International human rights law and the law of armed conflict in the context of counterinsurgency: With a particular focus on targeting and operational detention

Pouw, E.H.

Citation for published version (APA):
Other Materials

UNITED NATIONS DOCUMENTS

International Law Commission
1980b Yearbook of the International Law Commission
2004 Study on the Function and Scope of the Lex Specialis Rule and the Question of ‘Self Contained Regimes’: Preliminary report by Mr. Martti Koskenniemi, Chairman of the Study Group, International Law Commission, Study Group on Fragmentation of International Law: Difficulties Arising From the Diversification and Expansion of International Law, UN Doc. ILC(LVI)/SG/FIL/CRD.1 and Add.1, International Law Commission
2004a Report on the Work of the ILC of its Fifty-fourth Session, UN Doc. A/5/10,
2004b Report on the Work of the ILC of its Fifty-sixth Session (3 May to 4 June and 5 July to 6 August 2004), UN Doc. A/59/10

UN Assistance Mission in Afghanistan (UNAMA)

UNAMA & Afghanistan Independent Human Rights Commission
2010 Afghanistan, Annual Report 2010, Protection of Civilians in Armed Conflict

UN Fact Finding Mission on the Gaza Conflict

UN General Assembly
1948 Universal Declaration of Human Rights, UNGA Resolution 217A of 10 December 1948
1970 General Assembly Resolution 2675 (XXV), Basic Principles for the Protection of Civilian Populations in Armed Conflict (9 December 1970)
1979 Code of Conduct for Law Enforcement Officials, adopted by UNGA Resolution 34/169 of 17 December 1979
1988 Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, A/RES/43/173, 76th Plenary Meeting, 9 December 1988
1990 UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, UN Doc. A/CONF.144/28/Rev.1, 19
1990 UN Basic Principles for the Treatment of Prisoners (A/RES/45/111, 68th plenary meeting, 14 December 1990)

UN Human Rights Council

UN Human Rights Commission
2001 Resolution 2001/34 on Extra-judicial, Summary, or Arbitrary Executions, Preamble (19 April 2005)

UN Human Rights Committee
1998 Concluding Observations on Israel (30 May 1998), UN Doc. CERD/C/304/Add.45
2001 General Comment 29, Derogations During a State of Emergency, UN Doc. CCPR/C/21/Rev.1/Add.11 (24 July 2001)
2003 Concluding Observations of the Human Rights Committee: Israel (21 Augustus 2003), UN Doc. CCPR/CO/78/ISR
2003 Concluding Observations on Sri Lanka’s Combined Fourth and Fifth Periodic Reports, CCPR/C/97/LKA (1 December 2003)
2004 General Comment No. 20, Prohibition of Torture and Cruel Treatment or Punishment, UN Doc. CCPR/C/21/Rev.1/Add 13 (26 May 2004)
2004 General Comment 31, Nature of the General Legal Obligation Imposed on States parties to the Covenant, UN Doc. CCPR/C/21/Rev.1/Add.13 (26 May 2004)
2004 Concluding observations on Columbia’s Fifth Periodic Report, CCPR/CO/80/COL (25 March 2004)

UN Office of the High Commissioner for Human Rights
2011 International Legal Protection of Human Rights in Armed Conflict

UN Working Group on Arbitrary Detention

Special Rapporteur on Extra-judicial, Summary and Arbitrary Executions
2010  Report of the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Philip Alston, Addendum, Study on Targeted Killings, A/HRC/14/24/Add.6

OTHER MULTILATERAL MATERIALS

Council of Europe
1956  Preparatory Work on Article 15 of the European Convention on Human Rights (22 May 1956, DH (56)4)
1973  Resolution (73)3, Standard Minimum Rules for the Treatment of Prisoners, adopted by the Committee of Ministers on 19 January 1973 at the 217th meeting of the Ministers' Deputies [CoE Minimum Rules]

Diplomatic Conference, Geneva
1949  Final Record of the Diplomatic Conference of Geneva (1949), Volumes I to IV (Bern: Federal Political Department, 1951)

NATO
2008  Bucharest Summit Declaration Issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Bucharest on 3 April 2008
2011  Allied Joint Doctrine for Counterinsurgency (COIN) (AJP-3.4.4)
2011  Allied Joint Publication 3(B): Allied Joint Doctrine for the Conduct of Operations

Organization of American States
1948  American Declaration of the Rights and Duties of Man, Adopted by the Ninth International Conference of American States, Bogotá, Colombia, 1948

OSCE

NATIONAL MATERIALS

Canada
2008  Chief of the Land Staff, National Defence, Counter-Insurgency Operations (B-GL-323-004/FP-003)

Denmark
2005  MoU Between Afghanistan and Denmark, Memorandum of the Understanding between the Ministry of Defense of the Islamic Republic of Afghanistan and the Ministry of Defense of the Kingdom of Denmark Concerning the Transfer of Persons between the Danish Contingent of the International Security Assistance Force and Afghan Authorities, Signed in Kabul on 8 June 2005
2012  Danish Ministry of Foreign Affairs, The Copenhagen Process on the Handling of Detainees in International Military Operations

France
République Française, Ministère de la Défense, Armée de Terre, Doctrine for Counterinsurgency at the Tactical Level

**Germany**
2010 German Army Office, Preliminary Basics for the Role of Land Forces in Counterinsurgency

**United Kingdom**

**United States**
1989 Hays Parks, W., Memorandum on Executive Order 12333 and Assassination, in: Army Lawyer (December 1989)
1990 Department of Defense Final Report to Congress on the Conduct of the Persian Gulf War
2002k Response of the United States to Request for Precautionary Measures (Detainees in Guantanamo Bay, Cuba), 14
2009 Department of the Army, FM 3-24.2 - Tactics in Counterinsurgency [U.S. Army (2009)]

**The Netherlands**
2003 Koninklijke Landmacht, Gevechtsoperaties tegen een irregulier optredende tegenstander (LDP II-C)

**The State of Israel**
Åbo Akademi University

Amnesty International
2001 Israel and the Occupied Territories: State Assassinations and Other Unlawful Killings, AI Index No. MDE 15/005/2001, February, 2001

Association for the Prevention of Torture

Foreign Broadcast Information System (FBIS)

Human Rights First

Human Rights Watch

International Commission of Jurists

ICRC
2012 Ferrero, T., Occupation and Other Forms of Administration of Foreign Territory
1973 Weapons that may Cause Unnecessary Suffering or have Indiscriminate Effects: Report on the Work of Experts
<table>
<thead>
<tr>
<th>Year</th>
<th>Title</th>
<th>Publisher</th>
</tr>
</thead>
<tbody>
<tr>
<td>2003</td>
<td>International Humanitarian Law and the Challenges of Contemporary Armed Conflicts</td>
<td>Report Prepared by the ICRC, 28th International Conference of the Red Cross and Red Crescent, Geneva, 2 to 6 December 2003, ICRC, 03/IC/09 (December)</td>
</tr>
<tr>
<td>2003</td>
<td>International Humanitarian Law and Other Legal Regimes: Interplay in Situations of Violence</td>
<td>Cambridge: Cambridge University Press</td>
</tr>
<tr>
<td>2005a</td>
<td>Customary International Humanitarian Law</td>
<td>Cambridge: Cambridge University Press</td>
</tr>
<tr>
<td>2009</td>
<td>Melzer, N., Interpretive Guidance on the Notion of Direct Participation in Hostilities under International Humanitarian Law</td>
<td></td>
</tr>
</tbody>
</table>

**International Law Association**

<table>
<thead>
<tr>
<th>Year</th>
<th>Title</th>
<th>Publisher</th>
</tr>
</thead>
</table>

**Institute for War and Peace**

<table>
<thead>
<tr>
<th>Year</th>
<th>Title</th>
<th>Publisher</th>
</tr>
</thead>
</table>

**International Institute of Humanitarian Law, San Remo**

<table>
<thead>
<tr>
<th>Year</th>
<th>Title</th>
<th>Publisher</th>
</tr>
</thead>
</table>

**Paris Minimum Standards of Human Rights Norms in a State of Emergency**

<table>
<thead>
<tr>
<th>Year</th>
<th>Title</th>
<th>Publisher</th>
</tr>
</thead>
</table>

**Program on Humanitarian Policy and Conflict Research**

<table>
<thead>
<tr>
<th>Year</th>
<th>Title</th>
<th>Publisher</th>
</tr>
</thead>
</table>

**The University Centre for International Humanitarian Law**

<table>
<thead>
<tr>
<th>Year</th>
<th>Title</th>
<th>Publisher</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td>Expert Meeting on the Right to Life in Armed Conflicts and Situations of Occupation, The University Centre for International Humanitarian Law</td>
<td></td>
</tr>
</tbody>
</table>