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HUMAN RIGHTS IN ARMED CONFLICT

It is now widely accepted that international human rights law applies in situations of armed conflict alongside international humanitarian law, but the contours and consequences of this development remain unclear. This book revisits, organizes and contextualizes the debate on human rights in armed conflict and explores the legal challenges, operational consequences and policy implications of resorting to human rights in situations of inter- and intra-state violence. It presents the benefits and the drawbacks of using international human rights law alongside humanitarian law and discusses how the idea, law and policy of human rights influence the development of the law of armed conflict. Based on legal theory, policy analysis, state practice and the work of human rights bodies it suggests a human rights-oriented reading of the law of armed conflict as feasible and necessary in response to the changing character of war.

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Vienna Convention on the Law of Treaties, 23 May 1969, 1155 UNTS 331

ABBREVIATIONS

ACHPR	African Charter on Human and Peoples’ Rights
ACHR	American Convention on Human Rights
AP I	Protocol Additional to the Geneva Conventions of 12 August 1949 and relating to the protection of victims of international armed conflicts
AP II	Protocol Additional to the Geneva Conventions of 12 August 1949 and relating to the protection of victims of non-international armed conflicts
CAT	Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment
CED	Convention for the Protection of All Persons from Enforced Disappearance
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CERD	International Convention on the Elimination of All Forms of Racial Discrimination
CIA	Central Intelligence Agency
CMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CPA	Coalition Provisional Authority
CPN(M)	Communist Party of Nepal (Maoists)
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
DRC	Democratic Republic of the Congo
ECHR	European Convention on Human Rights and Fundamental Freedoms
ECOSOC	Economic and Social Council
FARC	Fuerzas Armadas Revolucionarias de Colombia
FMLN	Frente Farabundo Martí para la Liberación Nacional
GC I	Geneva Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (1949)
GC II	Geneva Convention (II) for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked Members of the Armed Forces at Sea (1949)
GC III	Geneva Convention (III) Relative to the Treatment of Prisoners of War (1949)
GC IV	Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War (1949)

HRC	Human Rights Council
HRDDP	Human Rights Due Diligence Policy
ICC	International Criminal Court
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICJ	International Court of Justice
ICRC	International Committee of the Red Cross
ICTY	International Criminal Tribunal for the Former Yugoslavia
ILC	International Law Commission
IRA	Irish Republican Army
LTTE	Liberation Tigers of Tamil Eelam
NGO	non-governmental organization
OAS	Organization of American States
OHCHR	Office of the High Commissioner for Human Rights
OP	Optional Protocol
PKK	Partiya Karkerên Kurdistan / Kurdistan Workers' Party
PMC	private military company
RoE	Rules of Engagement
SCSL	Special Court for Sierra Leone
UDHR	Universal Declaration of Human Rights
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNHCHR	United Nations High Commissioner for Human Rights
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UPR	Universal Periodic Review
VCLT	Vienna Convention on the Law of Treaties
VDPA	Vienna Declaration and Programme of Action