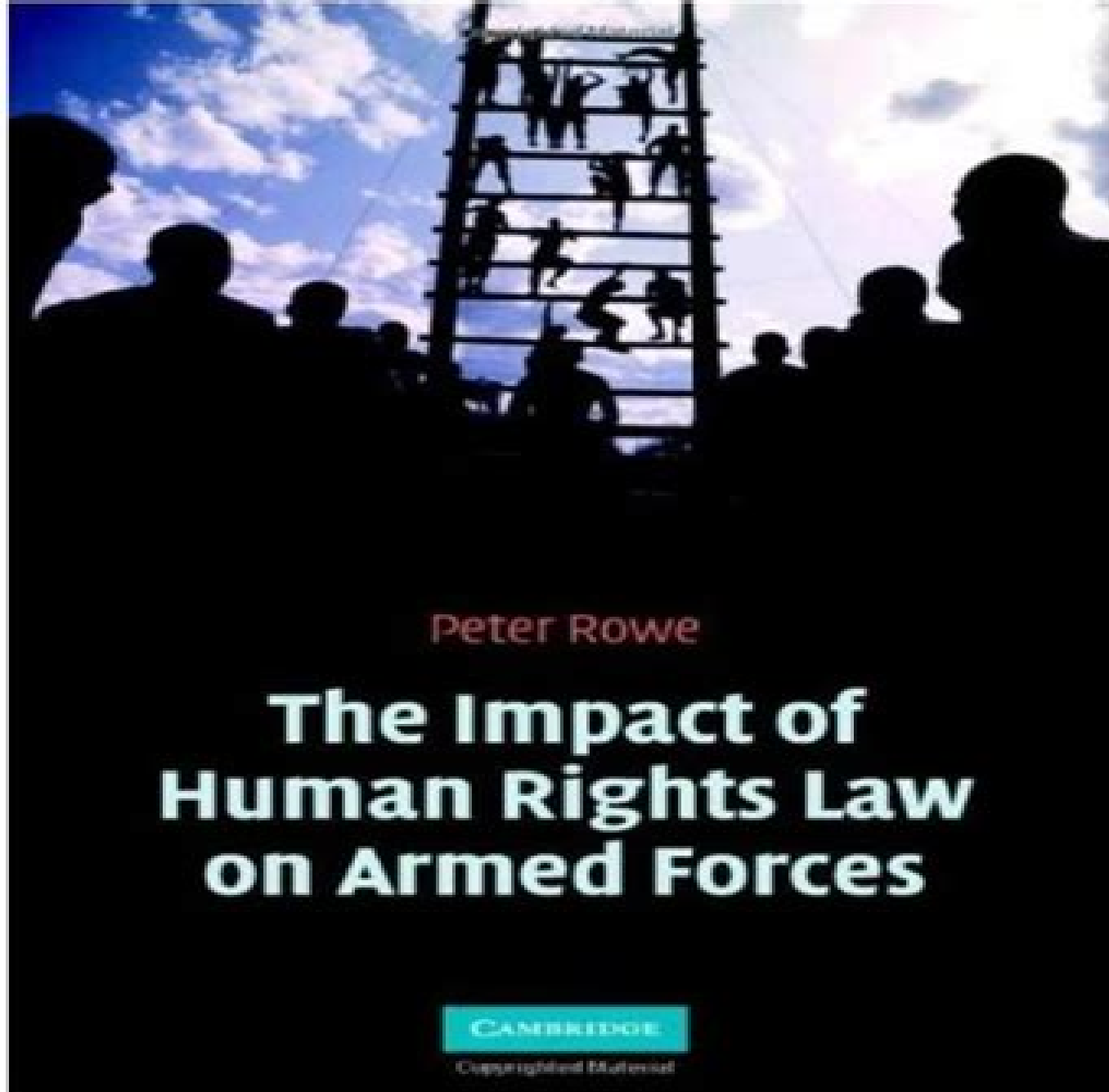




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# The Impact Of Human Rights Law On Armed Forces

**Rosina Ehmann**



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political and military leaders yet perpetrators often remain at large and the laws of war raise numerous normative structural and systemic issues and problems This edited collection brings together leading academic military and professional experts to examine the key issues for the continuing role and relevance of the laws of war in the twenty first century Marking Professor Peter Rowe s contribution to the subject this book re examines the purposes of the laws of war and asks whether existing laws found in treaties and customs work to achieve these purposes and if not whether they can be fixed by specific reforms or wholesale revision

**Criminal Jurisdiction over Armed Forces Abroad** Rain Liivoja,2017-09-28 This book studies the principles and practice of extending a country s criminal law to offences committed abroad by their armed forces personnel

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**Military Justice in the Modern Age** Alison

Duxbury, Matthew Groves, 2016-08-04 Military justice is changing rapidly due to both domestic and international influences This book explains what is happening and why *Civil-Military 'Legal' Relations: Where to from Here?* Pauline Therese Collins, 2018-04-03 Civil military relations establishes the civilian control over the military to protect democratic values This book argues analysis of the CMR is distorted by the absence of consideration of the judicial arm with the civil seen as referring only to the executive and or legislature The civil courts approach to military discipline and the impact that has for CMR within the United Kingdom United States and Australia is investigated The author concludes that by including the courts in the development of CMR theory militarisation of the civilian domain is discouraged A paradigm shift acknowledging the fundamental role of all three organs of government in liberal democracies for control of States power is essential for genuine civilian oversight House of Commons - Defence Committee: UK Armed Forces Personnel and the Legal Framework for Future Operations - HC 931 Great Britain: Parliament: House of Commons: Defence Committee, 2014-04-02 UK military personnel as individuals are properly subject to UK and international law wherever they serve and there are processes to ensure scrutiny of their individual behaviour and legal compliance but in the last ten years legal judgments in the UK and elsewhere against the MoD have raised a number of legal ethical and practical questions for the Armed Forces and their conduct of operations The growing number of such challenges is leading to a feeling of disquiet amongst military personnel and informed commentators about the extent and scale of judicial involvement in military matters There are two aspects of the use of human rights law in military operations that most concern the Committee The extraterritorial application of the European Convention on Human Rights has allowed claims in the UK courts from foreign nationals However the requirement for full and detailed investigations of every death resulting from an armed conflict is putting a significant burden on the MoD and the Armed Forces Secondly there has been a failure of the accepted principle of combat immunity most recently evidenced in the Supreme Court majority judgment in June 2013 allowing families and military personnel to bring negligence cases against the MoD for injury or death This seems to us to risk the judicialisation of war and to be incompatible with the accepted contract entered into by Service personnel and the nature of soldiering

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