Record Nr. UNINA9910452483303321 Autore Banks William C Titolo Counterinsurgency law [[electronic resource]] : new directions in asymmetric warfare / / William Banks Oxford, England, : Oxford University Press, c2013 Pubbl/distr/stampa **ISBN** 0-19-026017-3 0-19-931141-2 Descrizione fisica 1 online resource (310 p.) Collana Terrorism and global justice series Disciplina 341.6/3 Soggetti War (International law) Asymmetric warfare Counterinsurgency War - Protection of civilians Guerrillas (International law) Electronic books. Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Includes index. Includes bibliographical references and index. Nota di bibliografia Cover; Contents; Introduction-Shaping a Global Legal Framework for Nota di contenuto Counterinsurgency: Placing Postmodern War in Context; PART I | CONVERGING PARADIGMS IN CONTEMPORARY ARMED CONFLICT: FRAMING PROBLEMS OF COIN; 1. The Human Rights Council and the Convergence of Humanitarian Law and Human Rights Law; 2. Proportionality in Counterinsurgency: Reconciling Human Rights and Humanitarian Law; PART II | REUNIFYING THE LAWS OF ARMED CONFLICT: NONINTERNATIONAL CONFLICT AND COIN OPERATIONS: 3. Reunifying the Law of Armed Conflict in COIN Operations Through a Sovereign Agency Theory 4. Two Sides of the Combatant Coin: Untangling Direct Participation in Hostilities from Belligerent Status in Noninternational Armed ConflictsPART III | PROTECTING CIVILIANS AND RISKING THE FORCE IN COIN; 5. Valor's Vices: Against a State Duty to Risk Forces in Armed Conflict; 6. Agency of Risk: The Competing Balance Between Protecting

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## Sommario/riassunto

In Counterinsurgency Law, William Banks and several distinguished contributors explore from an interdisciplinary legal and policy perspective the multiple challenges that counterinsurgency operations pose today to the rule of law - international, humanitarian, human rights, criminal, and domestic. Addressing the considerable challenges for the future of armed conflict, each contributor in the book explores the premise that in COIN operations, international humanitarian law, human rights law, international law more generally, and domestic national security laws do not provide adequate legal and