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United Nations Goldstone Report January 2010

Michael N. Schmitt



United Nations Goldstone Report January 2010:

The Goldstone Report Adam Horowitz, Lizzy Ratner, Philip Weiss, 2011-01-11 Presents the controversial and vital report on the truth behind Israel's incursion into Gaza and the atrocities committed by both sides with accompanying essays and analysis **The Ashgate Research Companion to International Criminal Law** Yvonne McDermott, 2016-03-23

International criminal law is at a crucial point in its history and development and the time is right for practitioners academics and students to take stock of the lessons learnt from the past fifteen years as the international community moves towards an increasingly uni polar international criminal legal order with the International Criminal Court ICC at the helm This unique Research Companion takes a critical approach to a wide variety of theoretical practical legal and policy issues surrounding and underpinning the operation of international criminal law as applied by international criminal tribunals The book is divided into four main parts The first part analyses international crimes and modes of liability with a view to identifying areas which have been inconsistently or misguidedly interpreted overlooked to date or are likely to be increasingly significant in future The second part examines international criminal processes and procedures and here the authors discuss issues such as victim participation and the rights of the accused The third part is a discussion of complementarity and sentencing while the final part of the book looks at international criminal justice in context The authors raise issues which are likely to provide the most significant challenges and most promising opportunities for the continuing development of this body of law As international criminal law becomes more established as a distinct discipline it becomes imperative for international criminal scholarship to provide a degree of critical analysis both of individual legal issues and of the international criminal project as a whole This book represents an important collective effort to introduce an element of legal realism or critical legal studies into the academic discourse **The Roles and Functions of Atrocity-Related United Nations Commissions of Inquiry in the International Legal Order** Catherine Harwood, 2020-01-13

In *The Roles and Functions of Atrocity Related United Nations Commissions of Inquiry in the International Legal Order* Catherine Harwood explores the turn to international law in atrocity related United Nations commissions of inquiry and their navigation of considerations of principle the legal and pragmatism the political to discern their identity in the international legal order The book traces the inquiry process from establishment and interpretation of the mandate to legal analysis production of findings and recommendations The research finds that the turn to international law fundamentally shapes the roles and functions of UN atrocity inquiries Inquiries continuously navigate between realms of law and politics with the equilibrium shifting in different moments and contexts

Gaza Norman Finkelstein, 2021-07-27 The Gaza Strip is among the most densely populated places in the world More than two thirds of its inhabitants are refugees and more than half are under eighteen years of age Since 2004 Israel has launched eight devastating operations against Gaza's largely defenseless population Thousands have perished and tens of thousands have been left homeless In the meantime Israel has subjected Gaza to a merciless illegal blockade Norman G Finkelstein

presents a meticulously researched inquest into Gaza's martyrdom. He shows that although Israel justified its assaults in the name of self defense, in fact these actions constituted flagrant violations of international law. He also documents that the guardians of international law from Amnesty International and Human Rights Watch to the UN Human Rights Council ultimately failed Gaza. *"This Time We Went Too Far"* Norman G. Finkelstein, 2011. For the Palestinians who live in the narrow coastal strip of Gaza, the Israeli invasion of December 2008 was a nightmare of unimaginable proportions. In the 22 day long action, 1,400 Gazans were killed, several hundred on the first day alone. And yet, while nothing should diminish Palestinian suffering through those frightful days, it is possible something redemptive is emerging from the tragedy of Gaza. For as Norman Finkelstein details in a concise work that melds cold anger with cool analysis, the profound injustice of the Israeli assault was widely recognized by bodies that it is impossible to brand as partial or extremist: Amnesty International, Human Rights Watch, and the UN investigation headed by Richard Goldstone in documenting Israel's use of indiscriminate and intentional force against the civilian population during the invasion. 100 Palestinians died for every one Israeli. This has had an impact on longstanding support for Israel. Jews in both the United States and the United Kingdom, for instance, have begun to voice dissent, and this trend is especially apparent among the young. Such a shift, Finkelstein contends, can create new pressure capable of moving the Middle East crisis towards a solution, one that embraces justice for Palestinians and Israelis alike. This new paperback edition has been revised throughout and includes an extensive afterword on the Israeli attack on the Gaza Freedom Flotilla, which resulted in the deaths of nine activists and further strained the loyalty of many of Israel's traditional allies around the world. It also contains a brand new appendix in which Finkelstein dissects the official Israeli investigation of the flotilla attack.

The UN Human Rights Council Bertrand Ramcharan, 2013-03-01. The UN Human Rights Council provides a detailed insight into this important organization. The UN was founded in the hope that lasting peace would be built on the foundations of human rights and economic and social progress. In 2006, the Commission on Human Rights was replaced by the Human Rights Council as the principal UN body concerned with human rights. It is even possible that the council might eventually become a principal organ of the world organization. The Human Rights Council is already the subject of major public interest and controversy. The Council has been criticized for having dropped some of the protection strategies of the former commission, and this book aims to present a balanced view of the council, outlining its current role, acknowledging where it has made positive contributions, highlighting the deficiencies, and identifying options for improving the body's future work. This book is destined to become the leading text on the Human Rights Council and will be essential reading for all those concerned with the future of international relations, international organizations, and human rights.

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.

Maritime Claims and Boundary

Delimitation Nicholas A. Ioannides, 2020-09-27 This book delves into the major developments triggered by the hydrocarbon discoveries in the Eastern Mediterranean over the last twenty years focusing on maritime boundary delimitation Examining the impact that the hydrocarbon discoveries have had on the application of the law of the sea rules by the East Med states the book looks at the new trends concerning the implementation of the law of the sea in the region The book analyses regional state practice in terms of maritime delimitation namely the conclusion of bilateral agreements based on the law of the sea rules both conventional and customary reflecting the East Med states willingness to cooperate in order to reap the benefits of the energy windfall Alongside this analysis an outline of the hydrocarbon discoveries and the pertinent maritime activities is given as well as further coverage of the overlapping maritime claims and disputes between Greece Cyprus and Turkey on one side and Lebanon and Israel on the other Moreover the book examines the validity of maritime claims made by or through non state entities in the region namely the State of Palestine the UK Sovereign Base Areas and the so called Turkish Republic of Northern Cyprus and their potential impact on the delimitation agreements already in place The book argues that the East Med paradigm concerning the successful application of the pertinent norms in maritime delimitation proves that international law is resilient and capable of providing solutions in other turbulent regions around the globe This book will be of interest and importance to academics and students of international law professionals in the oil and shipping industries legal professionals and government agencies

Mobilising International Law for 'Global Justice' Jeff Handmaker, Karin Arts, 2019 Critically explores how international law is mobilised by global and local actors to achieve or block global justice efforts

Essays on Law and War at the Fault Lines Michael N. Schmitt, 2011-11-15 This collection of essays by Professor Michael N Schmitt of Durham University draws together those of his articles published over the past two decades that have explored particular fault lines in the law of armed conflict As such they examine the complex interplay between warfare and law seeking to identify where the law and warfare appear to diverge and where such apparent divergence can be accommodated through contextual interpretation of the law Each essay examines a particular issue in either the jus ad bellum the law governing resort to force or jus in bello international humanitarian law that has proven contentious in terms of applying extant norms to the evolving face of armed conflict Among the topics addressed are counter terrorism cyber operations asymmetrical warfare assassination environmental warfare and the participation of civilians in hostilities

Is There a Court for Gaza? Chantal Meloni, Gianni Tognoni, 2012-03-13 The Goldstone Report of September 2009 started a critical debate at the international level The Report raised serious allegations of grave violations of international law with regard to the Israeli attack on Gaza of 27 December 2008 18 January 2009 amounting to possible war crimes and crimes against humanity The UN General Assembly and the Human Rights Council amidst high political pressure endorsed the Report's recommendations calling for prompt and proper investigations to ensure accountability and justice for the victims Given the lack of proper investigations at the national level international justice mechanisms are now needed

Indeed the ICC opened a preliminary examination of the situation but difficulties arose because of the uncertain status of the occupied Palestinian territory The issue of the existence of a State of Palestine is extremely actual and still unsolved at the UN level With a foreword by prof William Schabas the book collects contributions by renowned international law professors as Eric David John Dugard Richard Falk and many other distinguished scholars and lawyers and brings together for the first time essential documentation on the Gaza conflict The underlying question whether there is a court for Gaza can be seen as a test case for international justice and shed a light on the role of international institutions in the difficult combination of law and politics that connotes international justice Useful for all those interested in the Israeli Palestinian conflict such as international and criminal law scholars and human rights and humanitarian organizations

Drawing Fire Benjamin Pogrund, 2014-07-10 Benjamin Pogrund who spent 26 years as a journalist in South Africa investigating apartheid and who has been living in Israel for the past 15 years investigates the accusation that Israel is practicing apartheid and the motives of those who make it His study is founded on a belief in Israel combined with frank criticism to provide a balanced view of Israel s strengths and problems To understand Israel today one must first look at the past and so the book first outlines key foundational events to explain current attitudes It then explores the contradictions found in the region including discrimination against Israeli Arabs and among Jews before concluding that it is wrong to affix the apartheid label to Israel inside the Green Line of 1948 1967 It also deconstructs the criticisms of Israel and the boycott movement before arguing for two states Israeli and Palestinian as the only way forward for Jews and Arabs This detailed and balanced study offers a unique comparison between South Africa and Israel and explains complex political and social situations in language accessible to all readers

Indecision Points Daniel E. Zoughbie, 2014-10-24 How a president who prided himself on his decisiveness vacillated between policy approaches in the Middle East Although George W Bush memorably declared I m the decider as president he was remarkably indecisive when it came to U S policy toward the Israeli Palestinian conflict His administration s policymaking featured an ongoing clash between moderate realists and conservative hard liners inspired by right wing religious ideas and a vision of democracy as cure all Riven by these competing agendas the Bush administration vacillated between recognizing the Palestinian right to self determination and embracing Israeli leaders who often chose war over negotiations Through the years the administration erratically adopted and discarded successive approaches to the Israeli Palestinian peace process The results of this irresolution included the stunning triumph of Hamas in the 2006 Palestinian elections Israel s 2006 invasion of Lebanon the 2008 2009 clash between Israel and Hamas in Gaza and in the end virtually no diplomatic progress toward lasting peace In Indecision Points Daniel Zoughbie examines the major assumptions underpinning U S foreign policy in the Middle East during the Bush years Was there one policy or two Was the Bush administration truly serious about peace In a compelling account Zoughbie offers original insights into these and other important questions Drawing on the auhtor s own interviews with forty five global leaders including Condoleezza Rice former

Archbishop of Canterbury Rowan Williams Kofi Annan Colin Powell Tom DeLay Paul Wolfowitz Douglas Feith Richard Perle Leon Panetta Chuck Hagel Shlomo Ben Ami and Salam Fayyad *Indecision Points* provides the first comprehensive history of the Bush administration's attempt to reshape political order in a New Middle East **Method and Madness** Norman G. Finkelstein, 2015-01-15 In the past five years Israel has mounted three major assaults on the 1.8 million Palestinians trapped behind its blockade of the Gaza Strip Taken together Operation Cast Lead 2008-9 Operation Pillar of Defense 2012 and Operation Protective Edge 2014 have resulted in the deaths of some 3,700 Palestinians Meanwhile a total of 90 Israelis were killed in the invasions On the face of it this succession of vastly disproportionate attacks has often seemed frenzied and pathological Senior Israeli politicians have not discouraged such perceptions indeed they have actively encouraged them After the 2008-9 assault Israel's then foreign minister Tzipi Livni boasted Israel demonstrated real hooliganism during the course of the recent operation which I demanded However as Norman G Finkelstein sets out in this concise paradigm shifting new book a closer examination of Israel's motives reveals a state whose repeated recourse to savage war is far from irrational Rather Israel's attacks have been designed to sabotage the possibility of a compromise peace with the Palestinians even on terms that are favorable to it Looking also at machinations around the 2009 UN sponsored Goldstone report and Turkey's forlorn attempt to seek redress in the UN for the killing of its citizens in the 2010 attack on the Gaza freedom flotilla Finkelstein documents how Israel has repeatedly eluded accountability for what are now widely recognized as war crimes Further he shows that though neither side can claim clear victory in these conflicts the ensuing stalemate remains much more tolerable for Israelis than for the beleaguered citizens of Gaza A strategy of mass non violent protest might he contends hold more promise for a Palestinian victory than military resistance however brave Israel Under Siege Raffaella A. Del Sarto, 2017 Introduction Israel's new foreign policy consensus after the Oslo peace process 2000-2010 Feeling under siege conflicts threats and regional order The impact and implications of Israel's foreign policy consensus Factors and explanations for the new domestic hegemony The return of dissent 2010 to the present *Promoting Peace Through International Law* Cecilia Bailliet, Kjetil Mujezinović Larsen, 2015 This book considers the liberal conception of peace within Western philosophy and the principle of peaceful coexistence supported in the East It investigates there is a right to peace by tracing the evolution of the international law of peace through its historical and philosophical origins *Chomsky and Dershowitz* Howard Friel, 2013-09-21 Through the lens of a careful assessment of the political views of MIT's Noam Chomsky and Harvard's Alan Dershowitz the two protagonists of a Cambridge based feud over the past forty years author Howard Friel chronicles an American intellectual history from the U.S. war in Vietnam in the 1960s to the contemporary debate about the Israel Palestine conflict Major findings reveal the consistency of Chomsky's principled support of international law human rights and civil liberties and a reversal by Dershowitz from support in the 1960s to opposition of those legal standards today Friel's volume argues that a Chomskyan adherence by the United States to international law and human rights would reduce

the threat of terrorism and preserve civil liberties that the Dershowitz backed war on terrorism increases the threat of terrorism and undermines civil liberties and that the incremental but steady transition toward a preventive state threatens the permanent suspension of civil liberties in the United States Humanitarian Intervention and Legitimacy Wars Richard Falk, 2014-08-21 In the aftermath of the Cold War there has been a dramatic shift in thinking about the maintenance of peace and security on a global level This shift is away from a preoccupation with how to prevent major wars between sovereign states to a preoccupation about non state transnational warfare and violence and strife within states in a world order that continues to be juridically and politically delimited by spatial ideas of national sovereignty and national independence as signified by international boundaries In this book Richard Falk draws upon these changes to examine the ethics and politics of humanitarian intervention in the 21st Century As well as analysing the theoretical and conceptual basis of the responsibility to protect the book also contains a number of case studies looking at Iraq Afghanistan Kosovo and Syria The final section explores when humanitarian intervention can succeed and the changing nature of international political legitimacy in countries such as India Tibet South Africa and Palestine This book will be of interest to students of International Relations theory Peace Studies and Global Politics □□□□ Norman G. Finkelstein, 2024-02-22 2016 12 31 O 2024 1 23

Yearbook of International Humanitarian Law 2011 - Volume 14 Michael N. Schmitt, Louise Arimatsu, 2012-07-26 The Yearbook of International Humanitarian Law is the world's only annual publication devoted to the study of the laws governing armed conflict It provides a truly international forum for high quality peer reviewed academic articles focusing on this crucial branch of international law Distinguished by contemporary relevance the Yearbook of International Humanitarian Law bridges the gap between theory and practice and serves as a useful reference tool for scholars practitioners military personnel civil servants diplomats human rights workers and students

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