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The move to end impunity for human rights atrocities has seen the creation of international and hybrid tribunals and increased prosecutions in domestic courts. The Oxford Companion to International Criminal Justice is the first major reference work to provide a complete overview of this emerging field. Its 1200 pages are divided into three sections. In the first part, 21 essays by leading thinkers offer a comprehensive survey of issues and debates surrounding international humanitarian law, international criminal law, and their enforcement. The second part is arranged alphabetically, containing 300 entries on doctrines, procedures, institutions and personalities. The final part contains over 330 essays on different trials from international and domestic courts dealing with war crimes, crimes against humanity, genocide, torture, and terrorism. With analysis and commentary on every aspect of international criminal justice, this Companion is designed to be the first port of call for scholars and practitioners interested in current developments in international justice.

The massive intentional destruction of cultural heritage during the 1992-1995 Bosnian War targeting a historically diverse identity provoked global condemnation and became a seminal marker in the

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discourse on cultural heritage. It prompted an urgent reassessment of how cultural property could be protected in times of conflict and led to a more definitive recognition in international humanitarian law that destruction of a people's cultural heritage is an aspect of genocide. Yet surprisingly little has been published on the subject. This wide-ranging book provides the first comprehensive overview and critical analysis of the destruction of Bosnia-Herzegovina's cultural heritage and its far-reaching impact. Scrutinizing the responses of the international community during the war (including bodies like UNESCO and the Council of Europe), the volume also analyses how, after the conflict ended, external agendas impinged on heritage reconstruction to the detriment of the broader peace process and refugee return. It assesses implementation of Annex 8 of the Dayton Peace Agreement, a unique attempt to address the devastation to Bosnia's cultural heritage, and examines the treatment of war crimes involving cultural property at the International Criminal Tribunal for the former Yugoslavia (ICTY). With numerous case studies and plentiful illustrations, this important volume considers questions which have moved to the foreground with the inclusion of cultural heritage preservation in discussions of the right to culture in human rights discourse and as a vital element of post-conflict and development aid. This book analyses the current legal framework seeking to protect cultural heritage during armed conflict and discusses proposed and emerging paradigms for its better protection. Cultural heritage has always been a victim of conflict, with monuments and artefacts

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frequently destroyed as collateral damage in wars throughout history. In addition, works of art have been viewed as booty by victors and stolen in the aftermath of conflict. However, deliberate destruction of cultural sites and items has also occurred, and the intentional destruction of cultural heritage has been a hallmark of recent conflicts in the Middle East and North Africa, where we have witnessed unprecedented, systematic attacks on culture as a weapon of war. In Iraq, Syria, Libya, Yemen, and Mali, extremist groups such as ISIS and Ansar Dine have committed numerous acts of iconoclasm, deliberately destroying heritage sites, and looting valuable artefacts symbolic of minority cultures. This study explores how the international law framework can be fully utilised in order to tackle the destruction of cultural heritage, and analyses various paradigms which have recently been suggested for its better protection, including the Responsibility to Protect paradigm and the peace and security paradigm. This volume will be an essential resource for scholars and practitioners in the areas of public international law, especially international humanitarian law and cultural heritage law.

Situations of serious or massive violations of human rights are no longer purely of domestic concern, and sovereignty can no longer be an absolute shield for repressive governments in such circumstances. Based on this realization, the international community has recognized a responsibility to protect individuals in states where their governments are unable or unwilling to provide protection against the most serious violations. However, so far, only one intergovernmental

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organization, the African Union (AU), has explicitly made the right to intervene in a Member State part of its foundational text in Article 4(h) of its Constitutive Act. Although there have been cases of Article 4(h)-type interventions in Africa, the AU Assembly has not yet invoked Article 4(h) explicitly. This book brings together experts in the field to explore the potential application of Article 4(h), and the complexities that may explain its non-invocation so far. Although Article 4(h) is noble in purpose, its implementation faces several legal and policy challenges given that the use of force penetrates the principles of state sovereignty and non-intervention – the very cornerstones upon which the AU is founded. This book considers these issues, as well as the need to reconcile Article 4(h), in so far as it allows the AU to exercise military intervention to protect populations at risk of mass atrocities, with the provisions of the Charter of the United Nations. Drawing from the insights of law, political science, diplomacy and military strategy, the book offers a unique combination of multi-disciplinary expertise that harnesses the views of a diverse group of authors, focused on the legal, policy, and practical insights on the implementation of Article 4(h) and the responsibility to protect in Africa in order to provide concrete recommendations on how to end mass atrocities on the continent

Charting in detail the evolution of the international rules on the protection of historic and artistic sites and objects from destruction and plunder in war, this 2006 book analyses in depth their many often-overlapping provisions. It serves as a comprehensive and balanced

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guide to a subject of increasing public profile, which will be of interest to academics, students and practitioners of international law and to all those concerned with preserving the cultural heritage.

Patchwork in times of plurality encompasses the multitude of actions as a revealing symbol of ethos, actors, organisms, and manifestations of preservation and dialogue frontiers. This plural metaphor, almost like a patchwork, aggregates and yet segregates, conforms, but disfigures, and boosts the meanings which represent this new field that international relations have been recently crossing. Just like the mirror metaphor - that reflects everything to all and, sometimes, intervenes in distortions - the patchwork analogy allowed the book to take responsibility for the disclosure of preservation actions on a global scale. The book has a pioneering role insofar since it is the only publication with such characteristics, concerns, and coverage. The work studies the interconnection between cultural properties and international relations by understanding them as a mosaic before the bridges that intertwine people and borders. The main goal of this work is to illustrate in what way intergovernmental relations have been privileging heritage and culture as acting fields for its broader needs. Therefore, the book addresses topics related to the international agenda, focusing on its less debated themes. Two examples of these undervalued matters are the link between actors, preservationist actions, and the universe of world cultural heritage. The book also pursuits a critical dialogue between interdisciplinary fields that narrow heritage frontiers in search to

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contribute with a spectrum of academic perspectives and (inter)national study cases. To serve distinct economic, social, or political purposes, institutionalized heritage (embodied by different values) becomes instrumentalized in a top-down direction. In a development frame, when we perceive culture as indispensable to human life, the past is transformed into exchange currency. Through the creation of alternative fields of action, usually in a bottom-up logic, the present builds new heritage connections. Digital heritage's preservation, dissemination, and appreciation have been representing these same nets.

Issues of the war that have provoked public controversy and legal debate over the last two years—the Cambodian invasion of May-June 1970, the disclosure in November 1969 of the My Lai massacre, and the question of war crimes—are the focus of Volume 3. As in the previous volumes, the Civil War Panel of the American Society of International Law has endeavored to select the most significant legal writing on the subject and to provide, to the extent possible, a balanced presentation of opposing points of view. Parts I and II deal directly with the Cambodian, My Lai, and war crimes debates. Related questions are treated in the rest of the volume: constitutional debate on the war; the distribution of functions among coordinate branches of the government; the legal status of the insurgent regime in the struggle for control of South Vietnam; prospects for settlement without a clear-cut victory; and Vietnam's role in general world order. The articles reflect the views of some forty contributors: among them, Jean Lacouture, Henry

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Kissinger, John Norton Moore, Quincy Wright, William H. Rhenquist, and Richard A. Falk. Originally published in 1972. The Princeton Legacy Library uses the latest print-on-demand technology to again make available previously out-of-print books from the distinguished backlist of Princeton University Press. These editions preserve the original texts of these important books while presenting them in durable paperback and hardcover editions. The goal of the Princeton Legacy Library is to vastly increase access to the rich scholarly heritage found in the thousands of books published by Princeton University Press since its founding in 1905.

This book provides an overview of capital punishment in Japan in a legal, historical, social, cultural and political context. It provides new insights into the system, challenges traditional views and arguments and seeks the real reasons behind the retention of capital punishment in Japan.

This volume contains an extensive review of Dutch state practice from the parliamentary year 2000 2001. It includes an account of developments relating to treaties and other international agreements to which the Netherlands is a party, summaries of Netherlands judicial decisions involving questions of public international law, lists of Dutch publications in the field and extracts from relevant municipal legislation. Although the NYIL has a distinctive national character it is published in English, and the editors do not adhere to any geographical limitations when deciding upon the inclusion of articles.

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In 1991 the mosque at Ayodhya in India was demolished by

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Hindu fundamentalists who claim that it stood on the birthplace of a legendary Hindu hero. During recent conflicts in former Yugoslavia, ethnic groups destroyed mosques and churches to eliminate evidence of long-term settlement by other communities. Over successive centuries, however, a single building in Cordoba functioned as a mosque, a church and a synagogue. The Roman Emperor Diocletian's Palace in Split is occupied today by shops and residential apartments. What circumstances have led to the survival and reinterpretation of some monuments, but the destruction of others? This work asks whether the idea of world heritage is an essential mechanism for the protection of the world's cultural and natural heritage, or whether it subjugates a diversity of cultural traditions to specifically Western ideas. How far is it acceptable for one group of people to comment upon, or intercede in, the way in which another community treats the remains which it claims as its own? What are the responsibilities of multinational corporations and non-governmental organisations operating in the Developing World? Who actually owns the past: the landowner, indigenous people, the State or humankind?

Conflicts, Religion and Culture in Tourism highlights the role of religious tourism and pilgrimage as a tool for improving cultural relations. Helping to form culture and society worldwide, faith plays a vital part in cross-cultural conflict resolution and opening dialogue across peoples. This book shows how faith and activism can respond to the common challenges of peace making and coexistence both within and among the world's many traditions. Conflicts, Religion and Culture in Tourism provides a timely assessment of the increasing linkages and interconnections between religious tourism and secular spaces on a global stage. Written from a multidisciplinary perspective, it provides an invaluable resource for those studying and researching religion, tourism

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and cultural management.

The Art of War is an enduring classic that holds a special place in the culture and history of East Asia. An ancient Chinese text on the philosophy and politics of warfare and military strategy, the treatise was written in 6th century B.C. by a warrior-philosopher now famous all over the world as Sun Tzu. Sun Tzu's teachings remain as relevant to leaders and strategists today as they were to rulers and military generals in ancient times. Divided into thirteen chapters and written succinctly, The Art of War is a must-read for anybody who works in a competitive environment.

In Gulf War Reparations and the UN Compensation Commission: Environmental Liability, experts who held leadership positions and worked directly with the UNCC draw on their experience with the institution and provide a comprehensive view of the United Nations Compensation Commission and its work in the aftermath of the Gulf War. In this volume, the first of two on the UNCC's work, the authors explain that the United Nations Security Council established the ad hoc compensation commission to address reparations as a component of the ceasefire following Iraq's 1990-91 invasion and occupation of Kuwait. The authors also describe how the work of the United Nations Compensation Commission addressed important questions of state responsibility, environmental liability, mass claims processing, international law, and dispute settlement institutions in the post-armed conflict context. Readers will also learn that the scope and the scale of the UNCC was extraordinary, since almost 2.7 million claims from 80-plus countries were submitted to the Commission (which awarded in excess of \$55 billion and has paid out more than half of that total), and that this led to the development of innovative procedural, institutional and managerial approaches in handling mass, environmental, and corporate claims at a scale that is

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unparalleled. Additionally, the books note that the Commission also contributed to the evolution of international jurisprudence in these areas.

A study of controversy in the arts, and the extent to which such controversies are socially rather than just aesthetically conditioned. The collection pays special attention to the vested interests and the social dynamics involved, including class, religion, culture, and - above all - power.

"Organized around five broad thematic periods in American history--colonial America and the early republic; slavery and the frontier; imperialism, Jim Crow, and World Wars I and II; the Cold War, Vietnam, and police torture; and the war on terror--this annotated documentary history traces the low and high points of official attitudes toward state violence."--Page 4 of cover.

Written by a team of distinguished and internationally renowned experts, this Oxford Handbook gives an analytical overview of international law as it applies in armed conflicts. The Handbook draws on international humanitarian law, human rights law, and the law of neutrality to provide a comprehensive picture of the status of law in war.

"Guide to International Environmental Law" addresses why and how the international system elaborates environmental obligations and monitors compliance with them. The book discusses the relationship between international obligations and national and local law, with particular reference to federal systems. It points out the influence national law has on the emergence of international law and the growing role international

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norms play in the development and enforcement of national and local environmental policies. It also examines the extent to which environmental protection should be and is taken into account in other regulatory frameworks, from trade law and human rights to disarmament and refugee policy.

Crumbled shells of mosques in Iraq, the fall of the World Trade Center towers on September 11: when architectural totems such as these are destroyed by conflicts and the ravages of war, more than mere buildings are at stake. *The Destruction of Memory*—now available in this accessible, pocket edition—reveals the extent to which a nation weds itself to its landscape. Robert Bevan argues that such destruction not only shatters a nation's culture and morale but is also a deliberate act of eradicating a culture's memory and, ultimately, its existence. Bevan combs through world history to highlight a range of wars and conflicts in which the destruction of architecture was pivotal. From Cortez's razing of Aztec cities to the carpet bombings of Dresden and Tokyo in World War II to the war in the former Yugoslavia, *The Destruction of Memory* exposes the cultural war that rages behind architectural annihilation, revealing that in this subliminal assault lies the complex aim of exterminating a people. He provocatively argues for "the fatally intertwined experience of genocide and cultural genocide," ultimately proposing the elevation of cultural genocide from "collateral damage" to a crime punishable by international law.

While a large number of books have dealt with the

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navies and war at sea during the World Wars, the immediate aftermaths have generally received only minimal coverage. However, the fates of defeated navies are of enormous interest from a number of perspectives. These include the relative priorities of the victorious powers, acquisition and testing of ex-enemy materiel and the intended future capabilities of those ex-enemy navies that were to be allowed to continue to exist. This new book traces the histories of navies and ships of the defeated powers from the months leading up to the relevant armistices or surrenders through to the final execution of the appropriate post-war settlements. In doing so, it discusses the way in which the victorious powers reached their final demands, how these were implemented, and to what effect. The later histories of ships that saw subsequent service, either in their original navies or in those navies which acquired them, are also described. In doing this, much use is made of material drawn from archival, and in some cases archaeological, sources, some of which has never previously been used. Through these, a wide range of long-standing myths are busted, and some badly distorted modern views and assessments of events in the wake of the conflicts put right. The fascinating narrative will be accompanied by tabulated lists of all major navy-built (and certain significant ex-mercantile) enemy ships in commission at the relevant date of the armistice or surrender, or whose hulks were specifically listed for attention in post-Second World War allied agreements. These will include key dates in their careers and their ultimate fates. This highly original book, drawing on archaeological evidence as

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well as archival sources, and including numerous photographs will become an essential reference tool for all those interested in the naval history of the two World Wars.

Foreign investors often sustain injuries during violent situations, such as riots, revolutions, civil wars, and international armed conflicts. There is a great deal of uncertainty about how effective investment treaty protections are in volatile times, how they relate to other applicable legal frameworks, and how they affect the state security policy and the post-conflict transition to peace. This book explores how foreign investment is protected in times of armed conflict under the investment treaty regime. It does so by combining insights from different areas of international law, including international investment law, international humanitarian law, international human rights law, the law of state responsibility, and the law of treaties. While the protections have evolved over time, with the investment treaty regime providing the strongest legal framework for protecting investors yet, there has been an apparent shift in treaty practice towards safeguarding a state's security interests. Jure Zrilic identifies and analyses the flaws in the existent normative framework, but also highlights the potential that investment treaties have for minimising the devastating effects of armed conflict. The book offers an analytical framework for assessing the investment treaty regime in times of armed conflict, distinguishing between different paradigms and different types of conflicts. Crucially, he argues that a new approach is needed to appropriately balance the competing interests of host

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states and investors when it comes to investment protection in armed conflicts.

Heritage under Pressure examines the relationship between the political perspective of the UK government on 'soft power' and the globalising effect of projects carried out by archaeologists and heritage professionals working in the historic environment. It exemplifies the nature of professional engagement and the role of the profession in working towards a theory of practice based on the integrity of data, the recovery and communication of information, and the application of data in real world situations. Individual papers raise complex and challenging issues, such as commemoration, identity, and political intervention. A further aim of the volume is to illustrate the role of professionals adhering to standards forged in the UK, in the context of world heritage under pressure. Papers also contribute to the emerging agenda developing as a result of the re-orientation of the UK following the Brexit vote, at once emphasising the global aspiration of the UK's professional archaeological body – the Chartered Institute for Archaeologists – in relation to the global reach of UK academic practice. By implication the volume also addresses the relationship between professional practice and academic endeavour. The volume as a whole contributes to the emerging debate on the authorised heritage discourse and provides an agenda for the future of the profession.

An analysis of the status of computer network attacks in international law.

"Necessity and proportionality occupy a firm place in the

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international law governing the use of force by states. Perhaps most importantly for practical purposes, the exercise of the right of self-defense, as recognized in Article 51 of the United Nations Charter, is subject to the requirements of necessity and proportionality, as the International Court of Justice determined in the Nicaragua case. Necessity and proportionality are also firmly anchored in the international law governing armed conflicts. In its Nuclear Weapons Advisory Opinion, the International Court of Justice even referred to one articulation of the idea of necessity, that directed against the causing of unnecessary suffering, as one of two "cardinal principles" of this body of law. However, beyond statement in such general terms, the realms of uncertainty and controversy soon begin. It is far from clear, for example, how to distinguish with precision between necessity and proportionality in the international law on self-defense and, in immediate connection herewith, what it means precisely to say that forcible action taken in the exercise of self-defense must be proportionate. It is all the less clear what legal significance, if any, necessity and proportionality possess in other contexts of the international law governing the use of force"--

The world's cultural heritage is under threat from war, illicit trafficking, social and economic upheaval, unregulated excavation and neglect. Over a period of almost fifty years, the United Nations Educational, Scientific and Cultural Organisation has adopted five international conventions that attempt to protect this cultural heritage. This book comprehensively and

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critically considers these five UNESCO cultural heritage conventions. The book looks at the conventions in the context of recent events that have exposed the dangers faced by cultural heritage, including the destruction of cultural heritage sites in Iraq and the looting of the Baghdad museum, the destruction the Buddhas of Bamiyan in Afghanistan, the salvage of artefacts from the RMS Titanic and the illicit excavation and trade in Chinese, Peruvian and Italian archaeological objects. As the only existing work to consider all five of the cultural heritage conventions adopted by UNESCO, the book acts as an introduction to this growing area of international law. However, the book does not merely describe the conventional principles and rules, but, critically evaluates the extent to which these international law principles and rules provide an effective and coherent international law framework for the protection of cultural heritage. It is suitable not only for those schooled in the law, but also for those who work with cultural heritage in all its manifestations seeking a broad but critical consideration of this important area of international law.

The twentieth century was the most destructive in human history, but from its vast landscapes of ruins was born a new architectural type: the cultural monument. In the wake of World War I, an international movement arose which aimed to protect architectural monuments in large numbers, and regardless of style, hoping not only to keep them safe from future conflicts, but also to make them worthy of protection from more quotidian forms of destruction. This movement was motivated by hopeful

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idealism as much as by a pragmatic belief in bureaucracy. An evolving group--including architects, intellectuals, art historians, archaeologists, curators, and lawyers--grew out of the new diplomacy of the League of Nations. During and after World War II, it became affiliated with the Allied Military Government, and was eventually absorbed by the UN as UNESCO. By the 1970s, this organization had begun granting World Heritage status to a global register of significant sites--from buildings to bridges, shrines to city centers, ruins to colossi. Examining key episodes in the history of this preservation effort--including projects for the Parthenon, for the Cathedral of St-Lô, the temples of Abu Simbel, and the Bamyian Buddahs --Lucia Allais demonstrates how the group deployed the notion of culture to shape architectural sites, and how architecture in turn shaped the very idea of global culture. More than the story of an emergent canon, *Designs of Destruction* emphasizes how the technical project of ensuring various buildings' longevity jolted preservation into establishing a transnational set of codes, values, practices. Yet as entire nations' monumental geographies became part of survival plans, Allais also shows, this paradoxically helped integrate technologies of destruction--from bombs to bulldozers--into cultural governance. Thus *Designs of Destruction* not only offers a fascinating narrative of cultural diplomacy, based on extensive archival findings; it also contributes an important new chapter in the intellectual history of modernity by showing the manifold ways architectural form is charged with concretizing abstract ideas and

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ideals, even in its destruction.

War and Art: USA in Italy è la seconda tappa di un progetto di ricerca iniziato con War & Art: The Preservation of Italian Treasures. Questo secondo volume sottolinea l'importanza dell'ingresso degli Stati Uniti nella Prima Guerra Mondiale da diverse prospettive. La mostra fotografica, ora esposta al Pentagono, comprende immagini dal Museo del Risorgimento, dal Museo della Battaglia Vittorio Veneto, dal Museo Hemingway e della Grande Guerra, dagli archivi dei Foggiani e del U.S. 332nd Infantry Regiment WWI Centennial Committee, ed è stata coordinata dall'Ambasciata d'Italia a Washington. L'uso di fotografie per sottolineare il rapporto tra guerra e opere d'arte è stato strumento di propaganda nazionale, ma ci ha anche permesso di avere una documentazione dettagliata di ciò che veniva fatto a protezione delle stesse opere. I monumenti? Protetti e avvolti con sacchi di sabbia o alghe. I dipinti? Imballati e inviati in luoghi più sicuri. Gli affreschi? Protetti con materassi. L'Italia è riuscita a proteggere la maggior parte dei suoi tesori artistici – e quindi la propria identità – da uno spietato annullamento. All'epoca i fotografi e i pittori-soldati erano estremamente importanti nel mondo figurativo: attraverso le loro opere - disegni, schizzi e dipinti e, in questo caso, fotografie – hanno catturato gli orrori della guerra e li hanno saputo trasformare in qualcosa di unico: Arte. War and Art: USA in Italy is the second instalment in a longterm research project which started with War & Art: The Preservation of Italian Treasures. This second volume underlines the importance of the

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entrance of the United States into the war from a number of different perspectives. This photographic exhibition, now on display at the Pentagon, includes images from the Museo del Risorgimento, the Museo della Battaglia Vittorio Veneto, the Museo Hemingway e della Grande Guerra, the archives of the Foggiani and U.S. 332nd Infantry Regiment WWI Centennial Committee, and is the result of a joint effort coordinated by the Embassy of Italy in Washington, D.C. The use of photographs to underscore the relationship between war and works of art was a domestic propaganda tool, and also provided detailed documentation of efforts made to try and stop these artworks from being damaged and even destroyed. Monuments were protected and wrapped with sacks of sand or seaweed, paintings were packed and sent to safer places, and mattresses placed in front of frescoes and sculptures. Italy preserved most of its artistic treasures – and thus identity – from ruthless annihilation. At the time, photographers and soldier-painters were extremely important in the figurative world: through their works - such as drawings, sketches and paintings, and in this case photos – they captured the horrors of war and transformed them into evidence, as well into something unique: Art.

An important study of the treatment of cultural property, and cultural heritage in general, in all modern theatres of conflict.

Housing, land and property (HLP) rights, as rights, are widely recognized throughout international human rights and humanitarian law and provide a clear and consistent legal normative framework for developing better

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approaches to the HLP challenges faced by the UN and others seeking to build long-term peace. This book analyses the ubiquitous HLP challenges present in all conflict and post-conflict settings. It will bridge the worlds of the practitioner and the theorist by combining an overview of the international legal and policy frameworks on HLP rights with dozens of detailed case studies demonstrating country experiences from around the world. The book will be of particular interest to professors and students of international relations, law, human rights, and peace and conflict studies but will have a wider readership among practitioners working for international institutions such as the United Nations and the World Bank, non-governmental organizations, and national agencies in the developing world.

Vol. II, Part 1.

This book is the first targeted work in the legal literature that investigates environmental challenges in the aftermath of conflict. The volume brings together academics, policy-makers, and practitioners from different disciplines to clarify policies and practices of environmental protection and key legal considerations related to normative frameworks (e.g. international environmental law, international humanitarian law, transitional justice, and human rights), the treatment of substantive principles (e.g. proportionality under *jus in bello* and *jus post bellum*, environmental integrity), ?shared responsibility?, and accountability mechanisms for environmental damage. By providing a comprehensive and in-depth analysis of environmental protection and natural resource management during the

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transition to peace, the volume reveals strong links between the peace-orientation of jus post bellum and environmental principles, such as intergenerational equity and precaution. There is a great deal of work to do to ensure greater protection of the environment before, during, and after conflict. It remains a challenge to align protection with the political interest of states, and the increasing involvement of non-state actors in armed conflict. This volume marks a starting point for an urgently needed space for states, international organizations, and civil society to discuss, and debate conflict and the environment. By engaging with the International Law Commission's 2016 Draft Principles on the Protection of the Environment in Relation to Armed Conflicts, the volume adds clarity to the law and momentum to the development of the law in this important area.

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