

## Course literature

**Course code and title:** 1FR006 Krigets lagar/Law of Armed Conflict

**Decision:** 2020-12-17 Appendix decided by ämnesrådet in Law with Specialisation in International Law

**Valid from term:** Spring semester 2021

*Please note that the literature can be changed before each new course opportunity*





Introduction, History Sources

### Litteratur/Literature:

- [O'Connell, Mary Ellen, and Dieter Fleck. "Historical development and legal basis." In \*The Handbook of International Humanitarian Law 3\* \(2013\): 1-42.](#) 
- [Chinkin, Christine. "Gender and armed conflict." in \*The Oxford Handbook of International Law in Armed Conflict\*. Oxford, 2014.](#) 
- [Kleffner, Jann. "Sources of the law of armed conflict." \*Routledge Handbook of the Law of Armed Conflict\*. Routledge, 2016. 127-144.](#) 

Applicability

### Litteratur/Literature:

- [Jann Kleffner, "Scope of Application of International Humanitarian Law," in \*The Handbook of International Humanitarian Law, Third Edition\*, ed. Fleck \(Oxford: Oxford University Press, 2013\),](#) 
- ICRC Commentary to Geneva Convention I, Commentary to Art 2, paras 199-341: <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Comment.xsp?action=openDocument&documentId=BE2D518CF5DE54EAC1257F7D0036B518> (Länkar till en externa sida.)
- ICRC Commentary to Geneva Convention I, Commentary to Art. 3, paras 384-502: [https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Comment.xsp?action=openDocument&documentId=59F6C DFA490736C1C1257F7D004BA0EC#\\_Toc465169864](https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Comment.xsp?action=openDocument&documentId=59F6C DFA490736C1C1257F7D004BA0EC#_Toc465169864) (Länkar till en externa sida.)
- [Bugnion, Francois. "Just Wars, Wars of Aggression and International Humanitarian Law." \*Int'l Stud. J.\* 2 \(2005\): 39.](#) 
- [Kleffner, Jann K. "The applicability of international humanitarian law to organized armed groups." \*International Review of the Red Cross\* 93.882 \(2011\): 443-461.](#) 
- [Lubell, Noam. "Fragmented Wars: Multi-Territorial Military Operations against Armed Groups." \*International Law Studies\* 93.1 \(2017\): 7.](#) 

- [Kleffner, Jann. "The Beneficiaries of the Rights Stemming from Common Article 3." \(2015\): 433-447.](#) 
- [Kleffner, Jann K. "Friend or foe? On the protective reach of the law of armed conflict." \*Armed Conflict and International Law: In Search of the Human Face\*. TMC Asser Press, The Hague, The Netherlands, 2013. 285-302.](#)



## Principles

### Litteratur/Literature:

- [Schmitt, Michael N. "Military necessity and humanity in international humanitarian law: preserving the delicate balance." \*Essays on Law and War at the Fault Lines\*. TMC Asser Press, 2011. 89-129.](#) 
- [Crawford, Emily. "Combatants." \*Routledge Handbook of the Law of Armed Conflict\*. Routledge, 2016. 179-194.](#) 
- [Turns, David "Military objectives" in \*Routledge Handbook of the Law of Armed Conflict / Edited by Rain Liivoja and Tim McCormack\*. Routledge, 2016.](#) 
- [Kleffner, Jann. "From belligerents to 'fighters' and civilians directly participating in hostilities – on the principle of distinction in non-international armed conflicts one hundred years after the second Hague peace conference." \*Netherlands International Law Review\* 54.2 \(2007\): 315-336.](#) 
- [International Committee of the Red Cross \(ICRC\), Interpretive guidance on the notion of direct participation in hostilities under international humanitarian law, May 2009 \(Länkar till en externa sida.\)](#)
- [Henderson, Ian. "Precautions in attacks" in \*The contemporary law of targeting\*. Vol. 25. Martinus Nijhoff Publishers, 2009.](#) 
- [Henderson, Ian. "Proportionality" in \*The contemporary law of targeting\*. Vol. 25. Martinus Nijhoff Publishers, 2009.](#) 
- [ICRCs Commentary on Additional Protocol I, Commentary to Art. 35, paras 1382-1462 <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Comment.xsp?action=openDocument&documentId=2F157A9C651F8B1DC12563CD0043256C> \(Länkar till en externa sida.\)](#)
- [Kalshoven, Frits, and Liesbeth Zegveld. \*Constraints on the waging of war: an introduction to international humanitarian law\*. Cambridge University Press, 2011. pp 45-68](#) 

## Means and Methods of Warfare

### Litteratur/Literature:

- [Daoust, Isabelle, Robin Coupland, and Rikke Ishoey. "New wars, new weapons? The obligation of International Committee of the Red Cross \(ICRC\), \*Customary International Humanitarian Law\*, 2005, Volume I: Rules, pp 161-296.](#) 
- [International Committee of the Red Cross \(ICRC\), \*Customary International Humanitarian Law\*, 2005, Volume I: Rules, pp 161-296.](#) 

- ICRCs Commentary on Additional Protocol I, Commentary to Art. 35, paras 1382-1462 <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Comment.xsp?action=openDocument&documentId=2F157A9C651F8B1DC12563CD0043256C>
- Boothby W.H. (2014) The Legal Challenges of New Technologies: An Overview. In: Nasu H., McLaughlin R. (eds) New Technologies and the Law of Armed Conflict. T.M.C. Asser Press, The Hague. [https://doi.org/10.1007/978-90-6704-933-7\\_2](https://doi.org/10.1007/978-90-6704-933-7_2)

## Belligerent Occupation

### Litteratur/Literature:

- Sassoli, Marco. International Humanitarian Law - Rules, Controversies, and Solutions to Problems Arising in Warfare, Edward Elgar (2019): 303-338.

## LoAC and Gender

### Litteratur/Literature:

- [Tengroth, Cecilia, and Kristina Lindvall. "IHL AND GENDER–SWEDISH EXPERIENCES." \(2015\). chapters 1,2,4-6,15 and 16](#)

## LoAC and Human Rights

### Litteratur/Literature:

- [de Wet, Erika, and Jann K. Kleffner. Convergence and conflicts of human rights and international humanitarian law in military operations. Pretoria University Law Press \(PULP\), 2014. Chapters 2, 3, 6, 7, 14 and 16](#)
- [Sassòli, Marco, and Laura M. Olson. "The relationship between international humanitarian and human rights law where it matters: admissible killing and internment of fighters in non-international armed conflicts." International Review of the Red Cross 90.871 \(2008\): 599-627.](#)






## Implementation and Enforcement of LoAC

### Litteratur/Literature:

- [Frésard, Jean Jacques. The Roots of Behaviour in War: a survey of the literature. International Committee of the Red Cross, 2004.](#)
- [Pfanner, Toni. "Various mechanisms and approaches for implementing international humanitarian law and protecting and assisting war victims." International Review of the Red Cross 91.874 \(2009\): 279-328.](#)
- Kleffner, Jann. "A Bird's-eye view on compliance with the law of armed conflict 70 years after the adoption of the Geneva Conventions", 22 YIHL (2019) 107-124

## Prosecution of War Crimes

### Litteratur/Literature:

- [Cassese, Antonio. Cassese's international criminal law. Oxford university press, 2013. Chapter 4 "War crimes"](#) 
- [Cassese, Antonio. Cassese's international criminal law. Oxford university press, 2013. Chapter 9 "Perpetration: in particular joint and indirect perpetration"](#) 
- [Cassese, Antonio. Cassese's international criminal law. Oxford university press, 2013. Chapter 10 "Omission liability and superior responsibility"](#) 
- [Cassese, Antonio. Cassese's international criminal law. Oxford university press, 2013. Chapter 11 "Other modes of criminal liability and inchoate crimes"](#) 
- [Kleffner, Jann K. Complementarity in the Rome Statute and national criminal jurisdictions. Oxford University Press, 2008. Pp 7-33.](#) 
- [Kleffner, Jann K. Complementarity in the Rome Statute and national criminal jurisdictions. Oxford University Press, 2008. Pp 33-56.](#) 