Record Nr. UNINA9910453968603321 Autore Dinstein Yoram **Titolo** The international law of belligerent occupation / / Yoram Dinstein [[electronic resource]] Cambridge:,: Cambridge University Press,, 2009 Pubbl/distr/stampa 1-107-20170-5 **ISBN** 1-283-33029-6 9786613330291 1-139-13480-9 1-139-12975-9 1-139-13369-1 0-511-50479-9 0-511-81825-4 0-511-50693-7 Descrizione fisica 1 online resource (xxxii, 303 pages) : digital, PDF file(s) Disciplina 341.6/6 Soggetti Military occupation War (International law) Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Title from publisher's bibliographic system (viewed on 05 Oct 2015). Includes bibliographical references and index.es. Nota di bibliografia Nota di contenuto The general framework -- The legal nature and basic principles of belligerent occupation -- Human rights and belligerent occupation --The maintenance of law and order in occupied territories -- Legislation by the occupying power -- The judicial system in occupied territories -- Protection of the civilian population under belligerent occupation --Special protection in occupied territories -- Destruction and pillage of property in occupied territories -- Seizure and use of property in occupied territories -- Other major issues relating to belligerent occupation -- The termination of belligerent occupation. Sommario/riassunto The customary law of belligerent occupation goes back to the Hague and Geneva Conventions. Recent instances of such occupation include

Iraq, the former Yugoslavia, the Congo and Eritrea. But the

paradigmatic illustration is the Israeli occupation, lasting for over 40

years. There is now case law of the International Court of Justice and other judicial bodies, both international and domestic. There are Security Council resolutions and a vast literature. Still, numerous controversial points remain. How is belligerent occupation defined? How is it started and when is it terminated? What is the interaction with human rights law? Who is protected under belligerent occupation, and what is the scope of the protection? Conversely, what measures can an occupying power lawfully resort to when encountering forcible resistance from inhabitants of the occupied territory? This book examines the legislative, judicial and executive rights of the occupying power and its obligations to the civilian population.