Record Nr. UNINA9910154281903321 Autore Ohlin Jens David Titolo Necessity in international law / / Jens David Ohlin and Larry May [[electronic resource]] New York, NY:,: Oxford University Press,, 2016 Pubbl/distr/stampa 0-19-062295-4 **ISBN** 0-19-062296-2 Edizione [First edition.] Descrizione fisica 1 online resource Disciplina 341.6 War (International law) Soggetti Necessity (International law) Military necessity Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia This edition previously issued in print: 2016. Note generali Nota di bibliografia Includes bibliographical references and index. Nota di contenuto Necessity and the principle of last resort in the just war -- Necessity and the use of force in International law -- Necessity & Jus in Bello --The foundations of necessity in IHL -- Necessity in human rights law and IHL -- Necessity in criminal law -- Striking a balance between humanity and necessity -- Combatants and civilians in asymmetric wars -- Disabling versus killing in war -- The duty to capture -- Force protection. Sommario/riassunto This title aims to trace the various uses of the concept of necessity in international law, with the goal of determining whether there is any overarching unity to these uses across the subdisciplines of international law. The authors not only discuss necessity in international humanitarian law and jus in bello, but also aim to situate necessity as understood in IHL within a larger discourse of international law generally, and to untangle the confusing and often inconsistent usages of the term 'necessity' in these broad areas of international law, including human rights law. The authors argue that the concept of necessity in international law has three different conceptions that cut

across the various domains of international law: necessity as exception,

necessity as license, and necessity as regulation.