

# IHL for Academics

Marine Centre, National Defence University of Malaysia  
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## Reading List

The materials highlighted in **red** should be read or explored (where it is a large website) in advance.

### 1. Introduction to International Humanitarian Law

#### 1.1. ICRC website: War and Law

<https://www.icrc.org/en/war-and-law>

#### 1.2. International Humanitarian Law and the Law of Armed Conflict - Lesson 1 (Antoine Bouvier, 2012)

[http://cdn.peaceopstraining.org/course\\_promos/international\\_humanitarian\\_law/international\\_humanitarian\\_law\\_english.pdf](http://cdn.peaceopstraining.org/course_promos/international_humanitarian_law/international_humanitarian_law_english.pdf)

### 2. The respective role and mandate of the components of the International RC/RC Movement

#### 2.1. From Solferino to the Birth of Contemporary International Humanitarian Law (François Bugnion, 2009)

<http://www.icrc.org/eng/assets/files/other/solferino-bugnion-icrc.pdf>

#### 2.2. The ICRC: Its Mission and Work (ICRC 2009)

[http://www.icrc.org/eng/assets/files/other/icrc\\_002\\_0963.pdf](http://www.icrc.org/eng/assets/files/other/icrc_002_0963.pdf)

#### 2.3. International Humanitarian Law and the challenges of contemporary armed conflicts (ICRC 2015)

<https://www.icrc.org/en/document/international-humanitarian-law-and-challengescontemporary-armed-conflicts>

### 3. Qualification of conflicts and applicable law

#### 3.1. Typology of armed conflicts in international humanitarian law: legal concepts and actual situations (Sylvain Vité, 2009)

<https://www.icrc.org/eng/assets/files/other/irrc-873-vite.pdf>

#### 3.2. The protective scope of Common Article 3: more than meets the eye (Jelena Pejic, 2011)

<https://www.icrc.org/spa/assets/files/review/2011/irrc-881-pejic.pdf>

#### 3.3. The Interplay between International Humanitarian Law and International Human Rights Law in Situations of Armed Conflict (Cordula Droege, 2007)

<https://www.icrc.org/eng/assets/files/other/interplay-article-droege.pdf>

#### **4. Basic principles on the conduct of hostilities and status of combatants/civilians**

4.1. Interpretive guidance on the notion of direct participation in hostilities under international

humanitarian law (Nils Melzer, 2008)

<https://www.icrc.org/eng/assets/files/other/icrc-002-0990.pdf>

4.2. The Legal Regime Applicable to Targeting Military Objectives in the Context of Contemporary Warfare (Alexandra Boivin, 2006) [http://www.geneva-academy.ch/docs/publications/collection-researchprojects/CTR\\_objectif\\_militaire.pdf](http://www.geneva-academy.ch/docs/publications/collection-researchprojects/CTR_objectif_militaire.pdf)

#### **5. The protection of persons deprived of their liberty**

5.1 “The Detention of Civilians in Armed Conflict” (Ryan Goodman, 2009)

<http://www.asil.org/ajil/January2009selectedpiece.pdf>

5.2 Detention in Non-International Armed Conflicts (Knut Doermann, 2012)

<http://digital-commons.usnwc.edu/cgi/viewcontent.cgi?article=1067&context=ils>

5.3 “Procedural principles and safeguards for internment/administrative detention in armed conflict and other situations of violence” (Jelena Pejic, 2011)

[http://www.icrc.org/eng/assets/files/other/icrc\\_002\\_0892.pdf](http://www.icrc.org/eng/assets/files/other/icrc_002_0892.pdf)

5.4 “Protection of detainees: ICRC action behind bars” (Alain Aeschlimann, 2005)

[http://www.icrc.org/eng/assets/files/other/irrc\\_857\\_aeschlimann.pdf](http://www.icrc.org/eng/assets/files/other/irrc_857_aeschlimann.pdf)

#### **6. Law enforcement operations**

6.1. Violence and the use of force (ICRC, 2011)

[http://www.icrc.org/eng/assets/files/other/icrc\\_002\\_0943.pdf](http://www.icrc.org/eng/assets/files/other/icrc_002_0943.pdf)

6.2 Basic Principles on the use of Force and Firearms by Law Enforcement Officials

<https://www.ohchr.org/Documents/ProfessionalInterest/firearms.pdf>

6.3 Code of Conduct for Law Enforcement Officials

<https://www.ohchr.org/en/professionalinterest/pages/lawenforcementofficials.aspx>

#### **7. Nuclear weapons**

7.1. E-briefing: A price too high: Rethinking nuclear weapons

<http://e-brief.icrc.org/issue/nuclear-weapons-the-human-cost/>

7.2. International Review of the Red Cross: The Human Cost of Nuclear Weapons 2015 edition

<https://www.icrc.org/en/international-review/human-cost-nuclear-weapons>

#### **8. Individual responsibility for serious violations of IHL**

8.1. The Development of the Grave Breaches Regime and of Individual Criminal Responsibility by the International Criminal Tribunal for the Former Yugoslavia (Nathalie Wagner, 2003)

[http://www.icrc.org/eng/assets/files/other/irrc\\_850\\_wagner.pdf](http://www.icrc.org/eng/assets/files/other/irrc_850_wagner.pdf)

8.2. Jurisdiction of the International Criminal Court (Johan D. van der Vyver, 2012)

[http://law.case.edu/war-crimes-research-portal/instant\\_analysis.asp?id=5](http://law.case.edu/war-crimes-research-portal/instant_analysis.asp?id=5)

8.3. Analysis of the punishments applicable to international crimes (war crimes, crimes against humanity and genocide) in domestic law and practice (ICRC, 2008)

[http://www.icrc.org/eng/assets/files/other/irrc-870\\_reports-and-documents.pdf](http://www.icrc.org/eng/assets/files/other/irrc-870_reports-and-documents.pdf)

## **9. Ensuring respect for international humanitarian law**

9.1. Strengthening compliance with IHL: The ICRC-Swiss initiative (Jelena Pejic, 2017)

[https://www.icrc.org/en/international-review/article/strengthening-compliance-ihl-](https://www.icrc.org/en/international-review/article/strengthening-compliance-ihl-icrcswiss-initiative)

[icrcswiss-initiative](https://www.icrc.org/en/international-review/article/strengthening-compliance-ihl-icrcswiss-initiative)

9.2. Various mechanisms and approaches for implementing international humanitarian law and protecting and assisting war victims (Toni Pfanner, 2009)

<http://www.icrc.org/eng/assets/files/other/irrc-874-pfanner.pdf>

## **10. Refugees and IDPs in Armed Conflict**

10.1 Internal Displacement in Armed Conflict – Facing up to the Challenges (2009)

[https://www.icrc.org/eng/assets/files/other/icrc\\_002\\_4014.pdf](https://www.icrc.org/eng/assets/files/other/icrc_002_4014.pdf)

## **11. IHL and Human Rights**

11.1 International Review of the Red Cross Volume 90 Number 871 September 2008 (Marco Sassoli and Laura M. Olson)

<https://www.icrc.org/eng/assets/files/other/irrc-871-sassoli-olsen.pdf>

## **12. IHL in Multinational Operations**

12.1 International Review of the Red Cross Volume: The applicability and application of IHL to multinational forces, 2013 (Dr. Tristan Ferraro)

<https://www.icrc.org/eng/assets/files/review/2013/irrc-891-892-ferraro.pdf>

## **13. War and Security at Sea**

13.1 International Review of the Red Cross Volume 98 No. 902 August 2016

<https://www.icrc.org/en/download/file/56186/irc902.pdf>

13.2 The International Review of the Red Cross launch No. 902 (Full content)

<https://www.icrc.org/en/international-review/war-and-security-sea>

## **14. New Technologies, IHL and the Future of Warfare**

14.1 International Review of the Red Cross Volume 94 Number 886, 2012: New technologies and warfare

<https://www.icrc.org/eng/resources/international-review/review-886-new-technologies-warfare/review-886-all.pdf>

14.2 International Review of the Red Cross 2015, Opinion Note. Technological Change and the evolution of the law of war (Dr. Rain Liivoja)

[https://www.icrc.org/en/download/file/30314/irc\\_97\\_900-10.pdf](https://www.icrc.org/en/download/file/30314/irc_97_900-10.pdf)

14.3 Explore more: New technologies and IHL <https://www.icrc.org/en/war-and-law/weapons/ihl-and-new-technologies>

## 15. Criminal Repression of Violations 15.1

Criminal Repression: ICRC Casebook

<https://casebook.icrc.org/law/criminal-repression>

15.2 information kit: Legal Factsheet

<https://www.icrc.org/en/document/criminal-repression-serious-ihl-violations-information-kit>

15.3 Rome Statue of the International Criminal Court [https://www.icc-](https://www.icc-cpi.int/nr/rdonlyres/add16852-ae9-4757-abe7-9cdc7cf02886/283503/romestatuteng1.pdf)

[cpi.int/nr/rdonlyres/add16852-ae9-4757-abe7-9cdc7cf02886/283503/romestatuteng1.pdf](https://www.icc-cpi.int/nr/rdonlyres/add16852-ae9-4757-abe7-9cdc7cf02886/283503/romestatuteng1.pdf)

## 16. Basic documents

16.1 International Review of the Red Cross

<https://www.icrc.org/en/international-review>

16.2 IHL Treaties

<https://ihl-databases.icrc.org/ihl>

16.3 Customary international law

<https://ihl-databases.icrc.org/customary-ihl/>

16.4 Domestic implementation of IHL

<https://ihl-databases.icrc.org/applic/ihl/ihl-nat.nsf>

16.5 Commentaries to GCI <https://ihl-databases.icrc.org/ihl/full/GCI-commentary> 10.6.

Commentaries to GCII

<https://ihl-databases.icrc.org/ihl/full/GCII-commentary>

## 17. ICRC Online Tools and Resources on IHL

17.1 IHL casebook: How Does Law Protect in War?

<https://casebook.icrc.org/>

17.2 IHL textbook: International Humanitarian Law: A Comprehensive Introduction

<https://shop.icrc.org/international-humanitarian-law-a-comprehensive-introduction-2754.html>

17.3 The-learning course: The Basic Rules and Principles of IHL

<https://www.icrc.org/en/online-training-centre>