

## Commentaries On Arms Control Treaties The Convention On The Prohibition Of The Use Stockpiling Production And Transfer Of Anti Personnel Mines And 1 Oxford Commentaries On International Law

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.

This anthology presents the complete text of thirty-four treaties that have effectively contained the spread of nuclear, biological, and conventional weapons during the Cold War and beyond. The treaties are placed in historical context by individual commentaries from noted authorities Thomas Graham Jr. and Damien J. LaVera, which provide unique insights on each treaty's negotiation and implementation. During the 1990s, numerous arms control agreements were concluded under U.N. or U.S. leadership. In 1995, one hundred sixty-five nations agreed to indefinitely extend the Nuclear Nonproliferation Treaty. Many nations ratified important chemical and biological weapons conventions, a pact to reduce conventional forces in Europe, and agreements to limit testing of weapons of mass destruction. More recent treaties seeking to restrain small arms trafficking and ban land mines are also highlighted and analyzed. Graham concludes with lessons learned from the collective negotiation and verification history of these treaties, ongoing efforts to limit weaponry, and general observations on the status and effectiveness of these agreements. There is no comparable resource available for diplomats, international lawyers, and arms control specialists.

This is the first annual report on armed conflicts around the world, providing detailed study of each conflict which occurred in 2012, describing its classification, the applicable norms, key actors, methods of warfare, and the number of casualties. It also analyses the key legal issues that arose in the context of these armed conflicts.

This book is about the role of international law in the arms control process. It discusses the law of arms control as a special branch of international law and covers the following topics: the place of the law of arms control in the system of international law and politics, special characteristics of arms control law, the international legal framework of supervision in the law of arms control, general features of supervisory mechanisms in all multilateral arms control treaties currently in force, case studies on the CWC, IAEA safeguards system and CTBT, and enforcement of the law of arms control. As such, this study provides a comprehensive theory and model for the analysis of supervisory mechanisms in arms control treaties and offers an in-depth overview of the law of arms control as it stands in the post Cold War situation. The book will be of interest to international lawyers as well as political scientists and policy-makers.

The first monograph analysing all legal regimes applicable to the use of less-lethal weapons.

*Banning Landmines: Disarmament, Citizen Diplomacy, and Human Security* looks at accomplishments and setbacks in the crucial first decade of the 1997 Mine Ban Treaty. The first half of the book considers the implementation of the prohibitions and humanitarian assistance provisions of the treaty, as well as efforts to promote universal acceptance of the treaty among governments and non-state armed groups. The second half of this book considers the impact of the landmine movement on other issues (such as cluster munitions and disability rights), as well as the extent to which it has contributed to the field of human security. Edited by Nobel Peace Laureate Jody Williams and two other long-time leaders of the mine ban movement, Stephen Goose and Mary Wareham, *Banning Landmines* features contributions by grassroots activists, diplomatic negotiators, mine survivors, arms experts, and human rights defenders. This diverse group of writers at the forefront of the landmine ban movement is well placed to provide insights into this remarkable process, its precedents, and implications for other work and issues.

Both concise and wide-ranging, this encyclopedia covers massacres, atrocities, war crimes, and genocides, including acts of inhumanity on all continents; and serves as a reminder that lest we forget, history will repeat itself. • Provides coverage of atrocities, massacres, and war crimes that is wide-ranging in scope and historical perspective, covering everything from genocides to isolated actions that constituted grave breaches of the laws of war • Comprises contributions from over 200 scholars, including international law experts currently prosecuting war crimes • Contains a lengthy chronology of major atrocities throughout history • Written in accessible and clear language appropriate for college freshmen and general readers

How viable is the resolution of nuclear non-proliferation disputes through the International Court of Justice and international arbitration? James Fry examines the compromissory clauses in the IAEA Statute, IAEA Safeguards Agreements and the Convention on the Physical Protection of Nuclear Material that give jurisdiction to these fora and analyses recent jurisprudence to demonstrate how legal resolution can handle such politically sensitive disputes. In sum, legal resolution of nuclear non-proliferation disputes represents an option that States and commentators have all too often ignored. The impartiality and procedural safeguards of legal resolution should make it an acceptable option for target States and the international community, especially vis-à-vis the procedural shortcomings and general heavy-handedness of Security Council involvement under UN Charter Chapter VII.

The use of cluster munitions, which are bombs that each disperse up to several hundred of submunitions over an area of two football pitches, exploding indiscriminately, will be banned in August 2010. This Commentary describes why the Convention on Cluster Munitions was adopted and what it means in practical terms.

This report is the summary of the Air Force Counter-proliferation Center (CPC) and Defense Threat Reduction Agency (DTRA) Weapons of Mass Destruction (WMD) Conference, featuring unique commentary on the reduction of the threat posed by nuclear weapons. Contents: Chief Of Staff Vector - Priority Number One \* Thinning The

Nuclear Threat-Three Elements \* The Central Role Of Deterrence \* Missile Defense And Deterrence \* Scoping And Dealing With The Nuclear Terror Threat \* Continuing To Strengthen The Air Force Nuclear Enterprise \* The 2010 Nuclear Posture Review \* Conclusion An estimated 35 countries have nuclear weapons, highly enriched uranium, and/or stockpiles of plutonium on their soil. Although four out of every five nuclear weapons that have been built since 1945 have retired from service, the world is still awash in nuclear weapons. Nuclear weapons states now possess around 23,300 such weapons. This is occurring at a time when one such weapon detonated in a major city could have catastrophic human and economic effects. For example, one RAND study estimates that one 10-kiloton weapon explosion in Long Beach, California, could cause 60,000 immediate deaths and up to 150,000 other casualties. Such a detonation would destroy the ports of Long Beach and Los Angeles, causing about 6 million people to evacuate the area to escape fallout, and 2-3 million people to relocate. Such a nuclear catastrophe would contaminate 500 square kilometers and destroy or make uninhabitable up to 600,000 homes. It would also inflict an economic rebuilding cost estimated at one trillion dollars. This could make the 9/11 attacks, however grisly, seem somewhat minor. Yet this would be the consequence of only one nuclear bomb at one major US port. A full-scale nuclear war between two major states, such as the United States and Russia, would have far more catastrophic effects than even a nuclear terror attack. The deaths could reach hundreds of millions in the first exchange. A first way to thin or reduce WMD proliferation to states and groups of concern is through unilateral and multilateral non-proliferation initiatives. Nonproliferation is accomplished through disarmament treaties, arms control agreements and pacts, various export control regimes, interdiction programs designed to limit illicit trafficking of WMD technology, sanctions, and incentives designed to influence states not to acquire WMDs or to relinquish them. Various other nonproliferation measures abound. A second means of reducing the threat of WMD-armed adversaries is through counterproliferation military programs that provide one or more of the following: (1) a deterrent against the initiation of war or the escalation of an ongoing conflict; (2) offensive operations or counterforce capabilities to hold at risk, destroy, or capture rival WMD assets; (3) active defenses to prevent effective delivery of WMDs on US or allied targets; and (4) passive defenses that can help protect personnel and assets and get the military back in the fight.

The United Nations Arms Trade Treaty became binding international law in late 2014, and although the text of the treaty is a relatively concise framework for assessing whether to authorize or deny proposed conventional weapons transfers by States Parties, there exists controversy as to the meaning of certain key provisions. Furthermore, the treaty requires a national regulatory body to authorize proposed transfers of conventional weapons covered by the treaty, but does not detail how such a body should be established and how it should effectively function. The Arms Trade Treaty: A Commentary explains in detail each of the treaty provisions, the parameters for prohibitions or the denial of transfers, international cooperation and assistance, and implementation obligations and mechanisms. As states ratify and implement the Treaty over the next few years, the commentary provides invaluable guidance to government officials, commentators, and scholars on the meaning of its contentious provisions. This volume describes in detail which weapons are covered by the treaty and explains the different forms of transfer that the Arms Trade Treaty regulates. It covers international human rights, trade, disarmament, humanitarian law, criminal law, and state-to-state use of force, as well as the application of the treaty to non-state actors.

The Companion to International Humanitarian Law offers a much-needed tool for both scholars and practitioners, supplying information accessible enough to enable a variety of users to quickly familiarise themselves with it and sufficiently comprehensive to be a source for reflection and further research for more demanding users. Its aim is to facilitate the practical application of IHL, and be of use to a wide audience interested in or confronted with IHL, ranging from professionals in humanitarian assistance and protection in the field, legal officers and advisers at the national and international level, trainers, academics, scholars, and students.

How can strategic treaty management complement legal compliance mechanisms to drive more effective and responsive treaties within global governance networks?

Bringing together the law of armed conflict governing the use of weapons into a single volume, the fully updated Second Edition of Weapons and the Law of Armed Conflict interprets these rules and discusses the factors influencing future developments in weapons law. After relating the historical evolution of weapons law, the book discusses the important customary principles that are the foundation of the subject, and provides a condensed account of the law that exists on the use of weapons. The treaties and customary rules applying to particular categories of weapon are thereafter listed and explained article by article and rule by rule in a series of chapters. Having stated the law as it is, the book then explores the way in which this dynamic field of international law develops in the light of various influences. The legal review of weapons is discussed, both from the perspective of how such reviews should be undertaken and how such a system should be established. Having stated the law as it is, the book then investigates the way in which this dynamic field of international law develops in the light of various influences. In the final chapter, the prospects for future rule change are considered. This Second Edition includes a discussion of new treaty law on expanding bullets, the arms trade, and norms in relation to biological and chemical weapons. It also analyses the International Manuals on air and missile warfare law and on cyber warfare law, the challenges posed by 'lethal autonomous weapon systems', and developments in the field of information and telecommunications otherwise known as cyber activities.

This commentary is a detailed guide to the interpretation of the 1997 Convention banning Anti-Personnel Mines, which was adopted after a worldwide campaign to ban landmines made famous by the late Princess Diana. It includes a description of the development of anti-personnel mines, their military utility, and the negotiating history of the Convention.

This is the first book to examine in detail the relationship between the Cold War and International Law.

Rev. ed. of : Handbook of humanitarian law in armed conflicts. 1999.

Despite clear legal rules and political commitments, no significant progress has been made in nuclear disarmament for two decades. Moreover, not even the use of these weapons has been banned to date. New ideas and strategies are therefore necessary. The author explores an alternative approach to arms control focusing on the human dimension rather than on States' security: "humanization" of arms control! The book explores the preparatory work on arms control treaties and in particular the role of civil society. It analyzes the positive experiences of the movements against chemical weapons, anti-personnel mines, and cluster munitions, as well as the recent conclusion of the Arms Control Treaty. The author examines the question of whether civil society will be able to replicate the success strategies that have been used, in particular, in the field of anti-personnel mines (Ottawa Convention) and cluster munitions (Oslo Convention) in the nuclear weapons field. Is there any reason why the most destructive weapons should not be outlawed by a legally binding instrument? The book also explains the effects of weapons, especially nuclear weapons, on human beings, the environment, and global development, thereby focusing on vulnerable groups, such as indigenous peoples, women, and children. It takes a broad approach to human rights, including economic, social, and cultural rights. The author concludes that the use of nuclear weapons is illegal under international humanitarian and human rights law and, moreover, constitutes international crimes under the Rome Statute of the International Criminal Court. In his general conclusions, the author makes concrete proposals for the progress toward a world without nuclear weapons.

Volume 118 of *Terrorism: Commentary on Security Documents*, International Nuclear Security contains documents that illustrate the implementation and evolution of the nuclear regulation, disarmament, and non-proliferation regimes created by various states and international bodies. Efforts to control nuclear weapons have redoubled since the events of September 11, 2001. In order to help States prevent and respond to the risk of nuclear terrorism, the International Atomic Energy Agency established a nuclear security program in 2002 and the United Nations General Assembly also adopted the International Convention for the Suppression of Acts of Nuclear Terrorism in 2005. Both instruments focus on verification and the various other documents in this volume provide a comprehensive look at modern efforts to combat nuclear security concerns.

International humanitarian law is the law that governs the conduct of participants during armed conflict. This branch of law aims to regulate the means and methods of warfare as well as to provide protections to those who do not, or who no longer, take part in the hostilities. It is one of the oldest branches of international law and one of enduring relevance today. The *Oxford Guide to International Humanitarian Law* provides a practical yet sophisticated overview of this important area of law. Written by a stellar line up of contributors, drawn from those who not only have extensive practical experience but who are also regarded as leading scholars of the subject, the text offers a comprehensive and authoritative exposition of the field. The Guide provides professionals and advanced students with information and analysis of sufficient depth to enable them to perform their tasks with understanding and confidence. Each chapter illuminates how the law applies in practice, but does not shy away from the important conceptual issues that underpin how the law has developed. It will serve as a first port of call and a regular reference work for those interested in international humanitarian law.

The essays in this volume address various challenges posed by globalization to the international legal order, in fields which include the use of force, humanitarian law, international trade and investment law, dispute resolution, human rights, and environmental law.

The 1969 Vienna Convention on the Law of Treaties, regulating treaties between States, lies at the heart of international law. This commentary interprets the Convention's 85 articles clearly and precisely. It covers such major topics as reservations to treaties, their interpretation and the grounds for terminating a treaty, for instance breach. Emphasis is placed on the practice of States and tribunals and on academic writings. It contains further sections on customary international law and the Convention's history while providing up-to-date information on ratifications and reservations. This commentary is a must for practitioners and academics wishing to establish the meaning and scope of the provisions of the Vienna Convention on the Law of Treaties.

This book offers a comprehensive argument for why pre-existing international law on cluster munitions was inadequate to deal with the full scope of humanitarian consequences associated with their use. The book undertakes an interdisciplinary legal analysis of restraints and prohibitions on the use of cluster munitions under international humanitarian law, human rights law, and international criminal law, as well as in relation to the recently adopted Convention on Cluster Munitions (CCM). The book goes on to offer an in-depth substantive and procedural analysis of the negotiations which led to the 2008 CCM, in part based on the author's experiences as an adviser to Cluster Munitions Coalition-Austria. *Cluster Munitions and International Law* is essential reading for practitioners and scholars of International Law, including International Humanitarian, Human Rights, International Criminal or Disarmament Law and anyone interested in legal and humanitarian perspectives on cluster munitions legislation and policy. It is unique in bringing a practitioner's perspective to a scholarly work.

This clear and concise textbook on international humanitarian law guides students through the subject with examples, discussion questions and extracts.

In *Starvation as a Weapon* Simone Hutter explores the legality of state policies using deliberate starvation as a means to an end against the own population under international human rights law and humanitarian law.

This systematic analysis of State complicity in international law focuses on the rules of State responsibility. Combining a theoretical perspective on complicity based on the concept of the international rule of law with a thorough analysis of international practice, Helmut Philipp Aust establishes what forms of support for wrongful conduct entail responsibility of complicit States and sheds light on the consequences of complicity in terms of reparation and implementation. Furthermore, he highlights how international law provides for varying degrees of responsibility in cases of complicity, depending on whether peremptory norms have been violated or special subject areas such as the law of collective security are involved. The book shows that the concept of State complicity is firmly grounded in international law, and that the

international rule of law may serve as a conceptual paradigm for today's international legal order.

As the centenary of the Treaty of Versailles approaches, this book presents the pre-1914 precursors to the interwar naval arms treaties arising from the peace of 1919, providing a fresh perspective on arms control efforts through an interdisciplinary approach. Interweaving historical investigation with legal analysis, Scott Keefer traces the British role in the development of naval arms control, outlining the pragmatic Foreign Office approaches towards international law. By emphasizing what was possible within the existing legal system rather than attempting to create radically powerful international institutions, statesmen crafted treaties to exploit the unique pace of naval construction. Utilizing previously-overlooked archival resources, this book investigates how the great powers exploited treaties as elements of national security strategies. The result is a fuller analysis of the Hague Peace Conferences, Anglo-German discussions, and lesser known regional agreements from the American Great Lakes to South America, and a richer exploration of pre-1914 diplomacy, providing insights into how a past generation perceived questions of war and defence.

The fragmentation of international law is an undeniable phenomenon and one that has met with increasing academic interest. This fragmentation is the result of the progressive expansion of both international legal activity and the subject-matter of international law. This expansion brings with it the risk of conflicting rules, principles and institutions. Non-Proliferation Law as a Special Regime focuses on weapons of mass destruction and aims to identify whether there are specific rules applying to this field that depart from the general rules of international law and the rules of other special regimes, in particular with regard to the law of treaties and the law of state responsibility. In providing a systematic analysis of a substantive area of international law and applying the theory of fragmentation and special regimes, the book contributes to the ongoing debate concerning one of the most topical issues in international law.

On the recent US treatment of detainees in Guantanamo Bay in the "War on Terror", this book draws on considerable legal precedent, legal theory, and policy arguments to make the case that it is time for the law relating to the regulation of armed conflicts to be more uniformly applied. Readership: Scholars of international humanitarian law, international human rights law, and international criminal law; post-graduate students; practitioners in these areas.

Commentaries on Arms Control Treaties The Arms Trade Treaty A Commentary Oxford University Press

Non-international armed conflicts now far outnumber international ones, but the protection afforded by international law to combatants and civilian is not always clear. This book will set out the legal rules and state practice applicable to internal armed conflicts, drawing on armed conflicts from the US civil war to present day.

Giving an overview of the current state of the law and practice in relation to treaties, this edited work is an essential reference for practitioners and legal advisers involved in treaty negotiations or the interpretation of treaties. It also reflects on the current areas of disagreement or ambiguity.

British and Canadian Perspectives on International Law examines the impact of public international law on the United Kingdom's and Canada's domestic legal systems. It also analyses the contributions of British and Canadian practice to the development of international norms. Topics addressed include international criminal law, international humanitarian law, human rights and human security, asylum, trade, jurisdiction, 'reception law' and media portrayals of international law. Whereas international law scholarship usually takes a global, regional or national approach, this book's chapters are written by leading scholars and practitioners from both countries and provide unique comparative views. While there remains much in common between the two states' understandings of international law, recent developments have shown significant points of departure.

"This Commentary offers detailed background and analysis of the Treaty on the Prohibition of Nuclear Weapons, which was adopted at the UN Headquarters in New York in July 2017. The Treaty comprehensively prohibits the use, development, export, and possession of nuclear weapons. The treaty is examined article by article, with discussed of how each provision was negotiated and what it implies for states that join the Treaty. As the Treaty provisions cut across various branches of international law, the Commentary goes beyond a discussion of disarmament to consider the law of armed conflict, human rights, and the law on inter-state use of force. The Commentary examines the relationship with other treaties addressing nuclear weapons, in particular the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Background on the development and possession of nuclear weapons and theories of nuclear deterrence is also provided."--Résumé de l'éditeur.

This volume raises important, timely issues regarding the challenges and opportunities confronting the global community which both policy makers and academicians will find informative and thought-provoking in their efforts to understand the nature and com

Providing article-by-article commentary on this crucial convention and a number of cross-cutting analytical chapters, this book will be highly useful for anyone working in general international law and state responsibility. Each article's commentary draws on its drafting history, state practice, and relevant national and international case law.

This volume brings together articles on the law of armed conflict and the use of force from the Max Planck Encyclopedia of Public International Law, the definitive reference work on international law. It provides an invaluable resources for scholars, students, and practitioners of international humanitarian law, giving an accessible, thorough overview of all aspects of the field. Each article contains cross-references to related articles, and includes a carefully selected bibliography of the most important writings and primary materials as a guide to further reading. The Encyclopedia can be used by a wide range of readers. Experienced scholars and practitioners will find a wealth of information on areas that they do not already know well as well as in-depth treatments on every aspect of their specialist topics. Articles can also be set as readings for students on taught courses.

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