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NAVAL WEAPONS SYSTEMS  
AND THE CONTEMPORARY  
LAW OF WAR

JAMES J. BUSUTTIL



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# Naval Weapons Systems And The Contemporary Law Of War

**Norman E. Youngblood**



## **Naval Weapons Systems And The Contemporary Law Of War:**

*Naval Weapons Systems and the Contemporary Law of War* James J. Busuttil, 1998 This book provides the first comprehensive critical analysis of the regulation of naval weapons during armed conflict It examines the experience this century with the use of naval mines submarines and anti ship missiles the three main naval weapons The sources of international law relevant to an assessment of the law that is the extant conventions state practice military manuals war crimes prosecutions and the opinions of publicists are each extensively examined so that a clear picture of the law emerges The book examines the impact of agreements drawn up in peacetime on wartime conduct and focuses on the growth of law through customary practice While stating the law as it is today it also provides suggestions for the practical development of the law

*Naval Weapons Systems and the Contemporary Law of War* James J. Busuttil, 1995      **Judges, Law and War** Shane Darcy, 2014-08-07 This book provides expert analysis of the impact of international and national courts on the development of international law applying to armed conflicts

**The Law of Armed Conflict and the Use of Force** Frauke Lachenmann, Rüdiger Wolfrum, 2017 This volume collects articles on the law of armed conflict and the use of force from the Max Planck Encyclopedia of Public International Law to facilitate easy access to content from the leading reference work in international law

*Hague Law Interpreted* Stuart Casey-Maslen, Steven Haines, 2018-11-15 Given the centrality of Hague Law to the lawful prosecution of warfare the relative paucity of dedicated works is surprising The general formulation of Hague Law rules is largely uncontroversial but this clarity stands in stark contrast to their interpretation and practical application How precisely for instance the fundamental rules of distinction and proportionality in attack are to dictate and constrain the planning and practice of warfare continues to be highly uncertain This important new publication fills the gap in the literature Offering a comprehensive assessment of Hague Law it explores questions of definitions and accountability and navigates the substantive rules and their application to different types of warfare

*An Introduction to the International Law of Armed Conflicts* Robert Kolb, Richard Hyde, 2008-09-17 This book provides a modern and basic introduction to a branch of international law constantly gaining in importance in international life namely international humanitarian law the law of armed conflict It is constructed in a way suitable for self study The subject matters are discussed in self contained chapters allowing each to be studied independently of the others Among the subject matters discussed are inter alia the Relationship between jus ad bellum jus in bello Historical Evolution of IHL Basic Principles and Sources of IHL Martens Clause International and Non International Armed Conflicts Material Spatial Personal and Temporal Scope of Application of IHL Special Agreements under IHL Role of the ICRC Targeting Objects Specifically Protected against Attack Prohibited Weapons Perfidy Reprisals Assistance of the Wounded and Sick Definition of Combatants Protection of Prisoners of War Protection of Civilians Occupied Territories Protective Emblems Sea Warfare Neutrality Implementation of IHL

**Disarmament Law** Treasa Dunworth, Anna Hood, 2020-10-29 This volume seeks to start a revival of the field of

disarmament law scholarship Law is a fundamental component of disarmament yet today most perspectives on the wide range of disarmament issues that exist come primarily from political diplomatic and public advocacy angles The aim of this book is to revive the field of disarmament law building on earlier important and still relevant contributions by international lawyers to the subject The collection brings together international scholars on various aspects of disarmament The contributions range across a variety of weapons types adopt different approaches doctrinal historical and critical to the issues being discussed and taken together constitute a snapshot of the ideas concerns and issues that currently occupy disarmament law scholars The book will be essential reading for academics researchers and policy makers working in the area of disarmament

The Development of Mine Warfare Norman E. Youngblood, 2006-06-30 In 1997 the International Campaign to Ban Landmines ICBL coordinated the Convention on the Prohibition of the Use Stockpiling Production and Transfer of Anti Personnel Mines and on their Destruction As of mid 2005 145 states had signed the agreement The ICBL s efforts were in large part a response to the careless use of landmines in the previous fifty years The history of mine use in warfare however goes back much further than the World Wars of the 20th century and includes both land and sea use This first comprehensive study traces the technical tactical and ethical developments of mine warfare from ancient times to the present Beginning with mine warfare s roots in ancient Assyria and China Youngblood takes the reader through the centuries of debate about how these hidden weapons should be used A look at 19th century developments explores the intertwined development of land and sea mines and the inventors behind them including Robert Fulton Samuel Colt and Immanuel Nobel father of Alfred Nobel Subsequent chapters examine the use of mines in the American Civil War the Russo Japanese War both World Wars and the battlefields of the Cold War and chart key battles and technical innovations such as the development of air delivered munitions Finally the author addresses the ethical concerns raised by the careless mining namely the impact on civilians and the difficulties of de mining and the treaties that regulate landmine use

**Law Among Nations** Gerhard von Glahn, James Larry Taulbee, 2015-07-14 Offering a more accessible alternative to casebooks and historical commentaries Law Among Nations explains issues of international law by tracing the field s development and stressing key principles and processes This comprehensive text eliminates the need for multiple books by combining discussions of theory and state practice with excerpts from landmark cases Renowned for its rigorous approach and clear explanations Law Among Nations remains the gold standard for undergraduate introductions to international law Learning Goals Trace the development of International Law through key principles and processes Illustrate important issues and theories using excerpts from landmark cases

**War** Andrew Clapham, 2021 This book provides an accessible and engaging account of the contemporary laws of war It highlights how even though war has been outlawed and should be finished as an institution states continue to claim that they can wage necessary wars of self defence engage in lawful killings in war and imprison law of war detainees

Liber Amicorum Judge Shigeru Oda (2 vols) Nisuke Ando, Edward McWhinney, Rüdiger Wolfrum, Betsy Baker

Röben,2021-12-06 Judge Shigeru Oda having served since 1976 in three successive nine year terms on the International Court of Justice has helped to shape the Court s jurisprudence for over a quarter century His influence on the law of the sea spans an even longer period beginning with his doctoral dissertation at Yale Law school in the 1950s and continuing with his involvement in the First Second and Third UN Conferences on the Law of the Sea In a tribute to Judge Oda s significant contributions to international law leading scholars on the law of the sea international dispute settlement and the ICJ itself have produced a Festschrift in his honour that promises to be a standard reference work on these topics for years to come This two volume work containing over 95 articles begins by examining the role of the international judge and the jurisdiction of international tribunals including reservations to jurisdiction the Optional Clause the Special Agreement and the power to indicate special measures It contains a particularly lively debate regarding the proliferation of international tribunals and whether the potential for conflicting decisions is problematic or productive Other areas of focus include the history and current development of the law of the sea the first in depth examination of the establishment and first decisions of the International Tribunal for the Law of the Sea and the ICJ s treatment of the development doctrines and sources of international law Further sections are devoted to International Litigation as analysed by leading practitioners Land and Maritime Boundaries International Watercourses and Other Waters and Defence the Use of Force and the Law of Armed Conflict The composition of the editorial team Nisuke Ando of Kyoto Edward McWhinney of Ottawa and R diger Wolfrum of Heidelberg reflects Judge Oda s truly international career and the extent to which his work has drawn from and contributed to diverse legal traditions

#### **The Conduct of Hostilities under the Law of International Armed Conflict** Yoram

Dinstein,2016-04-14 The definitive textbook on the law of international armed conflict

#### **The Politics of Maritime Power**

Andrew T. H . Tan,2010-10-18 Since the crucial maritime battles that were fought during the Second World War in both the Atlantic and Pacific Oceans and the post war period which saw a naval standoff between a vast US navy and a growing Soviet navy the focus of international maritime power has changed Major maritime powers have deployed warships aircraft carriers and heavy land forces around the globe for purposes of diplomacy such as in maintaining far flung alliances for deterrent purposes such as in the Taiwan Straits for warfighting such as in its crucial support roles in recent conflicts in Afghanistan and both Gulf Wars and for complex emergencies such as tsunami and earthquake rescue in Indonesia and Pakistan Increasingly maritime power is employed in counter terrorism such as in joint patrols counter terrorism exercises and in intercepting ships suspected of carrying weapons of mass destruction The Politics of Maritime Power is an exploration of the contemporary facets of maritime power particularly as an instrument of the state in the post Second World War era This reference volume is divided into four parts with chapters exploring various aspects of modern maritime power written by maritime experts a series of maps which show major maritime zones a glossary which contains over 240 entries on various aspects of maritime power and a detailed bibliography

#### **Irresolvable Norm Conflicts in International Law** Valentin

Jeutner, 2017-07-14 Conventionally international legal scholarship concerned with norm conflicts focuses on identifying how international law can or should resolve them. This book adopts a different approach. It focuses on identifying those norm conflicts that law cannot and should not resolve. The book offers an unprecedented controversial yet sophisticated argument in favour of construing such irresolvable conflicts as legal dilemmas. Legal dilemmas exist when a legal actor confronts a conflict between at least two legal norms that cannot be avoided or resolved. Addressing both academics and practitioners, the book aims to identify the character and consequences of legal dilemmas to distil their legal function within the sphere of international law and to encourage serious theoretical and practical investigation into the conditions that lead to a legal dilemma. The first part proposes a definition of legal dilemmas and distinguishes the term from numerous related concepts. Based on this definition, the second part scrutinises international law's contemporary norm conflict resolution and accommodation devices in order to identify their limited ability to resolve certain kinds of norm conflicts. Against the background of the limits identified in the second part, the third part outlines and evaluates the book's proposed method of dealing with legal dilemmas. In contrast to conventional approaches that recommend dealing with irresolvable norm conflicts by means of non liquet declarations, judicial law making or a balancing test, the book's proposal envisions that irresolvable norm conflicts are dealt with by judicial and sovereign actors in a complementary fashion. Judicial actors should openly acknowledge irresolvable conflicts and sovereign actors should decide with which norm they will comply. The book concludes with the argument that analysing various aspects of international law through the concept of a legal dilemma enhances its conceptual accuracy, facilitates more legitimate decision making and maintains its dynamic responsiveness. Liber Amicorum Judge Shigeru Oda

Nisuke Ando, Edward McWhinney, Rüdiger Wolfrum, Betsy Baker Röben, 2022-11-07 Judge Shigeru Oda, having served since 1976 in three successive nine year terms on the International Court of Justice, has helped to shape the Court's jurisprudence for over a quarter century. His influence on the law of the sea spans an even longer period, beginning with his doctoral dissertation at Yale Law School in the 1950s and continuing with his involvement in the First, Second and Third UN Conferences on the Law of the Sea. In a tribute to Judge Oda's significant contributions to international law, leading scholars on the law of the sea, international dispute settlement and the ICJ itself have produced a Festschrift in his honour that promises to be a standard reference work on these topics for years to come. This two volume work, containing over 95 articles, begins by examining the role of the international judge and the jurisdiction of international tribunals, including reservations to jurisdiction, the Optional Clause, the Special Agreement and the power to indicate special measures. It contains a particularly lively debate regarding the proliferation of international tribunals and whether the potential for conflicting decisions is problematic or productive. Other areas of focus include the history and current development of the law of the sea, the first in depth examination of the establishment and first decisions of the International Tribunal for the Law of the Sea and the ICJ's treatment of the development doctrines and sources of international law. Further sections are devoted

to International Litigation as analysed by leading practitioners Land and Maritime Boundaries International Watercourses and Other Waters and Defence the Use of Force and the Law of Armed Conflict The composition of the editorial team Nisuke Ando of Kyoto Edward McWhinney of Ottawa and Rüdiger Wolfrum of Heidelberg reflects Judge Oda's truly international career and the extent to which his work has drawn from and contributed to diverse legal traditions The print edition is available as a set of two volumes 9789041117908 *Commentary on the Second Geneva Convention*, 2017-12-21 The application and interpretation of the four Geneva Conventions of 1949 have developed significantly in the sixty years since the International Committee of the Red Cross ICRC first published its Commentaries on these important humanitarian treaties To promote a better understanding of and respect for this body of law the ICRC commissioned a comprehensive update of its original Commentaries of which this is the second volume Its preparation was coordinated by Jean Marie Henckaerts ICRC legal adviser and head of the project to update the Commentaries The Second Convention is a key text of international humanitarian law It contains the essential rules on the protection of the wounded sick and shipwrecked at sea those assigned to their care and the vessels used for their treatment and evacuation This article by article Commentary takes into account developments in the law and practice to provide up to date interpretations of the Convention The new Commentary has been reviewed by humanitarian law practitioners and academics from around the world including naval experts It is an essential tool for anyone working or studying within this field **United Nations Juridical Yearbook** United Nations, 1998 The International Law of the Sea Donald R Rothwell, Tim Stephens, 2016-02-25 The law of the sea provides for the regulation management and governance of the ocean spaces that cover over two thirds of the Earth's surface This book provides a contemporary explanation of the foundational principles of the law of the sea a critical overview of the 1982 United Nations Convention on the Law of the Sea and an analysis of subsequent developments including the many bilateral regional and global agreements that supplement the Convention The second edition of this acclaimed text takes as its focus the rules and institutions established by the Convention on the Law of the Sea and places the achievements of the Convention in both historical and contemporary context All of the main areas of the law of the sea are addressed including the foundations and sources of the law the nature and extent of the maritime zones the delimitation of overlapping maritime boundaries the place of archipelagic and other special states in the law of the sea navigational rights and freedoms military activities at sea and marine resource and conservation issues such as fisheries marine environmental protection and dispute settlement As the Convention is now well over a quarter of a century old the book takes stock of contemporary oceans issues that are not adequately addressed by the Convention Overarching challenges facing the law of the sea are considered including how new maritime security initiatives can be reconciled with traditional navigational rights and freedoms and the need for stronger legal and policy responses to protect the global ocean environment from climate change and ocean acidification **Weapons and the Law of Armed Conflict** William H. Boothby, 2016-03-10 Bringing together the law of

armed conflict governing the use of weapons into a single volume the fully updated Second Edition of Weapons and the Law of Armed Conflict interprets these rules and discusses the factors influencing future developments in weapons law After relating the historical evolution of weapons law the book discusses the important customary principles that are the foundation of the subject and provides a condensed account of the law that exists on the use of weapons The treaties and customary rules applying to particular categories of weapon are thereafter listed and explained article by article and rule by rule in a series of chapters Having stated the law as it is the book then explores the way in which this dynamic field of international law develops in the light of various influences The legal review of weapons is discussed both from the perspective of how such reviews should be undertaken and how such a system should be established Having stated the law as it is the book then investigates the way in which this dynamic field of international law develops in the light of various influences In the final chapter the prospects for future rule change are considered This Second Edition includes a discussion of new treaty law on expanding bullets the arms trade and norms in relation to biological and chemical weapons It also analyses the International Manuals on air and missile warfare law and on cyber warfare law the challenges posed by lethal autonomous weapon systems and developments in the field of information and telecommunications otherwise known as cyber activities

**Fundamentals of Military Law** Jian Zhou, 2019-04-16 The book makes a comprehensive analysis of the basic principles and theories of military law restructuring the theoretic framework of military law It also puts forwards the new concepts of core military law and international military law for the first time in China and even the world The book could help legal scholars and lawyers especially military lawyers and research fellows in military law to have a new approach to study military law

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


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