

Index

- Acquisition: in war economies, 5, 10, 15, 23, 34, 42, 44, 46, 51, 53, 70, 86, 100, 119, 122, 204, 216, 264
- Angola, xviii, 69, 87, 89, 98–9, 104
- Antiquities, as conflict commodities, 2, 89, 179
- Appropriation, 12, 15, 18, 23, 27, 29–30
 - colonialism: 52–3, 60, 62, 92
- Armed Activities, ICJ case (1996)*, 58, 63, 65, 131, 297
- Arms trade, 5, 20, 51, 97, 113–14, 117, 119, 127–9, 132, 274, 277, 283
- Arms Trade Treaty (ATT), xvii, 122–3, 127–8, 130–1, 282–3
- Asset freezes, 71, 88, 91, 94, 276
- Blockades, 2, 9, 37, 39–41, 84–5, 87, 115–16, 128
 - as modern seige, 197
- Bribery, 18–19, 80, 82, 97, 110, 264, 284
- Capital and capitalism, 2, 5, 8, 12, 30–2, 46, 60–2, 171, 224, 230, 249, 278, 282
- Coercion, in war economies, 4–5, 8, 12, 22, 30, 33, 112, 137–8, 140–1, 143, 146, 157, 179–83, 185, 187, 189, 193–5, 203–4, 207, 216–17, 220, 223, 225–7, 229, 236, 244, 276–7, 279–80
- Colonialism, 1, 18, 31, 34, 41–6, 52, 177, 274
- Commodities, xiv, 13, 80, 82, 96–8, 100–2, 110, 112, 220, 243, 246, 264, 274, 281
- Companies, 1, 6, 12, 16, 22, 28, 32, 34, 44, 48–50, 50–60, 62, 64, 73, 75–7, 83, 99, 102, 108–9, 111, 133–4, 150–4, 201–2, 237–8, 246, 250, 253–6, 259, 265–6, 268, 270, 272, 275–6, 281–2, 284–5
- Complex, military-industrial, 2, 6, 119
- Complicity, 58, 232–4, 253, 256, 267, 270, 272, 299
- Conflict minerals, 13, 16, 22, 70, 73, 101, 107, 275–6, 284
- Conflict zones, 75
- Congo, Democratic Republic of, xvii–xviii, 2, 8, 45, 48–9, 54, 63, 65–7, 69, 100, 135, 141, 191, 268, 297, 299–301, 303
- conquest, 25, 27, 29–30, 42, 46, 51, 168, 177
- Contraband, of war, 36–41, 53, 112, 115, 128, 178, 243, 277
- Contract, 46, 72–3, 236, 259
- Corporations, 22, 73, 149, 246–50, 253, 274
- Corruption, 45, 82, 120, 264
- Court of Justice of the European Union (CJEU), 63
- Declaration of Paris, 38
- Decolonization, 52, 80, 155, 282
- Democratic Republic of Congo, xvii, 100, 304
- Designation, under sanctions, 91–2, 101, 262, 282
- Diamonds, as conflict commodities, xiv, 2, 59, 64–5, 68, 72, 96–9, 102, 104, 110, 171, 198–200, 224–6, 230, 235, 248
- Discrimination, the principle of, 53, 81–2, 86, 110, 120, 128–9, 132, 153, 283
- Due diligence, xv, 22, 59, 70, 76, 82, 100–2, 107–10, 112, 133, 151–3, 265, 275–6, 278, 284–5
- Economic activity, connected to warfighting, xiii, 1–4, 8, 10–16, 19–22, 27, 46–7, 50, 53, 59–61, 65, 71, 80–2, 92, 103, 112, 132, 163, 167, 176–7, 191, 195, 203, 226, 246–7, 260, 274, 278–9, 282–3

- Economic warfare, 3, 9, 34, 36–8, 41, 84–5, 92, 101, 115, 119, 132, 182, 274, 277, 282–3
- Elite networks, 48
- Embargoes, 9, 55, 72, 84, 91, 97, 121–3, 125–6, 277
- Enslavement, 16, 23, 58, 141–2, 172–4, 176–7, 195, 199, 207, 211–12, 214–16, 218–19, 221, 225–8, 230, 234–5, 237, 240–1, 244–5, 248, 259, 271, 277–82
- Exceptional circumstances, doctrine of, 44
- Experts, Panel of Group of, 48, 50, 66, 88, 100, 102, 104–5, 107, 126, 289, 291, 299
- Exploitation, 3, 5, 12, 15, 18–19, 21, 23, 42, 44–7, 52, 54, 59–67, 69–71, 81–2, 90, 101, 104, 106, 112, 124, 130, 148, 153, 163, 176–7, 185, 198, 206–8, 210, 214, 216–17, 220, 223–4, 226–8, 230–2, 236, 239, 244–5, 247–8, 278–80, 286
- Extortion, 6, 19, 179, 188, 204, 278
- Fighters, xiii, 1–2, 6, 11, 13, 22, 27, 55, 80, 83–4, 121, 134–5, 140, 145, 155–8, 186, 191, 193, 195, 197, 206, 225, 227, 230, 246, 270, 276, 280, 286
- Financing of conflict, 4, 12, 19, 27, 45, 56–7, 68, 71, 93, 95, 97, 101, 103, 108–9, 111, 124–5, 156, 166, 170, 177, 200, 204, 230, 235, 261, 264, 274
- Flows, illicit financial flows, 2, 9, 12, 15, 54, 80, 82, 84, 97–8, 100–3, 108, 110, 120–1, 123, 125–7, 155, 157–8, 196, 204, 246, 278, 280, 284–5
- Forced labour, 12, 23, 32, 53–4, 60, 68, 80, 134, 141–4, 146, 148, 153, 172, 175–8, 198, 202, 204, 206–8, 210, 213–14, 216–21, 223–4, 226–41, 244, 247, 259, 271, 277, 279, 282 (see also slavery, enslavement)
- Fraud, 18–19, 67, 189, 264
- Gathii, James T., 17–18, 30, 43–5, 52, 149, 289
- General Assembly, UN, 16, 60–1, 65, 68, 114, 117, 119, 176, 208, 292, 296, 300
- Global administrative law, 17, 276
- Gold, as a conflict commodity, 2, 40, 96–7, 107, 171, 249, 263
- Grotius, 25, 29–30, 43, 289
- Guiding Principles on Business and Human Rights (UNGPs), xviii, 73–4, 78, 253, 284, 296–7
- Hague Regulations, 32, 54, 61, 64, 142, 168–71, 174–5, 177, 181–2, 186, 209–10, 212, 231, 233, 243, 245, 289, 294
- Households, 10–11, 112, 278
- Human rights, 49, 51–3, 59–60, 63, 68, 70–1, 73–5, 78–82, 89–91, 102, 106–12, 117, 123–4, 128–33, 136, 141, 150–5, 215, 249, 253–4, 259, 262–3, 276, 278, 282–6
- in war economies, 291
- OECD Guidelines, 48–9, 107, 285
- in UN Charter, xiv
- and natural resource exploitation, xv
- business responsibility to respect, 3
- in UN sanctions regimes, 12
- in commodity chain regulation, 16
- in the arms trade, 22
- in regulating private security, 24
- in corporate crimes, 48
- International Criminal Court (ICC), xvii, 16, 19–20, 53–4, 82, 142–4, 146, 148, 171, 175, 180, 182, 184–5, 188–94, 196–7, 200, 203, 211–12, 230, 235, 244–5, 248, 252, 255, 279, 283, 290, 295, 297, 300, 304–5
- International Court of Justice (ICJ), xvii, 56, 58, 69, 81–2, 129, 131, 253, 285, 297, 300
- International Criminal Tribunal for Rwanda (ICTR), xviii, 144, 190, 211–12, 250, 270
- International Criminal Tribunal for the Former Yugoslavia (ICTY), xviii, 56, 185, 188, 190, 195–6, 198, 200, 211–12, 215, 218, 220, 222, 228, 234, 244–5, 298
- International Military Tribunal (IMT), xviii, 171, 175, 201, 214, 221–4, 227–8, 231–2, 236–8, 242, 250, 298
- Insurgents, 6, 144
- International Commission of the Great Lakes (ICGLR), xvii, 69–70, 101, 107, 296, 301
- International Covenant on Civil and Political Rights, 52
- International crimes, xv, 3, 16, 19, 23, 80, 207, 248–9, 251–2, 254–6, 259, 262, 267–8, 272, 281, 284–5
- International Labour Organisation (ILO), xviii, 54, 151, 176, 207–8, 297
- Investigation, xv, 50, 66, 110, 127, 246, 248–9, 252, 261–3, 268, 283, 285, 302
- Iraq, 7–9, 83, 86–7, 89, 95–6, 117, 125–7, 134, 157, 179, 256–7, 259, 266, 269, 293, 299, 304

- Irregular warfare, 7–8, 15–16, 20, 23–4, 88, 90, 104, 131, 138, 147, 155, 177, 180, 189, 196, 204, 206, 215, 245, 247, 256, 279
- Israel, 2, 60–1, 86, 268, 301–2
- Kidnapping, 28, 95, 97
- Kimberly Process Certification System, xiv, xviii, 68, 99, 110
- Labour and property, necessary for war, 4, 12, 23, 111, 163, 176, 279
- League of Nations, 52, 113–14, 119, 296
- Legal uncertainty, 20–1
- Legality, 13, 19, 21, 42, 50, 62, 66–7, 204, 273
- Liabilities, xv, 23, 51, 60, 75, 79–80, 82, 153, 163, 172, 175, 179, 188–9, 196–7, 227, 236, 245, 247, 250–2, 256, 259, 274, 278–9, 283, 285
- Lieber code, 32
- London conference, 40
- Looting, 60, 63–5, 67, 83, 96, 166, 179, 185, 187, 190, 193–4, 196, 198, 204, 280–1
- Marque. lettes of, 29, 33–4
- Mercantilism, 282–3, 286
- Mercenaries, 1–2, 7, 32, 35, 41, 45–6, 53–4, 99, 126, 149, 155, 157–8, 166, 191
- Militarization, 12, 23, 175–7, 196, 204, 214, 223, 243, 245, 276, 278–9
- Mobilization, 4–6, 23, 31, 35–6, 52–3, 84, 96, 134, 143–4, 149, 155, 158, 164, 209, 231, 245, 276
- Money laundering, 14–15, 18, 77, 80, 94, 101, 110, 250, 258, 263, 265, 281, 284
- Myanmar, 1, 8, 264
- National security, 6, 15, 51–3, 274, 277
- Naylor, R.T., 8, 10, 12, 36, 85, 87, 291
- Neutrality, of commerce, 36–8, 40, 46, 53, 165, 177
- Nicaragua, ICJ case*, 56
- Non-state actors, 7, 17, 20, 32, 46, 51, 88, 91, 99, 102, 110, 125, 131, 144, 155, 196, 227, 247, 275, 278
- Norms and economic activity in war, xiii–xiv, 3, 7, 9, 14, 16, 18–19, 22, 29, 32–3, 37, 46–7, 50–1, 53–5, 60, 62–3, 65–7, 69, 71, 74, 80–1, 91–2, 110–12, 120, 123, 128–9, 131–2, 163, 166, 172, 177, 184, 191, 203, 207, 213, 249, 252, 271–3, 276, 278–9, 283, 286
- OECD Guidelines, 48–9, 107, 285
- Oil, as a conflict commodity, 1–2, 90, 95, 97, 150, 179, 189, 225–6, 267, 273–4, 302, 304–5
- Palestine, xviii, 1, 9, 60, 134, 258, 274
- Peace movement, xiv, xvi, 2–3, 14–16, 22, 24, 28, 30–1, 34, 36, 38, 43, 49, 52, 54, 68, 84–6, 88, 91–3, 104–5, 110, 112–13, 115–19, 121, 125–6, 128, 130–2, 134–41, 158, 164–5, 169–70, 275–7, 285–6
- Peace operations, 121, 137, 158, 285
- Permanent sovereignty over natural resources, 50–2, 60–2, 64, 67, 69–71, 80–1, 273, 277
- Permissiveness of International Law, 51–2
- Perpetrators, 13, 76, 82, 141, 192, 194, 197, 201, 220, 223, 249, 251, 256, 259, 267–8, 270, 279, 281
- Pillage, 3, 12, 16, 18, 23, 28, 32, 40, 47–8, 50, 52–3, 58, 60, 62, 65, 80, 166–8, 170, 178–9, 181, 183, 185–93, 195–6, 198–9, 201, 203–4, 230, 232, 236, 247–8, 257, 259, 263, 271, 273, 277–9, 281
- Pirates, 18, 32–5, 38, 41, 46, 149
- Plunder, 2–3, 23, 27–9, 32, 34–6, 41, 46, 65, 185, 188, 195, 221, 231
 - loot, 28, 35, 166, 193, 204, 218
 - spoils, 2, 28, 34, 46
 - spoliation, 27
- Power, xiv, 3, 5–6, 14, 19, 30–2, 43, 54–5, 67, 81, 85, 134, 140–5, 164, 166, 170, 173, 177, 181–2, 185, 187, 212–18, 224, 229–30, 274
- Precariousness, principle of, 60, 169, 191
- Predation, 12–13, 18, 22–3, 32–3, 36, 41–2, 46, 50, 52, 99, 179, 193, 196, 204, 274, 277–9, 283, 286
- Privateers, 2, 32, 34–5, 41, 99
- Prize taking, 25, 29, 33–4, 37
- Programme of Action on small arms transfers, xiv, xviii, 120–1, 300
- Proxies
 - Control and attribution of, 59
 - Rape, in wartime, 91, 168, 192, 194, 212, 216, 267
- Recruitment, 5, 16, 23, 83, 92, 96, 111, 142–3, 145–7, 151, 157, 173, 195, 208, 230, 235, 245, 261, 276–7, 280, 282
- Reprisal, 29–31, 33–4, 37, 166
- Resources, 1, 4–7, 9, 11, 20, 30, 42, 50–2, 55, 60–7, 69–71, 80–3, 85, 94–5, 100–1, 104–6,

- 111, 113, 124, 158, 171, 174, 181, 198, 201, 223, 231, 247–8, 250, 274, 277, 283
- Rome Statute, International Criminal Court, xiv, 53–4, 142, 145, 147–8, 171, 180, 207, 211–12, 215, 230, 235, 245, 252–3, 255–6, 287, 295
- Ruggie, Professor John, xv–xvi, 73–5, 249, 252–4, 292–3, 301
- Sanctions, xiv–xv, 9, 15, 22–3, 48–9, 54, 59, 66, 71–2, 81–8, 91, 93–104, 107–8, 110–12, 125–7, 152, 155, 158, 214, 256, 261, 264–6, 270, 273–6, 278, 282–4, 295, 304–5
- SCSL, xviii, 58, 141–2, 146–7, 185, 188, 190, 193–6, 198–9, 201, 211, 221, 223, 228, 230, 234, 244, 297, 304
- Security Council, United Nations, xiv, 3, 6, 9, 14–16, 48–9, 51, 54–5, 58–9, 61–2, 65, 68–9, 71–2, 82–6, 88, 91–2, 94, 98–9, 101–4, 106–8, 111, 113, 121, 124–6, 132, 135–41, 152, 155, 157, 261, 273, 276, 282, 284, 288–9, 297, 299–300, 302, 304–5
- Self-determination, 52–3, 60, 62, 81, 286
- Sexual exploitation, 12, 208, 244
- Siege, 9, 29, 41, 86
- Sierra Leone, xvii–xviii, 58–9, 65, 69, 72, 88–9, 98–9, 102, 104–6, 141–2, 146–7, 170, 179, 193–4, 197–200, 203, 206, 211, 222, 224, 230, 248, 280–1, 292, 295, 297, 300–1
- slave trade, 18, 37–8, 53–4, 178, 210, 221
- slavery, 3, 12, 30, 37–8, 43, 50, 53–4, 60, 83, 144, 153, 171–3, 176, 178, 183, 206–8, 210–14, 216–20, 222–3, 226–9, 231, 234, 237, 240, 244–5, 259, 264, 279, 286 (see also forced labour, enslavement)
- social contract, 30, 44
- State duties, 23, 55, 73, 81–2
- Supply chains, 13, 100, 112, 133, 151, 220, 276
- Syria, 1, 8, 10, 55, 83, 95–6, 125–6, 134–5, 157, 179, 206, 258, 261, 269, 273–4, 293, 303–4
- Tadic*, ICTY, 56, 59, 298
- Taxation, 6, 108, 179, 188, 204, 280
- Terrorism, 7, 16, 20, 89, 93, 95, 119, 123–4, 127, 130, 144, 155–8, 183, 194–5, 258, 260, 262, 272
- Theory of attribution, for business, 74
- Tilly, Charles, 5, 7, 10, 293
- Timber, as conflict commodity, 2, 11, 69, 97–9, 179, 266, 268, 270, 301, 303
- Torture, 108, 153, 215, 217–18, 220, 259, 262, 267, 269, 271, 281, 289, 304
- Trafficking, 6, 13, 19–20, 54, 83, 101, 117, 122–4, 153, 197, 208, 212–13, 216, 264, 278, 285
- Treaty law, 2, 15, 17, 22, 28, 32, 38, 46, 52–3, 113, 120, 125, 127, 166, 245, 261, 275, 293
- Tribunals, 16, 22–3, 79, 141, 144, 158, 171, 180, 185, 190, 201, 203–4, 207, 211, 214, 221–3, 226, 228, 233, 238, 242, 244, 248, 250, 252, 255, 271, 279–80, 284
- Turkey, 1, 83
- Uganda, 58, 63–5, 69, 297
- Ukraine, 1, 60, 116, 274
- United Nations Guiding Principles on Business and Human Rights (UNGPs), xviii, 73–6, 78–9, 102, 107–10, 112, 151, 153, 253
- Value chains, xiii, 3, 13, 15, 22, 50, 60, 71–2, 78, 80, 82, 101, 110–12, 276, 284
- Vigilance, duty of, 58, 63, 100, 131, 283
- Violence, nexus with economic activity, 3, 6–7, 10, 12, 14–15, 20–2, 29, 32–3, 35, 41, 43–4, 46, 75, 90–1, 108, 111–12, 123, 125, 137–8, 140–2, 153, 156, 164–5, 167, 179, 182–3, 185, 187, 189, 193–5, 204, 206–7, 216–17, 222–7, 229, 236, 244, 265, 275
- as social practice, xiii, 1–2
- in war economies, 291
- evolution in forms, 291
- norms governing in war, 279
- War zone, xiii, 6, 8, 10–11, 13, 15, 19, 22–3, 41, 49–50, 80–1, 92, 148, 197, 204, 226–7, 275, 278–9
- Weapons (including guns, small arms), xiii, 1, 4–6, 12–13, 16, 22–3, 27, 40, 55, 80, 86, 91, 97, 111, 114, 116–21, 123–32, 135, 138, 140, 153, 158, 167, 169, 177, 200, 204, 225–6, 235, 244, 256–7, 261, 263, 269–70, 277, 284–5
- Western Sahara, 1–2, 60, 62–3, 274, 302
- World Trade Organisation (WTO), xviii, 52
- Yemen, 1, 55, 88, 134
- Yugoslavia, xviii, 15, 56, 86–9, 91, 125, 141, 155, 179, 196, 201, 203, 206, 211, 215, 280, 292, 295