

International Humanitarian Law Series

Listening to the Silences: Women and War

Edited by
Helen Durham and Tracey Gurd



Martinus Nijhoff Publishers

Listening To The Silences Women And War International Humanitarian Law

Lingjun Ying



Listening To The Silences Women And War International Humanitarian Law:

Listening to the Silences Helen Durham, Tracey Gurd, 2005 Demonstrates that women are taking on increasingly less traditional roles during war and that these roles are multifaceted complicated and sometimes contradictory Reveals that women s requirements during times of war will continue to be inadequate so long as we continue silencing the differing perspectives Australian editors *Listening to the Silences: Women and War* Helen Durham, Tracey Gurd, 2005-06-01 Challenging the perception that women are exclusively the victims the caregivers or the passive supporters of men in times of armed conflict *Listening to the Silences Women and War* exposes the reader to a diversity of women s voices These voices both personal and academic demonstrate that women are increasingly taking on less traditional roles during war and that these roles are multifaceted complicated and sometimes contradictory The experiences of a judge forensic anthropologist survivor of sexual slavery soldier activist journalist humanitarian worker and others provide the reader with the opportunity to consider the depth of women s involvement in armed conflict Their voices highlight the fact that the international community at large has historically failed to listen to women even as they have tried to tell their own individual tales of horror heroism courage devastation betrayal violence and integrity during armed conflict Concurrently the book examines in detail the legal infrastructure in this area including debates on the adequacy of international law developments in jurisprudence and the implementation of international resolutions This book reveals that responses to women s requirements during times of war will continue to be inadequate so long as we persist in silencing these differing perspectives and fail to take account of women s dynamic and changing needs during war *Listening to the Silences Women and War* is a collection of women s voices each of which makes a unique contribution to a topic that is gathering international momentum and interest The perspectives of these women greatly enhance our understanding of the gendered dimensions of armed conflict they help to move the discourse beyond silence and towards inclusion greater understanding and peace [The Handbook of International Humanitarian Law](#) Dieter Fleck, 2008-01-24 This fully updated second edition the work previously known as *The Handbook of Humanitarian Law in Armed Conflicts* sets out an international manual of humanitarian law in armed conflicts accompanied by case analysis and extensive explanatory commentary by a team of distinguished and internationally renowned experts Topics examined include the historical development legal basis and scope of application of international humanitarian law methods and means of combat protection of the civilian population and of the wounded sick or shipwrecked and of prisoners of war the protection of cultural property the law of neutrality and the enforcement of international humanitarian law This edition also incorporates new chapters covering the law of non international armed conflicts and international peace operations Highly topical issues including the role of the UN security council the relevance of International Humanitarian Law in peacetime and post conflict military operations and enforcement through trials for war crimes in national and international courts are also discussed **International Humanitarian Law and Human Rights**

Law Roberta Arnold, Noëlle N. R. Quénivet, 2008 Drawing upon previous theories on the relationship between human rights law and international humanitarian law this book examines on the basis of a series of individual case studies the new theoretical trend arguing for a merge of these two sets of norms *Reproductive Violence and International Criminal Law* Tanja Altunjan, 2021-03-13 This book deals with the phenomenon of conflict related reproductive violence and explores the international legal framework's capacity to respond to it The international discourse on gender based violence in conflicts tends to focus on sexualized crimes which leads to incomplete narratives of the gendered dimensions of armed conflicts In particular international law has often remained silent on conflict related violence affecting or aimed at the victim's reproductive system The author conceptualizes reproductive violence as a distinct manifestation of gender based violence and a violation of reproductive autonomy The analysis explores the historical approaches to reproductive violence and evaluates the current potentials of international criminal law for its prosecution as genocide crimes against humanity and war crimes In this regard it also develops proposals for a gender sensitive interpretation of the existing legal framework as well as possible amendments to it The book is aimed at researchers and practitioners in the fields of international criminal justice and international human rights law with an interest in gender perspectives on international law sexualized and gender based violence and the discourse on reproductive human rights Tanja Altunjan is a former researcher at Humboldt Universität zu Berlin where she obtained her doctoral degree in criminal law

Commentary on the Third Geneva Convention, 2021-09-09 The application and interpretation of the four Geneva Conventions of 1949 and their two Additional Protocols of 1977 have developed significantly in the seventy years since the International Committee of the Red Cross ICRC first published its Commentaries on these important humanitarian treaties To promote a better understanding of and respect for this body of law the ICRC commissioned a comprehensive update of its original Commentaries of which this is the third volume The Third Convention relative to the treatment of prisoners of war and their protections takes into account developments in the law and practice in the past seven decades to provide up to date interpretations of the Convention The new Commentary has been reviewed by humanitarian law practitioners and academics from around the world This new Commentary will be an essential tool for anyone involved with international humanitarian law

Truth Without Reconciliation Abena Ampofo Asare, 2018-07-31 Abena Ampofo Asare identifies the documents testimonies and petitions gathered by Ghana's National Reconciliation Commission as a portal to an unprecedented public archive of Ghanaian political history as told by the self described survivors of human rights abuse *The 1949 Geneva Conventions* Andrew Clapham, Paola Gaeta, Marco Sassòli, 2015-10-15 The four Geneva Conventions adopted in 1949 remain the fundamental basis of contemporary international humanitarian law They protect the wounded and sick on the battlefield those wounded sick or shipwrecked at sea prisoners of war and civilians in time of war However since they were adopted warfare has changed considerably In this groundbreaking commentary over sixty international law experts investigate the application of the

Geneva Conventions and explain how they should be interpreted today It places the Conventions in the light of the developing obligations imposed by international law on states armed groups and individuals most notably through international human rights law and international criminal law The context in which the Conventions are to be applied and interpreted has changed considerably since they were first written The borderline between international and non international armed conflicts is not as clear cut as was once thought and is complicated further by the use of armed force mandated by the United Nations and the complex mixed and transnational nature of certain non international armed conflicts The influence of other developing branches of international law such as human rights law and refugee law has been considerable The development of international criminal law has breathed new life into multiple provisions of the Geneva Conventions This commentary adopts a thematic approach to provide detailed analysis of each key issue dealt with by the Conventions taking into account both judicial decisions and state practice Cross cutting chapters on issues such as transnational conflicts and the geographical scope of the Conventions also give readers a full understanding of the meaning of the Geneva Conventions in their contemporary context Prepared under the auspices of the Geneva Academy of International Humanitarian Law and Human Rights this commentary on four of the most important treaties in international law is unmissable for anyone working in or studying situations of armed conflicts

The Handbook of International Humanitarian Law Michael Bothe, 2013-08-29 The third edition of this work sets out a comprehensive and analytical manual of international humanitarian law accompanied by case analysis and extensive explanatory commentary by a team of distinguished and internationally renowned experts

Commentary on the Second Geneva Convention, 2017-12-21 The application and interpretation of the four Geneva Conventions of 1949 have developed significantly in the sixty years since the International Committee of the Red Cross ICRC first published its Commentaries on these important humanitarian treaties To promote a better understanding of and respect for this body of law the ICRC commissioned a comprehensive update of its original Commentaries of which this is the second volume Its preparation was coordinated by Jean Marie Henckaerts ICRC legal adviser and head of the project to update the Commentaries The Second Convention is a key text of international humanitarian law It contains the essential rules on the protection of the wounded sick and shipwrecked at sea those assigned to their care and the vessels used for their treatment and evacuation This article by article Commentary takes into account developments in the law and practice to provide up to date interpretations of the Convention The new Commentary has been reviewed by humanitarian law practitioners and academics from around the world including naval experts It is an essential tool for anyone working or studying within this field

The Law of Occupation Yutuka Arai, 2009-04-24 This monograph analyses the historical evolution of the laws of occupation as a special branch of international humanitarian law IHL focusing on the extent to which this body of law has been transformed by its interaction with the development of international human rights law It argues that a large part of the laws of occupation has proved to be

malleable while being able to accommodate changing demands of civilians and any other persons affected by occupation in modern context Its examinations have drawn much on archival research into the drafting documents of the instruments of IHL including the aborted Brussels Declaration 1874 the 1899 1907 Hague Regulations the 1949 Geneva Conventions and the 1977 Additional Protocol I After assessing the complementary relationship between international human rights law and the laws of occupation the book examines how to provide a coherent explanation for an emerging framework on the rights of individual persons affected by occupation It engages in a theoretical appraisal of the role of customary IHL and the Martens clause in building up such a normative framework

Routledge Handbook of the Law of Armed Conflict Rain

Liivoja,Tim McCormack,2016-04-28 The law of armed conflict is a key element of the global legal order yet it finds itself in a state of flux created by the changing nature of warfare and the influences of other branches of international law The Routledge Handbook of the Law of Armed Conflict provides a unique perspective on the field covering all the key aspects of the law as well as identifying developing and often contentious areas of interest The handbook will feature original pieces by international experts in the field including academics staff of relevant NGOs and former members of the armed forces Made up of six parts in order to offer a comprehensive overview of the field the structure of the handbook is as follows Part I Fundamentals Part II Principle of distinction Part III Means and methods of warfare Part IV Special protection regimes Part V Compliance and enforcement Part VI Some contemporary issues Throughout the book attention is paid to non international conflicts as well as international conflicts with acknowledgement of the differences The contributors also consider the relationship between the law of armed conflict and human rights law looking at how the various rules and principles of human rights law interact with specific rules and principles of international humanitarian law in particular circumstances The Routledge Handbook of the Law of Armed Conflict provides a fresh take on the contemporary laws of war and is written for advanced level students academics researchers NGOs and policy makers with an interest in the field

Born of War R.

Charli Carpenter,2007 Born of War examines the human rights of children born of wartime rape and sexual exploitation in worldwide conflict zones Detailing the impacts of armed conflict on these children s survival protection and membership rights the text suggests that these children constitute a particularly vulnerable category in conflict zones

The Oxford Handbook of the Theory of International Law Anne Orford,Florian Hoffmann,Martin Clark,2016-09-22 The Oxford Handbook of International Legal Theory provides an accessible and authoritative guide to the major thinkers concepts approaches and debates that have shaped contemporary international legal theory The Handbook features 48 original essays by leading international scholars from a wide range of traditions nationalities and perspectives reflecting the richness and diversity of this dynamic field The collection explores key questions and debates in international legal theory offers new intellectual histories for the discipline and provides fresh interpretations of significant historical figures texts and theoretical approaches It provides a much needed map of the field of international legal theory and a guide to the main themes and

debates that have driven theoretical work in international law The Handbook will be an indispensable reference work for students scholars and practitioners seeking to gain an overview of current theoretical debates about the nature function foundations and future role of international law

An Introduction to the International Law of Armed Conflicts Robert Kolb, Richard Hyde, 2008-09-17 This book provides a modern and basic introduction to a branch of international law constantly gaining in importance in international life namely international humanitarian law the law of armed conflict It is constructed in a way suitable for self study The subject matters are discussed in self contained chapters allowing each to be studied independently of the others Among the subject matters discussed are inter alia the Relationship between jus ad bellum jus in bello Historical Evolution of IHL Basic Principles and Sources of IHL Martens Clause International and Non International Armed Conflicts Material Spatial Personal and Temporal Scope of Application of IHL Special Agreements under IHL Role of the ICRC Targeting Objects Specifically Protected against Attack Prohibited Weapons Perfidy Reprisals Assistance of the Wounded and Sick Definition of Combatants Protection of Prisoners of War Protection of Civilians Occupied Territories Protective Emblems Sea Warfare Neutrality Implementation of IHL

Sexual Violence and Effective Redress for Victims in Post-Conflict Situations: Emerging Research and Opportunities Sikulibo, Jean de Dieu, 2019-01-25 All too often in situations of armed conflicts rape and other acts of sexual violence are used as military tactics The use of sexual violence as a strategy of war is distinctively destructive and not only leaves victims with significant psychological scars but also tears apart the fabric of families and affected communities Sexual Violence and Effective Redress for Victims in Post Conflict Situations Emerging Research and Opportunities is a collection of innovative research that analyzes these crimes and their implications for the needs of victims in post conflict justice processes and how these needs can be effectively addressed in order to support the affected community To conduct this analysis it explores the distinct aspects of these crimes to understand the nature and extent of the social challenges and damage facing the victim and examines the challenges and limitations of international criminal justice in dealing with a wide range of victim needs While highlighting topics including judicial accountability victims rights and criminal justice this book is ideally designed for psychologists therapists government officials academicians policymakers and researchers

Commentary on the First Geneva Convention International Committee of the Red Cross, 2016-12-15 The application and interpretation of the four Geneva Conventions of 1949 and their two Additional Protocols of 1977 have developed significantly in the sixty years since the International Committee of the Red Cross ICRC first published its Commentaries on these important humanitarian treaties To promote a better understanding of and respect for this body of law the ICRC commissioned a comprehensive update of its original Commentaries Its preparation was coordinated by Jean Marie Henckaerts ICRC legal adviser and head of the project to update the Commentaries The First Convention is a foundational text of international humanitarian law It contains the essential rules on the protection of the wounded and sick those assigned to their care and the red cross and red crescent emblems This article by article

Commentary takes into account developments in the law and practice to provide up to date interpretations of the Convention. The new Commentary has been reviewed by humanitarian law practitioners and academics from around the world. It is an essential tool for anyone working or studying within this field. Gender and Transitional Justice Susan Harris Rimmer, 2010-02-25. Gender and Transitional Justice provides the first comprehensive feminist analysis of the role of international law in formal transitional justice mechanisms. Using East Timor as a case study, it offers reflections on transitional justice administered by a UN transitional administration. Often presented as a UN success story, the author demonstrates that in spite of women and children's rights programmes of the UN and other donors, justice for women has deteriorated in post-conflict Timor and violence has remained a constant in their lives. This book provides a gendered analysis of transitional justice as a discipline. It is also one of the first studies to offer a comprehensive case study of how women engaged in the whole range of transitional mechanisms in a post-conflict state, i.e. domestic trials, internationalised trials and truth commissions. The book reveals the political dynamics in a post-conflict setting around gender and questions of justice and reframes the meanings of success and failure of international interventions in the light of them. **Defining Rape: Emerging Obligations for States Under International Law?** Maria Eriksson, 2011-10-28. The crime of rape has been prevalent in all contexts, whether committed during armed conflict or in peacetime, and has largely been characterised by a culture of impunity. International law, through its branches of international human rights law, international humanitarian law and international criminal law, has increasingly condemned such violence and is progressively obliging states to prevent rape, whether committed by a state agent or a private actor. The Right to Reparation in International Law for Victims of Armed Conflict E. Christine Evans, 2012-06-28. Christine Evans assesses the right to reparation for victims of armed conflict in international law and in national practice.

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