INDUCING COMPLIANCE WITH INTERNATIONAL HUMANITARIAN LAW

The number of armed conflicts featuring extreme violence against the civilian population in areas with no or little State authority has risen significantly since the early 1990s. This phenomenon has been particularly prevalent in the African Great Lakes Region.

This collection of essays evaluates from an interdisciplinary perspective the various traditional and alternative instruments for inducing compliance with international humanitarian law. In particular, it explores the potential of persuasion as well as hierarchical means, such as criminal justice on the international and domestic level or quasi-judicial mechanisms by armed groups. Furthermore, it evaluates the role and potential of human rights bodies, peacekeeping missions and the UN Security Council’s special compliance system for children and armed conflicts. It also considers how both Common Article 1 to the Geneva Conventions and the law of State responsibility could potentially increase compliance with international humanitarian law.

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INDUCING COMPLIANCE WITH INTERNATIONAL HUMANITARIAN LAW

Lessons from the African Great Lakes Region

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At the time of finalizing this book, the focus of the international community has turned to the ongoing conflict in Syria. There are widespread violations of international humanitarian law committed by State and non-State actors. This book is intended to shed some light on the methods for inducing compliance with international humanitarian law in war-torn areas of limited statehood. While focusing on the African Great Lakes Region, the book’s conclusions will hopefully contribute to a better understanding of compliance mechanisms for conflicts between State and non-State actors in other regions as well.

The book is part of a broader research project on compliance with international humanitarian law in areas of limited statehood. The project forms part of the Collaborative Research Center 700 at the Freie Universität Berlin – a coordinated research programme funded by the German Research Foundation (DFG). The Center focuses on the questions as to how effective and legitimate governance can be sustained in areas of limited statehood and which problems emerge under such conditions.

The volume is conceived as an edited collection because improving compliance with international humanitarian law requires an exchange of ideas and experiences between lawyers, social scientists and practitioners. A profound understanding of the reasons why armed groups and States’ armed forces commit acts of violence against the civilian population is an important basis for evaluating the efficiency and legitimacy of the norms of international humanitarian law and for considerations of legal policy. On the other hand, legal analysis helps political scientists to apply the appropriate variables in their empirical research. For the book’s coherence, the authors participated in a workshop, ‘Enforcing International Humanitarian Law in Contemporary African Conflicts’, which was funded by the DFG and the German Foundation for Peace Research (DSF).

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Heike Krieger
# TABLE OF TREATIES

Short forms of treaty names appear in parentheses after the full title of the treaty, where applicable.

- **Charter of the United Nations**, San Francisco, 26 June 1945, in force 24 October 1945, 1 U.N.T.S. 16 (UN Charter)
- **Convention (IV) Respecting the Laws and Customs of War on Land and Its Annex: Regulations Concerning the Laws and Customs of War on Land**, The Hague, 18 October 1907, in force 26 January 1910, 3 Martens Nouveau Recueil (ser. 3) 461 (Hague Regulations)
- **European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment**, Strasbourg, 26 November 1987, in force 1 February 1989, C.E.T.S. No. 126
| Treaty                                                        | Date of Adoption | Date of Entry into Force | U.N. Treaty Series | Reference
|---------------------------------------------------------------|------------------|--------------------------|-------------------|------------|