

1. Record Nr.	UNINA9910703017603321
Titolo	Legal and ethical lessons of NATO's Kosovo campaign / / Andru E. Wall, editor [[electronic resource]]
Pubbl/distr/stampa	Newport, R.I., : Naval War College, 2002 Newport, R.I. : , : Naval War College, , 2002
Descrizione fisica	1 online resource (xxx, 571 p.)
Collana	International law studies Legal and ethical lessons of NATO's Kosovo campaign International law studies ; ; v. 78
Altri autori (Persone)	WallAndru E. <1968->
Disciplina	341 s 949.703
Soggetti	Kosovo War, 1998-1999 - Law and legislation International Law Law, Politics & Government International Law - General Treaties, International
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	"Proceedings from a scholarly colloquium entitled Legal and Ethical lessons of NATO's Kosovo Campaign, which was hosted here at the Naval War College on 8-10 August 2001."--Foreword.
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Part I: Keynote addresses. Opening remarks / Arthur Cebrowski -- Judging Kosovo: the legal process, the Law of armed conflict, and the Commander In Chief / James E. Baker -- Operation Allied Force from the perspective of the NATO Commander / Michael Short -- Discussion -- Part II: The applicability of the law of armed conflict. Introduction / Scott Silliman -- The applicability of International humanitarian law and the Law of neutrality to the Kosovo campaign / Christopher Greenwood -- Rules of conduct during humanitarian intervention / Ivan Shearer -- Application of the Law of armed conflict during Operation Allied Force: maritime interdiction and prisoner of war issues / George Walker -- Commentary / Judith A. Miller -- Commentary / Natalino Ronzitti -- Commentary / Richard Sorenson -- Discussion. The UN Security Council and the creation of International law ; The Law of neutrality

under the UN Charter ; Peacekeepers or an occupying force? ; The legality of blockade or visit & search ; Applying the LOAC: a question of intent or act? ; Enforcement of the Laws of armed conflict and 20/20 hindsight ; Are the Laws of war a constraint? -- Part III: Targeting. Introduction / Robert F. Turner -- Legitimate military objectives under the current jus in bello / Yoram Dinstein -- Targeting / Michael Bothe -- Legal perspective from the EUCOM targeting cell / Tony Montgomery -- Commentary / Harvey Dalton -- Commentary / Wolff H. von Heinegg -- Commentary / Henry Shue -- Discussion. Reasonable military commanders and reasonable civilians ; Legal advisors and time-sensitive targets ; Coalition approval of targets ; When civilian objects become military objectives ; Relating the permissible mission to the military advantage ; "Dual-purpose" targets ; Targeting regime elites.

Part IV: Collateral damage. Introduction / John Norton Moore -- Some legal (and a few ethical) dimensions of the collateral damage resulting from NATO's Kosovo campaign / John F. Murphy -- International humanitarian law after Kosovo: is Lex Lata sufficient? / Ove Bring -- Commentary / Yves Sandoz -- Commentary / W. Hays Parks -- Commentary / Barry Strauss -- Discussion. Modern technology: is there an obligation to use it? ; Human shields: can abuse of the Law of war be a force multiplier? ; Do we need an additional protocol for humanitarian intervention? ; Reciprocity in war and the Law of war ; Target priority and collateral damage ; "No body bags" war and the value of human lives ; Does Kosovo provide lessons for the future? ; Cluster bombs and long-term collateral damage ; The principle of proportionality ; Flying at 15,000 feet -- Part V: Coalition operations. Introduction / Nicholas Rostow -- Coalition warfare and differing legal obligations of coalition members under International humanitarian law / Torsten Stein -- To what extent is Protocol I customary international law? / Fausto Pocar -- Commentary / Rudolph Dolzer -- Commentary / Leslie C. Green -- Commentary / David Graham -- Discussion. Can a coalition member be held responsible for the actions of other members? ; The United States and Protocol I ; The status of Protocol I as customary international law ; Reprisals ; The Martens Clause and the margin of appreciation ; The relationship between Human rights law and the Law of armed conflict -- Part VI: The road ahead. Introduction / Joel Rosenthal -- The Laws of war after Kosovo / Adam Roberts -- Propositions on the Law of war after the Kosovo campaign / Ruth Wedgwood -- Commentary / Rein Müllerson -- Commentary / Horace B. Robertson, Jr. -- Commentary / Harvey Dalton -- Discussion. Does the US have a unilateralist approach to International law? ; Is there a right of humanitarian intervention? Humanitarian intervention: ethically right, although legally wrong? ; Is there a link between the jus ad bellum and the jus in bello? ; Critiquing the report to the prosecutor ; Applying the Law of armed conflict in the future -- Appendix A. Final report to the prosecutor by the Committee established to review the NATO bombing campaign against the Federal Republic of Yugoslavia -- Appendix B. Contributors.
