



Revisiting the Law of Occupation

Cuyckens, Hanne

BRILL,
2017

Electronic books

Monografía

<https://rebiunoda.pro.baratznet.cloud:38443/OpacDiscovery/public/catalog/detail/b2FpOmNlbGVicmF0aW9uOmVzLmJhcmF0ei5yZW4vMjk2NzEyODA>

Título: Revisiting the Law of Occupation

Editorial: Boston BRILL 2017

Descripción física: 1 online resource (298 pages)

Mención de serie: Nova et Vetera Iuris Gentium Ser

Nota general: ""1 Comparison between Both Bodies of Law: Differences and Similarities""

Contenido: ""Revisiting the Law of Occupation""; ""Copyright""; ""Contents""; ""Acknowledgments""; ""List of Abbreviations""; ""Introduction""; ""Part 1: The Law of Occupation and Current Challenges""; ""Introduction to Part 1""; ""1 Occupation: A Conceptual Analysis""; ""1 The Concept of Occupation""; ""1.1 The Modern Concept of Occupation is the Product of a Long Evolution Process""; ""1.2 The Determination of a Situation of Occupation is a Factual Assessment""; ""1.3 Definition: The Effective Control Test""; ""1.4 Even if the said occupation meets with no armed resistance""; ""1.5 The Occupation of Territory the Title to Which is Not Clear and Uncontested""; ""1.6 The Beginning of Occupation: The Invasion vs. Occupation Phase""; ""1.7 End of Occupation""; ""2 Main Characteristics of the Law of Occupation""; ""2.1 Occupation Does Not Confer Title""; ""2.2 Occupation Cannot Alter the Status Quo Ante""; ""2.3 Occupation is a Provisional State of Affairs""; ""3 The Occupation vs. United Nations Territorial Administration Debate: A Question of Consent?""; ""3.1 United Nations Territorial Administration vs. Occupation: A Conceptual Comparative Analysis""; ""3.2 Applicability of IHL to UN Troops: A Prerequisite for the Potential Applicability of the Law of Occupation""; ""3.3 Applicability of the Law of Occupation""; ""3.4 Interim Conclusion: Lessons to be Learned from the Law of Occupation for UN Territorial Administration?""; ""2 Current Challenges to the Law of Occupation""; ""1 Challenges Induced by the Changing Social and International Environment""; ""2 Specific Challenges Generated by Contemporary Forms of Occupation""; ""2.1 Long-Term Occupation""; ""2.2 Transformative Occupation""; ""3 Interim Conclusion: Insurmountable Challenges?""; ""Part 2: Addressing the Challenges Faced by the Law of Occupation""; ""Introduction to Part 2""; ""1 The Flexibility in the Law of Occupation Itself""; ""1 The Manifestation of the Conservationist Principle in the Law of Occupation: A General Overview""; ""2 Article 43 of the Hague Regulations and Article 64 GCIV: Definition and Delimitation of the Occupying Power's Authority"";

""2.1 Article 43 of the Hague Regulations: A Key Provision of the Law of Occupation""; ""2.2 Article 64 GCIV: A Further Specification of the Rule Contained in Article 43 of the Hague Regulations"" ""2.3 The Adopted Measures Should Not Only be in Accordance with Article 43 HR and Article 64 GCIV but Should Also be Proportional""""3 The Law of Occupation: Flexible Enough to Encompass Change, Even in Long-Term Occupation?""; ""3.1 Prolonged Occupation: Affecting the Balance between the Status Quo and Change""; ""3.2 Flexibility vs. Protection: How to Find the Correct Balance and Prevent Abuse?""; ""4 Interim Conclusion: Some Inherent Flexibility within the Law of Occupation Itself""; ""2 International Human Rights Law as a Gap-Filler""

ISBN: 9789004353978 9004353976 9789004346505

Materia: Military occupation Military occupation.

Enlace a formato físico adicional: Print version Cuyckens, Hanne. Revisiting the Law of Occupation. Boston : BRILL, 2017 9789004346505

Punto acceso adicional serie-Título: Nova et Vetera Iuris Gentium Ser

Baratz Innovación Documental

- Gran Vía, 59 28013 Madrid
- (+34) 91 456 03 60
- informa@baratz.es