

1. Record Nr.	UNINA9910812858903321
Titolo	Detention of non-state actors engaged in hostilities : the future law / / edited by Gregory Rose, Bruce Oswald
Pubbl/distr/stampa	Leiden, Netherlands ; ; Boston, [Massachusetts] : , : Brill Nijhoff, , 2016 ©2016
ISBN	90-04-31064-9
Descrizione fisica	1 online resource (451 pages)
Collana	International Humanitarian Law Series, , 1389-6776 ; ; Volume 49
Disciplina	341.65
Soggetti	Non-state actors (International relations) Detention of persons
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	"This book is an outcome from an international conference held in Wollongong, Australia, in December 2011."
Nota di bibliografia	Includes bibliographical references at the end of each chapters and index.
Nota di contenuto	Preliminary Material / Gregory Rose and Bruce Oswald -- Introduction / Gregory Rose and Bruce Oswald -- Convergence of Norms across the Spectrum of Armed Conflicts: International Humanitarian and Human Rights Law / Emily Crawford -- The Limitations of Legal Reasoning: Negotiating the Relationships between International Humanitarian Law and Human Rights Law in Detention Situations / Sarah McCosker -- The Convergence of Violence around a Norm: Direct Participation in Hostilities and Its Significance for Detention Standards in Non-International Armed Conflict / Jody M. Prescott -- Reimagining the Wheel: Detention and Release of Non-State Actors under the Geneva Conventions / Chris Jenks -- The Coalition Provisional Authority for Iraq, 2004–2008: Transitioning from Administrative Internment to Criminal Justice-Based Detention Operations / Angeline Lewis -- Australian Detention Operations in Afghanistan: Practices and Challenges / Paul A. Cronan -- Detention in British International Military Operations / Linda Dann -- An Indian Perspective on Detention of Non-State Actors Engaged in Hostilities / B.V. Kumar -- Preventive Detention for National Security Purposes: The Three Facets of the Israeli Experience / Dvir Saar and Ben Wahlhaus -- U.S. Detention of Terrorists in the 21st Century / William K. Lietzau -- nato Responsibility for

Detention / Mark Dakers -- Information and Notification Concerning
Detention in Non-International Armed Conflicts / Bruce "Ossie" Oswald
-- The Copenhagen Process Principles and Guidelines for Detention --
Legal and Political Challenges / Thomas Winkler -- Detention in United
Nations Peace Operations / Katarina Grenfell -- Management of
Detention of Non-State Actors Engaged in Hostilities:
Recommendations for Future Law / Gregory Rose -- Geneva
Convention iii Relative to the Treatment of Prisoners of War, Article 4 /
Gregory Rose and Bruce Oswald -- Convention iv Relative to the
Protection of Civilians / Gregory Rose and Bruce Oswald -- Additional
Protocol i to the Geneva Conventions / Gregory Rose and Bruce Oswald
-- Geneva Conventions, Common Article 3 / Gregory Rose and Bruce
Oswald -- Additional Protocol ii to the Geneva Conventions / Gregory
Rose and Bruce Oswald -- 32nd International Conference of the Red
Cross and Red Crescent / Gregory Rose and Bruce Oswald -- Index /
Gregory Rose and Bruce Oswald.

Sommario/riassunto

Detention of Non-State Actors engaged in Hostilities: The Future Law explores legal dilemmas facing detention management during military missions overseas. Armed forces increasingly find themselves facing non-international armed conflict with non-state actors, such as insurgents, terrorists or other civilians, whom they might be permitted to kill or capture in some circumstances. The book considers the legal powers of military forces to apprehend non-State actors and to hold them in ongoing detention or to transfer them to judicial authorities for prosecution. It deals with both theoretical approaches and practical case studies concerning management and treatment of detainees. It concludes by synthesizing the options and delivering a detailed set of guidelines that are proposed as emerging norms for the detention of non-state actors in an armed conflict.
