law, and in particular, international humanitarian law. The main obligation is based upon Article 43 of the 1907 Hague Regulations. All the relevant obligations of prevention are obligations of conduct governed by the concept of due diligence. The article goes on to address the measures that the occupying powers must undertake to comply with these obligations of preventions, taking into account the limitations on the actions of occupying powers in light of the law of occupation.

<https://heinonline.org/HOL/P?h=hein:journals/tlj58&i=327> *

Of date palms and dialogue : enhancing the protection of the natural environment under international humanitarian law and Islamic law

Ahmed Al-Dawoody and Kelisiana Thynne. In: *International review of the Red Cross*, Vol. 106, no. 925, 2024, p. 350-365

Conflict-related environmental damage remains a huge challenge. This article provides a brief overview of international humanitarian law (IHL) rules that protect the natural environment in armed conflict and notes some convergences with the rules developed by classical Islamic jurists (those who lived from the seventh century up to the last quarter of the nineteenth century) affording protection to the natural environment. Today, a significant number of International Committee of the Red Cross operations take place in Muslim-majority countries, and some Muslim interlocutors, in particular Islamic non-State armed groups, use Islamic law as their normative framework. For better respect for IHL in relevant Muslim-majority States or territories, considering an Islamic legal approach to the protection of the natural environment alongside IHL would allow the parties to conflicts in such countries to better understand their obligations and should enhance the protection of the natural environment in armed conflict.

<https://library.icrc.org/library/docs/DOC/irrc-925-aldawoody.pdf>

Private businesses and armed conflict : an introduction to relevant rules of international humanitarian law

Matt Pollard. - Geneva : ICRC, November 2024. - 35 p.

This brochure explains why, when and how international humanitarian law (IHL) is relevant to private businesses. It is primarily intended for businesspeople, particularly corporate legal counsel and others in corporate compliance or human rights due diligence roles. However, it also aims to answer questions that humanitarian practitioners, legal experts, government officials and others frequently ask about business and IHL. The brochure provides a general introduction to IHL and highlights specific rules and protections that are particularly important for private business entities and their personnel.

<https://library.icrc.org/library/docs/DOC/icrc-4829-002.pdf>

Prolonged occupation : at the vanishing point of the jus ad bellum/jus in bello distinction

Ardi Imseis. In: Texas international law journal, vol. 58, no. 3, Summer 2023, p. 33-48

This essay briefly setting out the basic tenets of the law of occupation and explains where the natural tension, and even the collapse, that occupations of prolonged duration generate in respect of the fundamental distinction between the ad bellum and in bello law. I will then attempt to illustrate my points with recourse to three paradigmatic cases of prolonged occupation in existence today, namely Israel's 56-year occupations of the OPT and the occupied Syrian Golan Heights, and Morocco's 48-year occupation of Western Sahara.

<https://law.queensu.ca/sites/lawwww/files/img/Prolonged%20Occupation.pdf>

Prospects of environmental liability before the International Criminal Court : a case study on the international armed conflict between Russia and Ukraine

Lakmali Bhagya Manamperi. In: The Asian yearbook of human rights and humanitarian law, vol. 8 (2024), p. 407-430

The discourse on the urgency of upholding individual criminal liability for the damages incurred to the environment during international armed conflicts came to the limelight with the ongoing Russia-Ukraine war. The proposition recognizes that there are substantive and procedural hurdles within the Rome Statute which make it difficult to hold individuals accountable for the atrocities which they commit during warfare – especially in light of the environment – and vis-à-vis non-state parties. The article argues that the Rome Statute maintains a hierarchy in crimes where environmental protection lies at the bottom and proposes a more comprehensive edifice to uphold individual criminal responsibility – thus expanding to a compensation-model to rectify the damage caused to the environment. The article identifies certain prospects and weaknesses within the legal framework of the Rome Statute and compares the recently mooted eco-centric definition for “ecocide” as a standalone fifth international crime.

Protection of biometric private life under the European Convention on Human Rights and the law of armed conflict

Rigmor Argren. In: The military law and the law of war review, vol. 62, no. 1, 2024, p. 61-88

By definition, biometrics consists of sensitive data about the individual. Therefore, the State must ensure a higher degree of safeguarding measures in all phases of handling such data. This article argues that data-subjects whose biometrics are gathered for identification are protected through the right to biometric private life under international human rights law at all times. Furthermore, the law of armed conflict also contains relevant provisions. The European Convention on Human Rights provides detailed rules for the protection of biometric private life, subject to limitations and possibly derogations. This protection covers the whole data life cycle of collection, retention and disclosure of biometrics. Two points are of importance here when assessing what is permissible: (1) The original purpose for which biometric data collection was initiated remains decisive. (2) The use of special measures such as limitations or derogations, does not permit States to annihilate the protection of a person's biometric private life. The right to biometric private life remains protected during armed conflict, because international human rights law and the law of armed conflict re-enforce each other. Therefore, armed forces must: (1) define in detail for what purpose biometric data is collected, retained and disclosed, and (2) maintain strict adherence to the originally intended usage of the biometric data and refrain from any divergence therefrom. This article argues that the legal framework under international human rights law in general and the European Convention on Human Rights in particular, is sufficiently flexible to balance the interests of the rights holder with those of the State or the community at large. Nevertheless, this flexibility makes it harder to predict the outcomes of a legal assessment, and a case-by-case approach must therefore be expected.

<https://doi.org/10.4337/mlwr.2024.01.04> *

The protection of civilians in peacekeeping operations : a legal obligation

Tamer Morris. - Boston : Brill Nijhoff, 2024. - VII, 276 p.

While the Security Council has been mandating peacekeepers to protect civilians since 1999, there is still contention on its legal meaning. Even though the concept of 'protection' can seem self-evident, as the concept of 'protection' is borrowed language, each body of law will perceive 'protection' through a different lens. However, as the mandate creates a legal obligation on UN peace missions, a clear understanding of protection is fundamental to ensure performance and accountability.

The protection of critical undersea infrastructure within and beyond the limits of the territorial sea under the jus ad bellum and jus in bello

Alexander Lott. - In: Maritime security law in hybrid warfare. - Boston : Brill, 2024. - p. 125-154

Incidents in Europe, including the injuring of the Balticconnector gas pipeline and the Estonian, Finnish, Swedish, and Russian submarine cables in October 2023 as well as the damaging of the Nord Stream pipelines a year earlier, have underlined the vulnerability of critical submarine infrastructure to suspected acts of sabotage. This study debates the use and role of safety zones around submarine cables and pipelines as a potential measure for preventing the breaking or injury of submarine critical infrastructure. It explains the regimes of jus ad bellum and jus in bello applicable to protecting critical offshore infrastructure in the territorial sea and areas subject to the high seas freedoms. This chapter argues that the legal resilience of critical offshore infrastructure in the face of sabotage could be increased if States would not draw a clear legal boundary between attacks within or beyond the outer limits of the territorial sea.

https://doi.org/10.1163/9789004707993_007 *

The protection of essential services from attack in times of armed conflict

Chris De Cock. In: Swiss review of international and European law = Schweizerische Zeitschrift für internationales und europäisches Recht = Revue suisse de droit international et européen, vol. 34, no. 3, 2024, p. 315-334

This article examines the operationalization of the law of armed conflict (LOAC) targeting rules. Firstly, I will focus on the legal framework relative to the targeting of essential services during hostilities. When and under what circumstances can such services be the object of legitimate strikes under the LOAC? What is the impact of the relevant rules pertaining to special protection on targeting decisions? In prosecuting targets, what feasible precautions must be undertaken and how does the rule of proportionality come into play? Secondly, I will describe how militaries have integrated the relevant LOAC provisions into the targeting process. Once a target has been positively identified as a legitimate target in accordance with the LOAC, and provided it belongs to an authorized target set, feasible precautions and proportionality will apply through the mechanism of the so-called Collateral Damage Estimation Methodology (CDEM), assisting military commanders in their decision-making process.

<https://heinonline.org/HOL/P?h=hein.journals/sriel34&i=327> *

Protection of LGBTQIA+ rights in armed conflict : how (and whether) to ‘queer’ the crime against humanity of persecution in international criminal law

Aneta Peretko. In: Leiden journal of international law, vol. 37, no. 1, March 2024, p. 251-273

The discrimination faced every day by LGBTQIA+ individuals does not disappear during armed conflict. On the contrary, such persons have been, and continue to be, targeted for particularly heinous human rights violations due to their sexual orientation and/or gender identity. And while international human rights law has, in the last two decades, made significant leaps in prohibiting discrimination on these grounds, international criminal law lags behind. The Rome Statute of the International Criminal Court only criminalizes persecution, an extreme form of discrimination, on grounds of gender and other grounds universally recognized in international law rather than on grounds of sexual orientation or gender identity. In the absence of clear textual criminalization of queer persecution, this article argues international law can be queerly reinterpreted to fit sexual orientation and gender identity into the confines of ‘gender’. However, while acknowledging the normative and expressive gains that could come from using international criminal law to pursue queer persecution, this article also notes the costs, including the flattening of queer discrimination into the narrow rubric of gender and suppressing its more radical principles. Therefore, while concluding international criminal law can be queerly reinterpreted, this article expresses doubts as to whether, in fact, it should.

<https://doi.org/10.1017/S0922156523000523>

The protection of the natural environment in armed conflicts and agent-based modelling

Mais Qandeel. In: International review of the Red Cross, Vol. 106, no. 925, 2024, p. 450-468

This article seeks to demonstrate the nexus between agent-related technology and the protection of the environment in armed conflicts, looking at how agent-based modelling and simulation (ABMS) can be used as a tool to protect the environment in armed conflicts. It further analyzes the precautionary principle and due regard, as relevant rules, and explains the legal benefits of deploying ABMS to protect and preserve the natural environment. The article argues that the deployment of ABMS helps States to better understand the environmental effects of conflicts, reassess their military activities and comply with the relevant applicable rules and norms.

<https://library.icrc.org/library/docs/DOC/irrc-925-qandeel.pdf>

Queering the humanitarian principles of neutrality and impartiality : implications for humanitarian action, IHL effectiveness and gender justice

Anna Chernova. In: International review of the Red Cross, Vol. 106, no. 925, 2024, p. 192-222

Institutions are often reluctant to openly engage on controversies around the patriarchal underpinnings of the humanitarian sector, or the hard questions around implementing rights-based approaches in spaces where the dominant social norms run counter to an enabling environment for principled humanitarian and development assistance. A reluctance to engage on these issues can lead to unintended suppression of gender justice efforts under the urgency and scale of needs-based humanitarian response. Pre-crisis unequal power relations can be visible or invisible, difficult to measure and even more difficult to address through humanitarian action. Engaging on root causes and drivers of human suffering is often viewed as “political” in contexts of closing civic space and restricted humanitarian access. This article will explore tensions and synergies between the humanitarian principles and the gender justice agenda with a view to helping humanitarian actors contribute to long-term goals of transforming social norms. The article applies a critical feminist lens to the humanitarian principles of neutrality and impartiality, with a focus on the wider development agenda, the nature of the State in a State-centric global order, and the continuum of violence. Drawing on critical feminist theory and decolonization discourses, and building on gender analyses of international humanitarian law, this article looks to queer the humanitarian principles of neutrality and impartiality within the context of the shifting aid system in which they are applied. The objective is help address some of the gaps in literature, identify ways in which aid actors can reduce unintended harm to the gender justice agenda, and help contribute to the more transformative agendas of gender justice.

<https://library.icrc.org/library/docs/DOC/irrc-925-chernova.pdf>

Le régime international de protection des personnes handicapées dans le contexte des conflits armés

Philippe Lagrange et Florian Aumond. - In: Handicap et conflits armés. - [Clermont-Ferrand] : Université Clermont Auvergne, Novembre 2021. - p. 105-126

Dans une « Étude thématique » consacrée aux droits des personnes handicapées au titre de l'article 11 de la Convention NUDPH, le Haut-Commissariat aux droits de l'homme des Nations Unies (HCDH) relève une différence fondamentale entre, d'un côté, une Convention NUDPH ayant « marqué une profonde transformation de la conception même du handicap, que l'on envisage désormais sous l'angle des droits de l'homme », de l'autre, un droit international humanitaire qui, lors de sa codification, se serait fondé « sur d'anciennes conceptions de la notion de handicap, notamment sur la conception médicale du handicap, qui est exclusivement axée sur la déficience de la personne et qui traduit une vision paternaliste des personnes handicapées ». Cette présentation doit cependant être nuancée, au regard précisément des évolutions récentes enregistrées dans le droit international humanitaire. En dépit du maintien de différences, l'on observe ainsi un certain rapprochement quant aux principes organisant, dans les deux corpus normatifs, la protection des personnes handicapées dans le contexte des conflits armés. Ce rapprochement n'écarte cependant pas le maintien de spécificités, ce dont on prendra la mesure en présentant, successivement, l'application des règles protectrices du droit international des droits humains dans le contexte des conflits armés (I), puis celle des normes spécifiques au DIH (II).

<https://library.ext.icrc.org/library/docs/RESTRICTEDACCESS/60288.pdf> *

Regulatory choices at the advent of gig warfare

Mark Klamburg. In: Journal of international humanitarian legal studies, vol. 15, issue 1, April 2024, p. 115-141

Regulation of military AI may take place in three ways. First, existing rules and principles in IHL is already or could be extended via reinterpretation to apply to military AI; second, new AI regulation may appear via “add-ons” to existing rules, finally, regulation of military AI may appear as a completely new framework, either through new state behavior that results in customary international law or through a new legal act or treaty. By introducing this typology, one may identify possible manners of regulation that are presently under-researched and/or ignored, for example how Rules of Engagement (roe) may be a way to control the use of military AI. Expanding on existing scholarship, the article discusses how military AI may operate under different forms

of military command and control systems, how regulation of military AI is not only a question of “means” but also “methods” of warfare and how the doctrine of supervisory responsibility may go beyond the doctrine of command responsibility. In the case that fully-automated Lethal Autonomous Weapons Systems (laws) are available and considered for use, it is suggested that their use should be prohibited in densely populated areas following the same logic as incendiary weapons. Further, one could introduce certain export restrictions on fully-automated laws to prevent proliferation to non-state actors and rogue states.

<https://doi.org/10.1163/18781527-bja10088>

Report of the legal review panel on the Amnesty International press release concerning Ukrainian fighting tactics of 4 August 2022.

[Emanuela-Chiara Gillard, Kevin Jon Heller, Eric Talbot Jensen, Marko Milanovic, Marco Sassòli]. - [S.l.] : [s.n.], 2023. - 18 p.

This is the report of the independent legal panel established by Amnesty International (AI) to review its press release “Ukraine: Ukrainian fighting tactics endanger civilians”, published on 4 August 2022. The report represents the unanimous position of the Panel members, widely-recognized authorities in the field of international humanitarian law. The Terms of Reference provided by AI asked the Panel to address two interrelated questions: 1) Did the legal analysis in the Press Release fall within an acceptable range of interpretation of IHL? 2) Was the evidence underlying the Press Release sufficient to support the legal conclusions that AI reached?

<https://www.amnesty.org/en/documents/org60/6731/2023/en/>

Reporting from war zones : how does international humanitarian law protect journalists ?

Natia Kalandarishvili-Mueller. In: The Asian yearbook of human rights and humanitarian law, vol. 8 (2024), p. 461-479

In democratic societies, journalists report on myriad of topics that make states uncomfortable. They report on corruption, violations of human rights, actions of oppressive regimes, and on injustices harming mankind. Because of their work, often they are intimidated, persecuted, face death threats, killed, or are incarcerated. Journalists work in armed conflict contexts too. They are documenting the factual circumstances of the armed conflict dynamic as well as reporting on violations of the laws of armed conflict that the warring parties commit. Because of their work in armed conflict contexts, journalists face immediate dangers to their lives and are killed in various corners of our world. This article examines the legal regime that protects journalists in times of armed conflict. It revisits and discusses the obligations of the warring parties vis-à-vis journalists who are working in these situations from the perspective of international humanitarian law (IHL). The work highlights the available protective mechanisms and its shortcomings within this branch of law and looks at reinforcement within international human rights law (IHRL) and international criminal law (ICL). Such an approach is premised on the view to strengthen the protection of journalists in war zones through different legal regimes.

Rethinking cyber warfare : the international relations of digital disruption

R. David Edelman. - Oxford : Oxford University Press, 2024. - X, 401 p.

Fifteen years into the era of cyber warfare, are we any closer to understanding the role a major cyberattack would play in international relations—or to preventing one? Spanning disciplines and enriched by practitioner insights, Rethinking Cyber Warfare provides a novel understanding of the role that digital disruption plays in contemporary international security. The work focuses on the critical phenomenon of major cyberattacks against wired societies, a significant capability that, despite considerable state planning for such an incident, has received comparatively little scholarly consideration. Starting with a reconsideration of the central tenets that have shaped global powers’ policies to date, it explores in-depth what forces in the international system might durably restrain their use. Arming the reader with the key technological and historical context to make sense of cyberattacks, it considers how deterrence, international law, and normative taboos operate today to shape whether and how states think about causing this kind of disruption—and how soon those forces might combine to rethink those decisions entirely. The result is a comprehensive look at one of the most pressing issues in international security that also illuminates a new pathway for managing one of its greatest sources of instability.

El rol del Comité Internacional de la Cruz Roja en la implementación y desarrollo del derecho internacional humanitario en Colombia

Mónica Vanessa Angarita López. - In: Desafíos del derecho internacional humanitario en Colombia: aspectos filosóficos, hermenéuticos, constitucionales y ambientales. - Bogotá : Universidad Externado de Colombia, 2022. - p. 147-216

El Comité Internacional de la Cruz Roja (CICR), institución humanitaria, neutral, imparcial e independiente, como parte del Movimiento Internacional de la Cruz Roja y la Medialuna Roja, desde sus comienzos ha beneficiado a miles de personas afectadas por los conflictos armados y otras situaciones de violencia. El doble mandato, de prevenir y aliviar el sufrimiento de las víctimas de los conflictos y su rol como guardián del Derecho Internacional Humanitario (DIH), le ha permitido llegar a diferentes rincones del mundo donde en muchos casos la ley no tiene efecto. En Colombia, desde su llegada en marzo de 1969, el CICR por medio de su accionar neutral se ha ganado la confianza de los actores intervinientes en el conflicto armado, así como de aquellas personas que han sufrido sus efectos. Desde esta perspectiva, este artículo busca brindar un panorama de las contribuciones que el CICR ha realizado en Colombia en la aplicación práctica del DIH, así como las diferentes experiencias que le han permitido hoy en día jugar un papel importante en el desarrollo y la implementación de este marco jurídico, y de esta manera seguir actuando como su guardián.

<https://bdigital.uexternado.edu.co/entities/publication/de045176-e94b-43d2-9920-29410892c627>

The Rome Statute and Islamic law : a comparative analysis with special reference to Saudia Arabia

Majed Handi Alsolami. - Leiden : Brill, 2024. - XIV, 346 p.

This book examines in depth the degree of compatibility and incompatibility between the general principles and jurisdiction of Islamic law and international criminal law (the Rome Statute). It discusses the controversy related to the non-ratification of the Rome Statute by some Islamic and Arab countries. The author analyses arguments that maintain that Islamic law cannot be compatible with international criminal law, and makes it clear that there are no fundamental differences between the principles of Islamic law and the principles of international criminal law. The book considers Saudi Arabia as a case for reference.

<https://doi.org/10.1163/9789004711730> *

The Russian-Ukrainian conflict and war crimes : challenges for documentation and international prosecution

edited by Patrycja Grzebyk and Dominika Uczkiewicz. - New York : Routledge, 2025. - XXVII, 323 p.

This book offers a multidisciplinary examination of the international crimes committed in the Russia-Ukraine War, and the challenges of their prosecution and documentation. As the largest international armed conflict in Europe since World War II, Russia's war against Ukraine has provoked strong reactions and questions about the post-1945 world order, the utility of the war, and the effectiveness of international criminal justice. Throughout the chapters in this volume, scholars and legal practitioners from Canada, Germany, Poland, Ukraine, the UK, and the United States present the results of interdisciplinary research, insights from the perspective of other post-communist states, and first-hand expertise from directly working on the documentation and prosecution of these crimes. This offers a broader picture of post-Cold War relations and sheds light on the roots and nature of the war and the importance of regional approaches. The chapters also present some possible responses to the crimes committed in the conflict, with a focus on a victims-centered approach to transitional justice.

<https://doi.org/10.4324/9781003493785>

Russia's systematic program of coerced adoption and fostering of Ukraine's children

Nathaniel A. Raymond, Oona A. Hathaway, Caitlin N. Howarth... [et al.]. - New Haven : Humanitarian Research Lab at Yale School of Public Health, 3 December 2024. - 81 p.

This study is the third in a series of reports authored by the Yale School of Public Health Humanitarian Research Lab (Yale HRL) as part of the Conflict Observatory program examining Russia's deportation, re-education, and coerced adoption and fostering of children from Ukraine since Russia's full-scale invasion of Ukraine in February 2022. The research presented in this report took place over a twenty-month period and is the most extensive public effort to date to identify and track children from Ukraine subjected to deportation, adoption, and fostering by Russia's government following Russia's full-scale invasion of Ukraine in February 2022. The legal significance of the report's findings is also analyzed.

<https://files-profile.medicine.yale.edu/documents/5444c3da-1285-489e-926a-b6d5cfb699a2>

Russia's war crimes in Ukraine as a tool of war

Agnieszka Bienczyk-Missala. - In: *The Russian-Ukrainian conflict and war crimes: challenges for documentation and international prosecution.* - Abingdon : Routledge, 2025. - p. 116-128

International missions (including the OSCE and the UN) that have operated in Ukraine over the past year confirmed in their reports that Russian troops in Ukraine were repeatedly acting in contravention of the rules of international humanitarian law. The experience of conflicts in which Russia has been involved (including the wars in Chechnya and Syria) proves that Russia, as a rule, does not respect international obligations conducting wars. On the contrary, participation in the commission of war crimes is seen as loyalty to the state, resulting in impunity and even the possibility of promotion. Committing crimes is a tool for Russia to achieve its war goals and to put pressure on the civilian population, the Ukrainian authorities and the Western countries supporting Ukraine. The aim of the article is to present the scale of IHL violations in Ukraine and to discuss and analyze their consequences for Ukraine, the protection of civilian population and resistance building as well as international legal order.

<http://dx.doi.org/10.4324/9781003493785-9>

Sanctioning cultural war crimes : from the 1954 Hague Convention to national legislations

Lorenzo De Poli and Alberta Fabbriotti. - In: *Intentional destruction of cultural heritage and the law: a research companion.* - New York : Routledge, 2025. - p. 44-56

As Article 28 of the 1954 Hague Convention indicates, the prosecution of war crimes, including those relating to the destruction of cultural property during armed conflict, remains a purely national responsibility. Under this provision, States parties are required to take all necessary measures within their ordinary criminal jurisdiction to prosecute and impose criminal or disciplinary sanctions on persons who violate the Convention. The generality and vagueness of its content, as well as the absence of a list of offences against cultural property in the case of armed conflict, have slowed the process of national implementation. With the introduction of the Second Protocol in 1999 and the identification of grave breaches of the Convention, most States parties have defined cultural war crimes and also established specific penalties.

Schrödinger's occupation : West Jerusalem 1948-1949

Yaël Ronen. In: *Texas international law journal*, vol. 58, no. 3, Summer 2023, p. 119-146

Following a brief historical and political background to Israel's acquisition of control over West Jerusalem and its administration in 1948, the article describes the manner in which a military government was established in West Jerusalem. The following section demonstrates that the Provisional Government undertook this project while considering itself to be bound by the law of occupation. Given the use of the term "held territory" to describe West Jerusalem in the Proclamation instituting the military government, the subsequent section discusses this term and its use. The article then turns to describe the two aspects of the legal order that was applied under the military government and its compatibility with the law of occupation: the application of Israeli law as the substantive law of the territory and the empowerment of government authorities

to operate in West Jerusalem. The article concludes by highlighting how the legal regime could substantiate upon demand the contrary claims of non-sovereignty and sovereignty.

<https://heinonline.org/HOL/P?h=hein.journals/tlj58&i=376> *

Settler empire and the United States : Francis Lieber on the laws of war

Helen M. Kinsella. In: American political science review, vol. 117, issue 2, May 2023, p. 629-642

Histories of political science and of the laws of war identify the nineteenth-century scholar Francis Lieber as their modern founder. His 1863 General Orders 100 codified the modern laws of war, internationalizing his political thought. Yet, relatively unremarked is that Lieber wrote his foundational texts during U.S. settler colonization, which he justified in whole. I argue that GO100 facilitated settler colonial violence by defining modern war as a public war, arrogating it to sovereign states; distinguishing revenge from retaliation, attributing revenge to the “savage”; and elevating a certain racialized/gendered governance, ascribing it to the Cis-Caucasian race. Producing Native peoples and Native wars as lacking in the proper characteristics of sovereign belligerency resulted in a subordination of status and a legitimization of exterminatory tactics that were subsequently universalized and (re)internationalized through GO100’s determinative influence on the laws of war. Tracing GO100 further exposes the founding of the discipline in Native peoples’ dispossession and extermination.

<https://doi.org/10.1017/S0003055422000569>

Social network analysis and counterterrorism : a double-edged sword for international humanitarian law

Michael Moncrieff, Pavle Kilibarda, Gloria Gaggioli. In: Journal of conflict and security law, vol. 29, no. 1, Spring 2024, p. 165-183

The use of social network analysis (SNA) during the War on Terror has been a topic of significant political and academic discourse. SNA is an empirical method that graphically and mathematically represents interactions or relationships between nodes (eg, individuals, organizations) and the ties that connect them. The nature and degree of interdependence among nodes are believed to provide insights into the relationships and behaviour of members within a social network. The scarcity of precise and comprehensive data on the structure, functioning, and activities of terrorist groups has prompted some states to incorporate SNA into their intelligence efforts and rely on its data for counterterrorism activities, including lethal operations. However, the compatibility of SNA with international law remains underexplored. In this article, we adopt a legal-empirical approach to elucidate SNA in accessible terms and examine the challenges it presents for international law. We contend that SNA is fundamentally incompatible with international humanitarian law (IHL) targeting rules, as the data it provides do not pertain to legally relevant criteria. Nevertheless, SNA offers valuable insights for IHL by illuminating intra-group dynamics to facilitate conflict classification, identifying legally relevant characteristics in armed groups’ internal networks, and determining the strength of relations between armed factions. Our findings underscore the importance of a nuanced understanding of SNA’s applications and limitations in the context of international law.

<https://doi.org/10.1093/jcsl/krae002>

Storm and sack : British sieges, violence and the laws of war in the Napoleonic era, 1799–1815

Gavin Daly. - Cambridge : Cambridge University Press, 2022. - IX, 316 p.

During the Peninsular War, Wellington’s army stormed and sacked three French-held Spanish towns: Ciudad Rodrigo (1812), Badajoz (1812) and San Sebastian (1813). Storm and Sack is the first major study of British soldiers’ violence and restraint towards enemy combatants and civilians in the siege warfare of the Napoleonic era. Using soldiers’ letters, diaries and memoirs, Gavin Daly compares and contrasts military practices and attitudes across British sieges spanning three continents, from the Peninsular War in Spain to India and South America. He focuses on siege rituals and laws of war, and uncovering the cultural and emotional history of the storm and sack of towns. This book challenges conventional understandings of the place and nature of sieges in the Napoleonic Wars. It encourages a rethinking of the notorious reputations of the British

sacks of this period and their place within the long-term history of customary laws of war and siege violence. Daly reveals a multifaceted story not only of rage, enmity, plunder and atrocity but also of mercy, honour, humanity and moral outrage.

Strengthening IHL compliance : the conduct of hostilities, the protection of essential services and humanitarian assistance in contemporary armed conflict

International Institute of Humanitarian Law ; ed. Marco Pedrazzi ; associated ed. Edoardo Gimigliano. - Milano : Franco Angeli, 2024. - 239 p.

The 46th edition of the annual Sanremo Round Table on current issues of IHL was held in Sanremo and online from 14th to 15th September 2023. The flagship event of the Institute, jointly organized with the International Committee of the Red Cross, addressed the issue of “Strengthening IHL compliance : the conduct of hostilities, the protection of essential services and humanitarian assistance in contemporary armed conflicts”. The Round Table, with the participation of high-level international experts and practitioners, investigated some of the crucial issues regarding the application of IHL to multi-faceted humanitarian crises, extending its scope by delving into international human rights law and the many complementary legal regimes directly or indirectly safeguarding civilians, essential services, and humanitarian aid in crisis scenarios. Its proceedings explore the effectiveness of the existing IHL-mandated tools and highlights the importance of a comprehensive implementation of impactful practices to ensure access to humanitarian relief to civilian populations.

<https://iihl.org/round-table/46th-round-table-on-current-issues-of-international-humanitarian-law/>

Teaching terrorists : how United States counterterrorism law violates international humanitarian law

Scott Graber. In: The Yale journal of international law, vol. 48, no. 1, Spring 2023, p. 153-175

United States counterterrorism law prohibits teaching international law to foreign terrorist organizations (FTOs). The law applies extraterritorially and to noncitizens, thus potentially incriminating anyone world-wide who teaches a designated FTO. This Note considers whether the prohibition violates international humanitarian law (IHL) and finds that it does so in two ways. First, IHL assigns duties and protections to non-state armed groups when they are sufficiently organized and party to conflicts of sufficient intensity. Relatedly, actors, whether involved in such conflicts or not, must not impede others from following international law. The United States thus violates IHL when it prevents a party to a conflict from learning the international law that the party is obliged to follow. Second, the Geneva Conventions give “impartial humanitarian” organizations, in practice the International Committee of the Red Cross (ICRC), the right to offer services to all parties to a conflict. These services may include explaining international law. Since U.S. counterterrorism law does not exempt the ICRC, the United States violates IHL when it impedes the organization’s access to a party to a conflict.

<https://heinonline.org/HOL/P?h=hein.journals/yjil48&i=175> *

To blockade or not to blockade ? : the legal status of Russia’s suspension of shipping in the sea of Azov

Shani Friedman. In: Israel law review : a journal of human rights, public and international law, Vol. 57, no. 2, July 2024, p. 247-264

This article explores the legal situation relating to the Sea of Azov in the light of the Russian suspension of shipping on 24 February 2022. While this act received little scholarly or political attention, there is a debate concerning the legality of the suspension of shipping, mainly whether it is governed by the law of naval blockade under the laws of naval warfare. The article analyses the situation from the perspectives of both international humanitarian law (IHL) and the law of the sea (LOS) and examines how the interaction between the two legal regimes affects the analysis. The article supports the conclusion that the Russian conduct does not constitute a naval blockade but may be an accepted practice within the legal regime of naval warfare. In addition, it holds that LOS affects both the laws of naval warfare and the status of the Sea of Azov. Furthermore, the article raises doubts as to the relevance and applicability of the legal concept of naval blockade in modern international law.

<https://doi.org/10.1017/S0021223723000183>

Ukraine and violations of international humanitarian law : a critical analysis of the Amnesty International report

Agnieszka Szpak. In: Journal of international humanitarian legal studies, vol. 15, issue 1, April 2024, p. 1-22

On 4 August 2022, Amnesty International published its report ‘Ukraine: Ukrainian Fighting Tactics Endanger Civilians’, in which it accused Ukraine of violating international humanitarian law ‘by establishing bases and operating weapons systems in populated residential areas, including in schools and hospitals’ and in this way putting civilians at risk. According to the report, ‘[s]uch tactics violate international humanitarian law and endanger civilians, as they turn civilian objects into military targets. The ensuing Russian strikes in populated areas have killed civilians and destroyed civilian infrastructure’. The report sparked some controversies. The question that the author attempts to answer in this article is whether there are any factual or legal arguments supporting the conclusions of the report.

<https://doi.org/10.1163/18781527-bja10093> *

Unpacking the burgeoning challenge of environmental protection and the right to food in the context of armed conflict : research brief

Junli Lim and Erica Harper. - Geneva : Geneva Academy of international humanitarian law and human rights ; Rosa Luxemburg Stiftung, April 2024. - 29 p.

This paper examines whether and to what extent environmental damage rendered during conflict causes food insecurity which is then exported via the globalized food system in the form of price shocks and reduced supply. Specifically, it examines three conflicts — Russia-Ukraine, Myanmar and Syria, the findings from which are then applied to a legal analysis to identify lacunae and potential pathways towards enhanced protection and accountability.

<https://www.geneva-academy.ch/joomlatools-files/docman-files/Unpacking%20the%20Burgeoning%20Challenge%20of%20Environmental%20Protection.pdf>

Use of force in hybrid naval warfare contexts : applicability of the law enforcement or conduct of hostilities rules ?

Anna Petrig. - In: Maritime security law in hybrid warfare. - Boston : Brill, 2024. - p. 86-121

This chapter considers the use of force against or involving ships in so-called hybrid naval warfare contexts. It analyses when such use of force is governed by the more permissive conduct of hostilities rules of the law of naval warfare (LONW) rather than the more restrictive maritime law enforcement rules. The answer hinges on a three-pronged enquiry, starting with the rather obvious threshold question of whether the general situation of violence amounts to an armed conflict (‘context applicability’). If so, it must be determined whether the incident features a sufficient nexus with it, since not every incident occurring in the geographical or temporal context of an armed conflict at sea is automatically governed by the LONW. If this is the case, it must in a third step be assessed whether the measure in question amounts to an attack, for only then will the LONW conduct of hostilities rules be applicable (‘measure applicability’). The second and third prong of the applicability threshold have long been neglected in the law of armed conflict debate. Only recently has a theory of nexus been developed in an excellent study by Elvina Pothelet. However, her findings relate to the shore-based law of armed conflict and can thus not be transposed to the LONW without further ado because of the peculiar rules this old body of law comprises.

https://doi.org/10.1163/9789004707993_006

War crimes in Russia’s invasion of Ukraine : the Soviet legacy and the wellsprings of Moscow’s disregard of international humanitarian law

Mark Kramer. - In: The Russian-Ukrainian conflict and war crimes: challenges for documentation and international prosecution. - Abingdon : Routledge, 2025. - p. 3-37

This chapter discusses the Soviet legacy in Russian military policy and the historical wellsprings of the Russian Federation’s systematic disregard of international humanitarian law (IHL). Russia’s refusal to abide by IHL norms has been starkly evident in the war against Ukraine since February 2022, but the roots of Moscow’s intransigence go back long before that. At the end of

1991, the government of the newly independent Russian Federation pledged to comply with landmark documents of international humanitarian law, including the four Geneva Conventions of 1949 and their additional protocols. However, in the years since then, the Russian armed forces have repeatedly committed war crimes and atrocities and have shown no willingness to uphold any of the basic norms of IHL. The Russian army's disregard of IHL norms in its warfighting, including the invasion of Ukraine, is symptomatic of a larger problem. On many issues, the Russian government has undertaken binding commitments but then reneged on them.

<http://dx.doi.org/10.4324/9781003493785-2>

What blocked the UN's response to the earthquakes in Northwest Syria ? : reflections on a humanitarian system premised on government consent

Rebecca Barber. In: Journal of international humanitarian legal studies, vol. 15, issue 1, April 2024, p. 83-114

This article reflects on the UN response to the earthquakes in Türkiye and Syria in February 2023, and specifically the fact that while the UN responded immediately in southern Türkiye, it did not do so in non-government-controlled northwest Syria. The UN explained that its 'longstanding position' was that aid could not be delivered across an international border without host government consent or Security Council authorisation. This article seeks to understand this position. It reviews the law applicable to cross-border humanitarian assistance, and the guidelines and tools that shape the UN's emergency response. It argues that international law allows cross-border humanitarian assistance without host State consent; however, that the UN's guidelines and tools do not facilitate the provision of assistance in such a scenario. The article concludes by calling for a review of the law, policies and guidelines that shape the way the UN responds to rapid-onset disasters in conflict contexts.

<https://doi.org/10.1163/18781527-bja10082>

International Committee of the Red Cross
Library and Public Archives
19, avenue de la Paix
1202 Geneva
Switzerland
Tel: +41-22-730-2030
Email: library@icrc.org
October 2025



ICRC