

1. Record Nr.	UNINA9910511427203321
Autore	Margalit Alon
Titolo	Investigating civilian casualties in time of armed conflict and belligerent occupation : manoeuvring between legal regimes and paradigms for the use of force // by Alon Margalit
Pubbl/distr/stampa	Leiden ; ; Boston : , : Brill Nijhoff, , 2018
ISBN	90-04-36821-3
Descrizione fisica	1 online resource (304 pages)
Collana	International humanitarian law series ; ; v. 54
Disciplina	341.67
Soggetti	War crimes investigation Military occupation War - Protection of civilians Electronic books.
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Based on author's thesis (doctoral - University of London, 2014), issued under title: Investigating civil casualties in times of armed conflict and occupation.
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Front Matter -- Copyright Page -- Contents -- Preface -- List of Abbreviations -- Introduction -- The Investigative Response to Civilian Casualties: More Questions Than Answers -- Setting the Normative Framework -- 'The Trigger Question': When Do Civilian Casualties Require an Investigation? -- 'The Standards Question': How to Investigate Civilian Casualties? -- Translating Investigation Obligations to LOAC Situations -- Investigating Civilian Casualties in Practice -- Challenges in Classifying and Identifying the Applicable Normative Framework(s) -- Investigation Models and Constraints in Domestic Military Justice Systems -- Military In-House Investigations and Some Mitigating Arrangements -- Civilian Oversight of Military Investigations -- Looking Forward -- A Proposal for a Permanent Expert Commission -- The Duty to Investigate and Shaping the Normative Discourse -- Table of Treaties and Other International Instruments -- Table of International Cases -- Table of Domestic Instruments -- Table of Domestic Cases.
Sommario/riassunto	In Investigating Civilian Casualties in Time of Armed Conflict and Belligerent Occupation Alon Margalit discusses the appropriate State

response to civilian casualties caused by its armed forces. Various legal and practical challenges, arising when investigating the fatal consequences of the use of force, are examined through the practice of the US, the UK, Canada and Israel during military operations in Afghanistan, Iraq, Somalia and the occupied Palestinian territory. Alon Margalit considers this topical and sensitive issue within a broader context, namely the public scrutiny of State behaviour and influence of human rights law during armed conflict. The debate over the scope of the duty to investigate reflects competing approaches looking to (re) shape the balance between military necessity and humanitarian considerations.
