

The Treatment of Combatants and Insurgents under the Law of Armed Conflict



Emily Crawford

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The Treatment Of Combatants Under The Law Of Armed Conflict

James Parker Hall

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The Treatment of Combatants and Insurgents Under the Law of Armed Conflict Emily Crawford,2010-01-14 This book looks at why international law continues to make the legal distinction between persons who participate in an international or an internal armed conflict and drawing on considerable legal precedent legal theory and the situation in Guantanamo Bay it argues that it is time for the law of armed conflict to be applied more uniformly

The Law of Armed Conflict Gary D. Solis,2010-02-15 The Law of Armed Conflict International Humanitarian Law in War introduces law students and undergraduates to the law of war in an age of terrorism What law of armed conflict international humanitarian law applies to particular armed conflicts Does that law apply to terrorists as well What is the status of participants in an armed conflict What constitutes a war crime What is a lawful target and how are targeting decisions made What are rules of engagement What weapons are lawful and unlawful and why This text takes the reader through these essential questions of the law of armed conflict and international humanitarian law to an awareness of finer points of battlefield law The U S weighted text incorporates lessons from many nations and includes hundreds of cases from jurisdictions worldwide

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Routledge Handbook of the Law of Armed Conflict Rain Liivoja,Tim McCormack,2016-04-28 The law of armed conflict is a key element of the global legal order yet it finds itself in a state of flux created by the changing nature of warfare and the influences of other branches of international law The Routledge Handbook of the Law of Armed Conflict provides a unique perspective on the field covering all the key aspects of the law as well as identifying developing and often contentious areas of interest The handbook will feature original pieces by international experts in the field including academics staff of relevant NGOs and former members of the armed forces Made up of six parts in order to offer a comprehensive overview of the field the structure of the handbook is as follows Part I Fundamentals Part II Principle of distinction Part III Means and methods of warfare Part IV Special protection regimes Part V Compliance and enforcement Part VI Some contemporary issues Throughout the book attention is paid to non international conflicts as well as international conflicts with acknowledgement of the differences The contributors also consider the relationship between the law of armed conflict and human rights law looking at how the various rules and principles of human rights law interact with specific rules and principles of international humanitarian law in particular circumstances The Routledge Handbook of the Law of Armed Conflict provides a fresh take on the contemporary laws of war and is written for advanced level students academics researchers NGOs and policy makers with an interest in the field

The Law of Armed Conflict and the Use of Force Frauke Lachenmann,Rüdiger Wolfrum,2017 This volume collects articles on the law

of armed conflict and the use of force from the Max Planck Encyclopedia of Public International Law to facilitate easy access to content from the leading reference work in international law *The Conduct of Hostilities Under the Law of International Armed Conflict* Yoram Dinstein, 2004-02-26 A companion volume to the author's textbook *War Aggression and Self Defence* Third Edition Cambridge 2001 this book focuses on issues arising in the course of hostilities between States emphasizing the most recent conflicts in Iraq and Afghanistan Main themes considered are lawful and unlawful combatants war crimes including command responsibility and defenses prohibited weapons the distinction between combatants and civilians legitimate military objectives and the protection of the environment and cultural property Many specific topics that have attracted much interest in recent hostilities are also addressed Also available *War Aggression and Self Defence* 0 521 79344 0 Hardback 110 00 C 0 521 79758 6 Paperback 40 00 D [The International Law of Armed Conflict: Personal and Material Fields of Application](#) Edward K. Kwakwa, 2023-11-27 The underlying rationale for the international humanitarian law of war is the protection of individuals and victims of war This book is a contribution to the study of human rights in general and humanitarian law in particular It contains detailed information and analysis of the law and practice relating to international armed conflicts involving irregular combatants The discussion focuses on the most controversial provisions of Additional Protocol I to the Geneva Conventions the classification of wars of national liberation the treatment of guerrillas and mercenaries upon capture reprisals and the question of supervision and implementation in such conflicts The manuscript on which this book was based was awarded the 1991 Paul Reuter Prize by the International Committee of the Red Cross

Non-Combatant Immunity as a Norm of International Humanitarian Law Judith Gail Gardam, 2023-11-27 Despite the advances made by the international community to outlaw the resort to force by the United Nations Charter armed conflicts both international and non international are a fact of every day life The civilian casualties from such conflicts have assumed catastrophic proportions Little attention however has been paid by scholars to the treatment of noncombatants in armed conflict and the place in international law of the principle fundamental to the law of armed conflict noncombatant immunity This work aims to remedy this omission The author analyses in detail the content of the customary and conventional rules that give effect to this principle in both international and non international armed conflict The importance of such a study is highlighted by the recent Gulf conflict where so many of the States were not bound by the most recent treaty rules protecting noncombatants [Enemy Combatants, Terrorism, and Armed Conflict Law](#) David K. Linnan, 2008-01-30 With a renewed emphasis on national and homeland security the United States is once again seeking to balance the needs of the state with both the rights of its citizens as well as those of other nations This book represents an interdisciplinary approach to the legal dilemmas borne out by the war on terror against the specific background of Afghanistan Iraq and this new kind of conflict It is a strong contribution to a broader debate visible since 9 11 which will remain in the public eye for the foreseeable future It addresses the overlap between religion ethics armed conflict and law

within the context of the current conflict While many issues in areas such as intelligence reconciliation of civil liberties dealing with terrorist threats and the permissible bounds of interrogation treatment of prisoners and laws governing armed conflict have long standing precedents under domestic and international law this war has challenged even long standing legal interpretations The contributors to this volume explore those precedents and contemporary challenges to them Now that traditional wars between nation states are no longer the rule the terrorist threat has gained credence popularly terrorism and its claimed breeding ground in failed states linked in practice to issues of intervention on the territory of states harboring such groups In military circles the idea of armed struggle between modern military forces and what were formerly called guerillas has now largely been replaced by asymmetric warfare and the concept of intelligence and preventive action interchangeably within U S borders and overseas Opposing views contemplate that different and presumably lower legal standards may apply in internal armed conflicts Such legal issues are visible under current circumstances of asymmetric warfare in conjunction with questions about prisoner status and detentions including the permissible bounds of interrogation versus torture following the Abu Ghraib prison scandal in Iraq but also the treatment at the Guantanamo Bay facility of alleged Al Qaeda captives from Afghanistan All of the contributors in this book explore the changing circumstances against which these contentious new legal issues now unfold The experts strike no consensus Indeed one of the work's many strengths can be attributed to the fact that the many facets of the ongoing debate are represented herein

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Combatants, Terrorism, and Armed Conflict Law David K. Linnan, 2008-01-30 With a renewed emphasis on national and homeland security the United States is once again seeking to balance the needs of the state with both the rights of its citizens as well as those of other nations This book represents an interdisciplinary approach to the legal dilemmas borne out by the war on terror against the specific background of Afghanistan Iraq and this new kind of conflict It is a strong contribution to a broader debate visible since 9/11 which will remain in the public eye for the foreseeable future It addresses the overlap between religion ethics armed conflict and law within the context of the current conflict While many issues in areas such as intelligence reconciliation of civil liberties dealing with terrorist threats and the permissible bounds of interrogation treatment of prisoners and laws governing armed conflict have long standing precedents under domestic and international law this war has challenged even long standing legal interpretations The contributors to this volume explore those precedents and contemporary challenges to them Now that traditional wars between nation states are no longer the rule the terrorist threat has gained credence popularly terrorism and its claimed breeding ground in failed states linked in practice to issues of intervention on the territory of states harboring such groups In military circles the idea of armed struggle between modern military forces and what were formerly called guerillas has now largely been replaced by asymmetric warfare and the concept of intelligence and preventive action interchangeably within U S borders and overseas Opposing views contemplate that different and presumably lower legal standards may apply in internal armed conflicts Such legal issues are

visible under current circumstances of asymmetric warfare in conjunction with questions about prisoner status and detentions including the permissible bounds of interrogation versus torture following the Abu Ghraib prison scandal in Iraq but also the treatment at the Guantanamo Bay facility of alleged Al Qaeda captives from Afghanistan All of the contributors in this book explore the changing circumstances against which these contentious new legal issues now unfold The experts strike no consensus Indeed one of the work's many strengths can be attributed to the fact that the many facets of the ongoing debate are represented herein *The Handbook of Humanitarian Law in Armed Conflicts* Dieter Fleck, Michael Bothe, 1995 6 Targets on Land *Reflections on the Law of War* Frits Kalshoven, 2007-05-31 The papers collected in this volume span a 35 year period of active involvement in the reaffirmation and development of international humanitarian law A process under that name started in 1971 and ended in 1977 with the adoption of two Protocols Additional to the Geneva Conventions of 1949 one for international and one for internal armed conflicts Subsequent developments brought a narrowing of this gap between international and internal armed conflicts as well as growing recognition of the interplay between the law of armed conflict and human rights the rediscovery of individual criminal liability for violations of international humanitarian law the introduction of further prohibitions or restrictions on the use of specified weapons and so on In contrast with these positive developments the period was negatively characterised by increasing disrespect not only for some or other minor rule such as what to do with cash taken from a prisoner of war at the time of his capture but for the very principles underlying the entire body of the law of armed conflict respect for the other as a human being and hence humane treatment of prisoners of war and other detainees protection of civilians Throughout the period the author's activities ranged from participation in lawmaking and law interpreting exercises through attempts at explaining the law of armed conflict in its historical context and making propaganda for its faithful implementation to critical or even bewildered observance of actual events The papers brought together here reflect these diverse angles *The New Humanitarian Law of Armed Conflict: Level 2 est constitué par les actes de deux conférences tenues à Pise en 1976 et à Florence en 1977* Antonio Cassese, 1979

American Law and Procedures, Volumes I to XII Prepared Under the Editorial Supervision of James Parker Hall ... and Volumes XIII and XIV James Parker Hall, 1927 *International Law: The law of armed conflict* Georg Schwarzenberger, 1957 *A Manual of Public International Law* Thomas Alfred Walker, 1895 **International Law Chiefly as Interpreted and Applied by the United States** Charles Cheney Hyde, 1922 *The Conduct of Hostilities under the Law of International Armed Conflict* Yoram Dinstein, 2022-11-17 The only book addressed to both law students and military officers undergoing training in the law of armed conflict *International Law and the War on Terror* Paul S. Wilson, Naval War College (U.S.), 2003 *Application of International Humanitarian and Human Rights Law to the Armed Conflicts of the Sudan* Mohamed Abdelsalam Babiker, 2007 Despite the tragic death toll massive displacement alleged genocide crimes against humanity and war crimes the Sudanese conflicts have neither featured in the legal literature nor

been mentioned in the practice of international Tribunals This book aims to rectify this by focusing on the Sudan s armed conflicts as a case study

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