

1. Record Nr.	UNINA9910807347503321
Autore	Cuyckens Hanne <1984->
Titolo	Revisiting the law of occupation // by Hanne Cuyckens
Pubbl/distr/stampa	Leiden ; ; Boston : , : Brill, , 2018
ISBN	90-04-35397-6
Descrizione fisica	1 online resource (288 pages)
Collana	Nova et vetera iuris gentium ; ; v. 30
Disciplina	341.6/6
Soggetti	Military occupation
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Based on author's thesis (doctoral - Katholieke Universiteit te Leuven, 2015).
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Front Matter -- Contents -- Introduction -- The Law of Occupation and Current Challenges -- Occupation: A Conceptual Analysis -- Current Challenges to the Law of Occupation -- Addressing the Challenges Faced by the Law of Occupation -- The Flexibility in the Law of Occupation Itself -- International Human Rights Law as a 'Gap-Filler' -- The United Nations Security Council as a 'Modulator' of the Law of Occupation -- General Concluding Remarks.
Sommario/riassunto	In Revisiting the Law of Occupation , Hanne Cuyckens assesses the crucial challenges faced by the law of occupation. Through examples such as the occupation of the Palestinian Territories and the 2003 occupation of Iraq, the author convincingly demonstrates that although the law of occupation may no longer be perceived as adequate to address contemporary forms of occupation, a formal modification of the law is neither desirable nor feasible. The author identifies means by which the potential dichotomy between the law and the facts can be addressed without formal modification of the former: 1) flexible interpretation of the law itself; 2) the role of International Human Rights law as gap-filler; and 3) the role of the UNSC as a modulator of the law.