

# Collection of Selected Materials on International Humanitarian Law Law of Armed Conflict

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Gentian Zyberi (ed.)

Professor Gentian Zyberi (ed.)

# **Collection of Selected Materials on International Humanitarian Law (Law of Armed Conflict)**

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[akademisk@cappelendam.no](mailto:akademisk@cappelendam.no)



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# Introduction

Dear reader,

This collection of materials on international humanitarian law (IHL) and closely related fields tries to bring together some key relevant documents regulating armed conflicts, their effects, and legal consequences. The book is meant to serve as an aid to the study of international humanitarian law. Known as international humanitarian law, the law of armed conflict, or *jus in bello*, this body of fundamental principles and customary and treaty rules aimed at regulating armed conflicts is a key part of public international law. While the International Committee of the Red Cross (ICRC) has an excellent online database, and despite there being other printed collections, this volume fills a gap both content-wise and format-wise, especially for those who prefer reading printed books to digital documents. The up-to-date lists of States parties to the treaties included in this collection, are available through the United Nations Treaty Collection and the ICRC's IHL Treaties, States Parties and Commentaries database.

The collection is organized into four sections, covering respectively 'Selected materials on general legal issues' (Section I), 'Selected main international humanitarian law treaties and customary rules' (Section II), 'Selected treaties on weapons and disarmament' (Section III), and 'International responsibility for war crimes and other internationally recognized crimes' (Section IV). Jointly, these four sections provide an oversight of more general issues related to international humanitarian law, of the main international humanitarian law treaties and customary international humanitarian law rules, of treaties covering the regulation of means of armed conflict and disarmament efforts, and finally documents related to ensuring responsibility for States and individuals for internationally recognized crimes, including war crimes.

These materials cover a long time span and reflect the efforts of the organized international community since the late 1800' to regulate the conduct of hostilities and protect not only those most vulnerable during armed conflicts, but also combatants and fighters. The treaties and other legal instruments reflect

intentional efforts to avoid ‘total war’ and to regulate activities in various domains, on land, at sea, on air, in outer space, and more recently also in the digital domain. While the text of these documents would leave some space for interpretation, they are often accompanied by authoritative commentary issued by relevant bodies, such as the ICRC, the International Law Commission, or experts of international humanitarian law. Over time, various treaty provisions and customary IHL rules have been interpreted by international courts and tribunals, UN human rights treaty bodies, regional human rights courts and commissions, and domestic courts. This has given rise to a rich case law, which is very important to the study of IHL.

I am grateful to several colleagues for their kind feedback on the scope and content of this collection, especially Jann K Kleffner, Terry D Gill, Camilla Guldahl Cooper, Magne Frostad, and Knut Einar Skodvin. While the current collection cannot be exhaustive, it is meant to further a better understanding of the main elements of IHL and its relation to other fields of public international law as international human rights law, international criminal law, and the law of international responsibility.

Oslo, August 2024

Gentian Zyberi



## About the editor

Gentian Zyberi is a Professor of International Law and Human Rights at the Norwegian Centre for Human Rights, Faculty of Law, University of Oslo. Professor Zyberi has over 20 years of professional work experience in international law. In his career, he has combined effectively academic work and the practice of international law. His practice of international law includes work before the International Criminal Tribunal for the former Yugoslavia (2004–2012) and the International Court of Justice (2009), as a member of the UN Human Rights Committee (2019–2022), and as a member of the Permanent Court of Arbitration, The Hague, the Netherlands (2016–2028). Professor Zyberi has done research, has published and has taught in the areas of international human rights, international humanitarian law, international criminal law, and public international law at various universities in the Netherlands, Albania, China, the US, Kosovo, and Norway. His research interests include the role of international courts and tribunals in developing international law; the protection of community interests in international law; and, transitional justice processes, especially in the Balkans.