This clear and concise textbook provides an accessible and up-to-date examination of international humanitarian law. With the aid of detailed examples, extracts from relevant cases and useful discussion questions, students are expertly guided through the text. A recommended reading list is included in every chapter to support deeper engagement with the material. Emerging trends in theory and practice are also explored and examined, allowing readers to build on their knowledge and grapple with some of the biggest challenges facing the law of armed conflict in the twenty-first century.

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It has become something of a cliché in the general literature on international humanitarian law (IHL – also known as the law of armed conflict, or less frequently, the law of war) to quote Hersch Lauterpacht, who once noted that “if international law is at the vanishing point of law, the law of war is at the vanishing point of international law.” To the novice observer, it would seem that there are no rules governing conduct in armed conflicts; that it is absurd to try and regulate the kinds of barbarity we traditionally associate with warfare; and that, even if there are laws of war, no one seems to be abiding by them.

These charges, while compelling, are inaccurate. IHL is one of the oldest branches of international law, and a complex and diverse area of law, covering matters such as the treatment of civilians in times of armed conflict, permissible means and methods of waging such armed conflicts, instruction for occupying forces, rules on the protection of certain kinds of property, such as cultural property and the natural environment, and rules regarding implementation, enforcement and accountability. Research into international humanitarian law indicates that the rules are, for the most part, followed and that States and non-State actors alike are keenly aware of their obligations under IHL.

Sadly, when the rules are broken or ignored, they often result in brutal and inhumane outcomes, as we have seen in recent years in Guantanamo Bay and Abu Ghraib, in the ISIS held territories of Syria and Iraq, in the genocide of Rwanda and the ethnic cleansing of the Former Yugoslavia. The laws governing conduct in

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1 The terms IHL, the law of armed conflict and international humanitarian law will be used interchangeably throughout this text.


3 E.g., the US Central Intelligence Agency (CIA) systematically tortured detainees under their control during their operations against al-Qaeda and Taliban forces; former US Vice President Dick Cheney has repeatedly stated that such conduct was acceptable, and that he was unconcerned that innocent persons may have been subject to torture (see Daniel Politi, “Dick Cheney on CIA Torture: I’d Do It Again in a Minute”, Slate, 14 December 2014, www.slate.com/blogs/the_slates/2014/12/14/dick_cheney_on_cia_torture_i_d_do_it_again_in_a_minute.html).


5 See, e.g., the lengths that US administrations have gone to in order to justify their activities as being in compliance with international law – for instance, President Barack Obama has repeatedly stated that the policy of targeted killings is lawful under IHL. (See remarks by the President at the National Defense University, 23 May 2013, www.whitehouse.gov/the-press-office/2013/05/23/remarks-president-national-defense-university.)
armed conflicts were designed to try and mitigate some of the horrors of warfare. It is unsurprising then that when those rules are violated, horrible outcomes eventuate. However, part of the process of ensuring that those violations are addressed, and that people are held accountable for such outcomes in some way, is to educate society about the laws of armed conflict, to ensure that people are aware that there are rules that govern conduct in armed conflicts, and that when violations of the rules are brought to light, some public accounting for such acts takes place. This book is a part of that process, and contributes to the process of disseminating the law of armed conflict, and bringing knowledge about its content to society at large. This book looks at this complex and dynamic part of international law, outlining the relevant law, the historical context in which the law developed and emerged, and looks at future challenges to the law.

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<td>DPH</td>
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<td>Fleck (ed.)</td>
<td>Dieter Fleck (ed.), <em>The Handbook of Humanitarian Law in Armed Conflicts</em>, 3rd edn (Oxford University Press, 2013)</td>
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<td>HLR</td>
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<td>Harv Nat Sec J</td>
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<td>International Armed Conflict</td>
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<td>International Criminal Tribunal for Rwanda</td>
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<td>ICTY</td>
<td>International Criminal Tribunal for the Former Yugoslavia</td>
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<td>International Security Assistance Force (in Afghanistan)</td>
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<td><em>Journal of International Criminal Justice</em></td>
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<td>Lieber Code</td>
<td>Instructions for the Government of Armies of the United States in the Field, Prepared By Francis Lieber, Promulgated as General Orders No. 100 by President Lincoln, 24 April 1863</td>
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<td>LJIL</td>
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<td>LNTS</td>
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<td>Law of International Armed Conflict</td>
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<td>Recueil des Cours de l’Academie de Droit International (“Hague Recueil”)</td>
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